ABSTRACT OF THESIS

This thesis studies the career of Thomas of Lancaster from Edward II's accession to the earl's execution in 1322. It opens with an analysis of Lancaster's ancestry, lands, wealth, and retinue, the four factors which made him the most powerful noble of his day and from which he drew his political strength. The cost and size of the retinue are discussed and it is suggested that the maintenance of a large following, together with other necessary expenditure on building and display, was mainly responsible for the earl's continuous pressure on his lands. New evidence drawn from petitions is used to show that while Lancaster may have been a generous lord to his knights his generosity could only function at the expense of his tenants and neighbours. Lack of material makes any full consideration of his economic position impossible, but from the rather fragmentary evidence available it seems likely that Lancaster, in spite of his vast lands, was in financial difficulties for much of his life.

The bulk of the thesis deals with Lancaster's role in the political history of the reign. At first friendship and profit bound him to the crown, as the concessions made to him both by Edward I and his son make clear, but from 1309 onwards he was in almost continuous opposition to the king. He was probably the guiding force behind the establishment of the Ordainers and the responsibility for Gaveston's execution was almost certainly his. A dissection of the events leading to the execution and of the negotiations following it shows

the pains which the opposition took to defend its actions and how its whole case rested on Gaveston's extra-legal status at the time of his death; this does something to counterbalance the usual picture of Edward II's barons as men who were entirely lacking in political ability and who were motivated only by self-interest.

After Bannockburn Lancaster achieved power, and during the next two years he tried, through his enforcement of the Ordinances and his part in the direction of policy towards Scotland, to do much to remedy the country's ills. But it is suggested that economic conditions, particularly the famine and the consequent decline in the crown's revenues, together with the absolute dominance of the Scots in the north and the number of other problems facing the government, made any successful solution impossible and that Lancaster has unjustifiably received much blame for being unable to solve problems which no administration could have solved during those years. Eventually he again went into opposition because of the growth of a strong court party around the king whose members were using their position for private gain at the country's expense. Perhaps the most original part of the thesis lies in the analysis of the relations between the middle party (much smaller than has usually been supposed), Lancaster, and the king's friends from 1316 to 1318. It is during this period that Lancaster can be seen to have the strongest constitutional arguments on his side, though these were inevitably ineffective since the earl was in isolation and had no means of pressing his case

except violence. There is a full account of the negotiations leading to the treaty of Leake in 1318, which are unintelligible unless the existence of this court party, intent on retaining its landed and financial gains, is recognised. (This account considerably modifies the two previous versions of the negotiations supplied by Sir J.C. Edwards and Professor Wilkinson.) The result of the treaty was that Lancaster dropped many of his political claims in return for heavy financial remuneration from the courtiers, and in particular from Warenne - a conclusion that is based on hitherto unnoticed documentary evidence.

The last section of the thesis deals with the dissolution of the old court party as a result of the Despensers' schemes in Wales, and the formation of a new coalition around Lancaster. The earl's attempts to gain support, first from the northerners, then from the Londoners, and lastly from the Scots, are fully described, and a discussion of the northern 'parliaments' of 1321 utilises new evidence. An attempt is made to study the part played by the retinue in these events and to show how the desertion of many of the earl's knights irretrievably weakened his cause and probably led to his desperate and foolhardy appeal to the Scots. Finally, it is suggested that Lancaster was not entirely responsible for his fate and that although bad leadership and incompetence partly brought about his defeat other extraneous factors - a temporary peace with Scotland, the cessation of royal taxation and military demands - also played a large part.

The ancient but still accepted view of Edward II's reign, formulated in the immensely learned works of Tout and Conway Davies, is that it was one in which the struggle between crown and opposition was essentially over the administration. The barons wanted to control the king's household, since it was there that executive power lay, and all their attempts at reform during the reign were means to this end. This argument is much too narrow and abstract in its approach, and the following thesis attempts to rectify it. Emphasis is placed on the heavy burdens laid on the country by economic debility and by the Scottish war; the extension both of purveyance and of military obligation and continuous and heavy taxation were the necessary outcome of the pressure under which the government was working, and coloured the politics of the whole reign, extending opposition to the crown beyond the barons alone. Secondly, the role of baronial retinues receives more than its normal share of attention. During the period the magnates used their retinues to coerce the king on numerous occasions; between 1316 and 1318 Lancaster's retinue was of paramount importance to him in asserting his political claims; and at Berwick in 1319 its departure determined the fate of the town. Hence the relevance of the early chapters of the thesis to its political theme. Thirdly, an attempt is made to treat the earl and his case more objectively and to modify the anti-baronial stance of Tout and Davies, which at times becomes almost facile. Lancaster's territorial and political motives are contrasted, and it is suggested after discussion

of his dealings in Northamptonshire in 1313-16 and of his settlement with Warenne in 1318, that he may have wanted the expansion of his own estates as much as any of his overt political objectives, and that his actions may sometimes have been partly conditioned by the need to prove himself a good lord to his retainers - as, for instance, in his defence of Griffin de la Pole in 1313. The thesis shows that the need for a general resumption of royal alienations was at the heart of his case between 1315 and 1318 and that he regarded this as essential if the crown's finances were to be permanently strengthened. Much of his political reputation must rest on the vigour with which he pressed this absolutely justifiable argument.

It is impossible to write an entirely convincing biography of any medieval magnate, and this thesis has not succeeded in giving anything more than an incomplete sketch of Lancaster's personal relationships with his fellow nobles and with his retainers. There has been a tendency to write in terms of institutions and of economics and of the Scottish war, since it is in these fields that most has survived. A more veracious study would have described, for instance, those whom Lancaster habitually dined with and those to whom he wrote and would have said something of his domestic and family life. This defect cannot be remedied (though the provision of an itinerary in the appendix at least allows us to know where the earl spent some of his time).

Perhaps the most useful single source for the work has been the class of Ancient Petitions in the Record Office, which throw a great deal of new light not only on the management of the estates and on the behaviour of the earl's officials but also on such political matters as Lancaster's war with the courtiers in 1317-18, the Warenne settlement, and the desertion of the earl's knights in 1321. There is some material in Ancient Correspondence which escaped the notice of Davies, and the memoranda rolls have also yielded much. There are few unpublished chronicles; of these, the most important are the so-called 'Trivet' (Brit.Mus. MS. Nero D.X) and the Evesham writer (Bodley MS. Laud Misc.529). A Lancastrian wardrobe account for 1318-19, discovered recently and preserved in the Duchy Office, has provided a great amount of information both on the retinue and on the Berwick campaign and has helped to fill those gaps which have been mentioned above, for it records the names of all those to whom Lancaster sent letters in that year. Probably the most interesting (though not the most fruitful) collection of documents which has been utilised is that now owned by Mr. G.M.T. Foljambe of Osberton Hall, Worksop. This collection, virtually unknown, consists in part of a large number of Lancastrian documents dating from the 1270's to about 1400, which at some stage fell into the hands of the Foljambes, servants of the earls and dukes in the fourteenth century and of the Duchy in the fifteenth and sixteenth centuries. Very many more

documents relating to Thomas of Lancaster formerly existed in the same collection and if these could now be found they would doubtless help to compensate for some of the inevitable deficiencies of this study.

THOMAS OF LANCASTER, 1307-22

A thesis presented for the degree
of Doctor of Philosophy in the
University of Oxford
by

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MICHAELMAS TERM 1967 [c. 1968]

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ABBREVIATIONS

Ann.Lond.	Annales Londonienses, in Chronicles of the Reigns of Edward I and Edward II, ed. W. Stubbs (R.S.,1882-3).
Ann.Paul.	Annales Paulini, in ibid.
Auct.Bridl.	Gesta Edwardi de Carnarvon Auctore Canonico Bridlingtoniensi, in ibid.
Bain, Cal.Docs.Scot.	Calendar of Documents Relating to Scotland, ed. J. Bain, Vol.iii (Edinburgh,1887).
Brit.Mus.	British Museum
Brut	Brut, ed. F.W.D. Brie, Vol.i (Early English Text Soc., London,1906).
Bull.Inst.Hist.Res.	Bulletin of the Institute of Historical Research
Cal.Anc.Deeds	Calendar of Ancient Deeds
Cal.Chanc.Warr.	Calendar of Chancery Warrants
Cal.Charter Rolls	Calendar of Charter Rolls
Cal.Close Rolls	Calendar of Close Rolls
Cal.Fine Rolls	Calendar of Fine Rolls
Cal.Inq.Misc.	Calendar of Inquisitions Miscellaneous
Cal.Inq.Post Mortem	Calendar of Inquisitions Post Mortem
Cal.Papal Letters	Calendar of Papal Letters
Cal.Pat.Rolls	Calendar of Patent Rolls
Cont.Trivet	Nicolai Triveti Annalium Continuatio, ed. A. Hall (Oxford,1722).
Dugdale, Monasticon	W. Dugdale, Monasticon Anglicanum, ed. J. Caley, H. Ellis, and B. Bandinel, 6 vols. in 8 (London,1817-30).
Eng.Hist.Rev.	English Historical Review
Flores Hist.	Flores Historiarum, ed. H.R. Luard, Vol.iii (R.S.,1890).
Foedera	T. Rymer, Foedera, Conventiones, Litterae, ed. A. Clarke and F. Holbrooke, Vols.I,ii; II,i (London,1816-18).

Guisborough	Chronicle of Walter of Guisborough, ed. H. Rothwell (Camden 3rd Ser., lxxxix, 1957).
Knighton	Chronicon Henrici Knighton, ed. J.R. Lumby Vol.i (R.S., 1889).
Lanercost Chron.	Chronicon de Lanercost, ed. J. Stevenson (Maitland Club, Edinburgh, 1839).
Meaux Chron.	Chronica Monasterii de Melsa, ed. E.A. Bond, Vol.ii (R.S., 1867).
Murimuth	Adae Murimuth Continuatio Chronicarum, ed. E.M. Thompson (R.S., 1889).
Parl.Writs	Parliamentary Writs, ed. F. Palgrave, 2 vols. in 4 (London, 1827-34).
Peerage	Complete Peerage, ed. G.E. Cokayne, revised by Vicary Gibbs, H.A. Doubleday, and Lord Howard de Walden, 12 vols. in 13 (London, 1910-57).
Rot.Scot.	Rotuli Scotiae, Vol.i (1814).
R.S.	Rolls Series
Scalacronica	Scalacronica, ed. J. Stevenson (Maitland Club, Edinburgh, 1836).
Stat.Realm	Statutes of the Realm, Vol.i (1810).
T.R.H.S.	Transactions of the Royal Historical Society
Trokelowe	Johannis de Trokelowe et Henrici de Blaneforde Chronica et Annales
Vita Edwardi Secundi	Vita Edwardi Secundi, ed. N. Denholm-Young (London, 1957).
Walsingham, Hist.Angl.	Walsingham, Thomas, Historia Anglicana, ed. H.T. Riley, Vol.i (R.S., 1863).

INTRODUCTION

Early Years

Thomas of Lancaster, born about 1278,[1] was destined by his ancestry and family connections to be the leader of the English nobility. On his father's side he was the grandson of Henry III, the nephew of Edward I, and the cousin of the future Edward II, whose senior he was by about five years. His mother, Blanche of Navarre, Earl Edmund's second wife, brought him into the circle of the French royal family: Blanche's daughter Joan, the child of her former marriage with Henry of Navarre, was the wife of Philip IV, and the mother of three kings of France, Louis X, Philip V, and Charles IV, and of a queen of England, Isabella, Edward II's consort. Few stood closer to the two leading dynasties of Europe than did Thomas. 'Sic utroque parente regios habens natales generosior apparet quam ceteri comites', comments the Vita, while Robert of Reading calls him 'nobilissimo et generoso domino...regis cognato, cuius sanguinis generositas totam fere Christianitatem illustraverat'.[2] Thomas's breeding was of obvious and capital importance to his contemporaries. After his father's death in 1296 he stood closer to the throne than any of the other earls, and this cannot have failed to give point

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[1] His parents' marriage took place between 18 Dec., 1275, and 18 Jan., 1276 (R. Somerville, Duchy of Lancaster, i, London, 1953, p.15). In July, 1297, the tenants of Thomas's late father were told to do homage to the new earl, although he was still a minor (Cal. Pat. Rolls, 1292-1301, p.291). Peerage, vii, p.387, gives c.1278 as his date of birth.

[2] Vita Edwardi Secundi, pp.28-9; Flores. Hist., iii, p.142. Cf. Trokelowe, p.70, and Walsingham, Hist Angl., i, p.129.

to his implicit assertion throughout the middle years of the reign that he and his fellow magnates were the crown's natural advisers. To his friends his birth would of itself have justified the claim.

Lancaster's upbringing is obscure and he is hardly heard of until 1290, when we are given an indication that a fitting marriage was being prepared for him. In August of that year Edward I and Philip IV confirmed an agreement for the marriage of Thomas with Beatrice, the daughter of Hugh, son of the duke of Burgundy.[1] The lands into which Thomas would enter on his father's death were valued at £18,000 tournois noirs, or about £4,500 sterling, a year - a useful and unique valuation of his patrimony - and if Thomas should die before Edmund, Blanche was to be assigned £500 worth of annual rent. But this plan evidently fell through, for in October, 1294, Thomas married Alice Lacy, daughter of Henry Lacy, earl of Lincoln, after Edmund of Lancaster the king's closest minister and confidant. Part of the great Lacy inheritance was settled on Thomas and Alice in fee, with a life interest to Henry and his wife, and the descent of another part was altered to an entail for Lacy, with remainder to Edmund and his heirs.[2] Thomas was thus assured of a second large inheritance estimated to be worth 10,000 marks a year.[3]

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[1] Foedera, I, ii, p.738.

[2] Somerville, op.cit., p.19.

[3] Somerville, op.cit., p.19. Cf. Foedera, II, i, p.738.

The range of his youthful experience was an ordinary one. He had a conventional fondness for tournaments, which he was already attending with Henry, his younger brother, in 1293;[1] the London annalist records that he and the earl of Hereford held a particularly magnificent tournament at Fulham in 1305.[2] He first saw service on the Flanders campaign of 1297-8,[3] and it was on this expedition that he was knighted - at Ghent on All Saints' Day, 1297.[4] This was the only occasion during his life when he went overseas, and in this respect his public career was limited and provincial in comparison with the careers of the other young earls - a trait particularly surprising in view of Lancaster's half-French blood. This domesticity is worth noting, for it may help to explain Lancaster's failure to appreciate the king's difficulties in dealing with France and Gascony, as well as with all his other problems at home, during the middle years of the next reign. In contrast, he served in Scotland over a long period - he was at Falkirk in 1298,[5] at Carlaverock in 1300,[6] at Perth with the prince in the winter of 1303-4,[7] and with him again in the campaign of 1306-7.[8]

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1 H. Johnstone, Edward of Carnarvon (Manchester, 1946), pp.17,28.

2 Ann. Lond., pp.138-9.

3 Protections for him and his men appear on the Supplementary Patent Roll, C.67/12, mm.3,7,8.

4 Brit. Mus. Add.MS.7965,f.57d.

5 Bain, Cal. Docs. Scot., ii, No.1011.

6 Peerage, vii, p.387.

7 Johnstone, op.cit.,p.92; Bain, Cal.Docs.Scot., ii, No.1516.

8 Johnstone, op.cit.,p.115.

It may be that the king saw in Lancaster the image of his own eldest son as he would have liked him to have been: by 1300 the prince's friendship with Gaveston was probably forming and it is probable that his effete habits were already beginning to irk his father.[1] Certainly the favours showered on Lancaster by the king from about this time suggest this interpretation. Valuable gifts - a horse, a manor, oak trees - were presented to him,[2] and numerous pardons and grants were made at his instance.[3] But the king's favour was shown at its highest in the matter of Lancaster's own inheritance and of the charter of 1307. The earl had Edward to thank for the marriage settlement of 1294, with its exclusion of collateral heirs to the two earldoms of Lincoln and Salisbury; had it not been for this the Lacy inheritance would have left the house of Lancaster on Alice's childless death in 1348.[4] Edward was similarly concerned to defend Lancaster's patrimony. John Ferrers, whose father's earldom of Derby had been lost to Edmund through the chicanery of the two royal brothers, was in 1301 forbidden by the king to prosecute his claim to the earldom in the ecclesiastical courts; and when in 1307 the troublesome Ferrers accused Langton,

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1 Ibid., pp.54,122-9.

2 Bain, Cal.Docs.Scot., ii,No.1011; Cal.Close Rolls,1296-1302, pp.281,341.

3 Cal.Pat.Rolls,1292-1301,p.485; 1301-7,pp.145-6,334; Cal.Close Rolls,1296-1302,pp.252-3.

4 K.B. McFarlane, 'Had Edward I a "policy" towards the earls?' History,1,(1965),p.156.

the treasurer, of maintenance in the king's court, the king acquitted Langton and obligingly dismissed Ferrers' case.[1] If this was part of a general 'policy' on Edward's part of the promotion of his own kin it was one from which Lancaster was perhaps the main beneficiary.

The earl's debt to his uncle was increased during the last two years of the reign. In November, 1306, Lancaster was pardoned all his debts and also the inadequate force which he had sent on a previous campaign.[2] Much more important than this was the wide grant of franchises which Edward conceded by his charter of 1307[3] - including return of writs, which privilege the king had said, in the Carlisle parliament only a month previously, that he would henceforth give to none save his own children.[4] Lancaster's manifest wrongdoings, in particular the outrages which he had committed against Tutbury Priory in 1305,[5] were not allowed to stand in the way of the king's affection, and by the end of the reign he was favoured above all others. Even Lacy, who had also obtained the franchise of return of writs, had it only in two hundreds and for life,[6] not throughout his lands and in fee, as did Lancaster.

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1 Ibid.,pp.149-51; Somerville,op.cit.,pp.3-7,19-20; Cal.Close Rolls,1296-1302,p.497.

2 Cal.Pat.Rolls,1301-7,pp.468-9.

3 Cal.Charter Rolls,iii,1300-26,p.82. For the financial benefits of this charter see infra, pp.79-80.

4 Rot.Parl.,i,p.211; Cal.Close Rolls,1302-7,p.531.

5 Cal.Pat.Rolls,1301-7,pp.354,406.

6 Rot.Parl.,i,p.211.

There are no signs that the earl's closeness to the king alienated him from his cousin - indeed, what evidence there is suggests that Lancaster and the young Edward were close friends. The two were together at Dunstable and Fulham in 1293,[1] and on almost all the Scottish campaigns of the last seven years of the reign. The surviving roll of the prince's letters for 1304-5 provides some insight into their relations. In July, 1305, Edward wrote to Lancaster asking him to retain a servant of his, and later in the same month John Botetourt, a royal justice, was asked by the prince to favour the cause of Lancaster and his men in the case then before him with 'tote laide e lamiste que reson purra suffrir, pur lamur de nous'. Two months later Edward again wrote to Lancaster, asking him to persuade the prior of Kenilworth to grant a request for a clerk of his, and a few weeks afterwards a similar request was made by Lancaster to the prince on behalf of another cleric, whom the earl wished to see elected as abbot of Burton. Another letter, sympathising with Lancaster on an illness and expressing the hope of coming to him soon 'pur vous veer e conforter' does seem to show some real bond of friendship between the two young men.[2]

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[1] Johnstone, op.cit.,p.17,n.5.

[2] H. Johnstone, Letters of Edward Prince of Wales, 1304-5 (Roxburghe Club, Cambridge, 1931), pp.61,65,107,136,122.

At Edward I's death Lancaster's prospects must have seemed bright. Though still relatively young he was by birth the senior member of the nobility; the richness of his patrimony corresponded with his status, and he could look forward to two more earldoms and vast new lands on his father-in-law's death. He knew something of war, and his position and increasing experience had been recognised by the king, of whose lavish favour he had been the principal recipient. As far as can be seen, his relations with the prince were equally close. Though the young Edward's dependence on and friendship for Gaveston were obvious features of the closing years of the reign, the prince did not yet play much part in the government of the country, and Gaveston's dominance over him left the baronage comparatively unaffected. In any case, the favourite's exile in April 1307 must have seemed to solve the problem, if only temporarily. On 7 July, when the old king died, there were already ominous signs that the reign of the new one would be overshadowed both by his own incompetence and his father's legacies, chief among which were the problems of Scotland and of an almost crushing debt. But there was as yet no indication that Lancaster's own position would be compromised or that he would take up any stand against the crown - though from the earl's birth and connections, his treatment under Edward I, and the new king's known attitude towards Gaveston, the auspices could perhaps be read.

CHAPTER I

Lancaster's Estates: Territorial Organisation and Administration

In 1307 the Lancastrian estates lay scattered throughout the whole breadth of England. Henry III's original grant to Edmund of Lancaster had consisted only of the honor of Leicester[1] and the other lands forfeited by Simon de Montfort, including those of John le Vicomte's former barony in Northumberland and elsewhere.[2] On to this had been added the Ferrers earldom of Derby, with its honors of Tutbury and Duffield and its outlying manors in the Nene valley in Northamptonshire and in South Lancashire, the isolated estate and castle of Kenilworth in Warwickshire, various Welsh marcher manors, and the honor of Lancaster, from which the whole estate was later to take its name. Included in the grant of Lancaster were Newcastle-under-Lyme, Pickering, and a few other manors.[3] These were the possessions which Thomas inherited; and by his

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[1] For the extent of the honor and a list of its knights' fees, see L. Fox, 'The Honor and Earldom of Leicester: Origin and Descent, 1066-1399', Eng.Hist.Rev.,liv(1939),pp.385-402.

[2] The barony of Embleton, held by the Vicomte family under grant from Henry I, had been conveyed by Ramet, daughter and heiress of John le Vicomte, and her husband, Hereward de Marisco, to Simon de Montfort in 1245 (C.H.H. Hartshorne, Feudal and Military Antiquities of Northumberland and the Scottish Border (London, 1858) pp.59-61). This barony included Lancaster's castle at Dunstanburgh.

[3] For these conveyances see Somerville, op.cit., pp.1-11.

marriage with Alice Lacy he secured for himself, on the death of his father-in-law in 1311, the two earldoms of Lincoln and Salisbury, the four honors of Pontefract, Bolingbroke, Halton,and Clitheroe, the lordship of Denbigh, and various other Lacy lands in London (centred on Holborn, where the earl had a receipt), Wiltshire, Dorset, Suffolk, Nottingham, Oxford, Northampton, Buckingham, Cambridge and Derby[1] - a second vast inheritance. There were few other territorial changes during his life - the Northamptonshire manors of Thorp Waterville with its castle, Achurch,and Aldwinkle were released to him by the earl of Pembroke in 1314;[2] an advantageous exchange with John Warenne, earl of Surrey, in 1318 gave him very extensive new lands in Yorkshire, North Wales and East Anglia in return for 1,000 marks worth of rents and lands in parts of the Lacy inheritance in Somerset, Dorset and Wiltshire;[3] and various small tenements were added in Lancaster's midland towns by private charter.[4] But apart from these acquisitions, to be treated separately later, the territorial framework of the estates

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[1] For the extent of the Lacy possessions see Cal.Inq.Post Mortem, v,no.279.

[2] Somerville, op.cit., p.24; infra, pp. 238-42.

[3] Somerville, op.cit., p.26; infra, pp. 378-83.

[4] Somerville, op.cit., p.20.

was fixed by May, 1311, when the escheators were ordered to deliver to Lancaster and his wife the lands held in chief by Henry Lacy.[1] Lacy's death made Lancaster a power without rival in Yorkshire and Lancashire. His lands now bridged the Pennines and he could pass from Pontefract to Clitheroe and on to Lancaster without leaving his own territory.[2] By this time his landed resources were greater than those of any other noble.

Even from this rapid summary it should be obvious that the centre of Lancaster's territorial power and dominance lay in the north midlands rather than in the north itself - a fact of great significance for the history of Edward II's reign, as Professor Wilkinson has pointed out.[3] Lancaster's only possessions in Northumberland were his manors of Embleton and Stamford and his castle of Dunstanburgh; further south, in the North Riding of Yorkshire, he held Pickering and Easingwold, and on the western side of the Pennines, on about the same latitude, was Lancaster and its members of Slyne, Skerton, Quernmore, and Overton. But the great bulk of the Lancastrian lands were concentrated in

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1 Cal.Fine Rolls,ii,1307-19, p.92.

2 T.D. Whitaker, History of Whalley,ii (London,1876) p.218; and see map.

3 B. Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers, 1321', Eng.Hist.Rev.,lxiii(1948),pp.4-5.

south Lancashire, south Yorkshire, Derbyshire, Staffordshire, Leicestershire, Nottinghamshire, and Lincolnshire. Within this region were his chief castles - Pontefract, where he spent much of the last five years of his life, Tutbury, Donington, and Melbourne (for some reason Bolingbroke, where Henry Lacy had spent much of his time, was little favoured by him; only one charter authenticated there has been found)[1] - and beyond this area he had few powerful friends.

The estates were divided into seven honors[2] - Tutbury, Leicester, Lancaster, Halton, Clitheroe, Bolingbroke, and Pontefract - and three bailiwicks - Dunstanburgh, Higham Ferrers, and Pickering - each of which had its own receiver and, in most cases, steward. The honor, the component parts of which had usually been put together at widely differing times, was often neither a geographical nor an administrative unit. The honor of Leicester, for instance, had lands or fees in Bedford, Berkshire, Buckingham, Cambridge, Dorset, Essex, Hampshire, Kent, Middlesex, Norfolk, Suffolk, Sussex, and Wiltshire, as well as in the north midland counties where its centre lay,[3] while Everleigh, Collingbourne, and Hungerford, though within

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[1] DL.42/2,f.38v.

[2] See map for the location of the receiverships.

[3] Fox, op.cit., pp.400-402.

the honor of Leicester,[1] paid their monies over to the receiver of Berkshire and Wiltshire, not to the receiver of Leicester,[2] and Horbling, in Lincolnshire, part of the honor of Lancaster[3], accounted to the receiver of Bolingbroke.[4] Practical considerations of convenience thus cut across the old haphazard arrangement of honorial lands. In addition there were various other anomalous groupings which fail to fit into this pattern. The earl's manors in Berkshire and Wiltshire, as already implied, were managed by a special receiver for those counties,[5] foreshadowing the grouping of estates by counties which was to come later in the century; and there was a similar receiver for the Essex, Middlesex, and London lands.[6] In Lincolnshire and Nottinghamshire there was a feodary who, as well as keeping the Lancaster and Ferrers fees in those counties and dealing with feudal profits, mainly wardships and reliefs, was also a receiver for two manors.[7] In Lancashire the profitable

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1 Cal.Inq.Post Mortem, vii, No.82, p.64.

2 DL.29/1/3, m.13.

3 Cal.Inq.Post Mortem, v, No.279, p.154.

4 DL.29/1/1.

5 DL.29/1/3, m.13.

6 Ibid., m.13d.

7 Ibid., m.27. For feodaries on the Clare and Fortibus estates at a slightly earlier period see N. Denholm-Young, Seignorial Administration in England (London, 1937), pp.33-4.

vaccaries of Lonsdale and Lounderness were administered as a separate bailiwick with their own keeper, who, though he paid most of his monies over to the receiver of Lancaster, accounted by himself at Tutbury.[1]

Our knowledge of the financial and administrative organization of the estates derives largely from one source - the account roll for 1313-14, mentioned above. This roll consists of twenty large membranes and eight cedule and contains the engrossment of the accounts of the local officials, the receivers, and the household, for Lancaster's patrimonial lands. The major Lacy accounts are missing - no notice is taken of the honors of Pontefract, Bolingbroke, Halton, or Clitheroe, or of the lordship of Denbigh or the Lacy lands in Dorset and Wiltshire, though the names of some of the officials who staffed these receiverships can sometimes be discovered from the entries of the sums which they delivered to other receivers or to the household. Occasionally the accounts for some minor Lacy lands are enrolled - Edgevare and Colhan appear, for instance - but only when these are combined with other Lancastrian manors; and it seems very likely that the accounts for the important Lacy honors were enrolled separately, though administratively the two groups of estates

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[1] D.L.29/1/3,m.1d.

had been fully integrated, as will be shown. The existing roll does not have the appearance of being a fragmentary one, or of having had any membranes detached from it.

The survival of this single roll can partly be accounted for by the auditors' practice of carrying about with them the rolls for previous years while auditing the accounts[1] - though it is rash to say, as Baldwin does, that only one roll was in existence in 1322, shortly after the earl's death, when an inventory was drawn up of the muniments at Pontefract and Tutbury. Other rolls certainly survived the confiscation of the estates; frequent reference is made to that for 1320-21 in the accounts for 1322-24,[2] and in the 17th century Christopher Towneley could quote, though not particularly informatively, from the Pontefract receivers' accounts for various other years;[3] and the entry in the inventory on which Baldwin bases his remark mentions roules in the plural.

The financial system revealed by the account roll lay on three levels. Capping it were Henry de Leicester, the earl's wardrober, in whose charge was placed all household expenditure, and Ralph de

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[1] Cf. H.S. Bennett, 'The Reeve and the Manor in the 14th Century', Eng.Hist.Rev.,xli(1926),p.364.

[2] L. Fox, 'Ministers' Accounts of the Honor of Leicester, (1322-24)', Transactions of the Leicestershire Archaeological Society, xix (1936-37),p.204,n.30.

[3] Brit.Mus.Add. MS.32108. The years concerned are 1274, 1278, 1283, 1290, 1291, 1305, 1314, 1317.

Shopeye, the receiver general, whose headquarters were at Kenilworth. Under these two were the various receivers and bailiffs of receiverships, who were responsible for collecting monies from the local officials and redistributing them, both to other receivers and to the wardrobe and receiver general. At the lowest level, that of the local accountants, there was much variety of title and function, and though the commonest local official was the reeve there were many others, whose duties were dependent on the nature and extent of the area with which they were entrusted.

The wardrobe had little real connection with estate administration. Though it received just over £5,800 in liveries from local officials and receivers,[1] its expenditure was almost entirely concerned with household affairs - victualling, providing robes for the retainers and household servants, the buying of plate, and the distribution of alms and gifts. The wardrobe also served as a repository for documents: in 1321 John de Bulmer, one of the earl's ministers, deposited there a quit claim for land which he had bought.[2] Its controller, Henry de Leicester, was a man of some experience. He first appears as a king's clerk in 1307.[3] By 1313-14 he had

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[1] J.F. Baldwin, 'The Household Administration of Henry Lacy and Thomas of Lancaster', Eng.Hist.Rev.,xlii(1927),pp.196-8, printing DL.29/1/3,m.20.

[2] Foljambe Charters, Yorks.,i,No.346.

[3] Cal.Pat.Rolls,1307-13,pp.5,8.

been serving the earl as wardrober for at least five years,[1] and he was still serving in 1318-19.[2] He acted as auditor in 1320-21,[3] and after Boroughbridge he became one of the royal auditors of the accounts of the contrariants' lands[4] - a trusted and loyal servant of the earl, who, like several others, was prepared to carry his skills into the king's service after his master's fall. His control of expenditure, however, does not appear to have extended over Lancaster's privy purse, which seems to have been financed by an entirely separate organisation, the chamber, which, though drawing on the wardrobe and the receivers for its supplies of money, rendered no accounts and is only incidentally mentioned in the 1313-14 roll. To the chamber was sent just over £200, an unusually high sum, from the receiver of Leicester, £5 from the wardrobe, £2. 13. 4 from the receiver of Tutbury, and nearly £103 from the keeper of fees in the counties of Lincoln and Nottingham, a figure which amounted to over two-thirds of his receipt for that year.[5]

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[1] DL.29/1/3,m.12.

[2] Liber Hospicii (Duchy of Lancaster Office),f.1; Lancaster Household Book (Manchester Reference Library, MS.Farrer 76),p.1.

[3] M. Bateson, Records of the Borough of Leicester,i,(London,1899), p.326.

[4] Cal.Fine Rolls,iii,1319-27,p.149.

[5] DL.29/1/3,mm.20d,20,12,27d.

There is no means of knowing how this money was expended or the officials through whose hands it passed after having left the various receivers. Several chamberlains are mentioned; one, Yerward, was assigned to receive the livery for the chamber from the Tutbury receiver,[1] and another, Moritz, was given a small grant of land.[2] The baronial chamber is still at an inchoate stage; monies, when they come within its purview, are naturally difficult to trace, and though it can be said with some certainty that the chamber took care of the earl's personal expenditure it is impossible to give any exact description of how the process worked.

More important than either the wardrobe or the chamber for the management of the estates was the general receipt at Kenilworth. (It is difficult to see why Kenilworth in particular was chosen. It was unconnected with the main bloc of the Lancastrian estates to the north, and though Baldwin says that 'here tournaments and other entertainments were apt to require an expenditure far beyond what could be obtained from local sources'[3] there is no evidence for this. Perhaps the tradition of a treasury at Kenilworth had been part of the Montfort legacy.) The main function of the general receipt was to act as a redistribution centre for monies delivered from the

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1 Ibid., m.12.

2 DL.41/1/35, m.6.

3 Baldwin, op.cit., p.193.

other receiverships; £2,377 was paid over in this way[1] - a sum twice that computed in the receipt of Lancaster and exceeded only by that of the wardrobe itself - of which just over £1,500 went to the wardrobe. The position of receiver general, important but not necessarily more so than that of other receivers, was held by Ralph de Shepeye, who had already had some experience of financial administration as the receiver of Blanche, the wife of the first earl.[2] He also held the office of constable of the castle, but was completely distinct from the local receiver, William Capellanus, who is described as 'receptor redditum, firmarum, et exitum de Kenill' et custos warnesturae castri ibidem', and who renders his account separately[3] - two features which will be seen to apply to other receivers. For his work Shepeye received a salary of £13. 6. 8, higher than the receivers of Lancaster and Pickering, who were paid £10 each, but hardly approaching that of the constable of Tutbury, whose salary was £20.[4] Like the chamber and the council, the position of the receiver general is still an immature one and he bears only a remote

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[1] DL.29/1/3,m.12d.

[2] Cal.Pat.Rolls,1301-7,p.108.

[3] DL.29/1/3,m.13.

[4] Ibid.,mm.1,3d,12.

resemblance to his namesake of the later part of the century, whose administrative burdens would be much heavier.

The warranting of expenditure at the higher levels - that is, for payments from the receivers to the receiver general and wardrobe, and from the receiver general to the wardrobe - is done entirely by indentures; except for payments from the local officials to the receivers the written indenture has entirely superseded the wooden tally. Practically all indentures leaving the wardrobe go under the seals both of Henry de Leicester and of the earl himself - a careful system of double warranty which may provide some counter-balance to the charges of reckless extravagance and lack of interest in the running of his estates which are sometimes levelled at Thomas.[1] Even the smallest payments into the chamber are warranted 'per litteram comitis patentem' - though this may not necessarily imply the earl's personal order.

The central financial organisation in the honors and bailiwicks was dependent, not upon the receiver general and the wardrober, who merely acted as receipts, but upon the receivers and bailiffs. (The words are sometimes used together. Alan de Hatfield, for instance, is described as 'ballivus et receptor de Hegham Fferrers',

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[1] See, for instance, M. McKisack, The Fourteenth Century (Oxford, 1959), p.68 - 'Unfortunately for himself, since he lacked political capacity, his ambitions were essentially political rather than territorial'.

and Adam Coyne occupies a similar position for Newcastle-under-Lyme.)[1] The receiver was responsible for collecting monies from the local accountants - shown on the receivers' accounts as 'receipts' these can be traced as 'payments' in the accounts of the local officials - and for issuing indentures in return. He also had to answer for the collection of money from amercements,[2] feudal aids, and the arrears of officials who had either died or left office in debt. To balance this, his authorised expenditure included the wages of the steward and of the receiver himself, together with money paid out as ancient alms, tithes, or pensions,[3] and all kinds of working expenses - the expenses of the auditors, which were always paid by the receivers of the honors which they visited,[4] of parchment for the accounts, and of drawing these up.[5] In some cases he was evidently responsible for domestic expenses and purchases as well.[6]

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[1] DL.29/1/3,mm.26d,4.

[2] Ibid.,m.22 - one of the cedule which gives a list of amercements throughout the honor of Leicester.

[3] See DL.36/1/3 - a receipt from Nicholas Ravene of Leicester for his fee, paid by Thomas de Blakebourne, receiver of Leicester honor, on behalf of the earl, 5 Oct.,1309.

[4] 'De quibus computat lv s. in expensis domini Simonis de Baldreston et domini Henrici de Leic' facientium visus compoti ballivorum et prepositorum honoris Tutt' ibidem mense Augusti hoc Anno'. (DL.29/1/3,m.12.)

[5] 'Et xl s. in feodis clericorum scribencium et ingrossatum compotos istius anni'. (Ibid.)

[6] See DL.29/1/3,m.21 - a schedule recording the debts of Nicholas de Lomley, receiver of Leicester, to various tradesmen in and around Leicester.

For administrative purposes the castle was the receiver's home. In addition to holding his other office he was often its constable. The example of Kenilworth has already been mentioned, and in a similar way William Galon, the receiver of Embleton, had the custody of Dunstanburgh Castle, as did his successor, Sir Robert de Bincestre, to whom the office was granted by letters patent in an indenture of March, 1319.[1] Geoffrey de Villiers, the receiver of Bolingbroke, likewise had charge of the castle there.[2] The chief function of the castle, from the receiver's view-point, was to serve both as a secure local repository for money, where accounts could be rendered and local misae delivered, and as a muniment room, and it was equipped for these purposes. Ralph de Shepeye accounts for 'xvi d. in tribus serruris cum clavis emptis apud Coventre pro cofris domini', presumably at Kenilworth; and at the same time mention is made of 'iii s. x. d. in iii ulnis panni viridi pro scaccario recepte'.[3] The copying of royal practice in the establishment of an exchequer of receipt and a treasury was probably not confined to the receiver general at Kenilworth. In the account of Nicholas de Shepeye,

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[1] DL.25/3392. Bincestre had formerly been retained by Lancaster for a fee of £5.

[2] Receiver of Bolingbroke, 1313-14; constable on 9 June 1318; late receiver, 17 March, 1322. (Somerville, op.cit., p.350.)

[3] DL.29/1/3,m.12d.

receiver of Tutbury, it is noted that Adam de la Grene held certain lead workings 'per cartam eidem (comitis) que remanet in thesaurio comitis apud Tutt';[1] and the inventory of documents found at Tutbury and Pontefract after Lancaster's death has been mentioned already. The administrative usefulness of the castle was as important for the running of the earl's estate as were its military functions for his political ambitions.

It is impossible to discuss the position of the receiver without dealing with the steward at the same time, for in most honors the two officials were complementary. (In the smaller bailiwicks their function might be combined: William Galon, for instance, appears to have acted both as steward and receiver for Embleton.) By the beginning of the fourteenth century the relative importance of the steward had declined: his original judicial duties, exercised in private courts, were already waning before the popularity of the royal courts, while parts of his financial and general supervisory powers had been delegated to the receiver, the household officials, and the auditors.[2] It would be wrong, however, to underestimate his standing in the honor - he still had charge of much of its day-to-day administration, and in legal and judicial matters

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[1] Ibid., m.12.

[2] L. Fox, The Administration of the Honor of Leicester in the Fourteenth Century (Leicester, 1940), p.28.

he wielded large powers. He probably appeared at the views of frankpledge which were held twice yearly in each bailiwick, and in some places, at Leicester, for instance, he presided over the honor court,[1] and over meetings of the merchant gild and portmanmoot - in January, 1314, the Mayor and community of Leicester met together 'precepto domini Comitis Lancestrie, in aula Gilde coram Ricardo Ffoun seneschallo honorie Leycestrie' in order to hear and set on record three charters.[2] On other occasions he might act in defence of the lord's franchises or as his attorney. The 1313-14 account roll records a sum of ten shillings 'in expensis domini Philipi de Barinton et seneschalli Tutt' cum seriantia domini comitis apud Stafford pro libertate comitis in Ffitteleie manutenende et sustenande'; and some membranes later a larger sum is recorded 'in expensis Ricardi Ffoun (seneschalli) et Rogeri de Pykering commorancium in partibus Norhampton...pro hominibus illius patrie procurandis et fretandis pro placito inter comitem et Episcopum Cestrie et alios dictum placitum contingentes'.[3] He was expected to know both the territorial and judicial limits of his master's power within the honor or bailiwick; the bailiff of Shilton in

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1 Ibid., p.29.

2 Bateson, Leics.Bor.Recs.,i,p.287.

3 DL.29/1/3,mm.12,20d.

Leicestershire, for instance, reported to the auditors that he was unable to raise certain fines because they lay outside his liberty 'ut testatur per seneschallum'.[1] The steward's authority was evidently regarded as final.

The best way of illustrating the many duties of the steward and his widespread judicial and administrative influence is to take one such official and to describe his activities as fully as possible over a short period. Alan de Hatfield, the earl's chief minister at Higham Ferrers, seems to have been both steward and receiver of his bailiwick[2] - a bailiwick which, since 1308, had been greatly increased in size by the addition of new liberties in the counties of Northampton, Bedford,and Buckingham, and, since 1311, of various Lacy manors in Oxfordshire, Buckinghamshire,and Cambridgeshire, the custody of which cost him over £13 in addition to his normal expenses. His legal business, both in connection with this broad area and more generally, seems to have been heavy. He had to visit Barton, near Cambridge, to appear there before the royal justices of assize; he was summoned to London to act as a warrantor in a case between Lancaster and Richard Bydon; and he went to Dunstable to essoin John de Kinardesey, one of the earl's most important clerks, in a

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[1] Ibid., m.17.

[2] Ibid., m.26.

plea of mort d'ancestor over a Northamptonshire manor. In Easter week he was called to Kenilworth and then to Tamworth on the earl's orders, and on two other occasions he similarly went to Donington. Later, at Whitsun, he was again in London to deliver a small pittance to the Dominicans, then meeting in general chapter, and to collect two writs from the chancery concerning the earl's liberties in the counties of Cambridge and Huntingdon which he afterwards delivered to their sheriffs; and at another time he spent six days there in delivering fees to a number of narratores employed by Lancaster.[1] More specifically concerned with his bailiwick was his journey to Godmanchester to take seisin of the town after the death of the old countess of Derby and to receive the fealty of the tenants, though his subordinate, John Elys, was sent to collect the rents and forms. Besides this, there was, as always, much unspecified business per loca.

Hatfield was no exception among Lancaster's stewards in the diversity of the affairs on which he was employed - though as his bailiwick lay quite close to London it was natural that he should spend more time there on the earl's business than Lancaster's equally important north midland officials. It is noticeable that much of this business was of a general sort and there are only a few matters

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[1] For narratores in general see Denholm-Young, Seignorial Administration, p.37; and infra, p.106

which concern the administration of his bailiwick alone. Though steward and receiver were complementary (or sometimes, as here, the same man) it was generally the former who had the widest competence, while the receiver was more closely confined to financial administration at the centre of the honor, beyond which he rarely strayed. It was the steward who was responsible for the judicial and administrative supervision of local officials in their own areas, the receiver for collecting their monies and delivering them to the household or receiver general, and the former task naturally gave to the steward a broader variety of experience. In 1322 we hear of a third official, the subseneschallum for Tutbury honor,[1] who presumably shared his senior's duties.

Below the level of the steward and receiver lay the local accountants, amongst whom there was much variety in function, salary, and status. Though the reeve, responsible for one manor and receiving a money allowance of about five shillings a year, usually in addition to other privileges, was the predominant official, others - bailiffs, foresters, parkers, stockmen - are also found, whose duties and corresponding wages are greatly in excess of his. Of these, the bailiff is sometimes synonymous with the reeve - the reeve of Irchester, for instance, is referred to in the Higham account as 'bailiff'[2] -

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[1] JI.1/1389.m.28.

[2] DL.29/1/3,m.23.

but more usually has a special area of jurisdiction; most of the 'new liberties', wide areas often in three or four counties administratively attached to an honor but geographically separate from it, were managed by bailiffs. Henry Riot, the bailiff of the new liberty in Berkshire, received a wage of £1. 6. 0,[1] a good indication of how much larger his responsibilities were than those of the mere manorial bailiff and reeve. Some vills - Carleton, Desford, Shilton and Hinckley, for example, all in Leicestershire - are accounted for twice, once by a reeve, and once by a bailiff of fees who is charged with collecting the feudal dues and rents not only from his own vill but from those of the surrounding area as well. The three varieties of bailiff thus enumerated seem to bear out Denholm-Young's well-known dictum that '"bailiff" is a word that can be applied to almost anyone who is appointed to look after the property of another'.[2]

The forest areas also had their own particular arrangement, distinct from that of the manors and of the bailiwicks. The forests of Needwood and Duffield were divided into a number of wards, each administered by a receiver, and under the general supervision of a master forester, often a man of considerable standing, whose salary

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1 Ibid., m.12d.

2 Denholm-Young, Seignorial Administration, p.32.

might be as high as that of the steward or receiver: John de Miners, for instance, the master forester of Needwood, received £5. 6. 8 a year, in addition to his salary as steward of Tutbury from May, 1314,[1] and Nicholas de Hungerford, master forester of Duffield, received £9. 2. 6.[2] Leicester forest differed slightly, for although it had its own master forester there seems to have been only one receiver who accounted - the receiver of Heathley, who was responsible for all the sources of forest income and expenditure,[3] varying little from forest to forest. The master forester, on the other hand, was responsible for the receipt of some of the monies from the local forest receivers - though most of these were delivered directly to the head of the honor - as well as for the general supervision of forest administration. He also had to account for every deer and piece of timber that left the forest: Thomas le Chamberleyn, keeper of Leicester Forest, accounted in 1313-14 for 46 summer bucks (dani de pinguedo), 25 winter does (damae de fermisona), 69 trees , and 103 cartloads of timber which had been sent out during the year.

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[1] DL.29/1/3,mm.6,12.

[2] Ibid.,m.8.

[3] L. Fox and P. Russell, Leicester Forest (Leicester, 1948),p.39.

All these outgoings had to be authorised by a mandate from the earl or sometimes from Robert Holand,[1] and the names of the recipients were given in the account.[2]

A somewhat similar system of administration existed in areas where stock-farming was the chief source of income. The chief stockman of Wyresdale in Lancashire had under him twelve boothkeepers (vaccarii), each responsible for a vaccary and each of whom rendered his own account at Pontefract, though their allowances and expenses were paid by the chief stockman.[3] Similarly the great Lancastrian sheep flocks in the Peak were kept by two stockmen under the control of Richard de Holand, the magnus instaurator,[4] and the large herds of cattle in Duffield forest and the neighbouring areas were cared for by two other instauratores.[5]

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[1] E.g., DL.29/1/3,m.8d, where various liveries of deer and oak trees are made to a number of Lancastrian retainers 'per litteras domini comitis et domini Roberti de Holand' - a useful indication of the very extensive supervisory powers assigned to Holand.

[2] Fox and Russell, Leicester Forest, p.36.

[3] DL.29/1/3,m.2.

[4] Ibid.,m.8d. This is probably the same Holand who received a grant of housebot, heybot, firebot, and common of pasture in Needwood forest from the earl in 1314 - see S. Shaw, History and Antiquities of Staffordshire, i, (London, 1798), p.111.

[5] DL.29/1/3,m.8d.

This does not exhaust the list of units of account. In Derbyshire there are signs of the beginnings of groupings much more comprehensive than those of the usual manors or local bailiwicks. Thomas de Beaurepeir administered the whole of the socage and wapentake of Wirksworth, consisting of 31 small hamlets and vills producing between them an income of nearly £190; another bailiff accounted for Appletree hundred, and the new liberty in the county was farmed out for an annual sum together with the profits of the two courts.[1] The basic local unit, however, remained the manor, the accounts for which were usually rendered by only one reeve. (On the Lacy estates it was normal for at least two officials to account - generally the reeve together with the receiver or steward in charge of the honor.)[2] As on many other estates, the reeve's charge often included the arrears of a number of former reeves - the arrears of the reeve of Wirksworth, for instance, amounted to £14. 3. 8, of which £1 was paid off by a former reeve as a livery to the receiver of Tutbury during the course of the year. Of the remainder the then reeve sought an allowance of £8. 17. 5 at the end of his account for the debts of four of his predecessors,

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1 Ibid., mm.9,9d.

2 Somerville, op.cit., pp.74-5.

and another £3. 2. 6 for farm of pasture which he had not yet received; presumably the remaining arrears represented cash in hand at the start of the year.[1] The fact that arrears could still be owing from a date at least four years previous to the time of the account (a year would normally be the reeve's minimum period in office and many must have held the position over a much longer span) illustrates the difficulties faced by the central receivers in levying money. However great the potential wealth of the estates much would inevitably be wasted if the local accountants, the actual producers of the money, could not be compelled to pay promptly any sums which were owing from their previous accounts, and if they or the auditors could not compel former officials to make up their arrears.

The mechanism which held together this divergent and varied structure was the annual view and audit, the responsibility of the auditors. Certain important differences between the Lacy and the Lancastrian estate organisations are at once apparent here. The Lancaster account roll shows the system of accounting to have been more highly centralised than the Lacy system; and at the same time the time lag between Michaelmas, when the accounts were due, and the dates when they were actually audited seems to have been much longer, as also does the period needed for the audit - though since only a few

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[1] DL.29/1/3,m.7d.

of the dates of audit are given in the accounts these observations are not always easy to bear out. The auditing of the Lacy accounts for 1295-6 was carried out between October and December, beginning at Pontefract on 2 October and ending at Denbigh on 9 December. Between these dates the auditor or auditors travelled to Bolingbroke, Frangle, and Sweton in October, to Kingston Lacy, Aldbourne, and Halton in November, and then to Sedgebrook and Kneesall in December.[1] The Lancastrian auditors, like those of the Lacy estates, seem to have begun at Pontefract, but not until over six weeks had elapsed since Michaelmas; Henry de Leicester's household account is not rendered until 22 November, 1314.[2] To Pontefract there also came the receivers of Lancaster (27 November), Pickering, and Embleton,[3] and presumably the receiver of Pontefract gave his account at the same time, together with the local officials of these receiverships. By or before 2 January[4] in the following year the auditors had reached Tutbury where they stayed until at least 15 January to hear the accounts of that honor and of some external regions. (The keeper of Lonsdale and Amounderness forests, for instance, came to Tutbury to account.)[5] By 25 January they were at Leicester and a month

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1 Somerville, op.cit., p.77, citing DL.29/1/1.

2 DL.29/1/3,m.20.

3 Ibid.,mm.1,2d,3.

4 Ibid.,m.10.

5 Ibid.,m.1.

later at Higham in Northamptonshire, where on 25 February the accounts of the bailiff and reeve of Higham were audited.[1] Little can be discovered about the auditing process on the former Lacy estates which are not enumerated on the roll; it is known that in the previous year the auditors had stopped at Bicester for nine days to hear the accounts for Clifford and Glasbury, Lancaster's two Herefordshire manors, for the bailiff of Higham was responsible for their expenses there.[2] (The bailiff and receiver of Berkshire and Wiltshire had also rendered account at Bicester in 1313-14.)[3] And in the same previous year the accounts of Walter de Bredon for the lands in and around London were heard at Higham. But of Denbigh, Halton, and Clitheroe, together with the former Lacy manors in Somerset, Dorset, and Wiltshire, it is impossible to speak with certainty. In 1318-19 a single auditor heard the accounts of the Northumberland manors at Embleton.[4] There was probably no regular system, and the auditors' itinerary may well have varied from year to year.

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[1] Ibid., m.23.

[2] Ibid.

[3] Ibid.

[4] Wardrobe Account, 1318-19 (Duchy of Lancaster Office), m.6.

In 1313-14 the accounts were thus heard at some five or so centres: Pontefract for the northern estates, Tutbury and Leicester for the north midlands, Bicester and Higham for the south. The process was a lengthy and expensive one, made additionally expensive by the travelling costs of the accountants, though this was a comparatively small burden when seen against the background of the whole estate expenditure. The reasons for centralisation can only be guessed at; it would perhaps enable the auditors to keep a tighter control over the local officials if the latter had to render their accounts at a distance from their own manors and vills, with no henchmen to support their claims and within the direct reach of seignorial sanctions - the lord's court and the lord's prison. And, politically, Lancaster's career centred on two or three places - Pontefract and Tutbury in particular - while Lacy was much more travelled in England, Scotland, and Gascony, and less inclined to live on his estates for much of the year. It was natural that Lancaster should wish to concentrate the administrative system of his estates around him and, possibly, to subject it to his own supervision, though there is no sign of this in the accounting process.

Less formal and set in its nature was the view of account, the period of which usually ran from Michaelmas until about Easter in the following year, when the auditors could check the state of the accounts

and probably levy some of the cash in hand at the same time. One membrane of a view for Lancaster's estates in 1319-20 has survived, covering various manors in Yorkshire, together with Embleton and Stamford in Northumberland.[1] The statements of receipts and expenditure in this document are as comprehensive as those in the final account at the end of the year, though they are enrolled with less neatness and precision of style; and the audit itself, if this term can be correctly used for the view, must have been much less searching and thorough than that after Michaelmas - a point made clearer by a comparison of the expenses of the two processes. While the costs of auditing the accounts of the midland section of the honor of Leicester in 1313-14 amounted to £4. 13. 9, the cost of viewing the same accounts a few months earlier was only £1. 6. 8½.[2] As with the formal audit, the date at which the view was made seems to have lagged well behind the time at which the account closed - the views for the honor of Tutbury and for Newcastle-under-Lyme were not made until August, 1314[3] - though the view seems to have been much less centralised than the final audit, and those making it seem to

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[1] PRO.30/26/71/1. The Yorkshire manors are - Conisborough, Pickering with its receivership, Scales, Rothwell, Altofts, Leeds, Keghale(?), Barwick-in-Elmet, and the free court of Pontefract. The places where the view was made are not given.

[2] DL.29/1/3,m.20d.

[3] Ibid.,mm.12,4.

have been prepared to travel much greater distances. The view of the Northumberland manors and of Pickering in 1314, for instance, were made at Rothwell, not at Pontefract as in the final audit;[1] and Newcastle-under-Lyme and Lancaster, both apparently omitted in the post-Michaelmas account, were also visited.[2] Nor were those who made the view necessarily the same as the auditors; in 1313-14 Simon de Balderston and Henry de Leicester, the wardrober, took the view, while for the final audit Robert de Silkeston was substituted for Leicester.[3] Obviously the view was a much more flexible and variable instrument in every way than the final audit, though equally useful to the earl, both for raising cash and keeping a check on the accountants.

All expenditure by the accountants had to be warranted by tallies, which the auditors later demanded to see; or sometimes the earl might send writs to the auditors ordering them to make allowances to various accountants. In October, 1315, he told them to allow £2. 7. 0 to Sir Thomas Walys, the receiver of Lancaster, for the wages of William de Dacre and John de Haverington, two of his knights;[4] and in May, 1318, a similar writ was sent to the auditors of the accounts of the sellers of wood in Leicester forest, commanding

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1 Ibid., mm. 2d, 3d, 3.
2 Ibid., mm. 4, 12.
3 Ibid., mm. 4, 1.
4 DL. 25/977.

them to allow these sellers £19. 5. 5½ for goods delivered into the earl's household, and to charge Henry de Leicester with this sum.[1] All deliveries of money outside the manor had to be accredited by tallies or indentures, though sometimes it is stated that 'tallias nondum reddit' to excuse any deficiency in numbers of tallies at the audit. Sometimes even the final engrossment of an account is queried; the account of the clerk of the works at Melbourne Castle, whose expenditure came to within ninepence of a receipt totalling just over £1,333 - a case obviously open to suspicion - is marked at the foot 'Iste compotus operis castri non acceptatur' and it was ordered that his rolls should be inspected.[2] Little escaped the trained eyes of the auditors - they combined zeal in their master's cause with an experience often gained as stewards or receivers themselves, or as royal officials, and it was to their own advantage to put this experience to good use.

Though the auditors were responsible for the detailed examination of the expenses and general management of the estates, informal appellate and supervisory powers were often exercised by the council, the competence of which seems to be almost limitless. It may have played a part in the earl's political schemes, but the nature of the

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1 Bateson, Leics.Bor.Recs.,i,p.318.

2 DL.29/1/3,m.15.

records precludes any knowledge of this and what little information there is shows it at work only on financial and estate matters. Under Earl Edmund the council is seen on one occasion assessing a tallage - though in the context the word 'consilium' could be equally well translated as 'advice';[1] and at another time Sir Roger Brabazon and Sir Walter Helion, 'chef menours de le conseil sire Edmond', adjudicated in favour of the abbot of Burton in a case where Edmund had unlawfully demanded the presentation of a frankpledge from one of the abbot's manors which had been taken into demesne and therefore had no tenants.[2] Under Thomas the council acts similarly. In 1315 Lancaster granted his retainer William Tuchet a life estate in certain Northamptonshire manors or other lands elsewhere, indemnifying him against damages claimed by Walter Langton, bishop of Chester, and others, in exchange for which 'le dit monsire Willielm ad grante qil fera auxi bone seurtee come le dit counte et son consail saveront ordener';[3] and on another occasion in this year or the next the burgesses of Leicester were granted their liberties before the council.[4] Its appellate function is clearly seen in a case of 1319 where the reeve of Tutbury petitioned 'coram domino Johanne de Kynard'

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1 Bateson, Leics.Bor.Recs.,i,p.208; Somerville, op.cit.,p.81.

2 SC.8/95/4737.

3 DL.25/3445.

4 Bateson, Leics.Bor.Recs.,i,p.301.

et Roberto de Silkeston et aliis de consilio domini apud Pontemfractum' for an allowance to be made on his account for 16 oxen which he had delivered to the earl's larder three years previously, and for the expenses of various messengers, neither of which had yet been allowed to him by the auditors.[1] Sometimes it decided purely agrarian matters. When the tenants of a Denbigh township enclosed more of the common land than Lancaster had leased to them it was the earl and his council acting together who ordered the examination and measurement of each holding by surveyors;[2] and when in 1313-14 the park-keeper of Hinckley in Leicestershire was allowed ten shillings on his account for wages it was stated that he should receive in future the wages which others in that position had had 'nisi aliud inde ordinatum fuit per consilium'.[3] Thus the council emerges as something of a 'policy-making' body, while the auditors, large though their authority is, are more concerned with implementing decisions and with guiding the normal routine of estate management.

The council's constitution was almost certainly informal. There is no suggestion of a councillor's oath or of special payments to councillors, and the fact that of the four extant indentures between

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[1] Wardrobe Account, 1318-19,m.7.

[2] Survey of the Honour of Denbigh, 1334, ed. P. Vinogradoff and F. Morgan (British Academy, 1914) p.22.

[3] DL.29/1/3,m.16.

the earl and his retainers one specifies that the retainer should attend the lord's council and the three others imply this[1] suggests that any of the earl's followers could be called to serve on the council. It certainly had some legal bias: Brabazon and Helion, mentioned in the abbot of Burton's petition, were both justices, the one Chief Justice of King's Bench from 1295-1316,[2] the other a justice in eyre from 1267 and a justice of Common Pleas from about 1278.[3] Brabazon was again serving as a councillor in 1300.[4] Of the other councillors, estate officials are prominent, as one would expect. Brabazon himself had been steward of Tutbury in 1295,[5] and Ralph de Shepeye, acting with him in 1300, has already been mentioned as the receiver for Edmund's wife and later receiver general.[6] Kinardesey and Silkeston, acting in 1319, had both been auditors in 1313-14,[7] and Silkeston had served Henry Lacy as an auditor and as receiver of Bolingbroke in 1304-5.[8] Henry Lacy's supposed death-

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[1] Ut inf., p.93.

[2] T.F. Tout, The Place of Edward II in English History (2nd ed., Manchester, 1936), p.331.

[3] Cal.Pat.Rolls, 1266-72, p.172; 1272-81, p.308.

[4] Bateson, Leics.Bor.Recs., i, pp.234-5.

[5] Cartulary of Tutbury Priory, ed. A. Saltman (Hist.Coll.Staffs., William Salt Soc., 4th Ser., iv, 1962) p.243.

[6] Ut sup., p.18.

[7] DL.29/1/3, m.12.

[8] DL.29/1/2, m.9d.

bed advice to his son-in-law in 1311 to choose 'consiliarios et ministros Anglicanos' and a petition of 1322 complaining of the wrongs done by 'des Conseillers, Seneschals, Bailiffs, e autres Ministres' of the earl provide further tentative evidence of the identification of councillors with estate officials.[1]

In his choice of estate personnel Lancaster was particularly fortunate in that he could draw from those experienced men who had served both his father and Henry Lacy. The examples of Roger Brabazon, serving Edmund, and Robert de Silkeston, serving Lacy, have been mentioned above. The history of Simon de Balderston, an auditor in 1312-13,[2] and Silkeston's companion in the following year, shows similar characteristics. He had been Henry Lacy's steward in Blackburnshire in 1303-4,[3] but shortly afterwards he seems to have gone over to Lancaster, whom he was serving as receiver of Lancaster in the next year.[4] Like Silkeston he was an auditor of the contrarients' accounts after the earl's fall.[5] Many other examples could be given of the rise to power under Earl Thomas of former officials of Henry Lacy and of Edmund of Lancaster. Nicholas

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1 Trokelowe, p.73; Rot.Parl.,i,p.394; Somerville, op.cit.,p.81.

2 Bateson, Leics.Bor.Recs.,i,p.277.

3 Whitaker, Whalley, i,p.268.

4 De Lacy Compoti,1296,1305,ed. P.A. Lyons (Chetham Soc,cxii,1884) p.64.

5 Cal.Pat.Rolls,1321-24,p.103.

de Lomeley, Lacy's bailiff at Donington in 1304-5, became the receiver of Pontefract and then of Leicester under Lancaster[1] (a rare instance of a local accountant attaining high administrative position). Sir Robert de Bincestre, who was probably one of Lacy's retainers since the earl sought a protection for him on going overseas in 1305,[2] was made constable of Dunstanburgh Castle by Lancaster;[3] and Michael de Meldon, an attorney of Edmund of Lancaster in 1293, was promoted by the next earl to be steward of Tutbury, which position he was holding in 1304, and became one of the most active and loyal servants of him and his successor.[4] The ties of servants to a family or an estate were evidently strong, though not unbreakable, as the actions of many of those same servants in entering the king's service after 1322 showed. Experienced estate administrators were at a premium, and practical knowledge and ability was a commodity which could be sold on any market - a fact which often outweighed any considerations of loyalty to one who, in the case of Henry of Lancaster between 1322 and 1327, was virtually 'a king over the water'.

Can any statistical conclusions be drawn from these and similar brief biographies? Firstly, although the impression may have been given that Lancaster debt to Lacy was heavy, numerically this was not so.

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1 DL.29/1/2,m.13; DL.29/1/3,m.20d.

2 Cal.Pat.Rolls,1301-7,p.388.

3 Ut sup.,p.21.

4 Somerville, op.cit.,p.352.

From a total figure of 88 major estate and household servants, from the receivers and stewards down to the more important bailiffs, but excluding most of the local accountants, only six seem to have been inherited from Lacy (though since a detailed study of the Lacy personnel and administration has not been undertaken, this figure is probably too low), albeit these six were, at one time or another, among the most important of the central officials: all were receivers, and two - Silkeston and Balderston - were auditors as well. It should perhaps be remembered that nine years elapsed between the date of the Lacy account and that of the Lancastrian roll, and two years between Lacy's death and that same date - a period in which many of his staff could have died or been dispersed. Similarly, the number of Lancaster's officials known to have served under his father is only five, but here again it is difficult to reach any exact figure because of the paucity of records both for Edmund's administration and for the early years of his son. It seems inherently probable that the proportion of estate servants taken over from both Lacy and Edmund of Lancaster was much greater then this nominal fraction of one-eighth.

Secondly, many, probably most, of Lancaster's receivers and some of his stewards were clerks. From 44 receivers and stewards

whose names are known, eleven were in orders, and this figure again is probably low - the word 'clerk' is not invariably added in the records to the names of those who are known, from other sources, to have been in orders. Many of Lancaster's clerks were rewarded with benefices - Henry de Leicester, Michael de Meldon, and Henry de Norlegh (a clerk of the earl's chamber)[1] all held livings in the earl's gift in Yorkshire,[2] for example, and both Meldon and Leicester were fined for non-residence by Archbishop Greenfield in 1315, inevitable since both were continually occupied on the earl's business. (The fines were afterwards relaxed, perhaps at Lancaster's instigation.)[3] Again, Nicholas de Shepeye, receiver of Tutbury in 1313-14, was presented by Lancaster to the living of Trowbridge in Wiltshire.[4] It was a system which rewarded the officials without undue expenditure on the earl's part and which provided the earl with the supply of trained and literate men which was essential if accounts were to be accurately compiled and checked and the administration in general were to run easily. Naturally, there were able laymen - William Galon at Dunstanburgh and John Dalton at Pickering both seem

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1 DL.29/1/3,m.15.

2 Archbishop Greenfield's Register, ed. W. Brown and A.H. Thompson (Surtees Soc., 1934) ii,p.172; v,p.185.

3 Ibid.,i,pp.157,160.

4 Registrum Simonis de Gandavo,ii,ed. C.T. Flower and M.C.B. Dawes, (Canterbury and York Soc., 1934),p.818.

to have been particularly trusted and to have done political as well as administrative work for the earl - but these were the exception. It is not too large a generalisation to say that, at the higher levels, the system of estate management rested on a body of competent and skilled clerks.

It would be as well to sum up by drawing together some of the points of comparison between the Lacy and Lancaster estates which have already been made, for these two great territorial units provide between them an almost unique source for the study of baronial household and estate administration at this period, a source which helps to span the gap between the Clare, Fortibus, and Bigod estates during the 1280's and 90's, already discussed by Mr. Denholm-Young, and those of Lancaster's successors, the records for which begin to proliferate after about 1330. In spite of the uneven nature of their distribution the two estates had largely been integrated by 1313-14, just as the Ferrers and Montfort lands had previously been merged with those of Earl Edmund. The receiver of Pickering, a Montfort manor, accounted at Pontefract, a Lacy centre; the accountant for Colham and Edgeware, old Lacy manors, went to Higham for his audit; and the receivers of the five Lacy honors of Denbigh, Clitheroe, Halton, Pontefract, and Bolingbroke all paid some of their monies over either to the receiver general at Kenilworth or to the earl's wardrobe - though the fact that none of these honors appear on the 1313-14 account roll suggests

that they were still thought of as a discrete estate, and enrolled separately. Many of the peculiarities of the Lacy system of accounting seem to have disappeared (though without the accounts for the missing honors it is difficult to say this with certainty). There is usually only one accountant for most of Lancaster's manors, not two as with the Lacy manors, and the items on the account are enrolled consecutively and not in parallel columns. The administrators who must have been responsible for much of this process of integration were often former Lacy officials and it was perhaps this fact which made the merger so easy and so relatively inconspicuous. Men like Silkeston, who had been Lacy's auditor, knew well the potentialities of the various honors and carried their knowledge with them to their new master. It was only natural that, whatever might be the economic differences between the two estates and however sharply Lancaster's extravagance might contrast with Lacy's carefulness, administratively the joining of the two estates should be a simple matter.

Where did ultimate responsibility lie for the management of the estates? Not with the wardrober, nor with the receiver general, the one concerned chiefly with household expenditure, the other with the redistribution of monies; nor was there any steward for the whole estate,as there would be later - though Robert Holand seems to have filled some of his functions. It is probable that the most important decisions - to change from demesne cultivation to leasing on a

particular manor, for instance, or to make new assarts - were taken by the council. What little evidence there is suggests that this body was responsible for a number of minor changes and innovations in the running of the estates, all recorded incidentally; and we are not likely to know of more significant decisions, made verbally, which contemporaries saw no reason to record. Practical supervision of the estates rested largely with the auditors, though, as shown, auditors and councillors might often be the same men. It remains to be seen how effective this structure was in its primary purpose - to provide for the earl's expenses, the feeing of his servants and retainers, and the financial support of his political schemes.

CHAPTER 2

Lancaster's Financial Position

The one account roll which survives provides only a partial, though valuable, guide to the state of Lancaster's finances. Lay estate accounts at this date are not designed to show a profit or loss, but only the accountant's liability (though rudimentary profit calculations had been made on some monastic estates from about the 1250's);[1] and in Lancaster's case the value of the account is lessened further by the fact that it omits the former Lacy lands and there is no means of knowing how well these were paying. Nevertheless, some figures can be deduced for the lands given in the account, as shown below. But even if true figures for profit or loss could be worked out from the account they would have only a relative value, since very little is known of Lancaster's other sources of income - douceurs from petitioners for his favour, the royal profits made over by the very wide grant of franchises in 1307, and the gains of talleges and simple extortion - which by their nature are hardly likely to be recorded in an estate account.

A rough calculation of the profit or loss of each individual manor or accounting unit can be worked out without two much difficulty.

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1 Denholm-Young, Seignorial Administration, pp.120-30.

The 'summa recepte' at the end of the first part of each account consists of three separable items - the arrears, the income from the manor or receivership itself during the current year, and forinsec receipts from other similar units. It is a simple matter to deduct the arrears and the forinsec receipts from the total in order to find the actual amount of money produced - from rents, sales of work and of produce, and so on. If the liveries outside the manor or receivership are then deducted from the 'summa mise et liberate' which forms the second part of the account, the true working expenses, consisting of fees, costs of repairs and maintenance, carriage expenses, etc. will be left - and the profit within the unit can be calculated merely by subtracting the result of the second sum from that of the first. This will not be a wainage profit, concerned only with agricultural gains, but an overall one.

By repeating this process for every receipt on the account roll, some idea of the total profit or loss can be given. It is not enough to do as Miss Oschinsky does and merely calculate the condition of each receivership.[1] Since the forinsec receipts of the receivership form the bulk of its income and the money produced at the head of the receivership itself will be only a very small fraction of the total

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[1] D. Oschinsky, 'Notes on the Lancaster Estates in the Thirteenth and Fourteenth Centuries', Transactions of the Historic Society of Lancashire and Cheshire, c(1949),p.20.

receipt, while the expenses of fees and maintenance may be very high, it would be natural to expect a deficit at the end of the account - even though the account itself may end with an unduly optimistic 'sic debet' balance. Thus the receiver of Tutbury has a 'debet' balance of nearly £197, though in fact the difference between his real income and his real expenditure shows a deficit of just over £200; similarly the receiver general owes the earl nearly £649 but in reality has a deficit of about £245.[1] The existence of large receiver deficits is not particularly important for the affairs of the estates as a whole and an explanation has been given only in order to explain their appearance in the table in the appendix. In discounting the receiver's forinsec receipts no mistake has been made, since these same receipts have already been computed in the accounts of the local officials. Unless the real income of these officials exceeded their liveries to the receivers, their accounts would show a deficit - and this is rare and usually occurs only when some of the arrears of a previous accountant have been paid off, since the total arrears have already been discounted on the income side of the account.

Set out as an equation the formula used would run:-

Profit = [Total receipts - (arrears + forinsec receipts)] - [Total expenditure - forinsec liveries]

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[1] DL.29/1/3,m.12,12d.

It would be equally wrong to try and make any calculations as to the state of the earl's revenues from the household account alone, as both Baldwin and Sir Robert Somerville have done.[1] It is true that at the end of his account the earl's wardrober acknowledges a surplusage of nearly £857 - but this is comparatively small and could have been paid off merely by demanding new liveries from the local accountants or from the receiver general. In fact, the situation appears to be rather more serious; Lancaster's estates, using the method of calculation already explained, show a total deficit of £5,310. 2. 7. Thirteen manors or receiverships show net losses, as against 88 which show net profits, but these profits, ranging from £339 for the manor of Pickering to 5/7d from the little vill of Glenfield in Leicestershire, are not cumulatively large enough to offset even the household deficit alone. It might be true that 'nec...ducem vel comitem, sub imperio Romano militantem, de terrarum proventibus tantum facere posse quantum Thomas comes Lancastriae'[2] - but then neither did they spend so freely.

There are, however, certain factors which successfully offset this apparently large deficit. Firstly, as has often been said before, the Lacy lands are not included in the account, and the liveries from

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[1] Baldwin, op.cit.,p.193; Somerville, op.cit.,p.78.

[2] Vita Edwardi Secundi,p.29.

the receivers of those lands, both to the receiver general and to the wardrobe, were very large - the receiver of Bolingbroke, for instance, delivered £640 to the receiver general and nearly £740 to the wardrobe,[1] sums which in both cases exceed any other liveries to those receipts (discounting the £1,502 paid by the receiver general to the wardrobe). The total liveries from the Lacy estates (shown in Table 2) amounted to £4,080. 12. 0, a figure which cuts the first and cruder deficit by over two-thirds. It does not seem satisfactory to include the figures for the missing honors from the Lacy account for 1304-5, even with qualifications, as Miss Oschinsky has done.[2] Conditions changed rapidly and Lancaster was noted for his extravagance, particularly in such matters as the feeing of retainers.

Secondly, from the formula already given it will be seen that the arrears have been discounted in the calculation of each true receipt; yet liveries have also been discounted, even when those liveries include some of the arrears of a previous official which may be represented as real income - the cash in hand part of the arrears as opposed to the bad debts, for which the accountant was held responsible but which brought nothing in. This type of livery amounts to almost £99, a sum which again is to be put on the credit side of the account. No notice, however, has been taken of the

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[1] DL.29/1/3,mm.12d,20.

[2] Oschinsky, op.cit.,p.20.

allowances sought by the accountant, whether for the arrears of his predecessors, for money demanded but not in his hands, or for other reasons. If these were permitted by the auditors they would not affect the account, but if disallowed - if, for instance, a reeve was forced to pay the arrears of the previous reeve - then the income from the manor would be higher still. This figure of £99 must then be taken as a minimum one; disallowances might well raise it to £150 or a little more.

The net deficit after these calculable deductions have been made amounts to about £1,150. At this stage a third factor should be recognised. Some allowance must be made for the extraordinary expenses of building,[1] which should rank as capital investment rather than normal estate expenditure. In 1313-14 the heaviest building expenses were at Melbourne in Derbyshire, where a new castle was under construction (probably as a gift to Holand who had received a licence to crenellate there in 1311.[2] No other licence is recorded.) £1,343 was spent on this, almost all of it provided by the earl's chamber, and the work was considered important enough for the appointment of a special clerk of the works, distinct from the local manorial official who provided only just under £20 towards building costs.[3] At the same time another castle was being built at

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[1] For building see Baldwin, op.cit.,p.194; Somerville, op.cit., pp.79-80.

[2] Cal.Pat.Rolls,1307-13,p.358.

[3] DL.29/1/3,m.15.

Dunstanburgh - though a licence to crenellate was not obtained until August, 1315[1] - under the supervision of the receiver of Embleton and of various clerks of the works. The costs of this amounted to just over £168 in 1313-14, more than the whole of the true receipt for the year.[2] At Pickering the expenses of a new hall totalled £341; at Kenilworth £141 was spent on a similar hall for the castle; and at Tutbury a new gatehouse was erected at a cost of some £101.[3] In addition to this there was much minor expenditure of the same sort - a house was built for Holand at Lancaster, extensive repairs were carried out in the living quarters at Leicester Castle, and a granary, stable, and mill were rebuilt at Kenilworth.[4] Total building costs, excluding the normal expenees of maintenance, amounted to £1,856 for this one year - a sum which, even in the household account, is exceeded only by the total daily living expenses of the whole household. It is unlikely that 1313-14 was an exceptional year. There was almost certainly considerable new work a few years later at Pontefract Castle, where Lancaster spent much of the last period of his life and which he is reputed to have loved 'plus qe nul autre qil aveit en la terre'.[5]

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[1] Cal.Pat.Rolls,1313-17,p.344.

[2] The account is printed in Hartshorne, Feudal and Military Antiquities, pp.cxxxv-cxxxvi, from DL.29/1/3,m.2d.

[3] For Pickering, DL.29/1/3,m.3; Kenilworth, ibid.,mm.12d.-13; Tutbury, ibid.,m.12.

[4] For Lancaster, ibid.,m.1; Leicester Castle, ibid.,m.20; Kenilworth, ibid.,mm.12d-13.

[5] Bodley MS. Lyell 17,f.114v. (French Brut).

The Brut says that 'he hade new made' the castle there and the Vita records the erection of a new tower,[1] possibly the Swillington Tower which stood outside the west front of the castle.[2]

Building must have been a constant and heavy drain on Lancaster's revenues. Had there been no new work underway in 1313-14 that portion of the estate dealt with in the account roll would have been just self-sufficient; and it is expenditure of this sort which accounts for the attempts to exploit the estate to its limits, described below. Though building was a political and social investment it brought no financial returns, and it is, paradoxically perhaps, a prime example of Lancaster's conspicuous waste, which could only be provided for by constant pressure on his lands.

Besides building, household expenditure and personal extravagance placed the heaviest load on the earl's economy, as Baldwin and Somerville have stressed, and here a truer picture can be gained from the fortunate survival of a second household account for 1318-19 and a roll giving daily household expenses for the same year,[3] in

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[1] Brut, p.221; Vita Edwardi Secundi, p.125.

[2] R. Holmes, Pontefract: its name, its lords, its castle (Pontefract, 1878) pp.216-7.

[3] Wardrobe Account, 1318-19 (Duchy of Lancaster Office); Liber Hospicii, 1318-19 (Duchy Office). Both items were formerly in the possession of the Gascoigne family and are to be transferred to the Record Office. The second document is probably a counterroll, and a transcript of the original may be Manchester Reference Library MS. Farrer 76. This latter was almost certainly made from Phillipps MS. 3853, sold in 1895, which cannot now be traced.

addition to the account for 1313-14. The total household expenses vary little in the two periods: in 1313-14 they amount to £7,518. 4. 10,[1] and four years later to £7,513. 6. 5,[2] a remarkably close correspondence. In both years daily expenses of good and drink (itemised in 1318-19 under the headings of dispensary, buttery, kitchen, hall ,and stable, as in the contemporary royal accounts) form the largest charge, amounting to £3,405. 1. 10 in 1313-14[3] and £4,804. 12. 11 in 1318-19.[4] In the latter year the king's own daily household expenses only amounted to £8,310. 18. 7,[5] less than twice those of Lancaster, a comparison which gives a useful idea of the size of the earl's court. Livery of robes formed the next largest item - £1,079. 18. 3 in 1313-14 and only £682. 6. 7 in 1318-19[6] - followed by fees to servants and retainers, which totalled £623. 15. 5 in 1313-14 and £561. 13. 4 in 1318-19.[7] Other charges - purchases of wax, candles, wine, and spices, and payments to messengers - vary little on the two accounts. The

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[1] Baldwin, op.cit.,p.199,citing DL.29/1/3,m.20.

[2] Wardrobe Account, 1318-19,m.3v.; Liber Hospicii, m.6v; MS.Parrer 76,f.61v.

[3] Baldwin, op.cit.,p.198.

[4] Liber Hospicii, m.6v; MS.Parrer 76,f.61v.

[5] E.101/377/13.

[6] Baldwin, op.cit.,p.199; Wardrobe Account, 1318-19,m.4.

[7] Baldwin, op.cit.,p.199; Wardrobe Account, 1318-19,m.5.

most significant change between the two years is the rise by nearly £1,400 of ordinary household expenses, mainly food and drink. This may partly be a result of the aftermath of the 1313-17 famine, but is more likely to be due to an increase in numbers in the household, both of ordinary servants and of retainers, fed at the lord's expense while they were with him. To some extent 1318-19 is an exceptional year in this respect - it saw two lengthy parliaments and a Scottish campaign, at all of which Lancaster was present with a large retinue, the company of which must have been very costly - but it is unlikely that this accounts for the full rise. The amount paid in fees by itself shows little about the retinue, since it seems to have been a matter of chance whether a man received his fee from the wardrobe or from one of the honorial receivers, and if the burden on the wardrobe was too heavy for its resources the earl could presumably shift a number of fees over to the receivers. The slight drop in fees at the later date thus means nothing and may even conceal a rise in the numbers of servants and retainers.

There is other good evidence to show the costliness of a large household. An indented grant from Lancaster to one William Russell promises him one of three alternatives - 'sa sustenaunce en son hostel come a un de ses valletz de mestier en vivre et en vesture a tote sa vie' or 'covenable baillie foreigne pur son estat' together with a

yearly robe, or £20 a year[1] - which would seem to indicate that maintenance of a servant of no particular importance in the earl's household would cost about £20 for a year. Nor was this all. Like the earl's retainers, long-standing servants might expect to receive life grants out of his property. John Eyng, 'nostre barber', received all the lands, tenements,and rents in Dunstable formerly held by one of the earl's villeins;[2] Renaud,the saucer, gained the wardship of certain lands in Scropton, Derbyshire;[3] John Curteys, the potter, had forty acres of waste in Leicester Forest in exchange for the same amount in Duffield;[4] and Hova ap Yewar, the ewer, received certain lands in Ruabon.[5] The attendant dangers of this policy were the same as those which sprang from the giving of life grants to the retainers[6] - in both cases the capital value of the estates was lessened, for perhaps two generations. Thus not only were the daily expenses of running a great household very large, but such a household might to a lesser extent reduce the productive capacity of the estates which provided for it.

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1 DL.25/929.

2 DL.42/2,f.135.

3 DL.25/960.

4 DL.25/961.

5 DL.25/2234.

6 Ut inf.,p.103.

What resources were available to meet this heavy expenditure? Although heavy capital investment on items such as building toppled this portion of the whole estate into insolvency for at least one year, Lancaster's lands were potentially very rich indeed and the diversity and range of their productivity was almost unlimited. Firstly, there was much urban property, and <u>firma burgi</u> amounted to a considerable sum - the <u>firma</u> of Newcastle-under-Lyme, for instance, brought in £40, that of Higham £28, of Preston £15, of Lancaster £13,[1] and of the much smaller vill of Canford in Dorset £8. 13. 4.[2] Industrial development was more valuable still. Coal was mined at Newcastle and the lead mines of the Peak were farmed out for £133.[3] Belper Hard in Derbyshire had three forges and two coal mines, farmed out for £84. 5. 0 in 1313-14, and Morley Park in the same county possessed another three forges, farmed for £70. 15. 7. Three coal pits in the same area brought in an additional £13. 9. 0. The fact that most of these workings were permanently abandoned after 1322, or farmed for

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[1] Newcastle, DL.29/1/3,m.4; Higham, <u>ibid</u>.,m.26d; Preston and Lancaster, <u>ibid</u>.,m.1.

[2] J. H utchins, <u>History and Antiquities of the County of Dorset</u>,1, (London, 1861), p.16.

[3] DL.29/1/3,mm.4,12.

much smaller amounts, though partly due to devastation by the king's army,[1] suggests again that Lancaster was exploiting his estates to their limits and that by the end of his life their industrial resources were largely used up.

The great bulk of Lancaster's income, however, came neither from the towns nor from industry, but from rents, farms, and sales of produce and works on literally hundreds of manors. The material for a full study of agrarian income is lacking. One rent roll cannot show, for instance, whether rents were being forced upwards or if grain production was rising or falling, though from the evidence from other sources[2] one would at least expect attempts to force up rents. An analysis of income is easier. Miss Oschinsky's calculations show that free and villein rents, together with farms and sale of work and produce accounted on average for 79% of the income throughout the estates[3] -

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[1] J.R. Birrell, 'The Forest Economy of the Honour of Tutbury in the 14th and 15th centuries', University of Birmingham Historical Journal, viii (1962), pp.128-9.

[2] Ut inf., pp. 67, 70-3.

[3] Oschinsky, op.cit., p.17. The proportion of the total income formed by rents, farms and sale of work and produce for each bailiwick is Higham, £405. 5. 8/£503. 6. 6 (81%); Lancaster, £322.16. 4/£440.16. 2 (73%); Pickering, £342. 9. 0/£495.10. 5 (69%); Berks. and Wilts., £165.18. 9/£209. 7. 5 (80%); Melbourne, £83.14. 6/£94. 4. 5 (90%); Newcastle, £148.16. 7/£167. 7. 7 (89%); Leicester, £439.12. 1/£632. 0. 0 (69%); Tutbury, £1613. 3. 5/£1942.12. 1 (82%).

and most of this figure consists of income from the first three of these categories, as will be shown when some typical manorial receipts are dissected later. Most of the remaining 21% is made up of manorial incidents, fines, and perquisites - entry fines, heriots, merchets, court perquisites - and, to a lesser extent, of tallages and aids.

Stockfarming was perhaps the most important contributor to agrarian income. On the 1313-14 account roll six areas are shown as being conspicuous for this activity - the vaccaries of Lonsdale and Amounderness, the stud farm at Needwood, and the great sheep ranges of the Peak, Pickering, and the two Wiltshire manors of Collingbourne and Everley. (Doubtless the other Lacy lands in Wiltshire and Hampshire were equally important.) Though the cattle herds in North Lancashire were large - the vaccarii have allowances for the custody of 397 barren animals in winter and 525 in summer - the profit from them appears to have been comparatively small: only £22 was raised from the sale of cows and oxen.[1] The whole herd seems to have been kept for beef and for draught purposes, since there are no returns for butter or cheese. In contrast to the Lancashire vaccaries the stud farm of Needwood was not run chiefly for profit but rather to provide the earl and his household with horses. It was under

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[1] DL.29/1/3,mm.1d,2.

the supervision of three keepers, each probably responsible for one of the three branches of the farm at Needwood, Duffield, and Kenilworth. During the year the stock consisted of 43 mares and 58 foals, and a profit of just over £60 was realised[1] - a large sum for a unit the main purpose of which was not production for the market.

It was in the sheep-rearing areas that the largest profits could be made and it was there that much of the capital value of the estates lay. In the Peak, cows and sheep were both bred and at the end of the year there remained 2269 wethers, 1649 ewes, 845 hoggets, and 808 lambs, as well as 55 cows, 48 oxen, and 2 bulls.[2] The sale of wool and of wethers produced just over £33 - a sum which gives a completely false impression of the value of the flocks, since much of the wool was disposed of through the household, as will be shown, and would not enter the account of the local official at all. Superficially, the Peak estate was not self-supporting and had to be backed up by forinsec receipts of almost £113 in order to meet its expenses of £109 - for the true agrarian profit was only £45. There were in reserve, however, 4982 fleeces and 26 sacks of wool, almost certainly enough to turn the large deficit into an even larger profit, had they been placed on the market.

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[1] Ibid., m.11d.

[2] Ibid.

Collingbourne and Everley,[1] though their flocks were smaller, were both much more broadly based estates than the Peak, for they were dependent for their income upon grain production as well as on sheep and, less important, cattle. At Collingbourne there were 761 sheep, including wethers, ewes, hoggets, and lambs, and at Everley 523. The profit brought in by sheep was again relatively small: at Collingbourne sales of wool totalled nearly £9, and of butter and cheese just over £3. 10. 0, giving a total of only £12. 9. 9 out of a net income for the whole manor of £97. 14. 5 - and, unlike the situation in the Peak there was no wool in reserve, for it had all been either sold, given in tithes, or distributed as officials' allowances. As opposed to this figure, £18. 9. 10 was raised by the sale of grain and another £3. 3. 6 through the sale of cattle. At Everley the proportion of the manorial income raised from wool was slightly higher - £11. 9. 6 out of a total of £57. 14. 7 - but here again wool sales were exceeded by grain sales which stood at £13. 4. 9. On both these manors the importance of mixed farming can clearly be seen. Grain sales were dependent on the exigencies of the weather, while wool production was unlikely to suffer so much in a bad season, and the demand was constant. Sheep would almost always provide the best form of capital investment for any estate.

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[1] Ibid., mm.14-14d.

Sales of wool though the household greatly exceeded the total local sales of the Peak, Collingbourne, and Everley. £186. 13. 4 was realised for 26 sacks of the previous year's wool, sold in London by John de Kinardeseye (an example perhaps of the tendency to retain wool until the price rose); and 20 sacks, 20 pounds of the current year's wool were sold for £151. 11. 1 to two Florentine firms, the Manenti and Taldi.[1] We may expect at this period that wool will be sold to Italian merchants, but it is possible that Lancaster's dealings with these firms and other similar ones were wider than this incidental notice suggests, and extended beyond ordinary wool sales. It is known that Henry Lacy did business with the Italians and it has been suggested that his deposits with the Frescobaldi in particular may have exceeded £1,300.[2] Political conditions worsened after his death in 1311, and Dr. Fryde has pointed out that 'in a period of active opposition to the Crown some of them (the contrariants) may have felt it undesirable to keep their money with Italian firms closely connected with the Crown and with royal favourites like Despenser'.[3] But there still remains the fact that an indenture of acquittance between the earl and the Bardi is mentioned in the list

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[1] Baldwin, op.cit.,pp.197-8.

[2] E.B. Fryde, 'The Deposits of Hugh Despenser the Younger with Italian Bankers, Econ.Hist.Rev.,2nd Ser.,iii,No.3(1951),p.357.

[3] Ibid.,pp.358-9.

of documents discovered at Tutbury and Pontefract, though its date is unknown;[1] and the little that is known of Lancaster's borrowings suggests that he was involved with the same firm.[2] It seems quite likely that any surplus from the estates would be invested with the Italians, though there are no references to any deposits in the account roll, and, after all, Dr. Fryde's conjecture about the reason for the seeming lack of deposits is based only on negative evidence.

Most of the evidence so far reviewed serves to show that the productivity of the estates, however great it may have been, was not sufficient to meet Lancaster's expenditure. The earl's position, like that of all other landowners, was undoubtedly worsened by the famine years of 1315-17. For the honor of Tutbury, the only area studied in detail, it has been calculated that the rent income of the estate from money rents, tallages, sale of works, and cert money on thirteen Derbyshire manors was about 30% lower in 1321-22 than in 1313-14. Much land had been abandoned: on fifteen Derbyshire manors 63 cottages, five tenements, six messuages, 55 bovates, and 3142 acres of land had gone out of use during this period. At Scropton alone

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[1] 'Item une endenture fait entre le dit counte et Boon Phelip et ses compeignons merchants de Barde par quele chescun clama autre quit de totes manere accions de prestz et de totes autres choses'. (DL.41/1/37,m.7; Fryde, op.cit.,p.359.)

[2] Ut inf., pp. 83-4.

202 acres and ten bovates had returned to waste. The new poverty was reflected in lower entry fines, which averaged 4d an acre compared with 2/10d in 1313-14. When the lands were taken by the king an inquisition was held in order to explain these conditions. It reported that the land had fallen into the earl's hand when the tenants had abandoned it through poverty. No other could be found to take it up, even as pasture, because of a severe stock shortage caused by murrain and by the recent political disturbances. The land could not be cultivated because it was so poor ('nec rediguntur in culturam pro debilitate terrae').[1]

This state of affairs, if it applied to all the estates, would obviously have had the severest effect on the earl's finances. The combination of famine and heavy expenditure made it essential for Lancaster to maximise his profits and that he was doing all he could to this end, both before and after the lean years, is suggested by three factors - the change from demesne to leasehold cultivation, assarting on a large scale, and extortionate pressure on his tenants. Proof of the first is not easy to come by, though the 1313-14 roll again provides some figures. In the honor of Tutbury the only arable demesne still being cultivated was at Tutbury itself, where 120 out of

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[1] J.R. Birrell, The Honour of Tutbury in the Fourteenth and Fifteenth Centuries (Birmingham Univ. M.A. thesis 1962) pp.53-7.

334 acres were being worked by the earl; and the whole 334 acres are recorded as having been leased in a previous year. Partial or wholesale leasing of the demesne is similarly found on the manors of Pickering, Preston, and Kirksworth.[1] That this was part of a deliberate policy is suggested by a fragmentary rental for Trowbridge and some adjoining lands in Wiltshire.[2] Unfortunately the document is undated and it may belong to the last years of Henry Lacy, though a 19th century heading records that the lands described were supposed to have belonged to Lancaster. The schedule gives details of each holding on the manor, and those holdings in demesne, totalling 33 acres, are followed by the note 'et debent dimitti ad firma', while the rents from holdings previously leased are to be raised, from 10d to 1/- in most cases. A list of fourteen tenants already holding 'terra de veteri dominico' confirms that the rental does not mark the beginning of the change to leasing. The document clearly anticipates the recommendations of the auditors which were usually attached to the annual valors later in the century;[3] and it was probably drawn up by these officials in this case. Of course, the evidence, both from Tutbury in 1313-14 and from this document predates

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[1] Ibid., pp.39, 27-8.

[2] Foljambe Charters, Misc., v, No.26.

[3] For the recommendations of Gaunt's auditors see G.A. Holmes, The Estates of the Higher Nobility in 14th Century England (Cambridge, 1957) pp.117-9.

the famine years, when, as already seen, the earl was forced willy-nilly to take up much abandoned land and to this extent reverse his previous policy.

There is more to be said on Lancaster's assarts. The earl seems to have been more conscious of the value of new land than most of his tenants, for the sources suggest that the new enclosures were generally the work of the lord rather than of those holding from him. Where their rights stood against his convenience and profit they were rarely respected. His tenants at Kenilworth, Stoneleigh, and Ashow in Warwickshire told the king how 'par sa seignurie et son grant poer' he had enclosed more than 800 acres of wood at Kenilworth as his severalty, which they claimed as common of pasture from time immemorial.[1] With more important neighbours the earl had to proceed more circumspectly. When, in 1315-16, he wanted to enclose another part of the same wood he first came to an agreement with the prior and convent of Kenilworth and they were allowed to retain common of pasture for their pigs.[2] At Handford in Staffordshire Lancaster again enclosed common land, together with pasture claimed by Trentham Abbey; some he subsequently rented out and some reserved for his demesne animals.[3] At Defford in Leicestershire another of the earl's new

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[1] SC.8/161/8023.

[2] Cal.Chanc.Warr.,1244-1326,p.565.

[3] Rot.Parl.,i,p.404; SC.8/117/5812.

assarts took in eight acres of a neighbouring holding, to the loss of the tenant.[1] Other enclosures were less disputable. Salthouse Moor, near Liverpool, was taken in from the waste - unmentioned on Earl Edmund's death in 1296, 45 acres of new land were enclosed and yielding rent in 1322;[2] at Wakefield another 30 acres were later reported to have been enclosed in Lancaster's time;[3] at Kervynevet in Denbighshire over 600 acres were cut out of the waste by the earl and let to tenants;[4] and there was much similar assarting in the forests of Needwood and Duffield.[5] It is clear that Lancaster was anxious to bring as much land as possible under cultivation and the fact that most of this was rented out to tenants rather than kept in demesne goes some way to support the inference of the previous paragraph that, in some areas at least, leasing was proving more profitable than demesne tillage. The earl's initiative in most of these cases does much to refute the old charge of lack of interest in the affairs of his estates. If he wished those estates to provide financial support for his retinue and his political ventures he could not afford such a lack.

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1 SC.8/126/6292.

2 Victoria County History of Lancashire, iv, (London, 1911), p.5.

3 T. Taylor, History of Wakefield (Wakefield, 1886), p.lix.

4 Vinogradoff and Morgan, Survey of Denbigh, p.22; supra, p.

5 Birrell, Forest Economy, p.114.

It is clear that for most of the period Lancaster was trying to add to his normal sources of income by heavy pressure on his tenants and neighbours. Most of our knowledge of his activity in this field comes from petitions presented by those whom he had wronged to the king after 1322 in attempts to obtain redress, since the lands had by then come into the crown's possession; and the petitions should be used cautiously, for the period after Lancaster's forfeiture was obviously a suitable time to resurrect all kinds of half-forgotten claims. Nevertheless,in bulk alone they constitute a strong indictment of his seigneurial policies and the greed of his ministers, and the fact that no petitions against other important contrariants , such as Hereford ,have been found suggests that Lancaster's harshness was unique and that most of the petitioners' claims are not imaginary. Few seem to have been exempt from his extortions. The abbey of Rievaulx was ousted from its grazing rights and its fisheries in Pickering,[1] and Tutbury Priory was disseised of a mill in 1308-9. Subsequently the cellarer of Burton Abbey was forced on the latter house as prior,[2] another incident in the long and profitable war which the earl had been waging against Tutbury.[3] The bailiffs of Pickering were particularly zealous in their master's cause.

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1 Rot.Parl.,i,p.432.

2 SC.8/65/3250.

3 Cal.Pat.Rolls,1301-07,pp.353,405; Rot.Parl.,i,p.477.

They levied cheminage, a toll for passage rights, in Galtres Forest, though Henry III had granted exemption from it.[1] They deprived the tenants of Scalby, which was held from Lancaster, of various lands and took away their common rights;[2] and on another occasion John Dalton, often the chief offender, imprisoned a Pickering tenant for six weeks and wrongly accused him of owing the earl £10, later forcing him to surrender his land, worth £40, before he would release him.[3] Lands leased to the Templars were seized on the suppression of the Order, irrespective of the lessor's right.[4] Free men were fined heavily for alienating land held of the chief lord 'en countre commune lei et les usages du maner de Pykering', and the same petition asserts that Lancaster had denied the right of mesne lords to take fines for breaches of the assize of ale.[5]

Conditions at Pickering were not exceptional. On the other side of the Pennines tenants in Blackburnshire were deprived of their free chase,[6] and the burgesses of Liverpool complained that Lancaster

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[1] North Riding Record Society, New Ser.,iii(1896),pp.235-6. (Anc.Pet.15315).

[2] Ibid.,pp.239-40 (A.P.7095).

[3] Ibid.,pp.240-41 (A.P.249).

[4] Ibid.,pp.251-52 (A.P.189).

[5] Ibid.,pp.236-37 (A.P.12855).

[6] SC.8/57/2827.

had seized tolls in the town, their right to which had been granted by King John.[1] At Bradwell in Staffordshire Nicholas Russell was deprived of his inheritance - a messuage and two carucates of land - on his father's death by Lancaster's bailiffs 'a tort et sauns iugement',[2] and the wardship of other tenements was similarly seized from Nicholas Audley.[3] At Ireton in Derbyshire the earl wrongfully took a water-mill and twenty acres of land.[4] In Lincolnshire both the abbey of Hagenby and a group of tenants holding from John Gobaud and Sir William Kyme complained that they had been forced to do suit to the earl's court at Belchford, though they did not owe it[5] (presumably in order that fines should be exacted for remission of the suit or for default). At Leicester a long petition set out the grievances of the townsmen against those to whom Lancaster had farmed the town - the farmers had fined them heavily for the sale of cloth and other merchandise, the fullers and butchers were compelled to make payments for which there was no precedent, weavers were forced to pay 40d for permission to work in broad cloth, the farmers' officers

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[1] SC.8/60/2961.

[2] SC.8/69/3423.

[3] SC.8/204/10168.

[4] SC.8/123/6122; Cal.Inq.Misc.,ii,1307-49,No.470.

[5] SC.8/116/5791; SC.8/136/6792.

extorted new tolls from the sellers of fish, and so on.[1] Though the petitioners laid the blame on the farmers and only occasionally on the earl himself, it is reasonable to infer that Lancaster had set the farm at such a high figure that the money could only be raised by unprecedented and illegal methods.

Further repetition would not bring greater conviction. Lancaster was conducting a widespread campaign to obtain more rent and income, regardless of the rights of others. Taken singly, additions of a few acres are not impressive, but in bulk they probably represent a considerable accretion. Even after the usual cautious provisos have been made about the justice of some of these claims, and allowing that a few of them may have been the result of the ministers' greed rather than Lancaster's own, it is still impossible to avoid the conclusion that the earl was intent on increasing his revenues by whatever means. Good lordship was not a characteristic of his rule.

Now that a general analysis has been made of estate income something should be said in more particular terms of the receipts of a few widely differing manors. Ideally each manor on the estate should be treated thus, but this would be a heavy task and a sample will probably be enough to show any distinctive trends. The manors

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[1] Cal.Inq.Misc.,ii,1307-49,No.548.

which have been chosen are Newcastle in Staffordshire, Hartington in Derbyshire, an almost wholly agricultural manor, and Higham in Northamptonshire, a manor covering a wide area and drawing its income almost equally from urban and rural sources. Hartington and Higham were part of the Ferrers inheritance, while Newcastle had been granted to Edmund of Lancaster and had formerly been a Montfort possession.

Newcastle-under-Lyme lay isolated from the rest of Lancaster's Staffordshire manors in the north-west of the county. Though a comparatively small town (in 1212 it had possessed 160 burgages to Tutbury's 180),[1] it was important enough to be in the charge of an official who is styled both bailiff and receiver - though it was never the centre of a bailiwick and no forinsec receipts appear in its accounts. Assised rent of £52. 4. 8 forms almost a third of its total receipt of £167. 6. 3,[2] showing how varied were town revenues and how no town could be wholly independent of incidental agricultural incomes. The firma burgi amounted to £40. Twenty years earlier, when Earl Edmund had been stating his claims in the borough, the firma had been only 40 marks, and in the year immediately after Lancaster's forfeiture it would come to the still smaller figure of £20[3] -

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1 T. Pape, Medieval Newcastle-under-Lyme (Manchester,1928),p.15.

2 DL.29/1/3,m.4.

3 Pape, op.cit.,pp.57-8.

yet another instance of the earl's heavy pressure on his financial resources. The farm of the mills brought in another £49. 13. 4 (only £16. 13. 4 in 1322-23). These were the chief sources of income. Another £18. 11. 8 was derived from views, perquisites of court, and judicial incidents - entry fines, a heriot,and chattels of various fugitives totalled £3. 18. 0. The combination of this small figure with the large amount of assised rent suggests that most of the demesne had been let out and that there was very little direct exploitation of the land around the town. Another small sum, £1. 6. 8, was produced from coal mining and from the farms of some of the mines. Total expenditure on maintenance and fees amounted to only £73. 7. 8, and the manor made the large net profit of £93. 18. 5.

Hartington, in west Derbyshire, unlike Newcastle, was a manor which was almost wholly dependent on rents and farms, and not on either urban property or on the sale of produce. Much of the land was let out to free tenants - £36. 7. 3, over half the total income of £61. 18. 1, was derived from their rents - and only the insignificant amount of £0. 12. 7 came from the villeins' commuted works.[1] The impression received from Newcastle of a decline in demesne cultivation is confirmed here. Most of the remaining money was received in farms for small amounts of land, often waste, ranging in size from an acre

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[1] DL.29/1/3,m.11.

or a mere placea to 195 acres; altogether just over 85 acres of waste are let out in fourteen different lots, which again suggests a considerable assarting movement, though it is not possible to say whether this was undertaken on the initiative of the lord or the peasantry. Another £10. 6. 8 is accounted for in the farm of mills, including £1 for a fulling mill;[1] and two views brought in £1. 6. 8. Administratively, Hartington was linked with Crowdecote to the north, and so an estimate of separate profits is difficult. Together, however, the net profit of the two manors amounted to £106. 0. 4, a sum which was exceeded by no single manor on the whole estate.

The third manor, Higham, was unusual in that its account was rendered by two men, one the reeve and the other the bailiff of the whole receivership - a unique instance of a central official acting as a local accountant. Higham derived its revenues from both urban and rural property: rents for 101 burgages and thirty acres of appurtenant land amounted to £28. 0. 0 out of a total receipt of £207. 10. 5, while those for lands held outside the town by freemen came to £12. 13. 11.[2] Villein rents produced more than those of the

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[1] Fulling seems to have been widespread on the Lancaster estates at this time. The 1313-14 account mentions fulling mills at Barton and Bolleston, Staffs., and Wirksworth, Derbs.; while the Lacy account for 1304-5 mentions others at Almondbury, Rothwell, and Bradford, Yorks., and that for 1295-6 at Burnley, Lancs.

[2] DL.29/1/3,m.23.

freemen - some 29 virgates were held by villeins for a rent of £40. 1. 0, and a number of produce rents, monetarily insignificant, were also paid by bondsmen. Rural rents altogether totalled £60. 4. 7. A larger contribution was made by the sale of corn and legumes, which brought in £72. 5. 0, including £24. 8. 7 from the sale of wheat and another £23. 11. 4 from malt for brewing. There was some emphasis on livestock: 116 lagenae of butter were delivered into the earl's household and the stock account shows a herd of sixteen cows and fourteen calves. Much of this produce must have been sold in Higham itself, which was clearly a flourishing trading centre; market tolls produced £17, twice the Tutbury figure, and another £3. 3. 0 was raised from stalls which were let out to tradesmen. Besides this very high income from produce, other items are less important. Court perquisites came to £15. 8. 3, but only £0. 4. 10 was raised from temporarily commuted labour services - a fact which, taken with the large income from corn sales, predicates an intensive demesne cultivation for profit and an absence of the widespread leasing of the land noted at Newcastle and Hartington. The total net profit for the manor amounted to £65. 5. 8, not as high as at Hartington and Crowdecote but still a considerable sum.

It is difficult to draw any precise conclusions from such a sample as this, but two facts do seem to emerge. Firstly, permanent commutation was further advanced in the north midlands than in the

south. As already mentioned, Tutbury was the only manor in the whole of its honor which retained demesne land in 1313-14, and Newcastle shows the same trend towards leasing. The peasants, without high overheads, could still make enough to pay their rents, while for the lord marketing had become uneconomic. Higham, nearer the great London corn market, would naturally tend to retain demesne cultivation for a longer period, and the same feature would probably appear on Lancaster's other Northamptonshire manors if these were analysed. Secondly, although a manor might have a wholly agricultural income, a town which drew only on urban sources of revenue was a rarity. Higham, a borough since 1251,[1] still drew over a third of its income from sales of produce and the figures from Newcastle (and Tutbury, not discussed here) tell the same story. Town and country were still very close, and profitable demesne land outside the walls must have been the usual adjunct of any seigneurial town.

What of income from other sources than the estates? The above analysis of estate revenues cannot give more than an obscured picture of Lancaster's finances, for it shows very little either of what was going into his chamber or of the advantages brought by his large judicial and administrative powers. Some small additional sources

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[1] Victoria County History of Northamptonshire, iii (London, 1930), p. 269.

of income are easy to discover - the earl, for instance, had £20 a year as the third penny of Lincolnshire[1] - but more important revenues remain hidden. In May, 1307, Edward I had granted to Lancaster the widest franchises - return of writs within his lands and fees, pleas of withernam, the fines and amercements of his men and tenants, and the forfeited chattels of condemned men and fugitives;[2] and like his father he was also allowed to have his own justices to hold pleas of the forest.[3] Financially these privileges must have been very valuable, particularly the fees payable for distraining or for executing writs, but it is impossible to give a figure. Certainly Lancaster thought them valuable enough to try and put as wide an interpretation on them as possible, and in 1313 his attorney claimed in the exchequer that he could exact fines not only from his immediate tenants but from mesne tenants as well, provided that they held of his fee.[4] The financial gains of some franchisal privileges do appear in the 1313-14 account roll. £5. 8. 5 was produced by amercements of green wax, imposed by the justices on the earl's men for the honor of Leicester;[5] and for 1314-15 a list survives of fines and sheriff's

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[1] E.159/86,m.39d; E.368/83,m.69d.

[2] Cal.Charter Rolls,iii,1300-26,p.82; Somerville, op.cit.,p.20.

[3] Cal.Pat.Rolls,1281-92,p.167; Somerville, op.cit.,p.14; Fox, Honour of Leicester,p.67.

[4] E.159/86,m.87d; E.368/83,m.95d.

[5] DL.29/1/3,m.20d; Fox, Honour of Leicester,p.67.

aid which Lancaster received in the counties of Derby and Nottingham under the terms of Henry III's charter to Earl Edmund. The amounts are not large - £1. 4. 0 from the vill of Ludham, £2 from the wapentake of Wirksworth, £1 from Repingdon wapentake, and so on - and the total is only £5. 18. 6.[1] Nevertheless this privilege alone may have produced perhaps £70 or £80 over the whole of the estates, and this cannot have been nearly as profitable as the major franchises conceded in the 1307 charter.

In his own county of Lancashire the earl's administrative as well as his franchisal powers were particularly strong. As hereditary sheriff he appointed a deputy sheriff and received the farm of the county, together with the profits of the wapentake and county courts, and he had a similarly large share in the appointment of the hundred bailiffs, all of whom 'were subject to the acting sheriff's directions'.[2] Though the sheriff's ultimate loyalty was to the crown, in practice he was controlled by the earl, whose will in his appointment was arbitrary and absolute. In 1309 William Gentil, when called to the exchequer to excuse his failure to account, pleaded that the earl had removed him from office and substituted another at the previous Michaelmas;[3] and

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[1] E.159/88,m.134d; cf. ibid.,m.12d.

[2] South Lancashire in the Reign of Edward II, ed. C.H. Tupling (Chetham Soc.,1949),pp.liii-liv; Somerville, op.cit.,pp.10-11.

[3] E.159/83,m.56.

in 1318, when most of the sheriffs were dismissed by the York parliament, the Lancashire official secured exemption.[1] It was inevitable that this wide competence should be misused, and the judicial enquiry of 1322-3 revealed many injustices - the sheriff's tourn served only as an opportunity for extortion, the localities were reluctant to present, as those presented would probably not be attached or would be released for a bribe, men were maliciously imprisoned until they made fine with the sheriff for their release, and the bailiffs sometimes summoned large numbers of suitors to the county or wapentake courts and then forced them to pay for quittance from this obligation.[2] Examples could be multiplied. Many of these malpractices were doubtless due to the greed of the sheriffs and bailiffs themselves, but it is difficult not to see the hand of the earl in the background - at least he did nothing to hinder them. His income from the farm of the county alone must have been great enough, but it is likely to have been exceeded by the profits of extortion. Other officials behaved similarly. Thomas de Hale, the coroner, neglected his duties and took extortionate perquisites;[3] his position as Lancaster's steward of Halton doubtless made him difficult to criticise.[4] The constableship of

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[1] Tupling, op.cit.,p.liv.

[2] Ibid.,pp.117-8,125.

[3] Ibid.,pp.128-9.

[4] E. Fox, The Parliamentary Representation of the County of Lancaster in the Reign of Edward II (Manchester Univ. M.A. thesis, 1956), p.xiii, citing Chester Plea Roll 23,mm.35,37.

the earldom of Chester, which went with the barony of Halton, extended Lancaster's judicial power southwards, and the two advocates who attended the Chester county court on his behalf and who may have been members of his council gave him a measure of influence in the administration of the earldom.[1]

A third class of income, the amount of which can only be guessed at, comprised gifts and bribes made to the earl by petitioners for his favour and influence. It is doubtful whether much was raised in this way, for since Lancaster was out of favour for most of the reign he exercised no strong grip over the spoils of patronage, and only in 1307-8 and again in 1314-16, during both of which periods he was temporarily prominent in the administration, do we find him successfully obtaining his petitioners' requests. It is unlikely, for example, that the burgesses of Newcastle gained a grant of pavage at his instance in November, 1307, without some douceur;[2] while the records of Leicester and the Liber Hospicii show constant gifts of food and drink and occasionally of money as well. On at least six occasions between 1301 and 1318 the citizens of Leicester had to impose a tallage partly in order to raise money for a present to their lord.[3] The earl's influence in the shires, and particularly

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1 Ibid.,p.vii.

2 Cal.Pat.Rolls,1307-13,p.15.

3 Bateson, Leics.Bor.Recs.,i,pp.232,237,252,274,295,313.

his ecclesiastical patronage, was much greater than at the centre of government, and favours such as the confirmation of town charters are unlikely to have gone unrewarded.

The best evidence that the money coming in from all these sources was insufficient to meet the earl's needs comes from the extent and frequency of his borrowings, though here again there is not enough material for a full picture. The Leicester municipal accounts provide a continuous record lacking in other cases. They show loans to the earl in 1301 (amount unknown),[1] 1307-8 (£200 paid over to John de Kinardesey at the castle),[2] 1314-15 (amount unknown; the money was sent to Donington),[3] 1315-16 (£40, sent to Kenilworth, while at the same time the community was reclaiming the money lent in the previous year),[4] and 1317-18 (40 marks, sent to Tutbury).[5] In 1318-19, when the expenses of the Berwick campaign involved a heavy outlay, Lancaster borrowed from the abbeys of Cockersand, Chester, and St. Mary's, York, and from John Bereford,[6] a London vintner.[7] He seems to have been

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[1] Ibid., p.235.

[2] Ibid., pp.258,260.

[3] Ibid., p.296.

[4] Ibid., pp.300,306.

[5] Ibid., p.317.

[6] Wardrobe Account, 1318-19, mm.2,7.

[7] Cal. Close Rolls, 1307-13, pp.288,389; 1313-18, p.21.

similarly entangled with the Bardi. Letters were sent to them on three occasions and they once received an allowance of 100 marks,[1] probably repayment for a loan. Taken in conjunction with the scraps of evidence already cited on Lancaster's dealings in wool with the Italians,[2] and with his known financial obligations to the merchants of Lucca in 1309, which the king pardoned when he took into his hand debts owed to those merchants,[3] this suggests that the earl's transactions with the Italians were more frequent than appears on the surface and that he was probably a regular borrower from them. With other potential creditors his relations were more strained and again verged on extortion. In 1311 he tried unsuccessfully to impose a 200 mark fine on the bishop and chapter of St. Asaph,[4] and in 1319-20 Whalley Abbey, itself short of money, was compelled to borrow £100 from a neighbouring landowner to meet its patron's request for a loan.[5] Sometimes, however, the earl himself had enough money in hand to make loans, and recognitions of debts owed to him of £40, £100, £100, and £600 have been found.[6] It may be that his borrowings show little

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1 Wardrobe Account,1318-19,mm.1,2.

2 Ut sup.,,pp.64-5.

3 Cal.Close Rolls,1307-13,p.104.

4 D.R. Thomas, A History of the Diocese of St. Asaph (Oswestry, 1906),i,p.59.

5 Whitaker, Whalley,i,p.93.

6 DL.42/1,ff.64,65v; Cal.Anc.Deeds,iv,No.A.8239; DL.25/3334.

about his general financial position but merely reflect on occasional shortage of ready cash, though this in itself is symptomatic of his constant and heavy expenditure.

After the assessment of all the evidence the impression that remains is that Lancaster was exploiting his resources to their limits. The 1313-14 account roll shows an estate which might have been self-sufficient had not extraordinary expenses, particularly building and the maintenance of a vast household and retinue, turned a small profit into a large deficit. The acute depression from which parts of the estate were suffering in the earl's later years, with the abandonment of much arable land, the reduction of stock by murrain, and the consequent lowering of rents and entry fines, must have made his difficulties even more pronounced.[1] At the same time, Lancaster's political activities necessitated heavy spending, quite apart from the normal upkeep of his retinue and household - the pursuit of Gaveston in 1312, for instance, led to the raising of 300 troops from Pickering[2] and others from Leicester,[3] while the men of Pickering were again arrayed for the short campaign against Banaster in 1315.[4]

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[1] Ut sup., pp. 65-6

[2] North Riding Rec.Soc., New Ser., iii (1896), p. 243.

[3] Bateson, Leics. Bor. Recs., i, pp. 276-7; infra, p.

[4] North Riding Rec.Soc., New Ser., iii (1896), pp. 243-4.

The attacks on the curialists in 1317-18 could only have been conducted at a similar price.[1] The levying of troops could not be done cheaply (the Appellants, after all, reckoned their military expenses at £20,000 for one brief campaign in 1388, though this figure, their own, is undoubtedly too high), and the earl's reaction to the many financial burdens which pressed upon him was an inevitable one. The efficiency of the estates was tightened - leasing replaced demesne cultivation in some places, assarting and subsequent letting of the new land was undertaken on a large scale, some rents and the farm of at least one borough were raised - and, above all, there were systematic and widespread attempts to extort money and land, attempts which often went beyond the bounds of law and which drew forth a long howl of protest after 1322. Lancaster's virtually complete control of the county administration in Lancashire, the wide contiguous area under his power, and the apparent reluctance of the dispossessed to complain lest greater disaster should strike them, meant that this must often have seemed the simplest method of raising revenue.

The earl's financial plight was thus related very closely to his political ambitions. A lavish retinue dictated lavish rewards (to be discussed later) and a magnificent and expensive household; prudence and status necessitated a costly programme of castle-building;

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[1] Ut inf., pp. 322-30, 350-1.

private wars and feuds made the arraying of large numbers of foot-soldiers essential. Though Lancaster's estates, the most extensive in the country after the king's, were potentially very rich, and though their issues were only the most important of his sources of income, he could not sustain such a load without attempting to maximise his profits and, when this was not enough, having recourse to loans. Political considerations made economy impossible and what political success Lancaster achieved was due in part to his ability to squeeze his resources so productively.

CHAPTER 3

Lancaster's Retinue

Lancaster's retinue lends itself more satisfactorily to study than does any other similar body before the period of Gaunt - and this is fortunate since the impact of the retinue both on the earl's own economy and on the politics of the reign is obvious and important. Although only four indentures of retainer survive, and of these only one is original, other sources are plentiful. The inventories of Lancaster's muniments found at Tutbury and Pontefract after his death[1] provide a fairly full list of those who had been granted lands or annuities in return for service, together with another list of those serving on a particular expedition. (This latter can be dated to the period before 1315, when Henry du Lee, mentioned on it, died,[2] and probably originates from the last years of Edward I.) The Supplementary Patent Rolls, the Scotch Rolls, and two documents among the chancery warrants[3] give the names of those for whom the earl demanded protections for particular campaigns, while the wardrobe account and the Liber Hospicii for 1318-19 supply the names of retainers who were summoned to attend their lord at parliament and on the Berwick campaign of that

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[1] Printed in Holmes, Estates of the Higher Nobility, pp.134-41, 141-42, from DL.41/1/35,37.

[2] Tupling, South Lancashire, p.38.

[3] C.67/14-16, C.71/1-10, and C.81/1730/4,5, respectively in the Record Office. The protections for 1298 are printed in H. Gough, Scotland in 1298 (Edinburgh,1888),pp.22,26,30,41,248.

year, and of those who received allowances for maintenance in the household. The Dunstable tournament roll[1] gives a similar list of the retinue nine years earlier in 1309, and the pardons issued by the king to Lancaster's followers in 1313 and 1318[2] provide a much wider indication of the composition of his affinity. Particularly valuable are the names of the witnesses of the earl's written instruments, preserved mainly in the Duchy of Lancaster Coucher Books, the Cartae Miscellanae, and the series of Ancient Deeds,[3] for these help to show those knights who were in constant attendance on him and who may have been resident in his household (though for ascertaining the presence of a particular person at a particular date this source should be used cautiously).[4] These are only the chief sources. No similarly rich fund of information is available for any other noble retinue in the first half of the 14th century.

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[1] Collectanea Topographica et Genealogica, iv, (London, 1837), pp.61-72.

[2] Cal.Pat.Rolls, 1313-17, pp.21-25; ibid., 1317-21, pp.228-335.

[3] DL.42/1,2, DL.36/1-3, and DL.25 respectively.

[4] Cf. Facsimiles of Royal and Other Charters in the British Museum, ed. G.F. and H.J. Ellis, (London, 1903), No.69 - a letter dated temp. Henry II-Richard I from Peter de Capella, the grantor, to six men asking them to be witnesses to his charter (No.68), in which he has given their names. Two other examples are there cited from the reigns of John and Henry III.

The terms on which the earl's retainers served him are made clear by the four extant indentures, which differ little from the normal type of written contract which bound a man to his lord during this period.[1] The one original indenture is that sealed with Sir William Latimer, a Yorkshire banneret, on 15 May, 1319;[2] Dugdale's transcripts preserve two others, one with Sir Hugh Meynill of Derbyshire (24 July, 1317), and another with Sir John Eure of Northumberland (29 December, 1317);[3] while two copies of a fourth indenture with Sir Adam de Swillington, another Yorkshireman, (21 June, 1317) survive among Dodeworth's notes.[4] All four instruments specify that service was to be for life, in peace and war, in England, Scotland, Ireland and Wales, and against all men save the king. (This last clause was invoked by at least two of the earl's knights to excuse their desertion of him under the stress of the events of 1320-22.)[5] The party who was bound to serve

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[1] For this see N.B. Lewis, 'The Organisation of Indentured Retinues in Fourteenth Century England', T.R.H.S., 4th Ser., xxvii (1945), pp.29-41; and K.B. McFarlane, 'Bastard Feudalism', Bull.Inst. Hist.Res., xx(1945), pp.161-81.

[2] Printed in Holmes, op.cit., pp.122-3, from DL.36/2, p.33.

[3] Bodley MS. Dugdale 18, f.39v. These were partially printed, with several important omissions, in the Baronage (London, 1675), i, p.780.

[4] Bodley MS. Dodsworth 94, ff.122v-123; Yorks.Arch.Soc. (Park Place, Leeds), MS.283, f.153. See also Cal.Pat.Rolls, 1327-30, p.105; Cal.Inq.Misc., ii, 1307-49, No.954.

[5] Ut inf., pp.468-9.

contracted to supply a certain number of men - Latimer was to provide forty properly armed and mounted men, of whom one was to be a banneret and ten were to be knights, Eure and Swillington ten men, including three knights each, and Meynill three men. Apart from Latimer's quota, which was extraordinarily large, this seems to have been approximately the normal force which a knight was expected to supply. Lancaster's letters to the chancellor for pardons for his followers in 1318, for instance, show Sir Nicholas Segrave serving him with four knights and ten men, Sir John de Haverington with two knights and twelve men, and Sir John Eure with thirteen men.[1]

The outward rewards of service are stated in the indentures. Latimer was to receive the manor of Sedgebrook, Linc., for life, twenty marks a year from Raunds, Northants., £33. 4. 0 from Huntingdon, and £40 from Godmanchester, Hunts., together with £1,000 in war-time to maintain his household for a year's service in the field, though, as we shall see, a campaign of this length was not envisaged and so the reward was proportionately smaller. The other knights were to take less - Eure an annuity of forty marks from the earl's tenants of Embleton, Northumberland, Swillington one of £40 from his Leeds tenants, and Meynill ten marks of rent.

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[1] C.81/1707/39,58,59.

These examples represent only one source of yearly fees. Usually the fee was assigned on a particular receivership rather than a manor as here - in 1313-14, for instance, Sir Peter de Lymesey and Sir John de Miners were receiving fees of £10 each for Easter and Michaelmas terms and Sir John de Twyford one of £13. 6. 8, all from the receiver of Tutbury.[1] Some knights received their fees from the wardrobe, as already mentioned - in 1318-19 seven knights were being paid thus[2] - while others might receive a whole manor or manors for their services. Latimer's life tenancy of Sedgebrook compares with that of Sir Peter de Leybourne at Goulsby, Lincs., and 'Calkewell', of Sir Richard Hermaduke at Reunds, and of John Dalton at Hoton Burel, Yorks.[3] Payment of the fee was acknowledged by a receipt which the accounting official would have to produce for the auditors.[4]

In addition to a fee the retainer might expect to receive certain allowances. Latimer's indenture specifies that he is to have harness and equipment for his horse and compensation for

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[1] DL.29/1/3,m.12.

[2] Wardrobe Account, 1318-19,m.5.

[3] Holmes, op.cit.,pp.139,137.

[4] DL.25/L.1194 - an acknowledgement by Sir Richard de Perers of his receipt of ten marks for his Michaelmas fee from the reeve of 'Gopeul'.

any horses lost in the earl's service,[1] Eure is to receive bouch of court, compensation for horses lost, and fodder and supplies for 28 horses with wages for as many grooms, Swillington is to have the same allowances in war-time with supplies for 26 horses, and Meynill is similarly provided for. The giving of bouch of court to Eure, together with the provision of wine and candles for his chamber in peace-time, seems to imply residence in the household[2] (though admittedly the wine and candles are to be supplied only when Eure comes to parliament and other assemblies at the earl's mandate); and in Meynill's indenture it is explicitly stated that 'le dit Monsire Hugh est demore ove le dit conte'. All were naturally to receive the earl's livery and to come to parliaments when summoned by him, and at these times were to have additional allowances. Above this, Latimer, Eure and Swillington were liable to be ordered to come 'pur conseiller ou iuer'. Latimer's indenture contains three further clauses, providing that if the rents due to him fell into arrears he might distrain on the lands of his tenants, and conversely that if he himself should default on his obligations Lancaster might take the lands back into his own hands. (This clause also occurs in Swillington's indenture.) Finally, the earl and his heirs would warrant him against all men.

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[1] Cf. the payments totalling £8. 6. 8 for horses lost in 1313-14 (Baldwin, op.cit.,p.199).

[2] Lewis, op.cit.,pp.35-36.

The question of the numbers of knights who were retained by the earl on similar terms is one of capital importance. Contemporaries clearly thought that Lancaster's retinue was unhealthily large. In 1315 the king evidently wrote to him about assemblies which he and other magnates were making;[1] in July, 1317, he accused him of convoking great gatherings of the magnates and the people and of making 'retentiones armatorum stipendiis insolitiis et excessivis unde metu non modico populus est concussus';[2] and in June, 1318, the council levelled the charge that he had come to parliament and other royal assemblies 'a forces e armes...e plusers foitz a fait assemblees de gentz darmes en affroi du poeple'.[3] The numbers given by the chroniclers, though not to be relied on, tell a similar story and do at least give some indication of the size of Lancaster's army. The author of the Tintern version of the Flores Historiarum reports that Lancaster and the other magnates had 4,200 loricae and 5,000 foot in their joint army in August, 1312;[4] the writer of the Vita Edwardi Secundi, usually a discreet and reliable source, says that Lancaster alone brought 1,000 horse

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[1] J.C. Davies, The Baronial Opposition to Edward II (Cambridge, 1918), App. No.101 (SC.1/34/106).

[2] Auct.Bridl.,p.50; infra, pp.303-4.

[3] E. Salisbury, 'A Political Agreement of June, 1318', Eng.Hist.Rev., xxxiii (1918),p.81; C.49/File 4/27; infra,pp.346.

[4] Flores Hist.,iii,p.337; infra,p.198.

and 1,500 foot to the Westminster parliament in September of the same year;[1] and Knighton writes that he brought 18,000 men with him when he made his temporary peace with the king in August, 1318,[2] an obvious exaggeration but one which at least serves to suggest that the earl's following was numerically impressive.

What is the truth? Baldwin estimated from the amount of cloth bought for the knights' liveries in 1313-14 that the earl had a body of about 210 knights, a figure based on Thorold Rogers' calculation that 24 yards equalled one cloth, that 70 cloths were bought, and that a knight's robes would take eight yards of material.[3] This last figure is Baldwin's own and appears to be arbitrary; nor does he allow for the fact that the amount of cloth bought presumably included enough to provide for the summer and winter liveries to each knight, which at once halves his total. Even Gaunt's retinue between 1372 and 1382 numbered only about 140-200 knights and barons, and this large figure is to be explained less by his wealth than by the rank - king of Castile - to which he aspired.[4] Lancaster's

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[1] Vita Edwardi Secundi, p.32; infra, p.199.

[2] Knighton, p.412.

[3] Baldwin, op.cit.,p.192. The entry on the account roll reads 'Idem computat...de lxx pannis de blueto asureo pro militibus' (ibid.,p.198).

[4] S. Armitage Smith, John of Gaunt (London,1904),pp.440-46, lists 133 knightly and baronial retainers, but the list is probably for one campaign only and does not represent all those in the retinue. Mr. McFarlane calculated that Gaunt retained about 200 knights at any one time.

pretensions, though great, were not on this scale. Better evidence is provided by the wardrobe account for 1318-19, which gives the names, 750 in all, of those to whom Lancaster sent letters.[1] There are three periods during the year when especially large numbers of letters were issued - 5-8 October, 1318, presumably to summon his followers to attend him at the parliament which had been called for 20 October at York; 17 April, 1319, for the parliament starting on 6 May; and 30 June, almost certainly for the assembly which had been convoked for Newcastle on 22 July to set out on a new Scottish campaign. Writs for this last had been sent out by the king on 22 May.[2] On the first occasion Lancaster wrote to 25 knights who can be shown from other sources to have been members of his retinue, on the second 15 knights, and on the third 27 knights and the earl of Athol. Of these, 12 knights received letters on all three occasions, 12 on two occasions (plus three who received protections for the campaigns but were not summoned, perhaps because they were already with the earl), and 15 on one occasion. Thus the maximum number of knights who, from this source, can be shown to have served him during the year is 42. The Liber Hospicii gives the names of 39 regular retainers who received allowances for themselves and

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1 Wardrobe Account, 1318-19, mm.1-3.

2 Parl.Writs,II,i,pp.182,197,515.

their servants during the Berwick campaign, and of these nine do not appear as recipients of letters on the wardrobe account on any of the three occasions.[1] From these rather devious calculations the earl's retinue can be shown in 1318-19 to have consisted of about 50-55 knights. The household retinue of the king himself, 8 bannerets and 46 knights in 1319-20, was hardly larger.[2]

Other evidence suggests that the number of retainers was never more than this. Only about 45 knights are found as constant charter witnesses during the period, and the longest of the three lists of those serving with Lancaster on various expeditions includes only 24 knights.[3] Similarly, 25 knights obtained pardons in 1318, while the total number of pardons issued was over 600.[4] The account roll of 1313-14 gives the names of eleven knights who were receiving fees 'ad terminum vite per scriptum comitis' or 'pro feodo suo per annum' - though this number is much too low since it omits those who were feed through the wardrobe and through the former Lacy receiverships not included in the roll. As the indenture bound a man for life the retinue would naturally increase in size over the period, provided

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1 Manchester Ref.Lib., MS. Farrer 76, ff.58-61.

2 E.101/398/4, ff.16-17.

3 Holmes, op.cit., pp.140-41.

4 Cal.Pat.Rolls, 1317-21, pp.228-35.

that the number of new retainers exceeded the number of those who died, and few did die while still retained. It may not be a coincidence that of the four surviving indentures three were sealed in 1317, and two others, not now extant, with Sir Robert de Reygate and Sir Henry de Sothill, come from the same yeer,[1] at the time when Lancaster was mounting his strongest attacks on those who surrounded the king.[2]

25 to 50 knights does not of course represent the total force available to the earl. If each knight had to bring three others and seven foot when summoned, as Eure and Swillington did, 50 retainers would provide a body of 200 knights and 350 foot - and occasionally, as in Latimer's case, their obligations might be much heavier. In addition Lancaster could array large numbers of foot directly from his own lands - in 1319, for instance, he was assigned to raise 2,000 foot from his estates for the Scottish campaign.[3] The borough of Leicester provided archers on several occasions,[4] and in times of crisis, such as the few weeks prior to Boroughbridge, there were attempts to levy troops throughout the estates.[5] Though hardly conforming to the chroniclers' estimates

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1 Cal.Inq.Misc.,ii,1307-49,Nos.970,976.

2 Ut inf.,pp. 322-30.

3 Parl.Writs,II,ii,p.520.

4 Bateson, Leics.Bor.Recs.,i,pp.276,296.

5 Ut inf.,pp. 490-93.

the army which Lancaster could put into the field must have been exceptionally large.

It is difficult to calculate the cost of this retinue to the earl. As already mentioned, fees paid by the wardrobe to earls, barons, knights, and esquires in 1313-14 amounted to £623. 15. 5,[1] while fees from local receiverships and manors totalled £166. 13. 4 for the whole year. Sir John and Sir Roger de Swinnerton were each receiving £20 from the receiver of Newcastle-under-Lyme,[2] Sir Peter de Lymesey and Sir John de Miners were receiving £10 each for two of the year's four terms, and Sir John de Twyford £13. 6. 8 for the same period from the receiver of Tutbury,[3] Sir Henry de Glastonbury £10 from Leicester,[4] Michael de Meldon £20 and Sir Walter Bath, Sir Hugh Cuilly, and Sir William Trussell £10 each from Higham,[5] and Sir John de Creting £20 from Godmanchester.[6] It is very probable

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[1] Baldwin, op.cit.,p.199.

[2] DL.29/1/3,m.4.

[3] Ibid.,m.12.

[4] Ibid.,m.20d.

[5] Ibid.,mm.23,26d.

[6] Ibid.,m.26d.

that fees paid by the receivers of the old Lacy lands would have exceeded this £166. 13. 4, for several of Lacy's retainers passed into Lancaster's service, and a great number of the earl's retainers came from South Yorkshire and would presumably take their fees from the receiver of Pontefract. £950-£1,000 would seem a sensible figure for the cost of the retinue in 1313-14, exclusive of unvalued grants of land in return for service. In 1318-19 £561. 13. 4 was spent on fees by the wardrobe, and this was divided between only seven knights and two household servants.[1] Sir Robert de Bincestre received £20 for the year; Sir Ralph Bagot and Sir Nicholas de Stapleton both took £6. 13. 4 each 'pro dimidio anno'; Sir Fulk Lestrange 50 marks, again half the yearly fee; and Sir Fulk Fitzwarin two payments each of 100 marks, one for the arrears of his previous year's fee of 200 marks and another in part payment of the current year's fee. Of the two remaining knights, Sir Nicholas Segrave took £100 'in partem solutionis ducentarum et quinquaginta marcarum pro feodo suo commoranti cum domino primo quarterio anni in guerra Scocie pro hospicio tenendo in omnibus expensis incipiente die dominica proxima ante festum Assumptionis Beate Marie anno xiij'; and Sir William Latimer received £250 'pro eodem'. Unlike the fees to the former five knights, both these latter payments to Segrave and Latimer

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[1] Wardrobe Account, 1318-19, m.5.

were for war-service alone (1319 was, of course, the year of the siege of Berwick), and fortunately Latimer's indenture, sealed during this year, preserves the terms of his service - 'Et prendra Mille livres par an en deners pur son hostel tenir, et pur tous autres coustages en les dites terres de guere, des quieux il serra paie por douze semeins al entre de les guerres, descoce, et dirlaunde, et al entre de la guerres de gales il serra paie por quarante iours. Et prendra le remenant des dites Mille livres par an en les dites guerres selonc le temps, et les sesons qil demorra ove son plein des gentz darmes en y celes'.[1] That is, Latimer would be paid initially for twelve weeks war service; and the payment of £250 which the wardrobe account records is for this period. With these figures we can calculate Latimer's net profit on his transaction with the earl. At the standard rates of pay (4/- a day for a banneret, 2/- for a knight, and 2d. for a men-at-arms) the provision of a contingent of one banneret, ten knights, and 39 men for twelve weeks service would cost £121. 11. 0, leaving Latimer with a profit of £123. 9. 0. Thus more than half his fee from Lancaster went into his own pocket. Presumably Segrave served on approximately the same terms. This is a significant calculation, for it shows how lavish the earl was in the granting of fees and confirms the king's complaints about his 'retentiones...stipendiis insolitis et excessivis'. The financial attraction of service with Lancaster goes far to explain the size of the retinue.

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1 Holmes, op.cit., pp.122-3.

The total cost of the five knights for the one year amounts to £563. 6. 8. (This figure is reached by assigning to each his full yearly fee, except for Segrave and Latimer, whose fees have been calculated at 250 marks and £250 respectively, and by discounting Fitzwarin's arrears.) It is impossible to guess at the cost of the whole retinue. £1,500-2,000 would perhaps be a reasonable estimate, though this figure is hardly a realistic one, since Lancaster's 'war fees' should have been recouped by payments to him from the king. As will be shown in a later chapter, however, there is no evidence that Lancaster received anything from exchequer or wardrobe and it is just possible that he had to shoulder the full burden himself. Individual fees appear very generous and the cost of the retinue was high - it is impossible to be any more precise than this.

The lists of life grants made by Lancaster produce another high total of just over £1,725,[1] though many of the grants were made to household servants and not to retainers and there is nothing to show that all the yearly fees comprehended in this figure were being paid simultaneously. This is counterbalanced, however, by the exclusion from this figure of whole manors or of single messuages granted away but not valued. £360 out of this £1,725 (plus) was

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[1] Ibid., pp.134-40,141-2.

certainly being paid to retainers, for this is the total value of rents described as having been alienated to various men for their services in peace and war. The maintenance of the earl's retinue out of life grants from his property in this way was a dangerous policy and lessened the capital value of the estates not only during his own lifetime but during that of his successor also, since the indenture is for the life of the retainer. In Letimer's indenture it is specifically stated that 'le dit Counte et ses heirs le dit Manoir ove les aportenances, ensemblement ove toute la dite rente... au dit monsieur William a toute sa vie contre toutes gentz garantiront'. Many of the second earl's retainers are found serving under the third earl for this reason as well as for other reasons of family loyalty. Twyford, Glastonbury, and Meldon were all receiving fees from Henry of Lancaster in 1330-31, as were several others - Sir Roger Cuilly, Sir Geoffrey de Walcote, Robert Whitefield[1] - who had almost certainly been indentured to Thomas. The continuity of the retinue was ensured at the expense of a quite considerable diminution of the value of the comital estates for a period which might often amount to twenty years or more.

But the retainer did not only expect a fee or land grant for his services - he was entitled to the use of his lord's influence as well, and the power and following of a noble such as Lancaster

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[1] Ibid., pp.67-8.

would often depend on his success in obtaining extra rewards for his men from the king and other lords. As it has already been shown,[1] Lancaster's influence with the king and the administration was weak for most of the reign, and the strength of his retinue was determined rather by the large fees which he offered than by the opportunities for less formal profits. There are instances of the earl's exertions on behalf of a follower - in March, 1308, for instance, Sir Stephen Segrave secured the remission of a 100 mark fine for trespass and other felonies at Lancaster's request.[2] Similarly, in November, 1318, Sir John de Bures, who held two fees of £40 each from the earl[3], was able to obtain a commission of oyer and terminer at his master's instance to deal with breaches of his parks.[4] The widest use of the earl's power was shown in the case of Sir Robert Holand, for whom Lancaster obtained a marriage with Maud de la Zouche, supposedly worth 2,000 marks, actually a little less,[5] and a grant from the king of the very generous liberties over various lands which he himself had obtained by the charter of May, 1307[6] - though Holand, more a

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1 Supra, p.82.

2 Cal.Pat.Rolls,1307-13,p.49.

3 Holmes, op.cit.,pp.135,139.

4 Cal.Pat.Rolls,1313-17,pp.597,685.

5 Brut, p.216; Cal.Close Rolls,1313-18,pp.115-17,154-56,197.

6 Cal.Charter Rolls,iii,1300-26,p.109.

junior partner of the earl then a retainer, was an exception. In the crisis of 1321-22 neither fees nor influence could save Lancaster from the desertion of his knights; fear of being on the losing side took precedence over both past rewards and current loyalties.

The part played by the retinue in the earl's political ventures will appear in the course of the narrative, and the characteristics of its members are analysed below. It remains to say something of the peacetime activities of the retainers, particularly in connection with judicial affairs and maintenance. Edward II's reign does not provide as many and as blatant examples of bribery and corruption of sheriffs, jurors,and justices as does, for instance, the period of the Paston letters, though there can be little doubt that Lancaster exercised his influence over royal justice and administration in his own lands in much the same way as did the dukes of Norfolk and Suffolk in the East Anglia of the 1440's. The government had already recognised the evils of maintenance in the Ordinance of Conspirators of 1305, which defined conspirators as those who 'retain men in the country with liveries or fees for to maintain their malicious enterprises.'[1] There were other ways, however, of turning justice to one's own ends without infringing this ordinance. Firstly, the justices themselves could be feed.

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[1] Stat.Realm,1,p.145.

In 1313-14 Lancaster was paying fees to ten narratores[1], including Geoffrey le Scrope, late justice of common pleas and eventually chief justice of king's bench, Robert Mablethorp, justice of king's bench from 1320, Edmund Passelewe, a well-known narrator and baron of the exchequer from 1323, and William Herle, a justice of common pleas from 1320.[2] There was nothing unusual about retaining narratores thus - it was a recognised way of ensuring business for the advocate and representation in the central courts for the magnate, and none of those retained in 1313-14 were yet justices. But in 1318-19 Lancaster's wardrobe was distributing liveries, though apparently not fees, to those who were already justices. £8 was spent on two cloths of Douai murry 'emptis pro justiciis', and £13 on furs bought for William Bereford, then chief justice of common pleas, and his wife, Henry le Scrope, chief justice of king's bench,[3] and a certain W. de -[4] (probably Herle). This again was a normal practice - in 1338, for instance, the Knights Hospitaller were feeing both chief justices and a number of other justices.[5] That it was

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[1] DL.29/1/3,m.26d.

[2] Tout, Place of the Reign of Edward II,pp.330-32,307.

[3] Ibid.,pp.329,331.

[4] Wardrobe Account,1318-19,m.4.

[5] The Knights Hospitallers in England, ed.Rev.L.B. Larking (Camden Soc.,Ixv,1857),pp.203-4.

an abuse was recognised by the statute of 1346 which forbade an justice to take fees or robes from any man but the king 'to the intent that our justices should do even right to all people... without more favour showing to one than to another'.[1] Whether Lancaster was often able to turn to advantage his connections in the courts there is no evidence to show - though that part of the £81. 17. 8 which was spent on an assize of novel disseisin between Walter Langton and the earl in 1313-14 'cum donis datis diversis pro dictis negotiis expeditis'[2] together with the £6. 13. 4 delivered to Sir Walter de Kirkbridge in 1318-19[3] 'pro placito domini apud London' both sound suspiciously like bribes, if not to justices then to jurors.

The same effect could sometimes be gained by employing delaying tactics in the courts. In the already mentioned case in which Lancaster tried to force the abbey of Burton to present a tithing to his wapentake for one of the abbey's demesne manors in which there were no tenants, the abbot eventually took the matter to common pleas 'mes le play ne fust mye discusse par iugement pur ceo qe le counte ne son conseil ne voleient mye attendre iugement, mes ala toutz iour delaiant le play iekes a sa mort'.[4] The abbot's

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1 Stat.Realm,i,pp.303-4; Cal.Close Rolls,1346-49,p.64; Murimuth,p.245.

2 DL.29/1/3,m.26d.

3 Wardrobe Account,1318-19,m.4.

4 Supra,p.38 ; SC.8/95/4737.

claim was eventually satisfied in 1325.[1] In the shires the management of justice was naturally much easier: the example of the earl's control of Lancashire has already been quoted. Often the earl's own retainers would be given commissions of oyer and terminer in cases in which he was interested. In September, 1315, he asked the king to assign four of his nominees, two of whom - William Dacre and William Trussel - were certainly his retainers, to enquire into the death of his valet, John de Swinnerton.[2] After the Banaster rising in the same year a similar commission was given to the earl himself, the earl of Arundel, Fulk Lestrange, and William Dacre, the last two again being retainers, and when it was later returned that Lancaster and Lestrange were unable to act Henry Trafford, Henry Hanbury, and John Lancaster were substituted.[3] Of these, Hanbury was almost certainly a Lancastrian retainer[4] and Lancaster was a member of the earl's council and a practising advocate in the court of the earldom of Chester.[5] The earl's control of the

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[1] The Burton Cartulary, ed. G. Wrottesley (William Salt Soc., v, pt.i, 1884), pp.87-8.

[2] Davies, op.cit., App.No.109 (SC.1/35/153).

[3] Cal.Pat.Rolls, 1313-17, p.421.

[4] C.81/1707/57.

[5] E. Fox, Parliamentary Representation of the County of Lancaster, pp.74-8.

judicial machinery largely explains the harshness with which the rising was put down.[1] In another case of January, 1320, involving a breach of the earl's park at Leeds, a commission was given to three men, of whom one, Sir Adam de Everingham of Birkin, was certainly a retainer, and another, Edmund le Botiler, probably so.[2]

Where bribes and peaceful influence failed force could be used. One of the objects of the 1323 judicial enquiry in Lancashire was to unearth those who 'threaten jurors on assizes or on inquests so that they dare not speak the truth';[3] and there are occasional instances of the use of threats to pervert justice and to browbeat courts and juries. After the earl's death a Lancashire tax collector told the king how he had saved money to pay off arrears which he owed to the exchequer, but had then been robbed of £100 worth of goods and chattels by Lancaster 'et il ne poeit en sa vie pur la meytenaunce le dit Thomas nul remedi avoir'.[4] An even more blatant case of maintenance came from Warwickshire, where Sir Peter de Lymesey, a Lancastrian retainer, disseised a woman of her lands. She then

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[1] Ut inf., pp.276-77.

[2] Cal.Pat.Rolls,1317-21,p.476.

[3] Tupling, op.cit.,pp.6-7.

[4] Rot.Parl.,i,p.402. For a similar example see ibid.,p.401.

asked for an assize of novel disseisin, but the assize could not meet, 'kar il (Peter) manaza les gentz de l'Assise qe s'il eussent venu devant les Justices par cele encheson il eussent estie tuez, ars, et maumis, sicom ele purra resonablement prover par bones gentz et par sa oute fete devant les ditz Justices continuement'.[1] The suit was still pending at Lymesey's death. There were probably many similar incidents, but the nature of the evidence makes them difficult to find. Maintenance can sometimes be presumed. In 1319, for example, the abbey of Croxden, Staffs., was suffering from the depredations of Sir Thomas Furnival, who had quartered his horses and hounds there, taken a room for his bailiff, and seized the abbey's beasts. 'At length', records the abbey's chronicler, 'when we had taken a writ of novel disseisin at the intervention of our friends, to wit Sir Robert Holand, Sir Stephen Segrave, Sir Henry Hambury and many others, by the exhibition and testing of our charters at Sudbury on the said feast of St. Benet we obtained peace.'[2] Lancaster was the dominant magnate in the Croxden neighbourhood, and Holand, Segrave, and Hambury were all his men. It looks very much as though the abbey had invoked the protection of its powerful neighbour to maintain its case in the courts.

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[1] Ibid., p.401.

[2] C. Lynam, The Abbey of St. Mary, Croxden, Staffs. (London, 1911), p.viii, from Brit. Mus. MS. Cott. Faustina B.VI, f.81.

The feeing of justices, the placing of retainers on commissions, the delaying of cases, and the use of direct threats - these abuses were thus widely practised, as they had always been. But what was in the 15th century to be one of their primary purposes, the influencing of parliamentary elections and the returning of the lord's man by a complacent, bribed, or threatened county court was noticeably absent in the early 14th century. Lapsley, in studying five south midland counties under Edward II, failed to detect any political alignments among their members;[1] and recently a more detailed study of Lancashire, the county for which Lancaster would be almost certain to return his own men if he had any interest in the matter, has disclosed no attempts by the earl to control the county court (though it should be added that the number of retainers who came from that county was in any case surprisingly small). Only six Lancashire knights in all Edward's parliaments can be shown to have been definite supporters of Lancaster. Of these, Sir Edmund Neville sat for the county four times and Sir William Gentil twice; the remaining four were returned to only six out of 28 'seats' in the fourteen parliaments of the reign. Sometimes even the earl's opponents were returned - five 'seats' went to knights who led the Benaster rising in 1315.[2] The lack of continuity in

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[1] G. Lapsley, 'Knights of the Shire in the Parliaments of Edward II', Eng. Hist. Rev., xxxiv (1919), pp. 25-42, 152-171.

[2] Fox, Parliamentary Representation of the County of Lancaster, p. lxix.

the county representation leads to a similar conclusion. Two novices sat for each of the four parliaments between August, 1312, and September, 1313, and again for those of January, 1316, October, 1318, and October, 1320.[1] This last parliament produced the only known case of deliberate management of a Lancashire election, when Gentil, the sheriff, elected Gilbert Haydok and Thomas Thornton, 'which knights ought to have been elected by the whole community of the county... without the consent of the community'.[2] But there is no sign of any political motive in this. Though Haydok was a member of Holand's faction[3] there is nothing to show that either Lancaster or Holand attempted to make use of him. As the discussion below will make clear, comparatively few of the earl's men sat as knights of the shire for any county, and very few were returned more than once. This conclusion is of some political importance. Lancaster was uninterested in the commons in parliament; their position was still one of relative constitutional insignificance and it was not worth influencing their members. All the other evidence goes to show that both he and the other magnates tended to think of parliament as a

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1 Ibid.,p.lxvi.

2 Tupling, op.cit.,p.119; JI.1/425,m.14.

3 Fox, Parliamentary Representation of the County of Lancaster, p.lxx.

purely baronial assembly - this is the interpretation to be put on the Ordinances and on Lancaster's letter to the king in June, 1317 - and it is here confirmed at a practical level.

Yet the retinue did present a threat to parliament, more direct and less subtle than that which could be obtained by influencing elections. It will become apparent from the narrative which follows that the government was constantly frightened of coercion by the barons' retinues at parliament time. Two of the charges against Lancaster in the indictment of 1322 were that 'colligatis sibi diversis hominibus, vi armata venit ad diversa parliamenta domini Regis, et pluries impedivit ipsum dominum Regem tenere parliamenta sua, prout ad ipsum et coronam suam tenere pertinebat', and, more specifically, that coming to the York parliament of 1318 'cum magna multitudine armatorum, induxit dominum Regem ad pardonandum sectam pacis sune versus ipsum, et malefactores praedictos in praemissis, usque circiter numerum mille personarum'.[1] A largely illegible draft of another indictment seems to accuse him of coming armed to the Lincoln parliament in January, 1316,[2] and the council's concern in 1318 over his armed appearances, and his summonses to large numbers of retainers to attend him to parliament in 1318-19 have both been mentioned already.[3] The effects of this are clear - to take only

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1 Foedera, II, p.479.

2 C.49/File 66/23.

3 Supra, pp. 94, 96.

two examples, the granting of a commission to the Ordainers in February, 1310, and of the Despensers' exile in August, 1321, were both forced on Edward by the immediate presence of the barons themselves, their retainers, and their foot soldiers. The specification in the Lancastrian indentures that the retainers should attend their lord to parliament was not an empty obligation; nor was it mere filial piety which prompted Edward to write, in one of his frequent prohibitions of the barons' coming armed to parliament, that 'veniatis, prout tempore, clare memorie, domini E. quondam Regis Anglie, patris nostri, fieri consuevit, equos pro armis vobiscum ibidem nullatenus adducentes, nec aliquid aliud attemptantes, per quod pax nostra turbari, aut populus noster terreri valeat quovismodo'.[1] The number of similar prohibitions during the first period of antagonism between the two sides shows the reality and the constancy of the threat.[2] The barons' object was not so much to overcome parliament as to coerce the king himself - it was only the occasion which was provided by the royal summons to attend. Force, and not the packing of parliament, was the real danger to the government's policies and the king's whims during the course of the reign.

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[1] Foedera, II, p.151 (28 Nov., 1311).

[2] Ibid., p.59 (4 Oct., 1308); p.103 (7 Feb., 1310); p.175 (4 Aug., 1312); p.228 (24 Sept., 1313).

What of the retainers themselves?[1] They varied widely in their status, their administrative experience, the amount of land which they held, and even in the distribution of that land - though usually their holdings were to be found in areas where Lancaster was dominant.[2] From the sample of thirty retainers whose biographies are appended nine (Bek, Barrington, Longford, Meynill, Stephen Segrave, Swinnerton, Twyford, Wither, and Longvillers) may be classed as north midlanders, having, that is, their largest estates and their customary residences in the counties of Derby, Leicester, Lincoln, Nottingham, and Stafford; six (Creting, Cailly, Fitzneel, Lymesey, Nicholas Segrave, and Tuchet) held mainly in the south midland counties of Bedford, Buckingham, Hereford, Hertford, Norfolk, Northampton, Oxford, Suffolk, and Warwick, while the same number were predominantly Yorkshiremen (Clif, Everingham, Latimer, Reygate, Swillington, and Roos). Four (Clavering, Eure, Haverington, and Marmaduke) were true northerners, holding extensively in Northumberland, Durham, Cumberland, and Westmoreland. Rather surprisingly, only three (Haverington again, Neville, and Huddleston) had large interests in Lancashire, and an equal number (Fitzwarin, Lestrange, and Pole) were Welsh marchers.

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[1] References which are not given for statements in this section will be found in the appendix under the name of the individual concerned.

[2] See map.

This distribution might be expected - it reflects that of Lancaster's own estates, and of the sample only the Welsh marchers, two of whom, Lestrange and Pole, were drawn to Lancaster adventitiously by the Powys dispute of 1311-12, and Marmaduke among the northerners, held lands in areas in which their lord had no large share. A subjective impression remains that the sample does not properly represent the number of Yorkshire knights. Robert de Rither,[1] Nicholas de Stapleton,[2] Henry de Sothill,[3] Bogo Bayouse,[4] Gerard Salveyn[5] - these were all prominent Yorkshiremen and all conspicuous in the earl's service,

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[1] Lord of Rither, Yorks.,1316 (Parl.Writs,II,ii,p.412); received letters from Lancaster, Oct.,1318 (Wardrobe Account,1318-19,m.1); and was with him on the Berwick campaign (Manchester Ref.Lib. MS.76, f.61); of the county of York, he was captured at Boroughbridge and made fine to save his life (Parl.Writs,II,ii,p.203).

[2] Infra, pp.126-27.

[3] Joint lord of Laxton, Yorks.,1316 (Parl.Writs,II,ii,p.407); indentured to Lancaster for a £10 fee from Scales, Yorks.,19 June,1317 (Cal.Inq.Misc.,ii,1307-49,No.976); pardoned as his adherent in 1318 (Parl.Writs,II,ii,p.128); received letters from him in 1319 (Wardrobe Account,1318-19,m.3); and served on the Berwick campaign (Manchester Ref.Lib. MS.76,f.58v); fought at Boroughbridge (Parl.Writs,II,ii,p.199).

[4] Returned for Yorks. to attend as knight before council, 1316 (Parl.Writs,II,i,pp.161,167); pardoned in 1318 (ibid.,p.127); captured at Boroughbridge (ibid.,II,ii,p.200).

[5] Lord of six Yorks. townships and joint lord of four others, 1316 (ibid.,pp.404-7); pardoned in 1318 (ibid.,p.127); received letters from Lancaster in 1318-19 (Wardrobe Account, 1318-19,mm.1,3.).

particularly during the last years of the reign. A wider and truer sample would almost certainly have shown that the Yorkshire knights equalled in numbers those from the north midlands.

To speak of 'knights' as we have done so far is a convenience rather than a strictly accurate term, for Lancaster retained one, probably two, earls, and a small number of men who had received individual writs of summons to parliament, and these far outstripped in wealth and its concomitant, status, the simple knights who formed the bulk of the retinue. David Strathbogie, earl of Athol, had deserted Bruce for the English side in 1314,[1] and seems to have entered Lancaster's service three or four years later. He was pardoned in 1318 as one of the earl's adherents and appeared in the retinue at Berwick with the very large personal following of two bannerets, four knights, and 33 men-at-arms.[2] It is perhaps surprising that his fee from Lancaster was only twenty marks rent from the manor of Stamford, Northumberland.[3] He almost certainly deserted to the King in 1321, for in November of that year he had a grant of the honor and Castle of Chilham, Kent, formerly Badlesmere's.[4] His estate,

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1 Peerage, I, p.306.

2 Parl. Writs, II, ii, p.126; Wardrobe Account, 1318-19, m.5d.

3 Holmes, op.cit., p.141.

4 Parl. Writs, II, ii, p.171.

naturally, was a large one - at his death he held seven manors in Kent, five in Norfolk, two in Suffolk, two in Northumberland, and a scatter of other lands in East Anglia, Lincolnshire and the south midlands.[1] Robert Umfraville, earl of Angus, was similerly retained, for a fee of 100 marks, but he was never as prominent a figure in the earl's following, and he can only be seen acting with the retinue in an expedition in the later years of Edward I, when he came with twenty men-at-arms.[2]

Below the earls came the barons by writ, of whom the retinue contained nine, though of these only five received a summons during their period of service with Lancaster. These were Clavering, summoned from July, 1299 to November, 1331;[3] Fitzwarin, November, 1317 to January, 1336;[4] Latimer, February, 1299 to December, 1326;[5] Holand, July, 1314 to May 1321;[6] and Nicholas Segrave, June, 1295 to May, 1321.[7] In addition, Creting, Haverington, and Swinnerton received writs after the earl's death,[8] and Tuchet had been summoned for a few years under Edward I.[9] No man would receive a summons unless his

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1 Cal.Inq.Post Mortem,vi,No.459.
2 Holmes, op.cit.,pp.140,142.
3 Peerage,III,p.275.
4 Ibid.,V,p.498.
5 Ibid.,VII,p.465.
6 Ibid.,VI,p.529.
7 Ibid.,XI,p.610.
8 Ibid.,III,p.532; VI,pp.314-5; XII,i,p.586.
9 Ibid.,XII,ii,p.51.

landed wealth could support the dignity; to divorce status from land was unthinkable to contemporaries,[1] and it is not surprising that Lancaster's five baronial followers were perhaps the best endowed by inheritance of any in the retinue. The connection between land and title shows most clearly in the case of Holand, whose marriage with Maud, one of the Zouche coheiresses, procured for him by Lancaster, almost certainly earned him his first summons to parliament in July, 1314.[2] Of the others, Nicholas Segrave, for instance, held 72 bovates of land in Yorkshire, nine manors in East Anglia and the south-east midlands, and land in nine other places. Clavering held nine Northumberland manors, together with Warkworth castle, the remainder of which he sold to the king by surrender and regrant for £400 of land elsewhere, a useful indication of the value of the lands. In addition he held five manors in East Anglia and Buckinghamshire. Latimer held six Yorkshire manors, the reversion of three others, two in Northamptonshire, and one each in Cumberland, Westmoreland, Surrey, Bedford, and Kent. Twelve or so manors was perhaps the usual holding of each member of this group.

The endowment of the average knightly follower was well below this level. Swillington, a typical example, held two Yorkshire manors, two in Lincolnshire, and parts of two others in Yorkshire and four

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[1] K.B. McFarlane, 'The English Nobility in the Later Middle Ages', Rapports, XII^e Congres International des Sciences Historiques (Vienna, 1965), i, p.341.

[2] Peerage, XII, ii, p.937.

in Suffolk. Fitzneel held two manors, one in Oxfordshire and a second in Buckinghamshire, part of a third in the former county, and other lands in Buckingham, Bedford,and Surrey. But there were others much poorer than this, often with little more than a single manor, and seemingly barely able to support a knight's position. Clif, for instance, appears to have held only the manor of Thornton in the East Riding and some lands around Drax and Pickering; Everingham possessed the one manor of Birkin in the West Riding, and possibly some land in Lincolnshire; and Reygate held the manor of Stutton and part of the manor of Fairburn, again in the West Riding. It is noticeable that all three of these retainers came from Yorkshire; the earl's personal as well as his territorial power there, and his residence at Pontefract for most of the last five years of his life must have drawn some families into his orbit who would not, in other areas, have been attracted. Only the richest and most cosmopolitan knights from more distant parts would be drawn to him, but in Yorkshire, where Lancaster was for many their local lord, living in their own patria, membership of the retinue must have seemed natural and proper. Only Warenne could compete with Lancaster's personal lordship in the West Riding, and he was ousted after 1318, leaving no rival bidder for the services of the local knights. For men such as Clif, Everingham,and Reygate the attraction must have been a powerful one, for the fees which they drew - 20 marks, £20,and £10 respectively -

were perhaps a quarter or a third of their yearly incomes. It may have been no coincidence that these three all remained loyal until their lord's death, for they were his dependents in a way in which wealthier knights, with more extensive lands and occasionally fees from other lords, were not. Sometimes feudal ties survived - both Everingham and Longford were the earl's military tenants, but they appear to have been the only representatives of this group from our sample. Feudal loyalties were no longer sufficient to bind lord and man without the reinforcement of a fee. Similarly few knightly retainers seem to have entered the earl's service through the management of the estates. Hugh Cuilly, an auditor of accounts in 1305 and later constable of Kenilworth, and Richard Perrers, receiver of rents at Kenilworth,[1] provide rare examples of men who were both estate officials and military servants. But apart from these cases the two branches of service hardly ever overlapped.

Even a brief analysis such as this emphasises the divided nature of the retinue, its members differing greatly in their wealth and consequent status and apparently united only by the receipt of fees from the same lord. A study of the links of marriage and kinship alters this picture. Fathers, sons, and brothers all served together and in a number of cases sons of retainers married daughters of others.

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[1] Somerville, op.cit., p.350.

The ramifications of the Cuilly family provide a minor example. Hugh Cuilly, mentioned above, was one of the longest serving of Lancaster's men and had two children. Roger, his son, was also a Lancastrian. He was pardoned as one of the earl's adherents in 1318, was captured at Boroughbridge, and paid a fine to save his life.[1] He later took part in the third earl's abortive rising and was receiving a £20 annuity from him in 1330.[2] The elder Cuilly's daughter, Joan, married Sir Richard Whitacre, a neighbouring Warwickshire landowner,[3] who was also involved with Lancaster. Whitacre and his brother, probably Thomas, both received letters from the earl in 1318-19 and were fined as the earl's adherents after Boroughbridge, Simon Whitacre, a third brother, acting as one of Richard's manucaptors.[4] Other similar examples could be cited. Sir Thomas Longvillers probably married Maud, the elder daughter of Sir Adam de Creting and sister of Sir John de Creting, another retainer; while Sir Adam Swillington took as his second wife Margery, the widow of Roger Filkington, a Lancastrian adherent for whom Swillington had acted as manucaptor in 1322.[5]

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1 Parl.Writs,II,i,pp.131,207.

2 Cal.Inq.Misc.,ii,1307-49,No.IIII; Holmes, op.cit.,p.67.

3 W. Dugdale, Antiquities of Warwickshire (London,1656),p.750.

4 Wardrobe Account,1318-19,mm.1,2; Parl.Writs,II,ii,p.209.

5 Peerage,XII,i,p.580; Parl.Writs,II,ii,p.204.

There were also several large families whose service to the earl was not extended through intermarriage but who remained compact and loyal (until, that is, the overwhelming test of 1321-22 came upon them). The Segraves are perhaps the outstanding case. John Segrave, the senior member of the family under Edward II, served Lancaster in an early expedition with thirty men-at-arms, and received from him a fee of fifty marks for service in war (and peace?).[1] John's younger brother, Nicholas, the founder of a short-lived cadet branch of the family, was much more prominent, and served Lancaster from the last years of Edward I or before until his death in 1321. Simon Segrave, perhaps a younger brother, was also with Nicholas in Lancaster's retinue in 1318.[2] John's son, Stephen, was with the earl from at least 1308 until he deserted in 1321 or 1322, and the names of both Nicholas and Stephen occur perhaps more frequently than any others in the retinue in conjunction with that of Lancaster. The Trussells and the Holands similarly sided with the earl as families,[3] while the number of brothers serving is high: John and Michael Haverington, John and Roger Swinnerton, Roger and Henry Bradbourne, Thomas and Philip Barrington - each of these pairs of knights had a family background as well as a lord in common, and these family ties must have contributed much to the strength of the retinue.

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[1] Holmes, op.cit.,p.141,135.

[2] C.81/1707/58.

[3] For the part played by the Holand clan in Lancashire affairs see Tupling, op.cit.,pp.xlii-li.

As a final illustration of the ties of kinship and marriage, we may trace the descendants of Peter de Brus, lord of Skelton, a process which will throw some light on the northern baronage, whose lack of support for Lancaster in 1321 was to be crucial for his plans, as well as on the earl's retainers. Brus's death meant the division of his lands amongst his four daughters, since his son had died childless in 1272;[1] the accompanying table shows their descendants. John Fauconberg, son of Agnes, the eldest Brus daughter, by her marriage with Walter Fauconberg,[2] was one of the northern lords who were present at Pontefract in May, 1321 and there refused support for Lancaster.[3] His nephew, Walter, married Anastase Neville, sister of Robert Neville, 'the Peacock of the North',[4] and of Ralph Neville, who was feed by Lancaster and employed by him as a negotiator in his dealings with the Scots in 1321 – 1322;[5] while John de Clavering, retained by Lancaster until 1320 or 1321, was uncle of the three young Nevilles through the marriage of his sister, Eupheme, to Ralph Neville the elder.[6]

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[1] Peerage, V, p.269.

[2] Ibid., pp.270-71.

[3] Auct. Bridl., p.61.

[4] Peerage, V, p.271; IX, pp.498-9.

[5] Holmes, op.cit., p.142; Foedera, II, p.474; J. Scammell, 'Robert I and the North of England', Eng. Hist. Rev., lxxiii (1958), p.399, n.3.

[6] Peerage, IX, pp.497-8; III, p.275.

PETER DE BRUS=HAWISE

Agnes=Walter Fauconberg

Lucy=Marmaduke Tweng

William Roos of Helmsley

Margaret=Robert Roos of Ingmanthorp

William (ob.1310)

Ladrina=John Bel[illegible] (ob.13[illegible])

Robert=1.Alice Merlay
2. -

Marmaduke=Isabel (ob.1323)

William (ob.1323)

William (ob.1334)

Lucy=1.William Latimer (ob.1327)
2.Robert Everingham (ob.1316)
3.Bartholemew Fanacourt

[illegible]les
[illegible]apleton
(ob.13[illegible])

Joanna=Aucher Fitzhenry

Peter (o.s.p.)

Walter (ob.1318)

John (1290-1349)

Robert Fitzroger (ob.1310)

Nicholas Menill

Ralph Neville (ob.1331)=Euphemia Clavering

John Clavering (ob.s.p.m.1332)

Nicholas (ob.1343)

Walter=Anastase (o.s.p.1314)

Robert (ob.1319)

Ralph (ob.1367)

THE DESCENDANTS OF PETER DE BRUS

Lancastrian retainers are underlined; those having some connection with the earl, but who were not retained by him, are underlined with dashes.

The second Brus daughter, Lucy, married Marmaduke Tweng. Their first son, Robert, left an only daughter, Lucy,[1] whose marital and extramarital career made its mark on several Yorkshire baronial families. Her first husband, whom she married before 1295, was William Latimer, Lancaster's man from 1318, but the two were divorced by 1312 because of Lucy's liaison with Nicholas Menill, to whom she bore an illegitimate son.[2] Menill was another of the northern barons whom Lancaster summoned to Pontefract in 1321.[3] She is reputed also to have been the mistress of Peter Mauley of Mulgrave,[4] another Lancastrian retainer,[5] Her second husband was Sir Robert de Everingham, a distant cousin of Sir Adam de Everingham of Birkin, again one of the earl's retainers. This marriage ended with Everingham's death in 1316, and Lucy then took as her last husband Sir Bartholemew Fancourt,[6] said to have been a servant of the Latimers,[7] but having also Lancastrian connections.

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[1] Ibid.,XII,i,p.739.

[2] Ibid.,VIII,pp.628-9.

[3] Auct.Bridl.,p.61.

[4] W.H. L'Anson, 'Kilton Castle', Yorks.Arch.Jour.,xxii(1912-13), p.87.

[5] Served Lancaster with six men-at-arms (Holmes,op.cit.,p.141); pardoned as the earl's adherent in 1313 (Parl.Writs,II,ii,p.67); deserted in 1321 (SC.8/200/9974).

[6] Peerage,VII,p.629.

[7] Guisborough Cartulary,i,(Surtees Soc.,lxxxvi,1889),p.124.

He was pardoned as an adherent of the earl in 1318, fought at Boroughbridge, and acted as mainpernor for Sir John Clif after the battle.[1] A Bertram (Bartholemew?) Fancourt was receiving a fee from Henry of Lancaster in 1328.[2]

Marmaduke Tweng, Lucy's uncle, was also involved with Lancaster to a limited extent. He joined him against Gaveston in 1312 and appeared at the Pontefract meeting of 1321, while his son William acted as a manucaptor for Sir William Roos of Ingmanthorp and Sir Robert Rither after Boroughbridge.[3] Marmaduke's wife, Isabel, was a sister of William Roos, whose uncle, Robert, had married the third Brus heiress, Margaret.[4] Thus two branches of Brus's progeny were linked again by marriage.

The fourth Brus daughter, Lederane, married John Bellew, and one of their daughters, Sibyl, married Sir Miles Stapleton, a follower and household knight of Henry Lacy, and then perhaps of Lancaster - he was at least pardoned in 1313 for his part in Gaveston's death.[5]

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1 Parl.Writs,II,ii,pp.131,197,204-5.

2 Holmes, op.cit.,p.69.

3 Peerage,XII,i,pp.741-2.

4 Ibid; ibid.,XI,pp.117-18; H.E. Chetwynd-Stapleton, 'The Stapletons of Yorkshire', Yorks.Arch.Jour.,viii(1884),p.88.

5 Peerage,XII,i,pp.262-3.

His son, Nicholas, was an ardent Lancastrian - he received letters from the earl in 1318-19, served in his retinue on the Berwick campaign, and was captured at Boroughbridge.[1]

This extended family group thus comprehended five of Lancaster's retainers (Neville, Clavering, Latimer, Roos ,and Nicholas Stapleton), four others who were intermittently associated with him (Marmaduke and William Tweng, Fancourt,and Miles Stapleton), and three who refused to support him in 1321 (Marmaduke Tweng, Fauconberg,and Menill). The world of these Yorkshire knights and barons was a small and close-knit one; although bonds of blood and marriage occasionally meant little (Robert Holand's sister, for instance, was Adam Banaster's wife),[2] in general they provided county society with a necessary cement, and formed many of the retinue's members into a true 'affinity'.

A following in which so many were related and shared a common background was provided with other links than those which united all its members to Lancaster, their lord. (The strains under which the retinue disintegrated in 1321-22 were quite exceptional.) A family analysis like the above cannot show why men sided as they did, but it can at least demonstrate the compactness and the interdependence of the county families, and above this, the dependence of some of them on an

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[1] Wardrobe Account,1318-19,mm.1-3; Manchester Ref.Lib. MS. 76,f.61; Parl.Writs,II,ii,p.203.

[2] Tupling, op.cit.,p.xliii.

external influence, that of Lancaster. As the dominating magnate and landlord he was only one of themselves writ large, but his ancestry, his political position, his wealth, and the extent of his influence set him above and apart from them, and it was these latter qualities which must have made him seem an attractive master.

Perhaps surprisingly, there is no suggestion that most, or even many, of the retainers were younger sons. From the sample of thirty, thirteen were definitely eldest sons (Clavering, Creting, Everingham, Fitzwarin, Haverington, Latimer, Lymesey, Stephen Segrave, Swinnerton, Longford, Tuchet, Marmaduke, and Barrington), and two probably so (Bek and Meynill). There were five definite younger sons (Lestrange, Swillington, Neville, Longvillers, and Nicholas Segrave), and one probable (Wither); but of the younger sons three (Lestrange, Swillington, and Longvillers) inherited their family lands through the death of an elder brother before entering Lancaster's service. Though formal provision for younger sons under the terms of their fathers' wills was not made until later in the century,[1] there is no reason to think that at this date, deprived of a share in the family lands, they necessarily sought alternative incomes in the retinues of the magnates. In the case of Lancaster's retinue, the theory could apply to Stephen Segrave, an eldest son, the survival of whose

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[1] McFarlane, 'The English Nobility in the Later Middle Ages', pp.342-3.

father until a few months before his own death robbed him of an inheritance, and who was receiving a considerable income from Lancaster - but there is nothing to connect the two facts or to substantiate the theory.

In many instances the retainer's period of service was a long one. Bek, Huddleston, and probably Clavering had all been Henry Lacy's men before entering Lancaster's retinue. Of Lancaster's own knights, five from the sample of thirty served him for at least fifteen years (Nicholas and Stephen Segrave, Barrington, Cuilly, and Fitzneel), while another eight served for ten to fifteen years (Bek, Clif, Everingham, Haverington, Huddleston, Lymesey, and Twyford). Holand was probably with Lancaster longer than any other - he accompanied him as a vallet on the 1298 campaign, had already received land in Lincolnshire as a gift from him in 1300,[1] and served him until his desertion in 1322, a period of at least 24 years. Of the thirteen longest serving retainers, excluding Holand, seven remained loyal in 1321-22, four deserted, one was dead, and the sympathies of one are unknown. In all normal circumstances the retinue was apparently reliable, and there are no instances of desertion before the final crisis (Lancaster's rising seems to have been directed against Holand rather

[1] Gough, Scotland in 1298, p.180; Cal. Close Rolls, 1296-1302, p.365.

than Lancaster himself); the long period over which these thirteen served alone shows that Lancaster was no bad lord to his knights, and that service must have been profitable. The accusations which have sometimes been made against the earl's knights[1] apply only to 1321-22, when a choice between greater or lesser loyalties, treason and possible death, or desertion, subjected the retinue to an intolerable pressure under which it broke.

It would be wrong to paint the retainers in entirely parochial terms and to describe their relations only with Lancaster, for most held commissions from the crown at some time and a few were entangled with other magnates. None of these obligations seem to have been incompatible. Holand, for instance, was the royal justice of Chester from August, 1307 to October, 1309, December, 1311 to November, 1312, and February, 1319 to January, 1322.[2] Similarly, Nicholas Segrave was marshal of the exchequer from March, 1308. A more common type of appointment was that to a shrievalty; six retainers acted as sheriffs at some time, but only two during the periods when they were with Lancaster. Lymesey was sheriff of Warwickshire and Leicestershire in early November, 1316, and of Shropshire and Staffordshire from March to May, 1318; and William Trussel was sheriff of Warwickshire

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[1] E.g., Davies, op.cit.,pp.503-5; T.F. Tout, Chapters in the Administrative History of Medieval England,ii,(Manchester,1937),p.186.

[2] Tout, Place of the Reign of Edward II,p.337.

and Leicestershire from November, 1314-November, 1316.[1] In addition, Fure held the shrievalty of Yorkshire in 1310-11, before he joined Lancaster, and Longvillers, John Lilburn,and John Swinnerton held other counties after Lancaster's death.[2] Lymesey, Heynill,and Haverington were commissioners of array while serving the earl; Clavering and Hauley, amongst others, were prominent in the defence of the north;[3] Fitzneel and Nicholas Segrave held commissions of oyer and terminer. These activities are only what might be expected of any of the country gentry and lesser barons at this period.

Comparatively few acted as knights of the shire. Of all those in the retinue whose names are known (about sixty), fourteen represented their counties at some time, but only nine while they were with Lancaster. (This excludes five of the six Lancashire knights of the shire, mentioned above, who were connected with the earl, but never particularly prominent.) Lymesey sat for Warwickshire in the parliaments of January, 1316, and October, 1320; Twyford for Derbyshire in those of January, 1315, October, 1318, May, 1319, and August, 1321; Neville for Lancashire in those of October, 1318, May, 1322, February, 1324, January, 1327, and on another three occasions under Edward III; Longvillers for Nottinghamshire in that of May, 1319;

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[1] PRO List of Sheriffs,p.144.

[2] Ibid.,pp.161,102,97,117.

[3] For Hauley, see Parl.Writs,II,i,pp.139,435-6.

Barrington for Staffordshire in those of February, 1305, and February, 1324; Richard Perers for Leicestershire in that of November, 1311;[1] Cuilly for Warwickshire in those of September, 1314, and January, 1315; William Trussel for Leicestershire in September, 1314;[2] and Henry de Glastonbury for Somerset in that of October, 1318.[3] In addition, Fure, Meynill, Longford, John de Barkworth, and Ralph Bagot sat either before or after their service with Lancaster. Thus the earl only once had as many as three retainers in one parliament - at York in 1318, when Twyford, Neville, and Glastonbury all sat - and in most parliaments during the early years of the reign he had no personal followers. Nor did any county have anything like continuous Lancastrian representation - Warwickshire, with Cuilly in 1314 and 1315, and Lymesey in 1316 and 1320, came nearest to it. A place as a knight of the shire does not yet seem to have been much sought after, and if Lancastrians obtained seats this was merely a measure of their local status and not of their closeness to the earl.

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[1] Parl.Writs, II, i, p.61. Perers was receiving a fee from Lancaster in 1312-13 (DL.25/L.1194), was pardoned as his adherent in 1313, and fought at Boroughbridge (Parl.Writs, II, ii, pp.68, 197). He is not to be confused with his namesake who sat for Herts. in seven parliaments during the reign.

[2] Parl.Writs, II, i, p.132. This is presumably William Trussell of Peatling, Leics. His namesake of Kibblesdon, Staffs., is unlikely to have been a Lancastrian retainer (ex inf. K.B. McFarlane).

[3] Parl.Writs, II, i, p.192. Glastonbury was with Lancaster on the 1298 campaign (Gough, op.cit., p.179), and on the Berwick campaign of 1319 (Manchester Ref.Lib. MS.76, f.58v), and was apparently receiving two fees of £20 and £10 from the earl, and another of £40 from Henry of Lancaster in 1328 (Holmes, op.cit., pp.142, 139, 67-8) - an extraordinarily long period of service.

Some found it profitable, and perhaps prudent, not only to serve Lancaster and the Crown, but other magnates as well - an additional entanglement which we have been led to expect in the late 14th and 15th centuries,[1] but of which few examples have been given from this earlier period. In 1319 Holand was receiving the liveries of Hugh Audley and Bartholomew Badlesmere, and these were even being made up in Lancaster's own household.[2] Similarly, John Dalton, Lancaster's over-vigorous bailiff of Pickering, was receiving robes from Eleanor, the widow of Henry Percy, and it was to this second connection that he owed his royal pardon after Boroughbridge.[3] Richard Marmaduke was a knight of Bek and Kellawe, successive bishops of Durham, from 1312 a member of the bishop's council, taking twenty marks a year, and from 1314 steward of the bishopric - but he was also drawing large fees from Lancaster's manors of Raunds, Higham Ferrers, and Rushden, Northamptonshire. If more was known of other retinues at this time many similar multiple connections would doubtless appear. The advantages of such

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[1] McFarlane, 'Bastard Feudalism', pp.168, 174-6; 'The Wars of the Roses', (Proceedings of the British Academy, 1, 1965), pp.106-11.

[2] 'Item primo die Aprilis computatus Ricardus de Bruscon in filo et serico pro ij robis domini Roberti de Holand de liberate domini Hugoni de Audeley et domini Bartholomei de Badlesmere, scilicet de sex garniamentis, et pro eisdem consuendis iij s.' (Wardrobe Account, 1318-19, m.7).

[3] SC.8/65/3249; Cal.Pat.Rolls, 1321-24, p.135.

connections to the retainer are obvious. Not only did his pocket benefit, but to some extent he insured himself against possible disaster, as Dalton's case clearly shows - had Dalton's second patron not interceded for him after the death of his first, he must have suffered heavily. The making up of Roland's other liveries in Lancaster's household seems to indicate that sometimes these secondary ties were recognised and respectable - they did after all offer the one lord a possible opportunity for influencing the other, and perhaps for spying on him.

For Lancaster the retinue formed a most potent weapon. During the middle years of the reign, particularly in 1317-18 when he had lost control of the government, his following provided his only support and the only means which he could use to bring pressure on king and court; robbed of the chance to exert any influence through constitutional channels, he was forced to rely on his retinue to try and put through his policies. The attacks on the courtiers in 1317 and the fears of the council at the size of Lancaster's army show this well enough. Such methods were extremely expensive, as has been said - status alone would have demanded a large retinue even if political needs had not been so pressing, while generosity and indiscriminate hospitality were necessary characteristics of any magnate who wished to win himself an enviable following. That the expense of the retinue was largely

responsible for Lancaster's constant pressure on his estates, and perhaps even for his residence there, seems a reasonable deduction. The fees which he offered were unusually generous (they had to be if he was to outvie his rivals). And if, as other evidence perhaps suggests, the king was failing to pay him for his war service in 1315 and again in 1319,[1] the burden would have been immense. This is no exaggeration. It is true that all estates were run largely in order to provide for the upkeep of the lord's retinue and household. But Lancaster's familia was extraordinarily large, and this at a time when, as far as we can see, estate profits were falling, due both to the famine and to heavy expenditure on other items such as building. The relationship between a strong retinue and heavy seigneurial pressure on the estates is a justifiable post hoc assumption.

For the retainers themselves, Lancaster offerred the attractions conferred by birth and position, as well as large fees, and most of his followers recognised these attractions and served him well. The web of intermarriage and kinship ties strengthened the retinue further - though there might be feuds between families, as with the Banasters and the Holands, fathers, sons, and brothers were likely to remain united, and most did. For its legitimate purposes - service in Scotland, the giving of counsel, and the general enhancement of the lord's prestige -

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[1] Ut inf., pp. 398-400.

the retinue functioned well. But the primary purpose of the retinue was none of these things; it was rather the enforcement of the earl's political claims, and in this it ultimately failed. Civil war brought about a quite abnormal situation, and the risk of disgrace and death was one which few were willing to face. In the middle years of the reign, however, the retinue worked effectively for Lancaster's ends. His use of it will be seen continually in the ensuing chapters.

CHAPTER 4

The Baronial Opposition, 1307-12

I

In July, 1307, when his father died, Edward II was 23 years old and his cousin Lancaster about 29. Most of the earls who confronted the new king were hardly older than Edward himself. Lancaster, Hereford, and Warwick, companions-in-arms at the time of the Ordinances, had all been born within three years of each other, and young as they were these three stood senior to four other earls - Arundel, Warenne, Richmond, and Gloucester - whose ages ranged from 22 to a mere 16 in Gloucester's case. Though most of these men had, like Lancaster, seen war service in Scotland, their political experience in the routine of government and in the controversies of the past reign was very limited. Only Lincoln, aged 56, and to a lesser extent Pembroke, aged 37, could justly claim to have borne political responsibilities over a long period; and it was Lincoln's age and experience, unique among the baronage, which naturally brought him to prominence in the struggles which followed immediately on the king's accession.

That the reign did not begin happily is clear. It has been argued that Edward met with no real opposition until after his coronation in February, 1308, and that the background of his early months is 'not an infatuated king and an upstart Gaveston at loggerheads with the earls'[1] -

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[1] H.G. Richardson, 'The English Coronation Oath', T.R.H.S., 4th Ser., xxiii(1941), p.139. For a contrasting view see B. Wilkinson, 'The Coronation Oath of Edward II and the Statute of York', Speculum, xix(1944), pp.451-3.

but this view is very difficult to substantiate. The recall of Gaveston, though it may have been provided for by Edward I, seems to have been at once resented by a part of the baronage, and the bestowal of the earldom of Cornwall on the favourite in August, 1307, caused particular disgust. The two preceding earls had both been king's sons and the dead king had intended to confer the title on either Thomas or Edmund, the sons of his second marriage.[1] To give title and lands to a commoner and a Gascon represented a double disparagement of the royal line, and on this grievance the chronicles are almost unanimous.[2] Other factors combined to alienate still more a nobility which already had no great respect for the king's ability to govern - the exclusion of the barons from the king's councils in favour of Gaveston, his own contempt for his peers, the defeat of the earls at the Wallingford tournament of December, 1307, the king's appointment of him as keeper of the realm in January, 1308, and his overwhelming arrogance are all well known. His greed[3] and the favours which he gained for his friends and relatives, particularly the Frescobaldi, affronted the pockets of the nobility as well as their pride. The Scottish campaigns of the last years of Edward I had been enormously expensive - that of 1303-4, for instance, had necessitated a tallage of

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[1] Vita Edwardi Secundi, p.15; Ann. Lond., p.151.

[2] Brut, p.205; Trokelowe, p.65; Lanercost Chron., p.210. Etc.

[3] The chroniclers' accusations of his plundering of the royal treasury received documentary proof in 1313 - infra, pp.196.

a sixth on the crown's demesne lands, the boroughs, and the cities, in February, 1304, at which the magnates had protested in the following year, the seizure of £1,600 in cash belonging to Blanche of Navarre, Lancaster's mother, and the borrowing of another £1,300 from her, and the imposition of a new customs duty of two shillings a tun on wine.[1] In 1307 wardrobe debts amounted to over £60,000, and much of this was owed not to the great Italian banking firms but to multitudes of smaller men, who had often been forced to tolerate the seizure of their goods and of their means of transport on credit to provide for the needs of war. Understandably, resentment was strong, and it must have been deepened by the subsidies of a twentieth and a fifteenth which Edward received at the Northampton parliament in October, 1307.[2] After a long period of financial pressure, with many loans still unredeemed and others deferred through wardrobe debentures, and with new taxes being collected, it was not surprising that the chroniclers should draw the moral: when the king had exhausted his treasure, says one, 'indigebat auxilio popularia talliagia que eis imposuit. Sic pecuniam extorsit et levare fecit non modicam ad depauperationem gentis sue'.[3] Gaveston could hardly avoid being made the scapegoat for the country's financial difficulties.

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[1] J. Ramsay, A History of the Revenues of the Kings of England, ii, (Oxford, 1925), pp.69, 71-2.

[2] Tout, Chapters, ii, p.125; Parl. Writs, II, i, pp.8, 15.

[3] G.L. Haskins, 'A Chronicle of the Civil Wars of Edward II', Speculum, xiv (1939), pp.75-6.

These grievances were being voiced, though not in overt terms, even before Edward's coronation. On 31 January, while the court was in France for the king's marriage, letters patent were drawn up at Boulogne by Anthony Bek, bishop of Durham, the earls of Lincoln, Surrey, Pembroke, and Hereford, and Robert de Clifford, Payn Tibetot, Henry de Grey, John Botetourt, and John de Berwick.[1] They stated that their fealty to the king bound them to safeguard his honour and the rights of the crown, and that they would do all they could to uphold and maintain this honour. They would redress 'les choses que sount feites avant ces houres countre soen honeur et le droit de sa coronne, et les oppressiouns que ount estre feit et uncore se fount de jour en jour a soen poeple'. This they swore to carry out and they submitted themselves to Anthony Bek so that he might excommunicate any who broke the agreement. Each set his seal to the covenant.

Bek himself may have had a personal grudge against Edward, for when the franchise of Durham had been restored to the bishop in December, 1307, cognisance of a plea of trespass between Bek and the earl of Warwick concerning lands in Middleton-in-Teesdale had been reserved to the king. Subsequently, in May, 1308, these terms were altered in the bishop's favour.[2] But the main importance of the Boulogne agreement lies in its

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[1] This document exists in two versions, both transcripts and both in Bodley MS. Dugdale 18. On f.80 a transcript is given from the Cotton collection in the full form described above, while on f.1v is another copy from the collection of Robert Glover. This omits the oath and the excommunication clause. For a comment see N. Denholm-Young, History and Heraldry, 1254-1310 (Oxford,1965),pp.130-31.

[2] C.M. Fraser, A History of Antony Bek, Bishop of Durham (Oxford,1957), pp.212-3,221-8.

foreshadowing of the more famous declaration of April, 1308, which stated that 'homagium et sacramentum ligiantiae potius sunt et vehementius ligant ratione coronae quam personae regis'.[1] The magnates are already invoking their own fealty to the king in order to protect him from the consequences of his folly, and even now their watchfulness extends to the rights of the crown as well as to the king's own honour. The January agreement, though couched in the most general terms, is surely a covert attack on Gaveston and his wasting of the kingdom. If there was no underlying conflict during the first months of the reign, then it becomes very difficult to explain both this statement by the more important earls, and the relation by the Pauline annalist of how the magnates threatened to postpone the coronation until the king should agree to Gaveston's banishment. Even if the Annales Paulini are a partly fictitious compilation from other sources,[2] the story finds a place in the St. Albans' chronicle as well.[3] Taken in conjunction with the Boulogne letters, the chronicle evidence makes it impossible to say that 'the first overt action against Gaveston was at the parliament that met on 28 April, 1308'.[4]

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1 Infra, pp. 149-51.

2 H.G. Richardson, 'The Annales Paulini', Speculum, xxiii (1948), pp.630-40.

3 Walsingham, Hist.Angl., i, p.121.

4 Richardson, 'The Annales Paulini', p.634.

There is no need to enlarge on the strengthening and emboldening of this opposition after Gaveston's behaviour at the coronation. The favourite's indiscretions, his carrying of the St. Edward's crown, and his redemption of the sword, together with his indecorous display at the banquet, are all well enough known. The king had previously promised to do what the magnates wanted in the next parliament, provided that they did not hold up the coronation.[1] This assembly, its grievances thrown into sharper light by the coronation fiasco, met at Westminster on 28 February;[2] it provides us with our first real evidence of Lancaster's political sympathies at this time. The meeting had been called to discuss three articuli - the state of the realm and the church, the royal government, and how the peace could best be kept. According to Guisborough, Lincoln, the assembly's leader, first called on the magnates to assent to his asking the king to put in writing this commission which he had already given to them orally 'scilicet ratum habere et firmum quicquid in premissis inspirante domino duxerimum ordinandum'. (Lincoln obviously feared that unless the magnates had a written commission the king might deny his previous offer of reform.) All agreed to this except the representatives of Lancaster and Despenser.[3] When told by Lincoln that they would be treated as enemies unless they assented they

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[1] Walsingham, Hist.Angl.,i,p.121.

[2] Ann.Paul.,pp.262-3; Guisborough, p.381.

[3] The Vita, p.4, says that Despenser was the only magnate who sided with Gaveston at this time.

protested that they would always keep faith with him for the good of the kingdom, but that since they did not yet know the king's will they would return and inform themselves of it. When they came back they reported that Edward did not then wish to be worried further, but that they should all reassemble after Easter for another discussion.[1]

According to the Annales Paulini, the other source for the assembly, the earls asked the king to give them a commission and they then agreed that each should swear to what all ordained. The king put them off. One earl (probably Lancaster), 'super petitis indignatis', wanted first to see the articles to which he was to swear. The others replied that they could ordain nothing without the king's commission and consequently could not put in words that which had not yet been decided on. After this, the deferring of the king's assent led to the dispersal of the barons.[2]

Lancaster's equivocal behaviour at this meeting is completely in keeping with what is known of his political attitudes during the first eighteen months of the reign. There is nothing to show that he was yet an enemy of Gaveston - rather the reverse. He is known to have dined with Gaveston and the king on at least six occasions during the first year;[3] he lent the king a minstrel for a feast which the newly created

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[1] Guisborough, pp.381-2.

[2] Ann.Paul.,pp.262-3.

[3] E.101/373/5,7 (17 Aug., 29 Sept., 14 Nov., 1307; 14, 19, 23 May, 1308).

earl of Cornwall held in August, 1307;[1] and though one chronicle reports that he was among those defeated at Gaveston's famous tournament in that year, the more reliable Vita does not mention him in this connection.[2] He certainly kept company with the king's friends - on 6 February, for instance, he was present at Dover Castle, together with Gaveston, Despenser, William Martin, William Inge, and Adam Osgodby (all except Martin strong curialists) when the chancellor delivered up the seal of absence to the king.[3] His seeming closeness to king and favourite may appear surprising in view of his later intransigent opposition, Edward's own behaviour, and the imprisonment of Walter Langton within the first months of the reign. It has usually been assumed that this last action met with approval,[4] yet this may not have been so. In the last years of Edward I Langton had at least formed a bulwark against the excesses of Gaveston, and had attempted to limit the prince's household expenditure and to procure Gaveston's exile.[5] Lancaster in particular had good reason to be grateful to Langton. King and treasurer had combined to defeat the petition of John Ferrers, the claimant to the earldom of Derby, in the Carlisle parliament of 1307,[6] and Langton's obvious trust in the

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1 E.101/373/15, f.19.

2 Trokelowe, p.65; Vita Edwardi Secundi, p.2.

3 Cal. Fine Rolls, 1307-19, p.14.

4 E.g., Davies, op.cit., p.55.

5 Trokelowe, p.63; Lanercost Chron., p.210.

6 Ut sup., pp.4-5.

earl was shown soon after the old king's death, when the bishop, apprehensive of his changed position, deposited 1,000 marks in Lancaster's castle of Kenilworth. This was subsequently seized by Edward in early October.[1] Yet neither the rise of Gaveston nor the imprisonment of Langton alienated Lancaster from the king. This is partly confirmed by the earl's itinerary, which shows him constantly in Edward's company for the first and only time during the reign.[2] He witnessed Gaveston's creation as earl on 6 August, 1307, at Dumfries, was with the royal party on two occasions later in the month, and came south with Edward through Nottinghamshire and Northampton to Langley. Throughout the late winter and early spring of 1308 he was apparently at Westminster, and during the autumn he followed the king to Chertsey, Byfleet, and then back to London. It is not until 22 January, 1309, that we have the first definite proof of his presence on his own estates - at Melbourne in Derbyshire.

The reason for the alliance between the two men may be found in the favours which the earl continued to enjoy, as he had done under the king's father. If Lancaster supported Edward, he was amply repaid.

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[1] A. Beardwood, 'The Trial of Walter Langton, Bishop of Lichfield, 1307-12', (Transactions of the American Philosophical Society, New Ser., Vol.54, Pt.3, 1964), pp.25-6.

[2] For Lancaster's movements given in this and the following chapters, see the itinerary appended.

Pardons were issued at his request,[1] the burgesses of Newcastle-under-Lyme received a grant of pavage at his instance,[2] a retainer had a judicial fine remitted,[3] his requests for two former Cistercian abbots were implemented[4] - all the small change of royal patronage came his way. In February, 1308, his quit-claim of various Derbyshire manors to the king was followed by their regrant to Holand on the same extensive terms as Lancaster had them by Edward I's charter,[5] a signal mark of his high position. He himself had his franchisal charter confirmed,[6] and obtained, in November, 1307, and December, 1308, grants of fairs for three of his manors.[7] This, significantly, was to be the last time that a grant to him would appear on the charter rolls during these early years.

The best instance of this advantageous relationship is provided by the king's concession of the stewardship to Lancaster. This office had come to his father as appurtenant to the honor of Leicester, at first

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[1] Cal.Pat.Rolls,1307-13,pp.8,29 (Aug. and Sept., 1307).

[2] Ibid.,p.15 (Nov., 1307).

[3] Ibid.,p.49 (March, 1308).

[4] SC.1/37/49; Cal.Chanc.Warr.,i,1244-1326,pp.280-81 (Nov., 1308 and Jan., 1309).

[5] Cal.Close Rolls,1307-13,p.42; Cal.Charter Rolls,iii,1300-26,p.109.

[6] L.159/82,mm.18d,19d,22; cf. Cal.Charter Rolls,iii,1300-26,p.126.

[7] Cal.Charter Rolls,iii,1300-26,pp.108,123.

in fee, but then by a later charter of 1269 for life only - Edmund had specifically renounced any hereditary claims. He seems to have made little of this dignity, and on his death in 1296 it became extinct;[1] nor did his son put forward any claim during the last years of Edward I. The first sign of reviving pretensions came on 30 September, 1307, when a writ was sent to the barons of the exchequer ordering them to inform the king of the number of fees which the earls of Leicester had received as appurtenant to the stewardship of England.[2] (It was perhaps no coincidence that Lancaster had dined with the king on the previous day.)[3] The reply, marginated 'Domino Rege pro comite Lancastrie', proving the earl's interest, stated that the barons were unable to discover that the earls held any fees by reason of their stewardship - though they noted the quarrel of Montfort and Bigod over their rival claims to the office at the coronation of Queen Eleanor in 1236.[4] There the business rested, though it is almost certain that Lancaster's claim, implicit in the king's writ to the barons, was tacitly recognised by Edward. At the coronation the earl carried the sword Curtana,[5] a right which had formerly belonged to the earls of Chester,[6] whose earldom Henry III had been forced to grant to Montfort in 1264;[7] and one record of the coronation

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1 L.W.V. Harcourt, His Grace the Steward and Trial of Peers (London, 1907), pp.138-41.

2 Printed ibid.,p.142.

3 E.101/373/5.

4 E.159/81,m.36.

5 Foedera,II,p.36.

6 Ibid.,p.33; Peerage,III,p.168.

7 Peerage,III,p.170.

specifically records that 'serviebat de senescallaria comes Lancastrie'.[1] The formal grant of the stewardship to Lancaster and his heirs on 9 May, 1308, provided the final vindication of the earl's claim.[2] The precedent cited is Henry III's charter of 25 October, 1265, conveying the stewardship to Edmund and his heirs - Henry's subsequent grant of the office for life only and the renunciation of his hereditary claims by Edmund himself after Edward's coronation[3] are both forgotten. It is an important indication of Lancaster's position at this time, of his influence with Edward, and perhaps of the king's feckless generosity, that he was able to obtain for himself an honour which Edward I had been unwilling to grant even to his own brother. The tangible and potential benefits brought by the stewardship are not clear. That there were such benefits seems to be proved by the successful efforts of Henry III and Edward I to curtail the heritability of the office, by Lancaster's probable claim to appurtenant knights' fees in 1307, and by his eagerness to obtain the title. His exploitation of the office in 1317-18 is obvious enough,[4] but at this early date the advantages which it gave remain obscure.

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1 H.G. Richardson, 'Early Coronation Records', Bull.Inst.Hist.Res., xvi (1938-9),p.10.

2 Foedera,II,p.44.

3 Harcourt,op.cit.,p.139.

4 Infra,pp. 331,376,389-94.

Thus during the first eighteen months of the reign Lancaster was tied to the king by advantageous chains and probably did not wish to associate himself with what might yet be a losing cause. (The find of the baronial letters patent of 31 January, 1308, among Lancaster's muniments in 1322[1] proves nothing: these probably came to him with the Lacy inheritance in 1311.) In the struggle between king and barons through the summer of 1308 he is not conspicuous and only the rabidly pro-Lancastrian Robert of Reading places him among the opposition at this time.[2] In the parliament which reassembled on 28 April, 1308, Lacy was again the barons' leader, as he had been in February. Civil war seemed imminent: the king feared a possible seizure of Gaveston and had victualled his castles, while the magnates came armed to parliament for fear of treachery.[3] An immediate demand was made for Gaveston's exile and his deprivation from his earldom,[4] a demand justified by Lacy in three succinct and cogent articles.[5] Firstly, it

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[1] DL.41/1/35,m.7.

[2] Flores Hist.,iii,p.142.

[3] Bodley MS. Laud Misc.529 (Evesham Version of Highden's Chronicle), ff. 101v-102; Vita Edwardi Secundi, p.5; Ann. Paul., p.263.

[4] Ann.Paul.,p.263.

[5] Brit.Mus. MS. Burney 277, f.5v. The first and most famous of these articles is given in Latin in Auct.Bridl.,pp.33-4, and in French in Ann.Lond.,pp.153-4. But it is only MS. Burney 277 which states that the articles were put forward by Lacy and which gives the last two in full (though these are summarised in Auct.Bridl.).

was declared that homage and allegiance were owed to the crown rather than to the person of the king, and that if the king did not behave reasonably in his position as holder of the crown, then his subjects were bound, by their oath made to the crown, to guide him and to amend the crown's estate. This could be done either by legal means or by violence; but law could give no redress since all the judges were the king's and if the will of the king was unreasonable the error would only be confirmed. Thus it was proper that if the king would not correct that which was harmful to crown and people, then his subjects might correct it by force, for he was bound by oath to govern and protect his subjects and they were bound to aid him in this.

The second article had a more specific application to Gaveston. He was judged by the people to be noun suffrable because he had disinherited the crown, taken its power on himself, turned the king from the consail de son realme, and bound men to himself by oath. The crown had been weakened by his assumption of its power and his taking of its goods, so that he alone was 'soverain du realme par ses mauvattez en traison de son lige seigneur et de la coroune e en cuntre sa foy'.

The third article attempted to provide a remedy. Because the king had undertaken to maintain Gaveston against all men, he could not be judged or attainted by the normal course of law, wherefore the people had judged him as attainted. They prayed the king that since he was bound by his coronation oath 'a tenir les leyes qe le pople eslira', he would accept their award and act on it.

This indictment - an exemplary piece of logical and constitutional argument - attained a new level of sophistication in political thought. The main difficulty, as the barons clearly saw, was to provide some legal means of attack on Gaveston, since the courts were virtually closed to them. This means they found in their own oaths of allegiance, which bound them to support the estate of the crown. It was in the enunciation of this doctrine and in the elaboration of the distinction between the crown and the person of the king that the real novelty of the declaration lay. Gaveston had undermined the crown's estate in a variety of ways - enumerated, but without example - and he was therefore judged and condemned by the magnates. The king was bound to respect their decision, for by his coronation oath he had promised to keep the laws which the people would choose. There is no ambiguity here about the meaning of eslira.[1] The fourth clause of the oath had clearly been intended, not primarily to safeguard Edward I's concessions to the baronage, but to ensure that in any future struggle the king would be held to observe the magnates' decision. This was the first occasion on which the coronation oath was used against the king, and, seen thus, it appears to be quite as revolutionary as some have judged it.

It was probably the threat of force by the barons rather than the power of their argument which compelled Edward to give in. On 18 May he conceded that Gaveston should leave the realm on 24 June, and on the

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[1] Richardson, 'The English Coronation Oath', pp.149-52.

following day Winchelsey pronounced him excommunicate should he return.[1] There was still tacit resistance by the king to the baronial decree: one chronicler speaks of another meeting at Northampton about 2 June when the magnates again appeared 'cum equis et armis et magno exercitu' and demanded the favourite's immediate exile,[2] though the term set in the previous parliament had not yet expired. (The story may be a fabrication, since Edward was at Langley, not Northampton, from 28 May until 11 June.)[3] On 16 June the king appointed Gaveston as his lieutenant in Ireland, having previously sweetened the pill of exile by the grant to him of large parts of the Fortibus inheritance and of various castles and lands in Aquitaine;[4] and on 25 June Gaveston sailed to Ireland, taking with him a pension of £200 for himself and one of £100 for his wife, testimonial letters from Edward, and, it was rumoured, many precious things from the treasury and a supply of blank charters.[5]

Gaveston's banishment was followed in August by a short-lived reconciliation between king and barons at Northampton. The Vita reports that Edward tamed the barons with gifts, promises, and blandishments

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[1] Foedera, II, p.44; Ann. Lond., pp.154-5.

[2] Lanercost Chron., p.211.

[3] E.101/373/7.

[4] Foedera, II, pp.51, 48-9.

[5] Ann. Lond., p.156; Lanercost Chron., pp.211-12.

'in tantum ut vix unus...remaneret qui prius decreta et concessa defenderet', and that only the earl of Warwick remained firm to the baronial cause.[1] There were still complaints over the councillors whom the king kept by him: Despenser, Nicholas Segrave, William de Bereford, and William Inge are named. (Segrave's position as a Lancastrian retainer is perhaps another small confirmation of Lancaster's tacit alignment with the king at this time.) These councillors Edward promised to remove at the next parliament.[2]

Within a few months of the Northampton assembly Lancaster had joined the opposition. As already mentioned, the flow of favours to him dries up after December, 1308, and shortly afterwards he is found on his own estates. That he was in opposition by the summer of 1309 cannot be doubted. On 24 May the earls of Gloucester, Lincoln, Richmond, and Arundel were given power to grant safe-conducts to Lancaster, Pembroke, Hereford, and Warwick, who were coming to meet the king at Kennington.[3] The presence of the irreconcilable Warwick in the latter group suggests that its members were those who continued to oppose the king, and we are given our first indication of a possible alliance between Lancaster and those who were later to be his fellow Ordainers. Better evidence of Lancaster's new sympathies comes from the following month, when, on 14 June, writs forbidding tourneying were issued both to him and to the earls of Gloucester, Hereford, Warenne, Warwick, and Arundel.[4] The extreme rarity

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1 Vita Edwardi Secundi, pp.6-7.

2 Ann.Paul.,p.264; Lanercost Chron.,pp.212

3 Foedera,II,p.75.

4 Cal.Close Rolls,1307-13,p.159.

of the issue of prohibitions of this type to individual magnates, and the joining of Lancaster's name with those of the other earls for a second time, give these writs a double interest. In spite of the royal mandate the tournament took place at Dunstable, probably within the following fortnight,[1] and according to the tournament roll the six earls named by the king were all present with large retinues.[2] Some confirmation of Lancaster's presence there is given by a charter which he sealed at Passenham in Northamptonshire, twenty miles or so from Dunstable, on 31 May, and which was witnessed by four of his knights, all of whom are named by the roll as members of his retinue at Dunstable.[3] It is almost certain that this demonstration had some political purpose, perhaps both as cover for a meeting and as an implied threat to the king: that tournaments could serve these ends is shown by the magnates' use of them in 1312 to disguise the gathering of troops for Gaveston's pursuit,[4] and, more distantly, by the barons' decision, reached at another Dunstable tournament, to expel the papal legate from the country in 1244.[5] In the

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1 Denholm-Young, History and Heraldry, p.139. For the date see also F.B. Stitt, 'A Note on the Dunstable Tournament', Antiquaries Journal, xxxii (1952), pp.202-3; and for the composition of the retinues, A. Tomkinson, 'Retinues at the Tournament of Dunstable', Eng.Hist.Rev., lxxiv (1959), pp.70-89.

2 Collectanea Topographica et Genealogica, iv (1837), pp.63-72.

3 Cal.Anc.Deeds, vi, C.7446.

4 Vita Edwardi Secundi, p.23; infra, p.

5 N. Denholm-Young, Richard of Cornwall (Oxford, 1947), p.56.

April parliament of 1309 articles pro proficuo regni had been put forward, but had been rejected by the king,[1] and this may have added to Edward's fear of possible coercion which his writs to the six earls suggest. It is very probable that armed assemblies like that at Dunstable were partly responsible for producing the concessions which he subsequently made to the barons at Stamford in July - though to say that the tournament showed 'the incipient Lancastrian faction on a war footing'[2] is both to read too much into the evidence and to overestimate Lancaster's influence in the baronage at this date.

It is easier to chart the earl's momentous change of sides than to account for it. His new resentment of both Edward and Gaveston is ascribed by the Vita to the ejection from office of one of the earl's household at the favourite's instance,[3] and Denholm-Young has identified this dependent as Nicholas Segrave, the marshal.[4] There is no evidence at all for this, however, and Segrave was certainly acting as marshal in 1311;[5] nor is it likely that this can explain Lancaster's desertion of the king in the winter of 1308-9, for Gaveston had been abroad for six months and would remain there for a similar period, and at such a distance

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1 Ann.Lond.,p.157; Ann.Paul.,p.267.

2 Denholm-Young, History and Heraldry, p.127.

3 Vita Edwardi Secundi, p.8.

4 Denholm-Young, History and Heraldry, pp.134,141.

5 E.159/84,m.54.

he is unlikely to have been able to exert much influence over appointments. The Vita's story has some truth in it, but it should be dated to 1311, and concerns not Segrave but rather his deputy, the marshal of the exchequer.[1] We are left with no clue as to why Lancaster left the king. Cumulative resentment at Edward's behaviour and his relationship with Gaveston may have caused the break, or the two men may simply have quarrelled. Later events were to show that both were impetuous and easily moved to violence, and the silence of the chroniclers seems to indicate that nothing particularly serious or obvious was at stake.

There is no unifying theme between Gaveston's second exile in June, 1308, and the Stamford parliament, just over a year later. Gaveston returned on 27 June, 1309, and was met by the king at Chester,[2] causing new dissatisfaction. Edward's position during these months was an extremely difficult one, and circumstances were gradually defeating him. His largest external problem, that of Scotland, remained unsolved. The replacement of the successful Pembroke as lieutenant of Scotland by the earl of Richmond in September, 1307, allowed Bruce to unite his following and from this time onwards he went from strength to strength. Early in 1308 he defeated the earl of Buchan and ravaged his territory. In midsummer his brother Edward harried and wasted Galloway, though without defeating the English garrisons there, and in June or July Aberdeen castle fell, in spite of an attempted English relief expedition.[3] By the

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1 Ut inf., pp.175-6.

2 Vita Edwardi Secundi, p.7; Bodley MS. Lat.Hist.C.5(R).

3 SC.1/50/26.

autumn, Buchan, Argyll, and Galloway, all centres of loyalty to Balliol and Comyn, had been overrun, and at Christmas Forfar was taken. In March, 1309, Bruce was strong enough to hold his first parliament at St. Andrews. The resumptions of relations with France and the declaration by clergy and nobility of loyalty to Bruce, both of which took place there, marked the triumphant conclusion of the first phase of the reign.[1]

Edward's reaction to these events was lax and nerveless. Many councils were held to consider the defence of Scotland, says the Vita, 'cuius tamen effectus fuerunt, nec in palam venit neque de facto apparuit'.[2] In June, 1308, writs of summons were issued for an assembly at Carlisle on 22 August, but this expedition was later postponed indefinitely; similar summonses and postponements were made in 1308,[3] and this was to be the patern for most of the reign. Between the autumn of 1307 and that of 1310 Edward never visited the north in person, nor took any initiative against the Scots, and this manifestation of his lack of care for the fate of Scotland provoked a justifiably strong complaint from the council in June, 1310.[4]

Apart from Scotland and the ever-present current of complaint against Gaveston, Edward was being pressed on other matters. Though he had rejected proposals for reform in April, 1309, as we have seen, he allowed

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1 G.W.S. Barrow, Robert Bruce (London, 1965), pp.246-66.

2 Vita Edwardi Secundi, p.7.

3 Parl.Writs, II, i, pp.373-77, 381-91.

4 Infra, pp.166-67.

to be published, probably in May of the following year, ordinances for the amendment of his own household.[1] The growth of unrest at the continued abuse of purveyance was another indication of the desire for economy and reform. It is likely that the burden of purveyance was growing heavier as the king's financial position worsened. On 18 June, 1309, when he was about to set out towards Wales to meet Gaveston, Edward ordered the exchequer to provide sufficient money for his household 'issint qe nous ne soioms deshonores ne escriez de nostre poeple en pais ou nous vendrons por defaute de paiement', and on 14 July the treasurer and barons were told to deliver to the clerk of the marshalsey a sum sufficient for the payment of outstanding household expenses 'por ce qe nous sumes multes escriez par gentz du pais environ Langele por dettes qe nous lour devons et nomement por loffice de nostre mareschaucie du tens passee'.[2]

It is a measure of the volume and seriousness of these complaints that the magnates were prepared to barter their rectification for Gaveston's return, in the Statute of Stamford;[3] the king too, to judge from the wording of the above exchequer warrants, was very conscious of the grievance and of the disrepute into which it brought his household. Most of the relevant clauses of the statute had already appeared in the Articuli super Cartas of 1300, of which it was in part a recital.[4]

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1 Tout, Chapters, ii, pp.248-9; Place of the Reign of Edward II, p.275.
2 E.404/1/4,5.
3 Stat. Realm, i, pp.154-6.
4 Davies, op.cit., pp.318-9.

Definition was given to the quantities which purveyors should take, punishment was ordered for undue purveyance, purveyance without warrant was made a felony, methods of payment were laid down, and the production of warrants by purveyors was discussed. It is not explicitly stated that these concessions were exchanged for Gaveston's remaining in the country, though the chronicles make clear that this was so. The bargain thus struck widened divisions within the baronage which had already been apparent a few months earlier. When the pope, at Edward's request, had revoked the sentence of excommunication against the favourite by a bull of 25 April, he stated that the king had told him 'quod contenciones et dissidia dudum in regno suscitata...sedata fuerant... quodque ipsius regni comites et barones qui prefatum comitem a dicto regno voluerunt exulari...super huiusmodi errore penitudinis ducti consilio suum ad regnum predictum reditum affectabant'.[1] Lacy and Warenne, accordíng to the Vita, had both been reconciled to Edward and Gaveston; another anonymous chronicle says that while in Ireland Gaveston 'trette le conte de Nicole a sa partie et pur commun assent feuste repelle a grande despleisance as autres, et en cele querele fesoient chivetein Thomas counte de Lancastre'; and the so-called 'Trivet' confirms that Lacy had assented to the favourite's return and that this gave great offence to Lancaster, who was chosen as capitaneus by those among the magnates who continued to oppose the favourite.[2]

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[1] Reg.Gandavo,p.315.

[2] Vita Edwardi Secundi,p.7; Bodley MS. Fairfax 10,f.105; Brit.Mus. MS. Nero D.X,f.109.

The Stamford parliament brought these incipient divisions into the open. Those barons who were present gave their consent to Gaveston's remaining as earl of Cornwall for life (he renounced his hereditary interests),[1] but those who were absent strongly disapproved.[2] Lancaster was almost certainly among these latter. Though his seal was attached to the magnates' letter of 6 August to the pope - circulated in any case by messenger - his name is not among those of the six earls who witnessed one of Gaveston's renunciatory charters at Stamford on the previous day.[3] These events of the late summer of 1309 brought him to the forefront of the political stage for the first time, and the submission of the other earls to the king propelled him into the leadership of those who remained intransigent in their opposition. Comparatively inconspicuous in April and May, he had prepared by August for his position as the future leader of the Ordainers. The re-establishment of Gaveston at Stamford marks a real turning-point in Lancaster's relations with the crown and with his fellow barons.

Gaveston, however, had been received only on condition that 'bene et honeste erga omnes se gereret et in pace commoraret',[4] and neither this nor the king's promise to lighten purveyance was observed. To

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1 Guisborough, p.384; Cal.Close Rolls,1307-13,pp.225-6; Denholm-Young, History and Heraldry, pp.135-6.

2 Auct.Bridl.,p.35.

3 Ann.Lond.,p.161; Foedera,II,p.84; Cal.Close Rolls,1307-13,pp.225-6.

4 Ann.Lond.,p.157.

this double breach of the Stamford agreement the forcing of the Ordinances on the king in the following March must be largely ascribed. According to the Brut and the Vita it was during the period immediately after the Stamford parliament that Gaveston first coined his nicknames for the earls;[1] and the realignment of forces against the king was shown in October, when Lancaster, Lincoln, Warwick, Arundel, and Oxford refused to come to a secretum parliamentum which the king had called at York, because of Gaveston's presence there.[2] During the following months the flow of lands and favours to him was renewed. Licences to acquire land in mortmain and to alienate manors held in chief were granted at his request in August, 1309, and January, 1310.[3] He was given the reversion of new lands in Cornwall in August and rights of prisage in two Devon ports in November.[4] His dependents were equally favoured: on 4 November a yearly pension was granted to one of his servants, and on 29 January the chancellor of the exchequer at Dublin was appointed at his instance.[5] Sometimes he even bypassed the king altogether and sent his orders directly to the exchequer, and at the same time he was acting with Lacy on conciliar business.[6]

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1 Brut, p.207; Vita Edwardi Secundi, p.6; Tout, Place of the Reign of Edward II, p.12, n.2.

2 Guisborough, p.384.

3 Cal.Pat.Rolls, 1307-13, pp.181, 205.

4 Ibid., pp.187, 200.

5 Ibid., pp.197, 206.

6 E.159/83, mm.12, 11d.

Opposition to Gaveston was thus probably rooted in the same causes as before - his insolence, his greed, and his usurpation of the king's favour. More serious, because more widespread and more material in its effects, was the failure to observe the Statute of Stamford. When the king returned from the north in November, 1309, says an anonymous letter-writer, he did much harm, taking corn and beasts and exempting no one but the recipient of the letter and his possessions;[1] and this is confirmed by a schedule, issued on 9 November, of purveyances required for the Scottish war, which includes 2,900 quarters of wheat, 3,800 of oats, 500 of barley and malt, 200 of peas and beans, 600 bacons, and 600 tuns of wine[2] - vast quantities which could hardly be raised without heavy governmental pressure. Edward himself recognised the justice of the complaints to which such purveyances gave rise, when, on 10 December, he suspended the collection of the recently granted twentyfifth between 21 December, 1309, and 16 February, 1310, 'quod articuli predicti (i.e., the statute) juxta concessionem nostram predictam in regno predicto nullatenus observantur.[3] But pious injunctions apparently had little effect. According to the Bridlington chronicler, the household officials, many of them foreigners, still took victuals and other goods 'valorem vel pretium non solventes'. This he explains to have been the immediate cause of the earls' complaints to the king and the establishment of the Ordainers.[4]

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1 Bain, Cal.Docs.Scot.,iii,No.107.
2 Cal.Chanc.Warr.,i,1244-1326,pp.303-4.
3 Parl.Writs,II,i,p.41.
4 Auct.Bridl.,pp.35-6.

The process by which the Ordinances were drafted is, in its initial stages, clear and well known.[1] Parliament had been summoned for 8 February, 1310,[2] but the barons refused to come as long as Gaveston remained with the king; if they had to come, they threatened to appear in arms for their own safety.[3] This the king prohibited in writs sent to Lancaster, Hereford, Pembroke, and Warwick.[4] (On 7 February when the writs were issued, Lancaster was on his manor of Higham in Northamptonshire.)[5] The distrustful earls were assured of their own safety, and informed that the earls of Gloucester, Surrey, Lincoln, and Richmond had been appointed to keep the peace in London and to settle any quarrels which might arise during the parliament. This assembly finally met on 27 February, after Gaveston had been sent away by Edward.[6]

The proceedings were opened by the delivery to the king of outstanding grievances, cast in the form of a petition;[7] according to one manuscript these were shown to Edward by Lancaster himself.[8] The king was accused

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[1] See Davies, op.cit.,pp.358-93.

[2] Parl.Writs,II,i,pp.40-42. The commons were not summoned.

[3] Vita Edwardi Secundi, pp.8-9.

[4] Foedera,II,p.103.

[5] DL.25/960.

[6] Ann.Lond.,pp.167-8; Vita Edwardi Secundi,pp.8-9.

[7] Printed in Ann.Lond.,p.168; Munimenta Gildhallae Londoniensis,ii,ed. H.T. Riley (Rolls Ser.),pp.198-9.

[8] Brit.Mus. MS. Burney 277, f.5v.

of shaming the land by unsuitable and evil counsel. He had impoverished the realm to such an extent that he could neither defend it nor maintain his household except through the extortions of his ministers, who took from both church and people without paying, contrary to the Great Charter. He had been left the whole realm by his father, but had lost Scotland and dismembered the crown (presumably by over-generous grants) in England and Ireland without baronial assent. The community of the realm had granted him a twentieth for the war, and a twentyfifth for the release of prises and other exactions: these were still being levied and wasted, but the war was not advanced, nor were the people relieved - they were rather burdened more heavily than before. For which reasons they prayed that these dangers and others should be redressed by the ordinance of the baronage, who were held by their allegiance to maintain the crown.

The petition was a masterly summary of the cumulative gravamina of the previous three years, and Edward bowed to it. On 16 March he conceded the appointment of Ordainers;[1] on the following day the barons sent their letters to him, promising that his concessions would not be turned to his prejudice or disadvantage;[2] and on 20 March the Ordainers themselves were elected and sworn.[3] The whole process had been swift

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[1] Foedera, II, p.105; Ann.Lond., pp.169-70.

[2] Ann.Lond., pp.170-71; Mun.Gilh.Lond., ii, pp.200-2.

[3] For the form of election see Parl.Writs, II, ii, p.27.

and effective. Though the official documents preserve the fiction of the king's willing assent,[1] it is clear that in fact coercion had been as successful as in April, 1308, when Gaveston's exile was obtained. In spite of the royal prohibition of 7 February, both Guisborough and the Pauline annalist note that the barons came armed and that the king was coerced into making the desired concessions.[2] When he neglected their proposals for reform they threatened him, saying that they would not have him for their king, nor keep their fealty to him, since he himself had broken his coronation oath, and the king only granted the election of the Ordiners 'cum videret...nec sine discrimine vel scandalo necessitatem posse evitari'.[3] Edward's surrender under duress was later to provide him with an advantageous loophole which he was shrewdly to use to justify his subsequent indifference to the Ordinances.

Already, on 19 March, six preliminary Ordinances had been issued, dealing with the church, the sitting of the Ordainers in London, prohibition of royal gifts without baronial assent, the keeping of the customs by Englishmen and the livery of issues to the exchequer, the arrest of foreign merchants, and the maintenance of the Great Charter.[4]

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[1] The letters patent of appointment were issued 'de nostre fraunche volunte', and the Meaux chronicle repeats this - 'At rex commissionem quandam eis sponte concessit' (Meaux Chron.,ii,p.280).

[2] Guisborough,p.385; Ann.Paul.,p.268.

[3] Vita Edwardi Secundi,p.10.

[4] Ann.Lond.,pp.172-3.

These were not confirmed by the king and issued to the sheriffs until 2 August.[1] For most of this time Lancaster was with the other Ordainers in London, though his part in the formulation of the Ordinances can only be guessed at. He witnessed charters at Westminster on 10, 22, and 30 March, and was still in the capital on 1 June - but on 14 June he was at Defford in Leicestershire, on 8 August at Melbourne, and two days later at Pontefract. Not until February, 1311, is there certain evidence of his presence in London again.[2] The Ordainers' actions during this period did not go unopposed, and the king was able to strike at them through his control of appointments. On 11 May, 1310, John Langton, the chancellor, had to surrender the seal and on 7 July Walter Reynolds, the curialist bishop of Worcester, replaced him 'communitate tamen Anglie non consentiente',[3] while John Sandale superseded Reynolds as treasurer.[4] Scotland, too, was causing renewed discontent. In a letter of 16 June to Pembroke Edward told him how Alexander de Abernethy and three other pro-English magnates from Scotland at a council meeting on that day had told him that nothing useful could be done unless he went north in person

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[1] Foedera, II, p.113; Rot.Parl., i, p.446.

[2] Bain, Cal.Docs.Scot., iii, No.246.

[3] Ann.Paul., pp.268-9. It is perhaps a measure of the discontent which this move aroused that it is mentioned by a chronicler; usually the chroniclers are indifferent to administrative changes.

[4] Cal.Pat.Rolls, 1307-13, p.234.

and that unless he acted quickly 'nous perdriens meisme la terre, et ceux qui se tienent uncore a nostre foy, par nostre defaute et par nostre laschesce'.[1] These harsh words must have shaken Edward, for he immediately decided to act, and it was probably at this same meeting that it was agreed to appoint Lincoln as keeper of the realm in the king's absence, to issue writs to the sheriffs ordering them to obey him, and to send the ordinances already made to the chancellor.[2] Writs of summons were issued two days later for an expedition to meet at Berwick on 8 September.[3]

In the campaign which followed the Ordainers, with the exception of Gloucester, made no attempt at cooperation. A council was summoned for Northampton in August to discuss the measures to be taken against Bruce, but Hereford, Lancaster, Pembroke, and Arundel told the king that they could not appear because of their business in London.[4] Their real reason, however, for refusing to attend both this and the muster at Berwick in the following month was their dislike of Gaveston, who, with Gloucester and Warenne, accompanied the king to Scotland.[5] (Warenne had always been held suspect by the rest of the magnates; he and Oxford were the

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1 SC.1/49/6.

2 Davies, op.cit.,App.No.90.

3 Parl.Writs,II,i,pp.394-99.

4 Ann.Lond.,p.174; Ann.Paul.,p.269.

5 Vita Edwardi Secundi,p.II; Guisborough, p.385.

only earls who were not Ordainers.)[1] The ordaining earls sent only their service: Lancaster proffered four knights and four sergeants.[2]

The king remained in the north for almost a year, probably afraid to return because of the danger to Gaveston.[3] We are not concerned with the abortive Scottish campaign of the winter of 1310-11, but something must be said about the relations between the king and his household, at Berwick for most of the time, and the administration in London. Edward had already antagonised the Ordainers by issuing a writ on 28 October ordering the removal of the exchequer and benches to York by Easter, thus depriving them of their necessary tools, for which they had originally chosen to sit in London, and implicitly threatening the setting up of an alternative administration at York.[4] An anonymous correspondent wrote that the Ordainers were 'much disturbed and enraged' at this, and that each had gone to his own district, having privately arranged to return together. Even the normally moderate Lincoln was angered, for he told the king that this was a bad time to give such orders and that he would no longer act as his lieutenant or

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[1] Ann.Lond.,p.172.

[2] The knights were William Trussell, John de Twyford, Peter de Lymesey, and Roger de Swinnerton, and the sergeants John de Nortle, John de Swinnerton, Richard de Lymesey and Robert de Kent (Parl.Writs,II,i, p.406).

[3] Vita Edwardi Secundi,p.14.

[4] E.159/64,m.13d; Ann.Lond.,p.172.

keep the peace - though the writer thought that earl and king understood each other.[1] Lincoln, however, died in February, 1311, and on 4 March Gloucester was appointed to take his place.[2]

Lincoln's death affected Lancaster more closely even than the king, for he entered into two new earldoms and became potentially the richest of the earls, placed in a position of economic strength from which political strength almost inevitably followed. There is some evidence that Lacy regarded his son-in-law as his political heir. In two of the chronicles there is inserted the old earl's death-bed speech, in which he exhorts Lancaster to free the people from the vexatious exactions of pope and king, to revere Edward and seek to remove evil counsellors and foreigners from his court and to replace them with Englishmen, and to listen to the advice of the earl of Warwick, the wisest of the peers.[3] The speech itself is doubtless apocryphal, but its sentiments are probably not inaccurate. Lacy was, by age, experience,and wealth, the joint leader of the nobility with Lancaster, his close relative by marriage, a fellow Ordainer, and equally opposed to the king's misgovernment. Lacy may well have seen him as the inheritor of his own tradition of personal loyalty to the crown and opposition to those who fawned upon it (though this distinction was thin).

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[1] Bain, Cal.Docs.Scot.,iii,No.177.

[2] Ann.Lond.,p.175; Ann.Paul.,p.269; Foedera,II,p.129. Roger Wodehouse was sent to take Pontefract and Clitherpe castles into the king's hand on 15 Feb. (Brit.Mus. MS. Nero C.VIII, f.9).

[3] Trokelowe, pp.72-3; Walsingham, Hist.Angl.,i,p.130.

The immediate product of Lancaster's inheritance was a worsening of his relations with the king. The Lanercost chronicler tells how he came north to do homage for his new earldoms, but refused to leave the kingdom to meet Edward, while Edward similarly refused to come to him over the Tweed. Civil war was feared, for Lancaster threatened to return with a hundred knights and enter his new lands by force. Eventually, however, the king gave way, crossed the Tweed, and came to the earl near Berwick, where an apparently amicable meeting took place - though Lancaster still refused to greet Gaveston, who had come with the king, 'de quod ipse non modicum est gravatus'.[1] This account, written by one whose knowledge of northern affairs is usually accurate, has been denied by Somerville, who argues that Lancaster in fact did homage in London.[2] This he did, though he almost certainly performed fealty in the north. On 27 May the escheator was ordered to deliver the bulk of the former Lacy lands to him and his wife, 'Thomas having done fealty and the king having respited his homage until he be lawfully warned to do the same'.[3] Lancaster did not perform homage until 26 August and the record of this act again states that fealty has been done.[4] There can be no reason to doubt the incident reported by the chronicler.

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[1] Lanercost Chron.,p.215. 'Trivet' gives a shortened version of the same story (Brit.Mus. MS. Nero D.X. f.109v).

[2] Somerville, op.cit.,p.23.

[3] Cal.Fine Rolls, 1307-19,p.92.

[4] Parl.Writs,II,ii,p.42.

Relations between the king, the moderates, now led by Gloucester, and the Lancaster-Hereford-Pembroke-Warwick party were not smooth. An anonymous correspondent, writing from Alnwick on 4 April, tells how 'the king is in no mood yet for a parliament, but when the earl of Gloucester and the council meet in London he will have to do what they order.'[1] Six weeks later there was renewed cause for complaint when Edward asked for one foot soldier from each vill, whose wages, raised by an oppressive aid, were to be paid for seven weeks by the vills themselves, for a further campaign. Simultaneously the magnates were asked for their support for the scheme. This request, omitting to seek parliamentary consent, was 'unprecedented and unacceptable' - though Edward evidently had plans for a parliament - and the project was cancelled.[2] It was essential to hold a parliament soon, for the Ordainers' powers expired at Michaelmas, and the king had already shown that he would do all he could to thwart their authority. On 27 March he had written to Reynolds, the chancellor, asking him to see that anything decided by the Ordainers was submitted to him, Reynolds, and telling him to do nothing concerning these things 'sanz plus grant conseil et assent de nous'.[3] The Ordainers themselves were not united, and another letter-writer said on 14 April that he feared a riot when Gloucester reached London because of the grossour between him and Lancaster.[4] This quarrel may have sprung from the current feud

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[1] Bain, Cal.Docs.Scot.,iii,No.202.

[2] Parl.Writs,II,i,pp.406-11; M. Powicke, Military Obligation in Medieval England (Oxford,1962),pp.139-40.

[3] C.47/22/10/8.

[4] Bain, Cal.Docs.Scot.,iii,No.204.

between Henry Segrave, the brother of John, Nicholas, and Stephen Segrave, all of whom had strong Lancastrian connections,[1] and Walter de Berningham, one of Gloucester's knights. On 15 June John, Nicholas, and Stephen were prohibited at Gloucester's instance from going armed to Norwich on account of a suit between Henry and Berningham;[2] and in December Gloucester wrote to Roger Brabazon, one of the justices concerned, asking him to respite the plea, which concerned the Ordinances, until it could be brought before the Ordainers at Easter.[3] The case may finally have been settled in February, 1313, when Henry Segrave was pardoned for robbing Berningham and his mother and for burning his houses.[4] It is quite likely that the two earls had taken up the causes of their respective retainers, and that this lay at the root of the grossour. If so, it is yet another instance of the ease with which personal feuds could deflect the course of government during the reign, a tendency exemplified on a much larger scale by Lancaster's own battles with the court party in 1317-18.

Close communication was maintained between the parties in London and the king in the north. John Botetourt was sent to the king on several occasions as the baronial emissary,[5] and Lancaster once sent his own messenger.[6] Edward, however, could not delay indefinitely and

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1 Ut sup., p.123.
2 Parl.Writs, II, ii, p.37.
3 SC.1/30/16.
4 Cal.Pat.Rolls, 1307-13, p.563.
5 Bodley MS. Tanner 197, ff.20,44 (26,27 May, 1311).
6 Ibid., f.55 (17 June, 1311).

on 16 June he issued writs summoning a parliament for 8 August.[1] Messengers were sent to call him to London to hear the Ordinances in parliament, and on 3 August a copy was dispatched to him.[2] He reached London early in that month, but parliament did not finally meet until 16 August.[3] Edward at first refused to accept the Ordinances, arguing that they touched his sovereignty; then, seeing that the barons refused to give way, he offered to accede to all their proposals except that for Gaveston's exile, but when civil war was threatened and his advisers pressed him he surrendered even on this.[4] But he took care to indemnify himself, and three notaries were paid for drawing up a protestation 'de revocatione ordinationum...si que earundem fiant in aliquo in preiudicium Regis aut corone sue'.[5] Since most of the clauses fell within this interpretation Edward had secured himself some room to manoeuvre in, and he was clearly determined to yield nothing. Temporarily, however, he had to surrender. On 27 September the Ordinances were published by the bishop of Salisbury, acting as the lieutenant of the archbishop of Canterbury, in St. Paul's churchyard; several bishops, Lancaster, Hereford, Oxford, Warwick, Arundel, and many barons were present. A few days later

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1 Parl.Writs, II, ii, pp.37-8.

2 Lanercost Chron., p.216; Davies, op.cit., p.366 and App.No.114.

3 Vita Edwardi Secundi, p.17; De Antiquis Legibus Liber, ed. T. Stapleton, (Camden Soc., 1846), p.251.

4 Vita Edwardi Secundi, pp.17-8.

5 Brit.Mus. MS. Nero C.VIII, f.55v.

Gloucester and other magnates came to the same place and announced the Ordinances to the people, ordering their maintenance throughout the realm. On 11 October they were sealed with the great seal and sent into the counties to be published, and on the same day the king left London for Windsor.[1] Lancaster was later to erect a tablet in St. Paul's to commemorate the king's affirmation of the Ordinances.[2]

For Edward the immediate problem was Gaveston's safety. On 9 October he had written to the duke of Brabant and his wife, the king's sister, asking them to receive him favourably, and four days later Gerard Salveyn, a household banneret in the following year, was sent to ask the French king for a safe conduct for him.[3] Where his short exile took him is unknown.[4] A second set of Ordinances, probably issued between 25 and 30 November,[5] attempted to deal with his friends and relatives who still held office, and with household reform. One copy of this states that the articles it contains were presented to the king by the earls of Lancaster and Warwick[6] - once again Lancaster can be seen to be the joint leader of the Ordainers, charged, as in February, 1310, with the presentation of baronial grievances to the king.

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1 De Antiquibus Legibus Liber, pp.251-2.

2 Bodley MS. Lyell 17, f.115v.

3 Foedera, II, p.144; Brit.Mus. MS. Nero C.VIII, f.65.

4 Tout, Chapters, ii, p.195, n.2, summarises the evidence.

5 Ibid., p.198, n.1.

6 Mun.Gildh.Lond., ii, pp.682-90. Another copy is in Ann.Lond., pp.198-202, summarised in Auct.Bridl., p.40. Cf. Davies, op.cit., pp.382-5.

By this time he had another personal grievance against Edward, probably that invoked by the author of the Vita to explain, wrongly, his change of side in 1308-9. As mentioned above, Nicholas Segrave, Lancaster's retainer, was marshal of England, an office which carried with it the right to appoint the marshal of the exchequer.[1] Thus Segrave presented Elias de Pouger to act for him in 1307,[2] and when Pouger died in September, 1310, the office was taken into the king's hand, since Segrave was in Scotland, and another clerk, Jocelin de Brankescombe, was deputed to fill it. This appointment Segrave confirmed in January, 1311.[3] Brankescombe held office until Michaelmas term, 1311, when the king deputed Arnald de Tilly, apparently without consulting Segrave.[4] Tilly almost certainly came from Tulle in Gascony, and he may well have had Gaveston to thank for the grant of office to him, for in the second set of Ordinances it was petitioned that he should be removed from the marshalsey of the exchequer and from the king's service; this came immediately below the demand for the expulsion of tout le linage of Gaveston.[5] The petition was implemented on 15 December, when the king wrote to the barons of the exchequer ordering them to accept Segrave's deputy once again, although the office had formerly been granted to Tilly to hold quamdiu Regi placeret.[6] Thus the most likely explanation of the

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1 T. Madox, History and Antiquities of the Exchequer (London, 1711), p.725; Davies, op.cit., p.312.

2 Madox, op.cit., p.727.

3 E.159/84, m.54.

4 Madox, op.cit., p.727.

5 Ann.Lond., p.199.

6 E.159/85, m.15d.

Vita's story is that the king had arrogated to himself the marshal's power of presenting a deputy to the exchequer, and had appointed a nominee of Gaveston, whereupon Segrave complained to Lancaster. It was not the dismissal of his own dependent which irked Lancaster, but the dismissal of a retainer's dependent. It is in this type of seemingly minor personal quarrel that much of the history of the reign is rooted.

By the autumn of 1311 Lancaster had passed from alliance with the king, into opposition, and thence to the command, probably with Warwick, of that opposition. His presentation to the king both of the preliminary grievances of the magnates in February, 1310, and of the second set of Ordinances, with Warwick, eighteen months later suggests that during this time he was regarded as the leader of the Ordainers, by birth, by wealth, and by marriage (though the effect of these factors has to be inferred). His part in the formulation of the Ordinances is impossible to estimate; judging from his later vigorous defence of them, it was large. He was certainly in London for much of the time that the Ordainers were sitting, though his itinerary shows him to have been on his estates on at least six occasions. He may have dealt largely with household reforms, as is hinted by the affair of the marshalsey of the exchequer, and by his presentation of the household ordinances, already mentioned. Of the

character of his opposition it is difficult to speak yet. His vehement dislike of Gaveston did not distinguish him from the other ordaining earls, though he was perhaps in an easier position than Lacy, whose years of service to Edward I made it very difficult to oppose his son with conviction, a predicament which was only partly resolved by the distinction between the crown and the person of the king (surely Lacy's work) elaborated in 1308, and which accounts for the old earl's perpetual wavering. Lancaster, though he had served Edward I and had been treated lavishly by him, had had none of Lacy's political weight and held none of his political responsibilities; having no strong tradition of personal loyalty behind him he could move into opposition with less heart-searching.

For Edward these early years had been disastrous. Taxation had been high, and quasi-legal taxation, in the form of purveyances, probably provided the immediate stimulus for the establishment of the Ordainers. Gaveston apart, purveyance was perhaps the most serious cause of complaint which the king had to face - yet with an exhausted (or, at least, very dilatory) treasury, how else could he support his household and his armies? Lancaster himself was to find in 1315 that any expedition was necessarily dependent on purveyance for raising supplies. A fairer charge against Edward was that of inactivity. In three years he had led north but one expedition, and then only after strong pressure from the pro-English party in Scotland. This campaign was unsuccessful:

had it not been so, had Edward returned victorious, he might have been in a stronger position to resist the Ordainers' demands. He did his best. His order to the chancellor in March, 1311, to do nothing concerning the Ordinances without reference to him, and his protestation in October showed that he would no longer recognise his initial concessions, and this was to be seen even more clearly in the following years. His attempt to widen military obligations was another omen. The barons could with justice lay all these grievances at Edward's feet, but their fury with Gaveston overrode all else. It was over Gaveston's death and its consequences in 1312-13 that 'the struggle for the Ordinances' was first waged.

II

There were evidently widespread rumours of Gaveston's return as early as 30 November, 1311, when Hugh Courtenay and William Martin, both Ordainers, were assigned to search for him in the south-west; the Vita records that he was reported to be hiding either with the king himself or at Wallingford or Tintagel, his own possessions.[1] He probably spent Christmas with Edward at Westminster (not at York, as the Vita and the Annales Paulini mistakenly say)[2] and was certainly with him at York after the king's move there in early January. Here Edward's political stupidity was made plain, for by a series of grants during the

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[1] Foedera, II, p.151; Vita Edwardi Secundi, p.21.

[2] Vita Edwardi Secundi, p.21; Ann. Paul., p.271. For Edward's presence at Westminster on 25 Dec., see E.159/85, m.16d.

next two months he completely restored Gaveston to his former position. On 18 January letters were sent to the sheriffs saying that Gaveston had been exiled against the laws and customs of the realm, which the king had sworn to maintain at his coronation (an adept turning of the tables on the opposition), and that he was to be held 'bon et loial, et a nostre fei et a nostre pees'.[1] Two days later all the lands which he had lost by his exile were returned to him, the writs for this and the previous proclamation being sealed in the presence of Edward himself and retained by him,[2] perhaps as a result of the king's doubt of the extent to which the chancery's loyalty could be stretched.[3] On 2 March he was regranted the marriage of Thomas Wake, on 22 March he was assigned to receive the Berwick customs, and on 2 April he was restored to the office of justice of the forest north of Trent, which he had held until deprived of it by the Ordainers.[4] But Edward's favour extended beyond Gaveston alone. On 23 January Walter Langton was appointed treasurer 'until the next parliament'[5] (an attempt to adhere to the letter of the Ordinances). As the discloser of the Ordainers' deliberations and now the new ally of king and favourite, he was shortly afterwards excommunicated by Winchelsey.[6]

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1 Foedera, II, p.153; Ann.Lond., pp.202-3.

2 Foedera, II, p.154.

3 Cf. Tout, Chapters, ii, p.199, n.7.

4 Foedera, II, pp.158, 160, 163.

5 Cal.Pat.Rolls, 1307-13, p.413.

6 Flores Hist., iii, pp.148-9; Walsingham, Hist.Angl., i, pp.126-7; Murimuth, p.18.

An anonymous correspondent, writing probably from York at the end of January, provides an illuminating insight into court politics at this time.[1] Theobald de Tollerton has, he says, been unable to obtain payment for wool or stock 'pur ceo qe hom doute de guere en le pais, par quei il ne puet faire nule chevisaunces de deners'. After some further remarks on financial business he goes on to tell the addressee 'Sachetz, sire, qe le Roi vint a Everwyk ycest jeodi et gist au paleis, et vos maisons sount pris al oeps le counte. Levesqe de Cestre, le counte de Cornwaille, sire Henri de Beaumond, et sire Raufe le fuitz Williame vindrent ovesqe le Roy, et il ad ordinez sa demere illeoqes tauntez a la pasqe. Levesqe de Cestre ad touz ses terres delivres et est tresorer iurez et est le plus prive du Roy apres le counte. Sire, y cest dymaign aveyt le Roy devaunt luy chivalers et autres bones gentz du counte Deverwyk et lur dyst qe quantquil fist et granta a Loundres fust cuntre sa volunte et totes le (sic) choses qe les countes ount fait et ordinez si ad il repelez, et les ad pruz queux li ardent de luy maintenir en son dreyt et il les meintendra countre touz autres. Sire, le Roi ad donez a sire Johan de Hothum leglise de Cotingham[2] et il est graunt mestre et le Roy manga ovesqe luy le premer iour quil vint a Everwyk.'

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[1] SC.1/37/218.

[2] On 8 Jan. (Cal.Pat.Rolls,1307-13,p.414). The second Ordinances had petitioned for Hothum's removal from the deputy keepership of the forests north of Trent (Mun.Gildh.Lond.,ii,p.685), and he had acted as Gaveston's attorney during his third exile (Tout, Place of the Reign of Edward II,p.86).

The full restoration of Gaveston and Langton, the bestowal of patronage on Gaveston's partisans, and, most important of all, the appeal to the Yorkshire gentry and the revocation of the Ordinances (in spite of the king's order of 26 January that they should be observed provided they were not prejudicial to him)[1] - this was proof enough of Edward's duplicity and complete disregard for the work of the previous two years. Early in January the chancery had been summoned northwards. It must have been clear that the Ordainers were to be left powerless, their reforms undone, and the country temporarily governed from distant York. The baronial reaction came quickly. Between 9 and 26 January the king had written a series of letters to the mayor and sheriffs of London, ordering them to guard the city to prevent any entering it to hold council,[2] but for some reason the rigorous measures which resulted were soon slackened, and on 31 January Edward ordered the city officials to allow the earls and barons to enter, provided that they did not come horsed or armed and were not suspect.[3] This voluntary surrender of initiative by the king gave the opposition its chance and soon after the writ had been received the barons assembled at St. Paul's.[4] Gaveston was excommunicated by Winchelsey, but the problem of a secular remedy

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1 Foedera, II, p.154.

2 Parl. Writs, II, ii, pp.44-6.

3 Ibid., p.46; Ann. Lond., p.203.

4 Ann. Lond., p.203.

remained - in spite of the strength of their grievances the barons did not want to go to war lightly.[1] The five strongest earls - Lancaster, Pembroke, Hereford, Arundel, and Warwick - bound themselves by oaths, and it was they who were probably responsible for the resulting plan[2] - though according to Trokelowe, Lancaster had been chosen as the opposition's leader by the end of the council,[3] and the ensuing events support this. It was decided to assign a district to each earl. Gloucester was to keep the south, Hereford Essex and the east, Lancaster Wales and the west, and two barons, Robert de Clifford and Henry Percy, were to guard the Scottish marches in case Gaveston should seek help from Bruce. (This seems to add point to a report in the Vita that Edward had offered Bruce the kingdom of Scotland if he would agree to Gaveston's taking refuge there.)[4] To Pembroke and Warenne, the latter won over to the opposition by Winchelsey, was delegated the actual capture of Gaveston.[5]

Meanwhile the king was still at York, delayed there by the birth of a daughter to Gaveston's wife.[6] On 30 January he had received letters from Lancaster and replied to them - perhaps the same letters which Trokelowe records that Lancaster sent to demand either the surrender of

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[1] Trokelowe, p.69.

[2] Vita Edwardi Secundi, pp.22-3.

[3] Trokelowe, pp.69-70. Cf. Castleford, 'Lo þe erel of lancastre thomas/ þoru comun assent ladesman he was' (MS. Göttingen Hist. 740, f.218v).

[4] Vita Edwardi Secundi, p.22.

[5] Ann.Lond.,pp.203-4.

[6] Auct.Bridl.,p.42.

Gaveston to the barons, or his renewed exile. These requests Edward ignored,[1] though communications were maintained: in early March an embassy was sent ad comites, and the queen too was active, sending simultaneous letters to Gloucester, Hereford, Warenne, Lancaster, and Pembroke in March or April.[2] In early April Edward retreated north to Newcastle, taking with him Henry Beaumont, Edmund de Mauley, and others whom the Ordainers had sought to banish and whom Lancaster was intent on expelling from the household.[3] Edward's original intention seems to have been to place Gaveston in Scarborough Castle, the victualling of which he had ordered on 2 April[4] and which he had committed to Gaveston three days previously,[5] charging him to surrender it to the king alone, and not even to him should he be brought there as a prisoner.[6] During the following days just over £34 was spent on equipping the castle with springalds and other ingenia et attillamenta, as though to withstand a siege.[7]

The king stayed at Newcastle until 4 May, while the earls gathered their forces and moved northwards, using feigned tournaments to disguise their real reason for being in arms and to assemble the necessary troops.[8]

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1 Brit.Mus. MS. Nero C.VIII,f.87v; Trokelowe, pp.74-5.
2 Brit.Mus. MS. Nero C.VIII,ff.103v,138v.
3 Auct.Bridl.,p.42.
4 Cal.Close Rolls,1307-13,p.416.
5 Cal. Fine Rolls,1307-19,p.129.
6 Cal.Pat.Rolls,1307-13,p.454.
7 Brit.Mus. MS. Nero C.VIII,ff.59,64v,65v. Cf. Auct.Bridl.,p.42.
8 Vita Edwardi Secundi, p.23.

On 4 May Lancaster reached Newcastle, only to discover that his quarry had escaped a few hours previously[1] and had travelled down river to Tynemouth. Newcastle submitted, the king's servants were attached, and the jewels, war-horses, and arms left behind were seized, though Lancaster apparently intended to restore them since they belonged to the king.[2] On the next day the king and Gaveston sailed for Scarborough, though the queen, then pregnant, implored her husband to stay with her. She could find comfort only in Lancaster's assurances, sent to her by secret messengers, that he would not rest until he had separated Gaveston from Edward.[3] Close cooperation between Lancaster and Isabella may have been a feature of this and following years; sympathy between the two is hinted at, for instance, by the queen's gifts to Lancaster (and to Hereford) of venison in January, 1312, and by the earl's expenditure on furs and tapestries for his hall when she visited him at Pontefract in April, 1319.[4]

On reaching Scarborough the king made an important tactical mistake. He left Gaveston in the newly fortified castle there, while he himself went on to Knaresborough[5] and then to York.[6] The Vita implies that

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1 Foedera, II, p.169.

2 Vita Edwardi Secundi, p.23.

3 Trokelowe, pp.75-6.

4 Brit.Mus. MS. Nero C.VIII, ff.138v, 148v; Wardrobe Account, 1318-19, m.5d.

5 Vita Edwardi Secundi, p.24.

6 Auct.Bridl., p.42.

this separation was accidental, though the other chroniclers treat it as a deliberate move on the king's part. Its most serious effects were to allow Lancaster to establish himself between the two royal forces, thus preventing the one falling back on the other,[1] and to rob Gaveston of the protection afforded by the king's person. Had the two stayed together the forcible seizure of Gaveston would have been much more difficult.

Lancaster himself was present during the initial stages of the siege, though he later withdrew, fearing that such a large besieging force might run short of food.[2] Some of his men, including 300 whom John Dalton had arrayed from Pickering, were present until Gaveston's surrender.[3] The siege probably lasted about ten days. Gaveston was in communication with the king on 10 May,[4] and on 17 May the king vainly ordered Warenne, Pembroke, Percy, and Clifford to retreat from the castle.[5] Edward, from the safety of York, did not show much confidence in his earlier belief that he could raise the siege if necessary.[6] Gaveston, lacking food, with few supporters, and subject to constant assaults,[7]

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[1] Vita Edwardi Secundi, p.24.

[2] Walsingham, Hist.Angl.,i,p.132.

[3] The Honor and Forest of Pickering (North Riding Rec.Soc.,New Ser., iii, 1896), p.243.

[4] Brit.Mus. MS. Nero C.VIII, f.88.

[5] Foedera,II,p.169.

[6] Lanercost Chron.,p.218.

[7] Vita Edwardi Secundi,p.24; Trokelowe,p.76; Auct.Bridl.,p.42.

eventually surrendered on 19 May, and an agreement was reached by which he was to be taken to St. Mary's Abbey at York, where the terms were to be explained to the king in the presence of Lancaster or of his deputy (another tacit proof of the earl's leadership). The terms were to remain in force until 1 August, by which time a more permanent settlement was to have been reached in parliament. Gaveston was to be kept safely, and if either he or the king did not approve of the conditions of the truce he was to be allowed to return to Scarborough Castle, its fortifications and stores intact, and to have the garrison with him. This agreement Pembroke, Warenne, and Percy swore to maintain, on penalty of forfeiture and of being held as disloyal; and Gaveston similarly promised to obtain nothing from Edward except what had been decided.[1]

The truce was so obviously favourable to Gaveston that some chroniclers sought for a hidden explanation for it. One declared that Pembroke and his allies were seduced blandis...verbis;[2] another says that Gaveston, besieged, and seeing his position hopeless, sent messengers to the king asking for mercy and that Edward then offered Pembroke a thousand pounds to save him;[3] the Tintern version of the same chronicle makes Gaveston himself offer money to Pembroke to spare him until 1 August.[4] The king certainly seems to have had a hand in

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1 Ann.Lond.,pp.204-6; Litterae Cantuarienses,iii,ed. J.B. Sheppard (Rolls Ser.,1889),pp.388-92.

2 Ann.Lond.,p.204.

3 Flores Hist.,iii,pp.150-1. Could this have been the contents of the letter of 10 May?

4 Ibid.,p.336.

the agreement: the Vita, an exceptionally reliable source, says that the conditions were put forward on his advice and that he hoped, by 1 August, to have saved Gaveston through the intervention of the pope and the French king, to whom he would have offered Gascony in fee as a bribe.[1] This is partly corroborated by the statement of the St. Albans' chronicles that the captured Gaveston asked to be allowed to meet the king and that Edward himself made a similar request. Pembroke persuaded the barons to concede this and was taking Gaveston south for the arranged meeting when his second capture occurred[2] - though on one point, the barons' consent, these sources are in conflict with the Vita, which says that Pembroke accepted the royal conditions 'sociis inconsultis, immo ex proprio capite sumpto consilio'.[3] That the king, hoping for time, was partly responsible for the truce of 19 May, thus seems clear.

The events of the next few days, on which all the chronicles agree, are well known. By 9 June Pembroke and his charge had reached Deddington in Oxfordshire, where Gaveston was left in the rector's house while Pembroke went off to visit his wife at Bampton, a few miles away[4] (on the same day Edward had sent new letters to Gaveston pro negociis secretis).[5]

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1 Vita Edwardi Secundi, p.24.

2 Walsingham, Hist.Angl.,i,p.132; Trokelowe, p.76.

3 Vita Edwardi Secundi, p.24.

4 Ann.Lond.,p.206.

5 Brit.Mus. MS. Nero C.VIII, f.105.

When Warwick heard this he gathered a large force together and approached Deddington, and Gaveston's capture followed on the next day.[1] (A later acknowledgement by John Botetourt that he was with Warwick at Deddington on 10 June corroborates the chronicles' accounts.)[2] Gaveston was then led off, first to Warwick's castle at Elmley,[3] and then to Warwick.[4] The convenience of his capture was too marked to put Pembroke beyond suspicion of complicity. The canon of Bridlington notes a rumour that he was taken 'comitis de Pembroke...ex praemissione...et ex proposito'; and there is a hint of something more than carelessness in Trokelowe's stricture that Gaveston was left 'cum simplici custodia incaute', and in Baker's comment that Deddington was completely unfortified.[5] Pembroke's subsequent agitation, however, and his change of sides must be held to exonerate him; the truce had placed too great a responsibility on him for Gaveston's safety for him to connive at the favourite's death. His immediate reaction was to approach the moderate Gloucester and ask him for Gaveston's restoration. Having met with no sympathy he next tried the clerks and burgesses of Oxford, but here again he found only indifference.[6]

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1 Ann.Lond.,pp.206-7; Vita Edwardi Secundi,p.25; Flores Hist.,iii,p.152.

2 Bodley MS. Tanner 90, f.1.

3 Bodley MS. Lyell 17, f.112v.

4 Vita Edwardi Secundi, p.25.

5 Auct.Bridl.,p.43; Trokelowe, p.76; Chronicon Galfridi le Baker de Swynebroke, ed. E.M. Thompson (Oxford, 1889), p.5.

6 Vita Edwardi Secundi, pp.25-6.

At Warwick a long council took place on Gaveston's future. Lancaster, Arundel, and Hereford were there, with Warwick,[1] and Murimuth notes that Lancaster's advice was particularly sought.[2] He may even have been the 'man of great authority among them', who advised the magnates to execute Gaveston, 'ipso enim vivente, secura tranquillitas in terra Angliae esse non poterit. Quod multis documentis hactenus experti summus'.[3] Baronial opinion was evidently still hesitant even at this stage. It is very probable that any faltering was overcome by attempts to provide a legal justification for the final sentence. The canon of Bridlington tells how Gaveston was brought before the royal justices William Inge and Henry Spigurnel, then delivering the gaol at Warwick. Although the Ordinances had been revoked, news of the revocation had not yet reached Warwickshire, and Gaveston was sentenced to be executed as a traitor by the justices on the authority of these Ordinances.[4] Both Inge and Spigurnel were probably determining cases in Nottinghamshire and Leicestershire at this time,[5] but the barons

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[1] Le livere de reis de Brittanie, ed. J. Glover (Rolls Ser., 1865), p.329; Bodley MS. Laud Misc.529, f.104; MS. Fairfax 10, f.105.

[2] Murimuth, p.17.

[3] Trokelowe, p.77. Cf. Walsingham, Hist.Angl., i, pp.132-3.

[4] Auct.Bridl., pp.43-4.

[5] Cal.Pat.Rolls, 1307-13, pp.476-7. No Warwick gaol delivery rolls are extant between 1307 and 1325. Spigurnel's assize roll for his Midland circuit and special assizes (JI.1/1350) has no session at Warwick or in the county between Jan., 1311, and Jan., 1313. (Ex inf. C.A.F. Meekings).

may well have referred to them. The Meaux chronicle similarly recites how Gaveston was judged on the basis of the unrevoked Ordinances,[1] and Castleford says that his execution was by common assent and 'ek þoru domes gifan in þe parlement'.[2] A minor chronicle reports that Lancaster and Warwick sat in judgement on him pro tribunali.[3] The weight of the evidence suggests that the opposition was particularly anxious to justify its proceedings, and this is especially significant in view of the stress later laid by the Ordainers on the legality of their case. Gaveston was punished according to a law which the king himself had acknowledged.

The semblance of a trial over, the barons tried to indemnify themselves as far as possible against the consequences of their actions. On 18 June, the day before Gaveston's execution, letters patent were drawn up separately by Lancaster and Warwick promising to save and defend Hereford from any loss which he might sustain as a result of the Gaveston quarrel. Gaveston himself was to be held 'come de Lenemi du Roi et du Roiaume et de son poeple', and the promises concluded with oaths on the evangelists.[4] Letters patent in slightly different terms were sealed

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1 Meaux Chron.,ii,p.328.

2 MS. Göttingen Hist. 740, f.219.

3 Haskins, 'A Chronicle of the Civil Wars of Edward II', p.76.

4 Lancaster's letter is printed in Davies, op.cit.,App.No.138, from DL.34/1/13; Warwick's letter is summarised by Bain, Cal.Docs.Scot.,iii, No.275, from DL.25/1982. The part of Hereford, on whose behalf the letters were drafted, in the whole Gaveston affair remains obscure, and though he is mentioned as being at the council in London in Jan.-Feb.,1312 (Ann.Lond., p.204) he is not known to have been in the north in May. The fact that three of the letters promise specifically to defend him is probably not significant, and merely due to the preservation of the Bohun archives with those of Lancaster. It is very likely that similar letters were drafted by each of the baronial leaders on behalf of one another.

by John Botetourt on the same day, acknowledging that Warwick's enterprise against Gaveston had been by his will and assent, and undertaking to defend Warwick against the king and all others. As in the previous letters, Gaveston was to be regarded as an enemy of king, realm, and people.[1] Shortly afterwards, on 3 July at Worcester, a similar fourth set of letters was drawn up by Henry Percy, delayed perhaps after the siege of Scarborough and unable to be present at Warwick, in defence of Hereford.[2] Thus did the barons try to secure themselves against the king's certain anger and desire for revenge. Though the prime mover in the whole affair was Lancaster, strongly supported by Warwick, no one member of the opposition was to take responsibility. If the king sought to lay the blame on any individual, the other barons, bound by oath and indenture, would rise in that man's support. As a policy of mutual insurance it was not badly conceived.

When these precautions had been taken Gaveston's death followed as a matter of course. On 19 June he was taken out from Warwick and along the road to Kenilworth until Lancaster's fee was reached. The earls followed, though Warwick was curiously reluctant to attend; according to the Vita he remained in his castle, and the London chronicler

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[1] Bodley MS. Tanner 90, f.1 - a 17th century transcript copied 'Out of Mr. Ashmole's Regr. of E. Alisbury's Evidences'.

[2] M.25/1900.

similarly reports that the earls took Gaveston from him.[1] At Blacklow he was beheaded. His head was presented to Lancaster as proof of his death, his body was taken off to the Dominican house at Oxford, and the earls returned.[2]

'Thomas comes Lancastrie, sicut omnibus generosior, ita et ceteris potentior, periculum huius rei in se assumpsit'.[3] Lancaster's direction of the whole affair is indeed clear. It was he whom the magnates had chosen at their London conference to be their leader, who had written to Edward asking for Gaveston's surrender or for his renewed banishment, and who had taken Newcastle and delegated the siege of Scarborough to Pembroke, Warenne, and Percy; and it was on his land that the execution took place and to him that Gaveston's head was presented. His position as the natural leader of the baronage after Lacy's death, emphasised by the Vita's comment above, was vindicated by these events, and the authority which he now held was to be shown by the arrogance with which he dictated terms to the king in the following year.

How should Lancaster's enterprise be judged? The return of Gaveston in December, 1311 and Edward's activities at York in January, 1312, made it clear that the king was not prepared to accept the Ordinances, as

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[1] Vita Edwardi Secundi, p.28; Ann.Lond.,p.207.

[2] Vita Edwardi Secundi, pp.27-8.

[3] Ibid.,p.28.

he had formerly agreed, and that consequently constitutional means could not separate him from his favourite. Though the opposition was reluctant to resort to arms, this alone could provide a remedy for the king's continued rejection of its advice. But the Scarborough truce showed that the opposition itself was not united, and that Pembroke and Warenne already formed something of a mediatory party, prepared to make concessions which the other earls could not support. Warwick's action at Beddington was the inevitable answer to Pembroke and his truce. The ensuing events, Gaveston's 'trial', the probable attempt to appeal to the Ordinances, and the sealing of bonds of mutual support by the earls and barons, showed that the execution was carefully planned and carefully justified, and not the hasty and ill-conceived operation of a band of desperadoes, as is sometimes supposed. Lancaster's part in this latter stage has to be inferred. His sitting in judgement with Warwick on Gaveston shows that he too was concerned to give the opposition's actions the semblance of legality; in his own eyes they must already have appeared as perfectly legal, for the king himself had set his seal to the ordinance decreeing Gaveston's exile. Lancaster's absolute insistence - backed by force if necessary - on the observance of the Ordinances was one constant in a reign of swiftly changing political moods and currents.

Gaveston's death ended the first phase of the reign. King and barons were now irreconcilable. Henceforth any treaties or temporary rapprochements could be only superficial, and the division between Edward and Lancaster, sometimes papered over, was to last until 1322. Out of the execution, said Sir Thomas Grey, 'sourdist mortiel heyn du roy qe touts iours mes dura entre eaux'; the canon of Bridlington too remarked that 'odium perpetuum inter regem et comites suscitavit'; and Knighton, with equal emphasis but more specifically, wrote that from then on 'rex et comes Lancastrie nunquam se mutuo amore habuerunt'.[1] The events of 1312 thus created the background for the politics of the next ten years.

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[1] Scalacronica, ed. J. Stevenson (Maitland Club, Edinburgh, 1836), p.140; Auct.Bridl.,p.44; Knighton, p.409.

CHAPTER 5

The return of Gaveston's jewels and horses, 1312-14

In spite of the attempts by Lancaster and his allies to justify their actions, the execution of Gaveston left them in a position of great weakness; though they could argue that it was the king who had first acted illegally, by recalling his favourite contrary to the Ordinances which he himself had confirmed, it was they themselves who had first taken the law into their own hands and resorted to arms. The immediate desertion of the baronial side by Pembroke and Warenne illustrates the resulting swing of moderate opinion towards the king.[1] But if the cause of the barons had lost much of its moral strength, a new accession of political power came to it, almost fortuitously, through the possession of Gaveston's jewels, horses, and other goods, most of which had been captured at Newcastle in May, 1312. The value of these, and the store which the king set upon them, placed a potent bargaining counter in the barons' hands. The king's eagerness to regain them, very evident from December, 1312 onwards, is not surprising, for the acquittance drawn up after their eventual return bears witness to their extremely high value.[2]

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[1] On 20 July a writ was issued on Pembroke's information (Cal.Fine Rolls, 1307-19, p.140), and on 23 July he and Warenne dined with the king (E.101/374/17). This appears to be the earliest evidence for the change of sides.

[2] Foedera, II, pp.203-5.

Of 189 lots described on the acquittance (excluding horses), 29 are valued, and the total worth of these amounted to just over £1,550 sterling. Easily the most precious item was a great unset ruby, found on Gaveston's body, and valued at £1,000. This was followed by a leather belt, set with gold and cameos, valued at £166. 13. 4. Other unvalued items must have been equally costly - a gold ring set with a sapphire, reputedly made by St. Dunstan, 'a ruby called "the cherry", set in a gold torque, formerly the king's', a staff set with five large diamonds and three smaller ones, and many similar pieces. This booty probably constituted a large part of the former royal treasury - several items are stated to have come du viel tresor, bearing out the chronicles' remarks on the plundering of the treasury by Gaveston[1] - and apart from its financial value it may well have been personally precious to Edward, both through its associations with Gaveston, and by reason of the origin of many of the pieces in gifts from his family - from Eleanor his mother, Isabella his wife, Edmund of Cornwall, and others. The horses, including 41 war-horses, with which the list concludes, cannot have been the least valuable of the barons' gains. The financial and personal value of these goods to the king was such that he was prepared to make considerable concessions for their return. The barons' struggle for these concessions forms the central theme of this period.

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[1] E.g., Ann.Lond.,p.151; Trokelowe,p.64; Guisborough,p.383; Brut,p.206.

It was a struggle in which the balance of forces had changed sharply from that of the previous two years. Pembroke's desertion of the barons brought to the royalist side a moderating influence which it had lacked since Lacy's death, and provided ability and a realisation of the country's needs for a régime which was deficient in both. Pembroke's dominance was never more marked than between 1312 and 1314.[1] He was the virtual head of the administration: petitions were forwarded to him by the king, assignments from the exchequer were made on his orders, and the dispatch to him of writs ordering the issue of letters under the great seal devolved on him much of the chancellor's authority. He played a leading part on the council, and the sending to him of orders intended for that body suggests that the king regarded him as its head. His personal influence over Edward was shown by the number of grants made to him - various forfeited lands, the custody of Rockingham castle, manors in Gloucestershire, and so on - and by the close communication between the two men. Pembroke dined with the king fairly frequently,[2] and Edward constantly informed him of his itinerary and asked for news,[3] while in 1312, the earl was present at Windsor for the baptism of the king's son.[4]

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[1] For much of what follows see Davies, op.cit.,pp.322-330.

[2] E.101/374/17; E.101/375/2.

[3] SC.1/49/10,11,19.

[4] Foedera,II,p.187.

This was the pattern of the two years between July, 1312 and June, 1314; and Pembroke's (and to a lesser extent, Despenser's) influence over king and administration, as the link between the two, must always be borne in mind when Edward's actions are considered.

For the moment that influence was not exercised in favour of moderation. When, in July, 1312, the barons gathered in Worcestershire[1] and then approached London with a large army - 4,200 men-at-arms and 5,000 foot, reports one chronicle[2] - Pembroke surprisingly was among those in the council who urged war, advising the king to rely on the lawfulness of his position. Others pointed to the renewed Scottish danger and the folly of destroying the kingdom's defenders.[3] Edward, however, prepared for war. In early August he went to Dover, where he fortified the castle, took the fealty of the Cinque Ports,[4] and sent Pembroke, Thomas de Cobham, and Henry Beaumont on a mission to the French court.[5] Active military preparations followed. On 24 July letters close had ordered the shire levies to be held in immediate readiness.[6] Now, on 16 August, writs were sent to certain sheriffs and other officials, charging them to bring their forces to London on 27 August[7] - the day on which Lancaster, Hereford, and

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1 Ibid.,p.172; Vita Edwardi Secundi, p.29; DL.25/1900.

2 Flores Hist.,iii,p.337.

3 'Nam hii qui post mortem Petri ad regem confugerant, guerram magis quam pacem procurabant'. (Vita Edwardi Secundi, pp.30-31.)

4 Ann.Lond.,p.209.

5 E.101/375/8, f.7v; Ann.Lond.,pp.209-10. Pembroke was away from 5-18 Aug.

6 Parl.Writs,II,i,p.418.

7 Ibid.

Warwick had been summoned to be at Westminster for the correction of the Ordinances.[1] (John de Benstead, who delivered this summons, eventually found Lancaster at Blackburn on 19 August[2] - another instance of the earl's tendency to remove himself from the scene of operations when his presence could have lent them force.) It was hardly surprising that, both at this time and later, it should have been rumoured that the king was intent on Lancaster's capture.

The earl failed to appear on 27 August at Westminster, and it was not until 3 September that he, Hereford, and Warwick approached the city.[3] For the previous fortnight the earls had delayed at Ware in Hertfordshire,[4] probably to gather their forces, and now they came towards the capital horsed and armed. The Vita reports that Lancaster alone brought with him a thousand horsemen and 1,500 fot; Hereford had a strong retinue of Welshmen, and Warwick more men from his earldom - and these were merely the larger contingents.[5] Rumours multiplied. It was said that the king had proclaimed a parliament in order to take Lancaster, but that the earl, knowing this, had brought his retinue as a safeguard;[6] and later in the

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[1] Foedera, II, p.175.

[2] E.101/309/18.

[3] Parl.Writs, II, ii, p.54.

[4] Ann.Lond., p.210.

[5] Vita Edwardi Secundi, p.32.

[6] Lanercost Chron., p.219.

month two Londoners were imprisoned because the king had heard that, should the city be besieged by Lancaster, they and their accomplices were to open the gates and make possible Edward's capture in his own city.[1] The king's letters patent, sent to the bishops of Norwich, and Bath and Wells, the earl of Richmond, and two others on 3 September and ordering them to prevent the earls coming to parliament in this way,[2] had no effect, and the barons were soon in the city. Only two factors prevented a civil war - the sensible caution of the barons in not approaching the king directly, but instead sending messengers to announce their arrival and ask the reason for their summons,[3] and the mediation of the earl of Gloucester,[4] who from this time almost until his death at Bannockburn was to work for a peace between the two parties. Order, however, was only just preserved, and disturbances in the city itself, culminating in a riot on 20 September as the result of a false rumour and the growing irritation of the citizens at Edward's failure to answer their complaints, made the king's position even more precarious.[5]

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[1] Ann.Lond.,p.216.

[2] Parl.Writs,II,ii,p.54.

[3] Vita Edwardi Secundi, p.32.

[4] Ibid.,p.33; Ann.Lond.,p.210; Trokelowe,pp.77-8; Lanercost Chron.,p.219.

[5] Ann.Lond.,pp.215-6.

A few days before the coming of the barons, Arnold, cardinal of St. Priscia, had arrived in England, and he was soon joined by Arnold, cardinal bishop of Poitiers, and Louis of Evreux, the French king's brother;[1] the main purpose of Pembroke's earlier mission to France seems to have been to arrange for the sending of these mediators. Their relentless efforts for peace during the coming months were to be very reminiscent of those of the papal legate, Ottobuono, between 1265 and 1266, though their ultimate success was not as marked. Their arrival signalled the opening of negotiations which were to last until October, 1313 - and the first moves in those negotiations suggested that their conclusion would not be auspicious. The cardinals, together with Gloucester and possibly some of the bishops, took up their headquarters at St. Albans. The exact date of this is given by neither of the abbey's chronicles, the main sources for the episode, and it could have been either before the barons came to parliament, while they were still in Hertfordshire (i.e., between 29 August and 3 September), or at some date between 3 and 28 September, on which day a safe-conduct was granted to Hereford, Botetourt, Clifford, and various others to come to the cardinals and resume certain discussions begun at Markyate Street in Hertfordshire.[2] But this is not important;

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[1] Ann.Paul.,pp.271-2, says that Arnold of St. Priscia arrived on 29 Aug., and Louis of Evreux on 13 Sept. Arnold the cardinal bishop dined with the king on 6 Sept., and Louis on 15 Sept. (E.101/375/2).

[2] Foedera,II,p.180.

more significant was the preliminary refusal by the barons of all offers of mediation. Clerical envoys from St. Albans were sent to them at Wheathampstead, bearing letters from the pope. These the barons declined to read, and on being asked to go in person to the cardinals they replied that there were many English prelates whose opinions they valued, but that these were foreigners, ignorant of the cause of their troubles, who should not be allowed to interfere. The cardinals were apparently so frightened by the negative vehemence of this response that they immediately left St. Albans and returned to London, from where all future negotiations were conducted.[1]

Soon, however, the attitude of the barons became less inflexible. The safe-conduct mentioned above implies that talks between the cardinals and the barons' representatives had already begun, and it seems very probable that these first discussions in early or mid September are those mentioned by the London annalist under the heading Prima tractatio.[2] Neither Lancaster nor Warwick is mentioned in the safe-conduct, and Lancaster was content to be represented by Michael de Meldon both at the preliminary meetings and at that which sealed the supposedly final treaty in December. It was Hereford who was the principal baronial delegate, though he would take no initiative without referring to Lancaster

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[1] Trokelowe, p.78; Walsingham, Hist.Angl.,i,p.134.

[2] Ann.Lond.,pp.210-11.

and Warwick[1] - perhaps because he realised that he and his accomplices Botetourt and Clifford all took a more conciliatory attitude than the other earls would stomach.

The Prima tractatio seems to have been used as a draft for the December treaty and many of the points in the two documents are similar. The barons promised that they would submit to the king at Westminster if he would pardon them in a form which they would ordain; in exchange, they would grant him 400 men to be maintained for six months at their own cost when he next went to Scotland with baronial assent. Lands and tenements from which men had been unjustly ejected by the king or his ministers were to be returned, and those who had been unlawfully imprisoned (probably as a result of the siege of Scarborough) were to be released. The goods of Gaveston - here significantly termed 'enemy du roi et du roiaume' - were to be given back to the king, and an agreement was to be reached on other goods taken from church and people since the Ordinances. The Ordinances themselves were to be fully maintained; malveis consaillers were to be ousted and to be answerable to plaintiffs for all wrongs done by them. Finally, the barons agreed to try and obtain the grant of an aid for the Scottish war when the rest of the peers and the commons were assembled in the next parliament; and all grudges and rancours were to be forgiven except against those who contravened the Ordinances.

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[1] Ut inf., pp.207-8.

With the exception of the barons' desire to term Gaveston an enemy of the king and kingdom, these were moderate terms, and indeed were to be largely accepted by the king three months later. Their most significant feature was the way in which, for the first time in the reign, supplies for a Scottish war were set against the king's acceptance of the Ordinances. If Edward made the concessions demanded he would receive men, money, and the chance to remove one potent source of discontent with his rule. The barons, for their part, had shown that they placed their constitutional claims above the need for the kingdom's defence. Edward's external difficulties gave them a valuable weapon which Lancaster and the three other earls who abstained from the Bannockburn campaign were later to use to some effect. Internal reform was the first necessity; the Scots could be dealt with afterwards. The stance taken up in the Prima tractatio already foreshadowed that which a much smaller section of the baronage would adopt in 1314.

Nothing came of this agreement. The opposition's demands for the full observance of the Ordinances were countered by the arguments of two French lawyers,[1] who had arrived in England about the same time as the cardinals and almost certainly formed part of the assistance which Philip IV was prepared to give to Edward.[2] Their objections to the

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1 Ann.Lond.,pp.211-15.

2 They had probably been brought back from France by Pembroke in August - 'Eidem (Pembroke) pro denariis per ipsum solutis pro una nava conducta pro passagio dominorum Reymundi de Suspiriano et Willelmi de Novo Castro, clericorum Regis Francie, hominum et equorum suorum, inter Whitsand et Dovorr' veniendum ad regem in comitiva dicti domini Adomari xl.s.' (E.101/375/8,f.9). Both these men witnessed the December treaty. (Ann.Lond.,p.225).

Ordinances were too broad and casuistical to have much real value other than as debating points - to the unexceptionable second article of the Ordinances, for instance, which stated that the peace should be kept throughout the realm so that all might come and go in safety according to law and usage, they objected that this violated the peace and tranquillity of the land, contrary to justice, that it was against the Great Charter, and that the matter was uncertain since it was not defined by law and custom. Similar objections were made to eleven other of the Ordinances, and the Mise of Amiens was invoked as a parallel on the king's side. The fact that these arguments were put forward by French lawyers is of more interest than the nature of the arguments themselves, for it showed that the French monarchy stood squarely behind Edward. Kinship ties gave the English king a valuable ally, and the barons' suspicions of the cardinals, already noticed, were rooted in more than mere xenophobia. There was much truth in the earls' reply to the lawyers that the land was not governed by written law but by ancient and approved laws and customs, and that if these were found to be insufficient they could be amended by the common assent of the king, prelates, earls, and barons - the implication being that this assent had been given to the Ordinances.

Despite the initial refusal of either party to compromise, progress was obviously made during the next three months. Parliament was in session for almost the whole of this time, sitting until 16 December;[1]

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[1] When writs de expensis were issued. (Parl.Writs,II,i,p.79.)

the Lanercost chronicler said that the king deliberately prolonged the session in order to wear down the opposition, since he could not overcome it by force.[1] While parliament was assembled a series of safe-conducts gave the barons' leaders permission to come and treat with the cardinals. A letter from the cardinals and Louis of Evreux to Hereford, Clifford, Botetourt, and three others on 30 September, arranging a meeting, suggests that some of these discussions were held in the former Templars' house in London.[2] Lancaster was probably in the north for most of this time - he was at Croxden Abbey in Staffordshire on 9 October for the funeral of Maud Verdon[3] - but in spite of his absence the feud between king and opposition did not weaken, and on 8 October even the normal diplomatic courtesies were abandoned in addressing the baronial representatives.[4]

Six sets of letters were issued between 28 September and 16 December, each set presumably marking a meeting. The work of the mediators finally bore fruit when, on 20 December, a treaty was sealed in the

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[1] Lanercost Chron.,p.219.

[2] M.36/2, No.208.

[3] Dugdale, Baronage,i ,p.474.

[4] 'Et memorandum quod ista litera triplicatur sub eisdem verbis et data; excepto quod, ubi dicitur dilectos et fideles nostros, Humfridum de Bohun, etc, ibi dicitur, in duplicatione, fideles nostros; et in triplicatione, nec dilectos nec fideles nostros'. (Foedera,II,p.182.)

cardinals' room in London, in the presence of the cardinals themselves, Louis of Evreux, and the earls of Gloucester and Richmond.[1] Lancaster and Warwick were not present, but were represented by Hereford, Clifford, and Botetourt , while Pembroke, Despenser, and Nicholas Segrave were deputed by the king. The treaty began with the barons' promise to submit to the king at Westminster if he would remit all ill-feeling towards them; in exchange for this they were to surrender Gaveston's jewels and horses, and to recompense the king for any dead horses. This restoration was to take place at St. Albans on 13 January, and letters of acquittance were to be given by the king in return.

Secondly, a parliament was to be held on the third Sunday in Lent, at which the barons and their men would receive a full pardon for Gaveston's capture and death, in a form set out in the treaty. In this, Gaveston is spoken of without any accompanying phrase designating him as a traitor or as an enemy of the king and kingdom. This was later to cause much contention, as will be shown, and evidently the baronial representatives felt uncertain as to the correctness of the form of the pardon; though it seemed sufficient to them, they said, they could not make a full agreement until they had consulted Lancaster and Warwick,

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[1] The treaty is incorporated in Ann.Lond.,pp.221-5, and is given in Latin in 'Edward II, the Lords Ordainers, and Piers Gaveston's jewels and horses', ed. R.A. Roberts (Camden Miscellany,xv, Camden 3rd Ser., xli), pp.17-21, where it forms part of the collection of documents showing the cardinals' work which was later presented to the pope.

and they would then write back to make their wishes known. It was agreed, however, that all baronial offences since the king's marriage were to be covered by this pardon, and that baronial consent could be given by proxy both to this and to another pardon which was to be drawn up for Gaveston's adherents - though for this latter article the assent of the earls again had to be obtained.

Next, the envoys agreed that in future no one should come to parliament in arms, and that they would try their hardest to obtain the earls' consent to this. In the next parliament, after the two parties had been reconciled, they would similarly try to obtain an aid for the Scottish war.

Then followed two more particular points. The barons had complained that Griffin de la Pole - whose rivalry with John Charlton for the lordship of Powys is discussed below - had been disseised of goods and lands since the safe-conduct issued to Lancaster and his adherents, of whom he was one. (It is not clear to which of the safe-conducts of the previous months reference is made.) It was now agreed that the case should be decided by two justices nient suspecciououse, who would also inquire into any of Griffin's complaints applicable to the period before the conduct - and a similar enquiry was to be held into the grievances of Fulk Iestrange, a relative of Griffin and a participant in many of his activities. The same justices were to sit

in judgement on Henry Percy, whose goods had been confiscated after Gaveston's death[1] and were now to be restored to him par plegiage until the next parliament. The treaty concluded with a promise from the king that all those in the kingdom were to go about their business in peace under a safe-conduct which was to last until Whitsun. Letters confirming this were to be issued to the barons and their adherents.

This agreement represented a considerable victory for the king's party, most conspicuously in its omission of all reference to the Ordinances, upon which the drafters of the Prima tractatio had been so insistent. The king lost nothing - even the form of the pardon was to be prescribed by him - and in the promises made for the submission of the barons, the return of Gaveston's goods, the attempt to secure the grant of an aid, and the agreement that in future no one should come armed to parliament, he had clearly gained all his main points. It is difficult to explain how Edward was able to secure such good terms or why the barons had conceded so much since the Prima tractatio. The lack of evidence on the intervening negotiations precludes any definite assertions, but it is probable that the mediators had put strong moral pressure on Hereford and his fellows, of the type which they later exerted on Lancaster,[2] and that the baronial negotiators lacked the strength, and perhaps the will, to resist. That Hereford was more eager for a

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[1] The confiscation had been ordered on 30 July (Foedera, II, p.173).

[2] Ut inf., pp. 222.

reconciliation than Lancaster and Warwick was subsequently shown by his acceptance of the final settlement of October, 1313, and by his service on the Bannockburn campaign.

In return for these large gains Edward made some attempt to fulfil the obligations which the treaty had placed on him. Two days before the final sealing he had ordered the restitution of the issues of Percy's lands, together with his goods, on the pledge of Hereford, Clifford, and Botetourt;[1] on 26 December a commission was granted to John de Grey, John de Wogan, and Alan de la Zouche to determine the case of Griffin de la Pole;[2] and in the letters close sent to the sheriffs on 22 December ordering that the king's peace should be proclaimed and that only those prises which were ancient and customary should be taken,[3] he attempted to carry out the last clause of the treaty. When, on 2 January, Hereford wrote to Arnold of St. Priscia to complain that one of Percy's men had been taken without judgement and due process, contrary to the treaty,[4] the complaint was answered sixteen days later by the release of the man concerned.[5] The king was obviously trying to keep to the treaty and to allow the barons no grievances which might be turned against him.

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[1] Parl.Writs,II,ii,p.60.

[2] Cal.Pat.Rolls,1307-13,p.546.

[3] Foedera,II,p.192.

[4] 'Gaveston's jewels and horses', pp.1-2.

[5] Ibid.,p.2; Cal.Close Rolls,1307-13,p.504. In the former reference the order for the release is misdated to 2 Jan.

Lancaster, however, evidently regarded the concessions as being much too substantial. The barons failed to appear at St. Albans on 13 January to return the jewels and horses, though the king's envoys waited there for three days.[1] On the same day Lancaster, from Pontefract, sent a messenger to one of the cardinals to say that he was prepared to surrender Gaveston's possessions to the king 'sicut bona eschauta sibi per felonum' on certain conditions[2] (though the exchange is strongly implied rather than directly stated). For the next six weeks the granting of these conditions and the return of the jewels and horses were to be the main bargaining counters in negotiations even more difficult than those which had taken place before Christmas. To understand them, it is essential to know something of the background to Lancaster's demands, particularly those which he made on behalf of Griffin de la Pole, since Griffin's case is very relevant not only to this brief period but to the whole history of the reign.

The issue of the succession to the lordship of Powys had first arisen in June, 1309, when Roger Mortimer of Chirk, justice of Wales, had been ordered to take for the king the lands of Griffin, the recently deceased heir of Owen de la Pole, and a royal ward.[3] An inquest in

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[1] 'Gaveston's jewels and horses', pp.2-4; Trokelowe, pp.78-9.

[2] 'Gaveston's jewels and horses', pp.7-9.

[3] Cal.Inq. Post Mortem,v,No.147. Davies, op.cit.,pp.216-7, summarises the Powys dispute.

August returned as heir Hawise, sister of Griffin and wife of John Charlton, the king's chamberlain, whose removal was later demanded by the Ordainers;[1] and on 26 August the escheator was ordered to deliver the lands to these two.[2] This decision was disputed by a second Griffin, the uncle of Hawise and brother of Owen de la Pole, who claimed that according to the Welsh laws and customs of succession the lands should have descended to him; and in October, 1311, he sought a commission of inquiry in chancery to determine whether Powys was held by Welshery or of the English crown. This the king forbade the chancellor to issue, since the matter touched the dignity of the crown.[3] Soon after this Griffin seems to have taken the law into his own hands and to have attacked Charlton openly, for on 23 March, 1312, Roger Mortimer and Robert Holand were ordered to break up the siege of Welshpool Castle on which Griffin was engaged.[4] It is perhaps significant that about this time Griffin first appears as a follower of Lancaster - he was later pardoned for his part in Gaveston's death and he witnessed a grant to the earl on 3 December, 1312,[5] the first of several such witnessings - and it seems very possible that, knowing of the baronial opposition to Charlton, he may have appealed to Lancaster against the king, or that the earl may have deliberately taken up his cause to embarrass Edward.

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1 Ann.Lond.,p.200.
2 Cal. Fine Rolls,1307-19,p.48.
3 Davies, op.cit., App.No.56.
4 Cal.Close Rolls,1307-13,pp.456-7.
5 Foedera,II,p.230; DL.42/2, f.56v.

The siege of Welshpool continued throughout the summer of 1312, in spite of the king's accusations that Griffin was 'spurning the remedy of the king's court', and his offers to do him justice.[1] Eventually Mortimer took the castle for the king,[2] and in October he was ordered to hand it back to Charlton,[3] while in the same month the king wrote to the council to ask how 'nous puissoms plus grever et damager le dit monsire Griffith' for his disobedience.[4] Griffin's adherents apparently ravaged widely along the march, attacking Charlton's men wherever they could be found, and at the end of the siege they were received in the march lands of Arundel,[5] the accomplice of Lancaster and Warwick. Evidently Griffin was disseised of his lands and goods by the king at about this time, for it is this major complaint that the treaty sets out to rectify, the Powys question itself being relegated to a secondary place. The appointment of justices to deal with the case has already been noticed, and represented some retreat on Edward's part from the intractable position which he had taken up in his writ to the chancellor of October, 1311.

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[1] Cal.Close Rolls,1307-13,pp.417,424.

[2] Ibid.,pp.417,419,424.

[3] Ibid.,p.479 (4 Oct.).

[4] SC.1/49/13 (21 Oct.).

[5] Cal.Close Rolls,1307-13,pp.555-6.

The dispute thus seemed within sight of settlement when, on 13 January, Lancaster put forward his objections. He understood that Griffin ought, by the treaty, to have seisin of Powys, if it had been taken from him since the safe-conduct, and that two justices non suspectos ought to have been sent for this purpose. (This was not strictly true: the terms of the treaty provided only for an inquiry into whether or not Griffin had been disseised, and for his reseisin if it was found to be so.) But the justices appointed were suspect, for, of the three, John de Wogan had been a member of the council which had ordered commissions to be made out for Roger Mortimer to remove Griffin from his land, and Zouche retained John Charlton, so Griffin had told the earl, for life for a yearly fee. Mortimer, assigned to help forward the inquiry, was similarly condemned, for the reason already given. The cardinal was asked to see that the king kept his part of the treaty, that proper justices were sent within three weeks of the Purification, and that Griffin was given fifteen days warning of their coming. These demands were made on behalf of Fulk Lestrange, again one of the earl's adherents,[1] as well as of Griffin.

The complaints of De La Pole and Lestrange were the main grievance held by Lancaster against the king; the others were less important, and it is difficult now to grasp their exact meaning. Edmund Darel, managerius of Henry Percy, had been taken by John Mowbray without due

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[1] Cal.Pat.Rolls,1307-13,p.546; Foedera,II,p.230; DL.42/1, f.44v.

process, (this was rectified, as already shown, by the letters patent of 18 January), and Mortimer had captured sixteen of Griffin's men after the safe-conduct. Similar mandates for arrests had gone out, and the king should cease issuing them, and deliver those who had already been taken. It had also been agreed that no one should be removed from a free tenement without proper judgement (art.29 of the Great Charter, confirmed by the Ordinances), yet the king had delivered part of the lands of William de Roos of Wark to John de Salvayn and his wife sine recto processu . As to the clauses of the treaty which Hereford, Botetourt, and Clifford had refused to confirm without reference to Lancaster and Warwick, the earl had not yet spoken with the other magnates concerned, but would let the king know his wishes by 23 February - sooner if possible.

Lancaster's penultimate objection remains obscure. Edward had agreed, said the earl, that the peace should be kept by the king's ministers, as in former times, and that the gentes armorum who had been set up to keep the peace in each patria should be removed 'quia, domine, quamdiu vadunt ita inforciate cum equis et armis per patriam et capiunt suas gentes de una die in alteram, ipse non proponunt ire disgarniti'. It is not clear who these gentes armorum were. There are two possibilities: the men concerned may have been the constables instructed to take care for the keeping of their castles on 24 July, 1312.[1] This would explain

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[1] Foedera, II, p.173. I am indebted to Mr. A. Harding for this suggestion.

the reference to men ordained *in qualibet patria* rather than 'in each county', though the royal mandate hardly gives the constables licence to go about the countryside in force. Or - more likely - the *gentes armorum* may simply have been keepers of the peace, as Lancaster states. The keepers' commissions sometimes gave them very wide powers: in December, 1307, for instance, they had been authorised to raise the *posse comitatus* and this had been confirmed in March, 1308, while in 1314 one of the Yorkshire keepers was ordered to array troops for the Scottish war.[1] It is easy to see how these powers could be misused, and the keepers' control of the *posse comitatus* tallies well with Lancaster's complaint about their going through the countryside in arms. The king's agreement to remove these essential servants, however, has remained hidden and seems inherently unlikely. The difficulty is that during this period many different men were being appointed 'to keep the peace' without necessarily being appointed to the office of *custos pacis*, and this vagueness in terminology makes it hard to give any precise definition of the earl's grievance.

Finally, Lancaster reported to the king that the lady of Everingham - perhaps a relative of his retainer Adam de Everingham of Birkin - had complained to him that forty armed men had come to Everingham, broken into her house, and carried off her goods and her son's wife. The

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[1] *Parl.Writs*, II,ii,pp.8-9,11-12; II,i,pp.431-2.

connection of this with the previous grievance, if any, remains tenuous, though the tendency to turn to Lancaster for protection, rather than to the king, is very significant.

These, then, were the conditions which Lancaster imposed for the return of Gaveston's jewels and horses: the appointment of new justices for Pole and Lestrange, the release of those imprisoned without lawful process, the return of the lands of William de Roos, and the abolition of the gentes armorum who were disturbing the countryside. The earl was clearly aware of the value of the weapon with which Gaveston's goods had presented him and was determined to use them in order to put as much pressure as possible on the king, though he acknowledged Edward's right to the goods 'sicut bona eschauta sibi per felonum ipsius et regni' - subtle phrasing, for if the king wished to make good his claim, he would have to recognise Gaveston as a felon. Lancaster's demands also make clear the large measure of protection which he was able to offer his followers: Pole and Lestrange were almost certainly bound to him by indenture, Roos he described as 'alligatus aliquibus de nostris', and the lady of Everingham may have been a retainer's relative. If he was willing to press the causes of his men so keenly - albeit only to harass Edward - while at the same time posing as the defender of law and order, as these demands clearly show him to have been doing, it is hardly surprising that his retinue should have been so large.

On 20 January, probably within a few days of the reception of Lancaster's letter, the cardinals wrote to Hereford to say that a copy of Henry Percy's letter on behalf of his imprisoned servant had been sent to the king at Windsor.[1] Eventually, through Pembroke's intervention, Edward had been persuaded to release the man, but only after the earls and barons had threatened not to attend any further meetings until this was done. The cardinals then related how no one had appeared at St. Albans to restore the valuables and after expressing stern surprise at this they exhorted Hereford to do all he could to bring about the restitution, so that the terms of the treaty should not be broken.

Hereford, in his reply,[2] showed himself equally shocked at the barons' failure to restore the jewels and horses, but disclaimed any personal responsibility, saying that he was not present when these things had been taken, and that none of them had since come into his possession. He promised, however, to go to Lancaster, Warwick, and Clifford when they were next assembled and to do all that he could to see that the treaty was carried out.

Meanwhile, the cardinals had received Lancaster's long message and summoned Gloucester and Richmond to London to consider it.[3] The

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[1] 'Gaveston's jewels and horses', pp.4-6.

[2] Ibid., pp.6-7.

[3] Ibid., p.15.

two earls had decided to speak with the king's party on the reforms which Lancaster wanted, and when this had been done the results were sent to the earl in a series of articles, each providing an answer to one of his points.[1] His plea for Griffin de la Pole was rejected: those who had received writs on the matter had been asked by the king's men if they held any of the justices suspect, and the two whom they had named were not among those appointed, nor, when the writs had been received, were any protests made against the justices. According to law, a justice could not be held suspect unless due process had revealed the cause of the suspicion, and the cause, in Griffin's case, ought either to have been brought forward in the justices' presence or to have been notified to those negotiating for the king immediately the writs had been received. It was fruitless to bring forward an objection now, when an inquest taken at Charlton's instance had shown that the land had been taken into the king's hand long before the safe-conduct granted to the earl. The same answers were given to the case of Lestrange.

To Lancaster's demand that no one should be imprisoned without due process, the king's reply was evasive, seeking to place the blame on his own officials, and promising to punish those who had transgressed

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[1] Ibid.,pp.9-10.

in this way and to issue writs for the release of those taken. A similar promise of redress was made to the earl's article on William de Roos's lands; though the case between Roos and Salvayn had begun three or four years previously, the king was ready to amend without delay anything which had been done unjustly or against the form of the treaty, if this could be demonstrated. To the article concerning the gentes armorum no reply was given, and to the case of the lady of Everingham the king answered that justice would be done if the suit should be prosecuted. (A commission in her favour was in fact issued on 9 May.)[1]

The king had thus conceded very little. He had promised the release of prisoners unjustly taken, and justice for Roos - though these promises never seem to have been implemented in chancery - but on the most important question, the reappointment of justices for the Powys dispute, he stood firm. The number of points which he made against Lancaster's case and the legalistic nature of his argument show the lengths to which he was prepared to go in defence of Charlton, now doubly unpopular as the courtier whom the Ordinances had failed to eject and as the disseisor of Griffin de la Pole. Hereford realised that the king's answer to this article was unlikely to satisfy Lancaster, and at his next meeting with the cardinals a long wrangle ensued, for the king's party were still unwilling to change the justices, though

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[1] Cal.Pat.Rolls,1307-13,p.603.

they had apparently given way on Alan de la Zouche. But no action could be taken without Edward's personal consent, and eventually Despenser, at the cardinals' instance, said that he would go to Edward and put their case to him.[1]

Much of this was related to Lancaster in a letter from the cardinals, dated on 8 February, with which there was enclosed the king's answers to the earl's demands.[2] The cardinals emphasised how keenly they had worked, especially on the question of Pole and Lestrange, though Pembroke, Despenser, and Sandale had told them that nothing could be done without first consulting the king. Edward had been asked to issue a writ substituting other justices, but the result of this request was not yet known, though the cardinals hoped that the matter would be settled to Lancaster's satisfaction. Two days later other letters were sent out to Lancaster, Warwick, Clifford, and Botetourt, announcing the dispatch of an embassy to them, consisting of the bishop of St. Davids, a canon of St. Paul's, and two of the cardinals' chaplains, to inform the magnates of what had taken place at a recent meeting in London; Clifford and Botetourt, the only two of these barons who had been present at the sealing of the treaty, were especially enjoined to see that the goods were restored and to direct the embassy in such a way as to effect this.

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[1] 'Gaveston's jewels and horses', pp.10-11.

[2] Ibid., pp.11-12.

The message taken to the earls by these envoys shows a new hardening of attitude on the part of the cardinals.[1] The barons' undertaking to restore the valuables, as agreed in the December treaty, and their failure to do so are related at length, and are followed by a number of succinct moral and legal arguments urging them to carry out their obligations. It was a mortal sin to keep anything from an unwilling lord. They had previously volunteered to return the goods and what had pleased them before ought not to be changed. It was not right that such men as they should break their word, and since they were the king's vassals their offence reflected even more strongly on their honour. If restitution were not made, the king would have a reason for taking up arms against them, and this could only result in the disturbance of the whole kingdom, already threatened by a Scottish war and trouble in Gascony.[2] It was for them, as earls, to resist these dangers and to provide a remedy for them, and they should not delay the restoration of the goods any longer, nor infringe the treaty in any other way.

This cogent plea, however, had little effect on the magnates. In his original letter of 13 January, Lancaster had reserved his comment

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[1] Ibid., pp.13-15.

[2] An embassy headed by Pembroke had left for France on 3 Feb. to discuss the Gascon question and was away for nearly six weeks (Ibid., pp.21-2; Foedera, II, p.199; E.101/375/8, f.15v).

on the pardon granted by the king to the barons until he had consulted his confederates.[1] Now their answers were given in a series of 'Rationes...per quas dicunt securitatem inventam pro ipsis per justiciarios non esse sufficientem'.[2] The king had said that he would grant the pardon in parliament propter necessitatem. This implied compulsion by the earls and barons, and was not true. (They evidently remembered how Edward had escaped from his obligations in January of the previous year by declaring that he had acted against his own will when confirming the Ordinances, which were thus nullified.) Also, it had been laid down that the pardon should be granted in parliament, but parliament could not meet without them, and they would not attend until they had first been pardoned. 'Ergo videtur dicta via impossibilis'.

But there was a more serious reason than either of these two for the insufficiency of the pardon, for it did not say that what had been done to Gaveston had been done as to an enemy of the king and kingdom and an exile, according to the Ordinances which the king himself had confirmed. This wording alone could give them a full pardon, for if it was not included then they had killed unjustly and Gaveston's death could be held as murder and they as his murderers, since he would be regarded as homo sub lege. They wanted to avoid this slander, for they

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[1] Ut sup., p.215.

[2] 'Gaveston's jewels and horses', pp.15-16.

had killed Gaveston in all justice. According to the Vita, there had already been a long debate on this subject before Christmas. Then, as later, the earls had insisted that they should be pardoned for the death of 'Petri proditoris', for if not, Gaveston's wife or child could still bring a suit against them and Edward himself would not be able to acquire the earldom of Cornwall as an escheat, since Gaveston died leaving issue.[1] The king, however, had remained adamant. He had confirmed his position in the form of pardon laid down in the December treaty, and he paid no heed to these new baronial demands. The final form of the pardon granted in October, 1313, would be substantially the same as that drafted nine months previously.

Edward was totally intransigent only on this point, and elsewhere he was prepared to concede ground, for by 23 February, less than a fortnight after the dispatch of the cardinals' embassy to the earls, the jewels had been surrendered, while within the next month the horses were also returned. This seems to have come about as the result of a series of letters which the king ordered to be sent out - listed as 'Memoriale de litteris specialibus faciendis'[2] - though there is nothing to show that some of them were ever drafted. Firstly, the safe-conduct was to be extended until Whitsun, and, in connection with this, power

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[1] Vita Edwardi Secundi, pp.37-8.

[2] 'Gaveston's jewels and horses', pp.16-17.

was to be given to forty armed men to come with the jewels. This probably resulted in the issue of letters patent on 16 February granting a safe-conduct to Lancaster and forty men-at-arms, though the conduct given extends only until the second Sunday in Lent and not until Whitsun.[1] Next, the armed men deputed to keep the peace were to be removed, leaving only the sheriffs and king's ministers, and all harsh and unjust prises were to cease. There is no evidence that either of these mandates was put into effect. The king finally gave way on the question of justices for Pole and Lestrange for it was agreed that a commission should be drafted to decide whether Griffin was in seisin of certain goods at the time of the conduct granted to Lancaster, and, if so, to reseise him. Here Edward was as good as his word. On 12 March Roger Mortimer was ordered to release all Griffin's men who had been taken after the granting of the safe-conduct and to restore their lands to him and his accomplices, on condition that they found security to answer to the king for their trespasses,[2] and on 20 March, 1314, a new commission was finally granted to Henry le Scrope and John Cromwell to inquire into the whole dispute.[3] Thus, tardily, did Edward keep his promise - though even then the matter was not settled. Pole later asserted that king and council, in the cardinals' presence, had awarded Powys to him,[4]

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1 Foedera, II, p.202.
2 Cal. Close Rolls, 1307-13, p.569.
3 Cal. Pat. Rolls, 1313-17, p.142.
4 SC.8/332/15790.

but sporadic fighting broke out again in 1315-16, and the struggle for the barony outlived the king.[1]

In more general terms, the king agreed that no writ should issue from chancery by which anyone might be taken against the law of the land. There is no written evidence that this was ever communicated to the chancellor, though it could have been done by word of mouth. After this final promise there appears a list of those 'qui petuntur per Barones excludi a familiaritate Regis secundum ordinationes'.[2] Eighteen names follow, and of these the Ordainers had already called for the banishment of fourteen at the time of the publication of the second Ordinances.[3] It seems as though the barons, having already obtained the promise of most of the concessions which they sought, may have been attempting to use the bargaining power which the jewels and horses gave them to force the king into further concessions, though they appear to have been unsuccessful.

On 23 February the jewels were taken from Clifford's London house in the presence of the king and Lancaster, and delivered into the Tower, where they were received by Sandale, the acting treasurer.[4] This did not, however, mark the end of the tedious negotiations, for an acquittance

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[1] In Nov., 1330, Edward III forbade Pole and Charlton to take up arms against each other. This appears to be the last mention of the matter (Rot.Parl.,ii,p.59).

[2] 'Gaveston's jewels and horses', p.17.

[3] Ann.Lond.,pp.199-201.

[4] E.403/164,m.2. See appendix.

for the goods was not drawn up until 27 February,[1] and in the meantime further articles were sent to the king by the earls. These appear in the London Annals, where they are placed immediately after the December treaty[2] - though the first article, protesting that no acquittance had been received for the jewels and horses surrendered, precludes any date but one falling between 23 and 27 February. Most of the new articles were concerned with the arrangements to be made for the king's pardon to the magnates. It had been agreed in the December treaty that this would be given at a parliament to be held on the third Sunday in Lent (18 March). Writs for this parliament had been sent out on 8 January,[3] but the earls protested that though they were ready to submit themselves to the king, their summonses had not been drafted in the proper form, according to the chancery register, and they declined to attend.[4] When they had been pardoned in full parliament they would support the king's demand for an aid and would thenceforth no longer come armed to parliament, as had been previously agreed, as long as the king treated Percy and De la Pole in the way in which the treaty laid down. Then follow two demands, the argument of which is not easy to grasp. The barons did not want their pardon to be put in statutory form, for previously statutes had only been made where the law was lacking or where it needed amendment,

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1 Foedera, II, pp.203-5.
2 Ann.Lond., pp.225-9.
3 Parl.Writs, II, i, pp.80-2.
4 Ann.Lond., pp.225, 227.

and if one were drawn up in this case it would imply that the king had been forced to go against his coronation oath, that they had advised him contrary to the homage which they owed him, and that they could be accused of perjury. The logical connection between these two arguments seems tenuous - though it is clear, but not stated, that if a statute could be drawn up only to amend or establish a law, then Gaveston's execution had been illegal, for it needed a statute to pardon it. This may have been at the root of the barons' objections to a statute and their insistence on ordinary letters patent, for it would be perfectly consonant with all their previous arguments on the question of whether or not Gaveston was under the law at the time of his death.

A similar protest was made to the granting of a statute in favour of Gaveston's followers, decided on in December, for no one had or could have a case against these men, except the king, who could simply acquit them from his own suit. The barons would be thought to have assented to this amnesty, which would be contrary to Edward's oath, and in doing so they would have broken their homage and the allegiance which they owed to him. They therefore asked for letters patent to be made for Gaveston's followers as they had asked for them for their own.

When the king's pardons for the barons had been drawn up, they were to be given to the archbishop of Canterbury or his suffragan, the bishops of London and Chichester, and the earls of Gloucester, Richmond, and Arundel, to be kept by them until the magnates had made their submission.

After this, they were to be delivered to the earls of Lancaster, Hereford, and Warwick, and to the barons - and the archbishops, bishops, and earls were to promise that this should be done.

Unfortunately there is no evidence of any new negotiations which this document may have produced. The London Annals, hitherto so informative, become much briefer, while the cardinals' account of their mission, sent to the pope, ends on 10 February with letters of credence on behalf of their envoys to the magnates[1] - though they were in England throughout the following summer and at least one of the cardinals, together with Louis of Evreux, was present at the Michaelmas parliament when the barons were pardoned.[2] That discussions continued is certain,[3] but external as well as internal pressures on the king made it unlikely that a quick solution could be found. The north had been heavily harassed by the Scots since the previous autumn. In August, 1312, Hexham and Corbridge had been burnt by Bruce; the people of Durham had saved themselves until 24 June, 1313, by a render of £2,000, while those of Northumberland had done similarly, and the inhabitants of Westmoreland had given both hostages and money. An attack on Berwick in December

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[1] 'Gaveston's jewels and horses', pp.12-13.

[2] Vita Edwardi Secundi, p.43.

[3] On 3 May a safe-conduct, to last until 24 June, was issued to Lancaster, Hereford, Warwick, Clifford, and Botetourt to come to treat with the mediating party (Foedera, II, p.211).

had only failed through the barking of a dog, and in January Perth had fallen. In the spring the northerners 'nec habentes nec sperantes a rege suo defensionem vel auxilium' paid still more money to Bruce for an extension of the peace.[1]

It was therefore more than usually feckless of Edward to accept Philip IV's invitation to attend the crowning of his son as king of Navarre, in May. The earls had advised against this, for it was rumoured that Bruce was already near York and was about to march on London.[2] Edward's only reply to this was to send an embassy to the north to see if a truce could be made,[3] and to tell the people of Cumberland, who had sent a messenger to inform the king of their distress, to look after themselves until he returned.[4]

Edward was in France until 16 July[5] and reached Westminster again, after a long perambulation through Kent, between 21 and 24 July.[6] Parliament had met on 8 of that month,[7] and Edward had previously promised that he would be home on the day prior to the assembly;[8] on his return, however, he found that the magnates had tired of their unprofitable wait, and all, including Gloucester and Richmond, had left

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1 Lanercost Chron.,pp.219-22.
2 Vita Edwardi Secundi,pp.38-9.
3 Foedera,II,p.215.
4 Ibid.,p.217.
5 Ibid.,p.222.
6 C.81/85/2750,2752a.
7 Parl.Writs,II,i,p.100.
8 Vita Edwardi Secundi,p.39.

London. He had no choice but to prorogue the parliament until September.[1] It seems to have been the king's deliberate policy to extend the negotiations for as long as possible and it was rumoured that 'adversarios suos cogat expendere'.[2] Baronial truculence, more marked than ever, showed itself in the proposal of Lancaster and the other earls to tourney at Brackley on their way to the September parliament, in spite of the king's strongly worded prohibitions,[3] and when the session began it seemed that a settlement was unlikely. The king continued to make bitter accusations against the barons over the Gaveston affair, while they continued to make their old refutation that what they had done had been done as to 'publicum inimicum terrae, per communitatem Angliae, ex duorum Regum assensu, totiens exbannitum', and that they deserved the king's gratitude rather than his blame.[4]

Two factors turned this unpromising situation to advantage. As the king had hoped, the magnates were tired of the lengthy negotiations - 'multum enim expenderant, et parum adhuc profecerant, nec volebant diutius varias alicuius promissiones frustra expectare'.[5] As a result, they were willing to accept a good deal less than they had originally expected. Secondly, Edward was being strongly urged by Cardinal Arnold

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1 Foedera, II, p.222; Parl.Writs, II, i, pp.100-101.

2 Vita Edwardi Secundi, p.42.

3 Foedera, II, pp.227-8.

4 Trokelowe, p.80.

5 Ibid.

and Louis of Evreux to grant a pardon - any further delay might damage his case and lead to war again.[1] Edward hesitated for almost three weeks. Then, on 14 October, the barons finally came to the king at Westminster, submitted, and were pardoned, the pardon being drawn up in the form of letters patent on the following day. At the same time, all who had assented to the return and maintenance of Gaveston were pardoned in similar letters, and on 6 November further pardons were issued to Pole, Lestrange, and Charlton for all their transgressions in Powys.[2] On the day of the treaty the earls dined with the king;[3] later, a subsidy was granted as the magnates had promised,[4] and with king and barons apparently united parliament broke up, leaving other matters to be settled at the next assembly. But the reconciliation was only superficial. 'Sed semper se tenuit a longe ab eis (comitibus), ut prius, suo falso consilio ductus', commented the Tintern writer of the Flores Historiarum, and the Lanercost chronicler is equally critical - 'ipse (rex) promisit eis multa, quae postea non implevit'.[5] The seizure of Gaveston's jewels was to remain one of the main indictments against Lancaster in his trial after Boroughbridge, in spite of this full pardon of 1313.[6]

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1 Vita Edwardi Secundi, p.43.
2 Stat.Realm,i,pp.169-70; Foedera,II,pp.230-33.
3 Vita Edwardi Secundi, p.43.
4 Ibid.,p.44; Trokelowe, p.81; Parl.Writs,II,i,p.116.
5 Flores Hist.,iii,p.337; Lanercost Chron.,p.223.
6 Foedera,II,p.479.

At the end of his eighteen month struggle, Edward had emerged bruised but victorious. At all times from Gaveston's return in November, 1311, to the issue of pardons for his death nearly two years later, the barons had insisted on the legality of their position, as defined by the Ordinances. Gaveston's condemnation before Inge and Spigurnel (fictitious though it may be), the barons' successful branding of the favourite as 'commune enemy du roi et du roiaume' in the Prima tractatio, their long battle and eventual failure to induce the king to incorporate this phrase into the form of the pardon of December, 1312, their objections to this treaty, and their successful efforts to have their pardon recorded in letters patent and not in a statute - all emphasised the maintenance of a steady position. Edward conceded the granting of the pardon through letters patent, but beyond this he would not go. The final form of the pardon attached no denunciatory label to Gaveston's name - and this omission marked, by implication, the king's continued refusal to accept the Ordinances. Gaveston's death was still illegal, though pardoned, and the Ordinances, even though passed with the king's assent, could be held to have no force in law. Edward had given the barons no precedent by which his recognition of the Ordinances could be claimed.

Edward's victory was not achieved by the threat of force - indeed, one of the chronicles emphasises that it was through fear of the earls

that he accepted their submission when he did[1] - but rather by continued and exasperating procrastination. The dispute over the question of justices for Pole and Lestrange occupied almost the first six weeks of 1313, during which time the king absented himself at Windsor and business had to be conducted through messengers; during the previous parliament the king was said to have deliberately protracted the session in order to harm the barons;[2] at the next parliament, in March, 1313, the barons refused to come because they had not been properly summoned, while it was rumoured that the king was feigning illness so that he need not appear;[3] and in the July parliament he arrived so tardily from France that the barons had already left London. Edward showed no obvious anxiety to speed the conclusion of negotiations. He could rely on the barons' own eagerness to rid themselves of the consequences of their action to bring them to submission. Moreover, he had allies which the barons lacked. In spite of the apparent impartiality of the French mediators they clearly did all they could to accommodate Edward. Louis of Evreux was, after all, the queen's uncle, and the strength of the bonds of kinship showed themselves clearly in the argument prepared by the French lawyers against the barons' case in September, 1312, and -

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1 Flores Hist.,iii,p.337.

2 Ut sup.,p.206.

3 Vita Edwardi Secundi, p.38.

less important - in Louis's desire to see Edward's firstborn son named after the reigning French king Philip.[1] The Vita describes Philip as Edward's socius,[2] and it may have been a sense of obligation and perhaps gratitude which took Edward to France in May, 1313. An agreement with the barons was also to Philip's advantage, for it would allow the English king to give more time to the settlement of the interminable disputes over Gascony. Faced with this alliance of family ties and self-interest, the magnates stood little chance of securing an entirely favourable peace.

Their chances were diminished further by their own disunity. In their ultimate aims the barons were of one mind, though Hereford, Clifford, and Botetourt were inclined to be more amenable to the king's wishes than Lancaster and Warwick. But politically they failed to act together. In August, 1312, Lancaster had retreated to his estates, and in the following January he was still in the north. Apparently the December treaty had been drawn up without reference to him, for it has been shown how Hereford and the other baronial negotiators deferred to his judgement and that of Warwick. Warwick himself was living on his estates at this time; our only knowledge of him during this period - a letter complaining that neither Hereford, Clifford, nor Botetourt have informed him of the points dealt with during their last meeting in

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[1] Trokelowe, p.79; Walsingham, Hist.Angl.,i,p.134.

[2] Vita Edwardi Secundi, p.42.

London, nor had he been told that a day and place had been named for the return of Gaveston's goods[1] - confirms this impression of a lack of baronial cohesion. Lancaster, in his objections to the December treaty, can offer no comment on the form of the pardon to be given, since he has not yet consulted the other earls and magnates. It is difficult to speak of a baronial party when the leading magnates were so out of contact with one another and so uncoordinated in the front which they turned towards the king.

The events which culminated in Gaveston's death had shown Lancaster as the leader of the baronage, yet apart from his armed intervention in the autumn parliament of 1312 he seems to have been content to direct the ensuing business from a distance - an attitude which would lead to the partial atrophy of his political, as opposed to his military, power later in the reign. He had visited London in February, when the jewels and horses had been handed over to the king, but the scanty sources for his itinerary during the rest of the year show him to have been at Donington on his own estates on 6 July, 3 October, and 9 November. Neither chronicle nor record sources single him out as a particularly conspicuous advocate of the baronial case in the summer and autumn of 1313, though it is quite clear that he had occupied this position during the previous winter. It was then that he had pleaded his argument most

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[1] 'Gaveston's jewels and horses', p.11.

forcefully. He had taken his usual firm stand on the Ordinances - no one was to be disseised of a free tenement or imprisoned without due process - but he seems to have been deluded by Edward's promises, made shortly before the return of the jewels. In his stubborn defence of Griffin he was probably justified in law - as Edward tacitly recognised when he changed the justices in March, 1314 - and here again he was partially basing himself upon the Ordinances, for by siding against Charlton he was only trying to effect the sentence which had been delivered on the courtier a year previously. The Powys dispute gave Lancaster an ideal opportunity to protect his own followers, to embarrass the king, and to force home the claims of the Ordinances.

Finally, it is significant that none of the many grievances which were pressed on the king during these years were intimately connected with the central administration. There are complaints over local misgovernment, but none at the use of the privy seal, the misdirection of revenues away from the exchequer, the growth in the influence of the wardrobe, or any of the other administrative gravamina which Tout and Davies have seen as being at the root of the opposition's case; and surely it is unlikely that with such useful bargaining counters in their hands as Gaveston's jewels and the king's military needs, the barons would have failed to press these gravamina had they been a source of irritation. The history of the negotiations provides one good argument ex silentio against any purely administrative interpretation of the reign.

One reason for Lancaster's comparative inactivity in the summer and autumn of 1313 may perhaps lie in the division of his ambitions between political affairs and the expansion of his own estates. His object was the acquisition of Thorp Waterville, Achurch, and Aldwinkle, three Northamptonshire manors belonging to Pembroke which were conveniently close to Lancaster's own holdings around Higham Ferrers.[1] In 1300 the three manors had been conveyed by William Tuchet, later a Lancastrian retainer, to Walter Langton in exchange for lands elsewhere, on condition that if Tuchet should be impleaded over the tenements given in exchange then he could lawfully enter and seize the Northamptonshire lands without opposition from Langton.[2] On Langton's fall in 1307 the manors came to the king and stayed with him probably until 1312,[3] when Edward granted them to Pembroke. (The transaction has to be inferred from later events, as no written record of it survives.) Langton, however, still retained some part of the estate after the restoration of his lands in January, 1312. The rights of both Pembroke and Langton were disputed by Tuchet, who claimed to have been impleaded over the lands which he had received from Langton in 1300, and after forcing an entry into Thorp Waterville Castle,[4] he seized the lands of Pembroke and of John Hotot,

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[1] For this, see Somerville, op.cit.,p.24, and VCH Northants,iii,p.136.

[2] Henry of Pytchley's Book of Fees, ed. W.T. Mellows (Northants.Rec. Soc.,1927),pp.41-2; Beardwood, 'Trial of Walter Langton',pp.19-20,33.

[3] The king presented to the church of Achurch on 12 Dec.,1311 (Cal.Pat.Rolls,1307-13,p.428).

[4] Pytchley's Book of Fees, p.42.

Langton's lessee there.[1] In July, 1313, Hotot, acting probably on Langton's behalf as well as his own, took out an assize of novel disseisin against Tuchet, and he was followed in December by Pembroke[2] (though in the general amnesty of the autumn parliament Pembroke had asked Edward to pardon Tuchet for the seizure).[3] In January, 1314, before the assize was held, Langton granted his holdings and those of Hotot, who had a life interest as the bishop's tenant, to the king or his nominee in return for an assignment of land and advowsons for life and 3,500 marks in cash;[4] as the later settlement of 1314 also suggests, Edward's object in buying out Langton was probably to make Pembroke sole lord of the three manors, partly as a token of favour and partly in order to strengthen the joint resistance of king and earl to Lancaster. It is not known if the agreement immediately came into operation: Langton's quitclaim to the king was partly consequent on the success of the bishop and his tenant in the assize then pending, and this could not be held. The justices were hindered by a crowd of armed men, and in March, 1314, Edward sent a strongly worded admonition when he heard that this display was about to be repeated.[5]

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1 Cal.Chanc.Warr.,i,1272-1326,p.391; DL.25/338.

2 Cal.Chanc.Warr.,i,1272-1326,p.391; Cal.Pat.Rolls,1313-17, p.72.

3 Cal.Pat.Rolls,1313-17,p.44. See Cal.Close Rolls,1313-18,pp.00-1, for the exchange of recognisances between Pembroke and Tuchet.

4 DL.25/338; Beardwood, op.cit.,p.36,n.86.

5 Cal.Pat.Rolls,1313-17,p.141.

Lancaster's hand undoubtedly lay behind much of this complex manoeuvering. He may have instigated Tuchet's attack on Thorp Waterville in the first place, and certainly Tuchet afterwards conveyed the land to him.[1] His men had taken possession of the castle on 20 November, 1313, and remained there until at least 29 August, 1314, and he incurred expenses of nearly £82, much of it probably spent on bribes, at one of the assizes brought by Langton and Hotot against Tuchet.[2] More significant, however, was Lancaster's feud with Pembroke. In February, 1314, Edward had to order Pembroke to stop convoking armed assemblies against Lancaster over the Thorp Waterville case and to take the dispute into the royal court.[3] Later, when the justices came to hear the case, Pembroke's soldiers prevented Tuchet and Lancaster's other men from appearing and on 28 February Edward issued a second warning to the recalcitrant earl.[4] The affair was not finally settled until the York parliament of 1314, where, on 29 September, Pembroke quitclaimed to Lancaster the three disputed manors, together with the manor of the New Temple in London and other land in the London suburbs. This was done at the king's request - Edward was doubtless eager to see that personal quarrels did not divide an administration which was more than

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1 Pytchley's Book of Fees, p.42.

2 DL.29/1/3, mm.1d, 26d; supra, p.107.

3 SC.1/49/24.

4 SC.1/50/86; SC.1/49/25.

ever in need of unity - and in return the king granted to Pembroke lands in Monmouthshire.[1] A full settlement followed a week later. The two manors of Morton and Whaddon in Gloucestershire, which Tuchet had held from Pembroke but had since surrendered to the king, were regranted to Pembroke, to be held in fee.[2] Lancaster undertook to return to Pembroke the chattels which he had given Tuchet in the Gloucestershire manors, and to pay the issues and the damages done by Tuchet from the time when Pembroke had given him seisin. Pembroke was to receive his own chattels found in the New Temple and was to give up to Lancaster the muniments and other goods formerly held by Langton and Hotot (which suggests that the agreement of January, 1314 had taken effect, to Pembroke's advantage), and Lancaster was to give back to Pembroke the muniments concerning Morton and Whaddon and to receive in exchange those concerning the three Northamptonshire manors.[3]

During the following year Tuchet had a grant from Lancaster of a life estate in the manors or an estate of similar value elsewhere, and in addition the earl undertook to indemnify him against any damages which Langton, Hotot, or others might claim.[4] Lancaster's full rights were finally established in 1316, when he obtained quitclaims from Hotot and Langton.[5] Out of this long wrangle Lancaster had emerged supreme,

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1 DL.42/2, f.219v; Cal.Pat.Rolls,1313-17,pp.184-5.

2 Cal.Pat.Rolls,1313-17,p.186.

3 DL.42/2, ff.194-5.

4 DL.25/3445,224,225.

5 DL.36/1, No.45; DL.36/3, No.34.

and the bishop, his tenant, Pembroke, and the king were left without any stake in the disputed lands.

The Thorp Waterville case is interesting enough as another example of the lawlessness of Edward II's reign and of the readiness with which the nobility were prepared to resort to arms in order to settle their quarrels. But it has a wider significance than this, for it provides an additional reason for Lancaster's opposition to the court in 1313-14, and suggests that he wanted territorial gains as well as his overt political objective, the enforcement of the Ordinances. There is a close parallel here with his feud with Warenne in 1317-18;[1] in both cases Lancaster obtained his ends. The skill with which he used Tuchet's claims to embarrass the king invites comparison with his championing of Griffin de la Pole in the Welsh marches, for his attacks on Langton, the betrayer of the Ordinances, combined self-interest and political principle in exactly the same way as did his opposition to John Charlton. In Powys, as in Thorp Waterville, master and man turned the situation to their mutual advantage; in both instances Lancaster was willing to forward the interests of his retainers when these coincided with his own. The outcome in the Thorp Waterville dispute - ultimate control to Lancaster, a life estate to Tuchet - was all that Lancaster had wanted. The methods which he used to obtain his end - force, bribery, and the final pressing

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[1] Infra, pp. 330, 350-51, 378-84.

home of his claims when the king, after Bannockburn, was in no position to resist him - suggests a ruthless singlemindedness which few have seen in any part of his career.

Pembroke, like Lancaster, was prepared to resort to arms, though the sharp tone of Edward's letters to him in 1314 perhaps appears surprising in view of the king's heavy dependence on him as the virtual head of the executive. But Edward must have been anxious to preserve unity at all costs and to prevent the nobility being further divided by feuds and faction after the settlement of October, 1313. He could ill afford internal struggles when the external pressure on him was so strong. His financial position, never healthy, had by now deteriorated still further, and in October, 1313, he had handed over the Gascon revenues to the pope in return for an advance of £25,000 sterling.[1] His impecuniousness could hardly have come at a worse time, for Scottish successes, culminating in the siege of Stirling, had committed him to a large-scale campaign in 1314. As always, Scotland was the major problem facing him. The capture of Perth in January, 1313, had been followed by the fall of Dumfries in February, and, in the summer, an attempt on Stirling by Edward Bruce. The promise of Sir Philip Mowbray, the commander there, to surrender unless an English army came to relieve

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[1] Foedera, II, pp.231-2; Tout, Place of the Reign of Edward II, pp.196-8.

the castle before midsummer, 1314, represented a blunder on the part of Edward Bruce, but the continued English possession was not allowed to hold up the Scottish advance. In the late winter of 1313-14 Roxburgh and Edinburgh were taken, and the pillaging of the north continued unabated.[1]

Edward's reaction to these events came unusually quickly. As early as 28 November, 1313, he had promised to have an army at Berwick before the following midsummer, and on 23 December writs were issued for an assembly there on 10 June, 1314.[2] As a temporary measure Pembroke was made custos of Scotland in March.[3] There is no need to describe the military preparations for the campaign - this has been done often enough. More important for Lancaster's career was the response of the Ordainers to the summons. Lancaster, Warwick, Arundel, and Warenne (the last not an Ordainer) refused to serve, since the summons had not been decided on in parliament as the Ordinances (art.9) decreed, and was therefore null; they would send only their service. Edward's plea of urgent necessity met the same answer.[4] This attitude, though legally correct and quite consistent with Lancaster's previous stand on the Ordinances, was hardly helpful, and it is clear from some of the chronicles that it covered a deeper disgruntlement with Edward.

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1 For these events see Barrow, Robert Bruce, pp.276-83.

2 Parl.Writs,II,i,pp.421-3; Foedera,II,p.237.

3 Foedera,II,p.245.

4 Vita Edwardi Secundi,p.49; Meaux Chron.,ii,p.330; Cont.Trivet,p.14.

The Lanercost writer and the St. Albans' chronicles say that the earls refused to serve because the king had failed to fulfil what he had formerly promised;[1] the Flores Historiarum reports that Lancaster and his accomplices feared for their own safety if they joined the royal army;[2] and Knighton places the continuing bad blood over Gaveston's death (perhaps a result of the humiliating settlement of October, 1313) at the root of their discontent.[3] Here, as occasionally afterwards the word of the Ordinances could be used to cover mere sulkiness.

Lancaster did his own cause no good by his refusal, for he split the opposition. Of his original allies, Gloucester and Pembroke had already left him, while Hereford seems to have accepted the reconciliation of 1313. With the two former earls, he was a frequent witness to royal charters in February and March, 1314,[4] and the decision of all three Ordainers to serve on the campaign struck a heavy blow at Lancaster's case. Of the other remaining Ordainers whose activities are known, two - William Marshal and John Grey - also served, and Marshal was killed. Death in battle similarly removed Robert de Clifford and Miles de Stapleton,[5] both sympathisers, and Henry Percy died in October.[6]

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1 Lanercost Chron.,p.224; Trokelowe,p.83; Walsingham, Hist.Angl., i,pp.139-40.

2 Flores Hist.,iii,p.338.

3 Knighton, p.410.

4 C.53/100,mm.4-7.

5 Peerage,VI,p.174; Ann.Lond.,p.230.

6 Peerage,X,pp.458-9.

1314 was thus a crucial year for Lancaster. The delivery of the king into his hands as a result of Bannockburn has rightly and often been mentioned, but few have emphasised the isolated position which awaited the earl. By October, 1314, only Warwick, and possibly Arundel and Warenne, remained as allies, and Warwick died in the following year. The inefficacy of many of Lancaster's policies between 1315 and 1318 can be directly related to his lack of friends, and this in part to his attitude before Bannockburn. His legalistic stand on the Ordinances was politically short-sighted, for it obscured the justice of much of his cause and robbed him of allies; death in battle, and chance, robbed him of others, making it subsequently more difficult to enforce those Ordinances - notably that calling for the revocation of royal grants - which had a good constitutional claim to attention. Ironically, the year of Bannockburn delivered power to Lancaster but took from him the adherents to whom that power could safely have been delegated.

CHAPTER 6

The Lancaster Administration, 1314-16

Edward's failure at Bannockburn forced him into immediate dependence on Lancaster. It was rumoured that had he been successful, he had intended to capture the earl at Pontefract on his way home and that he had not wanted Lancaster's company on the campaign for this reason.[1] This vision, never very substantial, now dissolved, and the earl drew the inevitable moral from the king's defeat in battle: things had gone badly because the Ordinances had not been observed.[2] For the next two years Lancaster was given an opportunity to put into practice all that he had formerly preached, and the period sees both the full enforcement of the Ordinances and the earl's participation in the government of the country for the first time. His activity on the council, the favours which he obtained, the deference of the king to his opinions on administrative matters, all bear witness to his new importance and at last permit some estimate of his policies and abilities. Hitherto he had been the king's opponent, pressing on Edward a programme of reform the advantages of which could not be judged, since it had not been implemented. Now, in partnership with Edward's other councillors, he had the chance to prove both himself and his programme.

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[1] Knighton, p.410.

[2] Vita Edwardi Secundi, p.57; Meaux Chron.,ii,pp.331-2.

His task and that of the whole administration was made immeasurably more difficult by the number of external problems which any English government had to face during these years. Foremost among these was Scotland. Bannockburn had given the Scots virtual control of the north. In August, 1314, in the immediate aftermath of the rout, Edward Bruce, Douglas, and John de Soules had wasted the north-east as far as Richmond, and, returning through Swaledale and Stainmoor, had burnt Brough, Appleby, and Kirkoswald, trampling down the corn and driving off the cattle. Early in the new year they had descended on Tyndale and occupied Haltwhistle, Hexham, and Corbridge; in six months Cumberland alone paid them 600 marks in tribute. In June a sudden raid on the see of Durham resulted in the destruction of Hartlepool, and in the next month they failed to take Carlisle by the narrowest of margins.[1] Only walled towns, such as Carlisle and Berwick, had some security (though Berwick itself almost fell in January, 1316).[2] The rest of the countryside was without protection of any kind.

Three factors worsened this situation. Firstly, a state of internal anarchy prevailed in the north. The civil administration hardly existed and the disorder brought by the Scots allowed many of the

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[1] Lanercost Chron.,pp.228-32. For the general condition of the north at this time see Scammell, 'Robert I and the North of England', and J.F. Willard, 'The Scotch Raids and the 14th century Taxation of Northern England', Univ. of Colorado Studies,v,No.4(1908),pp.237-42.

[2] Lanercost Chron.,p.232.

less scrupulous local magnates to enrich themselves at their neighbours' expense. In August, 1314, the people of Berwick complained of the depredations of a gang led by Sir John de Linborne, who, in revenge for the execution of some of those who had tried to betray Berwick, had sworn to kill any Berwick man found in Northumberland.[1] In the following year the people in the ward of Bamburgh castle complained that its constable had refused to let them accept the truce offered by the earl of Moray for £270, unless he was paid as much in addition. He charged them exorbitantly for leaving their goods in the castle, and his porters and servants exacted more money for letting them enter and go out. Merchants alleged that the same constable had seized victuals from their ships.[2] Disturbances such as the abduction of Lady Clifford by John Ireys, the custodian of Barnard castle and well-known as a local brigand, were inevitable when the central administration in the north was so enfeebled.[3]

This lay at the heart of the difficulty. The north could not be governed successfully from London and for two years after Bannockburn Edward had neither the inclination nor the power to raise a large army in its defence, preferring to rely mainly on small local forces commanded by local magnates who were bound to him by short-term indentures.

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[1] Bain, Cal.Docs.Scot.,iii,No.384.

[2] Ibid.,No.463; Rot.Parl.,i,p.327.

[3] Bain, Cal.Docs.Scot.,iii,Nos.458,463; Auct.Bridl.,pp.48-9.

Royal garrisons were stationed in the principal towns, but maladministration and the near impossibility of maintaining supplies sapped their strength and, with it, any trust which they still placed in the king's good intentions or in his care for the defence of the north. In March, 1315, Sir John de Castre, a knight in the Carlisle garrison, told Sandale, the chancellor, that none of the victuals which had been sent to the town had yet arrived and that town and castle would be placed in great danger unless this was remedied 'car, sire, nostre soffrance ne durre plus longement qe a la Pentecost, et uncore est ele molt fraele et molt malvese par malfesours qe ne poent estre chastees...';[1] and in November, 1316, the king sent an urgent request to the exchequer for the dispatch of money to Carlisle, because of the number of desertions from the garrison which had been caused by non-payment of wages.[2] The case of Berwick was even worse. Maurice de Berkeley had been appointed keeper there in April, 1315,[3] and by September he was writing to the king to say that the town would have to be evacuated unless money and victuals were sent.[4] Similar messages followed in February and early March, 1316: great harm was being done through lack of victuals and the Scots were closing around the town to besiege it.[5]

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1 C.81/1706/1717.

2 E.404/1/6.

3 Davies, op.cit.,App.No.46.

4 Cal.Chanc.Warr.,i,1244-1326,p.422.

5 Ibid.,p.436; Bain, Cal.Docs.Scot.,iii,Nos.470,473.

On 17 March, Berkeley, desperate, told the king that the town was in dire trouble and that he saw clearly that none of Edward's orders were obeyed. Only £4,000 had arrived there since his appointment, and of the 300 men-at-arms enrolled only fifty could be mustered, mounted, and armed. He himself had not been paid since Michaelmas and he begged the king to take thought for the garrison and the town 'car si vous la perdez vous perdez tout la remanaunt du North'. His term expired a month after Easter and he would then no longer remain as warden.[1]

Not all the blame for this state of affairs could be laid on Edward: his attitude was not one of complete indifference, and between 1314 and 1316 some attempt was made to provide a stronger defence for the north, as will be shown. Berwick and Carlisle were both over 300 miles from London, and the effects of distance on the maintenance of supplies were worsened by a dilatory bureaucracy and by famine. Famine was the third great difficulty with which the government had to contend. Heavy rains in the autumn of 1314 and throughout 1315 ruined the harvests and brought, first, floods and dearth, and then disease.[2] In March, 1315, an attempt was made to fix by ordinance the maximum prices at which food could be sold,[3] but this merely resulted in the witholding

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[1] Cal.Chanc.Warr.,i,1244-1326,p.438; Bain,Cal.Docs.Scot.,iii,Nos.477, 553.

[2] Flores Hist.,iii,pp.160-1. For a wider discussion see H.S. Lucas, 'The Great European Famine of 1315, 1316, and 1317', Speculum,v(1930), pp.343-77. Trokelowe,pp.89-98, gives the best description of the famine and its effects in England.

[3] Rot.Parl.,i,p.395; Foedera,II,pp.263,266.

of food supplies from the market and was repealed in the following February.[1] Other sumptuary legislation was equally ineffective.[2] The Vita particularly remarks on the severity of the dearth in Northumberland, where it was reported that dogs and horses were eaten for lack of anything better.[3]

The rapid rise in prices must have greatly increased the difficulties of purveyance and supply to the northern garrisons, while famine and disease undoubtedly helped to bring about the king's shortage of ready cash. Wool exports as recorded in the customs accounts dropped sharply during these years - presumably as a result of murrain among the sheep, though smuggling and corruption in the customs service may also have played a significant part.[4] The number of sacks exported fell from about 37,700 in 1311-12 to 31,400 in 1314-15, and reached a minimum of 20,100 in 1315-16. The figures from individual ports bear out this general trend: exports from Hull, for instance, fell off from about 5,500 sacks in 1311-12 to 1,700 in 1315-16, and did not regain their pre-famine level until about 1330.[5] The customs

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1 Foedera, II, p.286; Ann.Lond., pp.237-8.

2 Foedera, II, pp.274-5; Ann.Lond., pp.238-9.

3 Vita Edwardi Secundi, p.70.

4 For details see R.L. Baker, 'The English Customs Service, 1307-43: A Study of Medieval Administration', Trans. of the American Philosophical Society, New Ser., Vol.51, Pt.6 (1961), pp.21-2.

5 For these figures see ibid., pp.59, 93; and compare E.M. Carus-Wilson and O. Coleman, England's Export Trade, 1275-1547 (Oxford, 1963), pp.122, 41-2.

revenues, from which the crown derived its most regular income, naturally suffered severely. In 1312-13 they amounted to £12,200, but this fell to an average of £10,750 in the two succeeding years and reached a minimum of £7,100 in 1315-16.[1] Income from the royal demesne lands probably showed a similar sharp decline. We have had glimpses of the effects of the famine on Lancaster's lands and it is hard to believe that the crown estates did not suffer in the same way. The decrease in the revenues from these sources largely explains the perpetual near-emptiness of the exchequer and the consequent complaints from the crown's unpaid servants. Parliament might grant subsidies and the clergy might give loans, but these took much time to collect and the king could not depend on them in the same way as he had formerly depended on the steady flow of cash from the customs and from his lands. There was one compensation for Edward. The ordinance of the staple, which had been promulgated in May, 1313, gave him an additional income from the fines which were levied on those who took their wool to ports other than the staple ports. More important, it placed a new fund of patronage at his disposal, for foreign merchants could be induced to make loans to the crown by a promise of exemption from the staple regulations,[2] and with the regular revenues of the crown in decline the king was increasingly

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[1] Ramsay, Revenues, ii, p.149.

[2] R.L. Baker, 'The Establishment of the English Wool Staple in 1313', Speculum, xxxi (1956), pp.446-7.

dependent on loans. It is fair to presume, however, that royal profits from the staple, like those from the customs, fell off as a result of the shortage of wool. Fines cannot have been so frequent in a period of diminishing export trade, nor can exemption from the ordinance have been such a valued privilege.

Thus the famine brought an inevitable economic depression. The combination of heavy Scottish raiding and a decline in the crown's income meant that the English government had to face an abnormally difficult task without the resources with which this could effectively be done. The financial and military demands to which the king and his ministers were forced to resort in an effort to shift some of the burden of northern defence and of the normal costs of running the government from their own shoulders generated much resentment. Few had escaped the effects of the famine, and many bitter words must have been said about the central administration, safe in London, which were not entirely justified. If the country was to be governed with any vigour Edward had no alternative but to tax and to borrow from his already impoverished subjects. These conditions formed the harsh and unpromising background to Lancaster's brief period of power.

Lancaster's new predominance, his insistence on the Ordinances, and the part which he was to play in policy towards Scotland were first made clear in the York parliament of September, 1314. Even before the

opening of parliament his position of responsibility had been shown when the king had asked both him and Warenne to escort the archbishop of Canterbury to York for the meeting.[1] When the lords and commons came together, the fears of Edward, who had not wanted to summon the parliament, were realised. The magnates demanded the observance of the Ordinances, and the king once more promised to maintain them, the agreement being sealed with his seal and that of Lancaster.[2] Then followed a thorough purge of the administration[3] - an objective which the opposition had been seeking since 1310, but which had previously eluded it. Walter Norwich replaced John Sandale as treasurer, and Sandale himself became chancellor, in place of the commission of three which had formerly kept the great seal.[4] More significant were changes in the household, hitherto immune from attack. Ingelard de Warley, whose removal had been demanded in 1311, was replaced by William Melton as keeper of the wardrobe, and at the same time John Ockham, the cofferer of the wardrobe and another of the unfavoured of 1311, disappeared. The earls went further and demanded the removal of Despenser (particularly prominent at this time),[5] Beaumont, and other curiales, but this was deferred by

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1 Literae Cantuarienses, iii, pp.394-7.

2 Vita Edwardi Secundi, p.57; Lanercost Chron., p.279.

3 Vita Edwardi Secundi, pp.57-8.

4 For these administrative changes see Tout, Place of the Reign of Edward II, pp.90-92.

5 Flores Hist., iii, p.339.

the king, though Despenser was forced to retire temporarily.[1] Local government was similarly treated and between 8 October and 16 January all but two of the sheriffs were changed. (Among the new appointments was that of William Trussell, the Lancastrian retainer, to the shrievalty of Warwick and Leicester.)[2] The reforming clauses of the Ordinances were at last being put into effect.

This done, Lancaster and the other magnates were prepared to cooperate on the question of Scotland, and there now followed an unusual burst of activity. John de Argyle was appointed de consilio nostro to keep the western seas with twelve ships during the winter, his wages to be paid by the exchequer at Dublin. On 8 October William Montague was replaced as custos of Berwick by Simon Ward[3] - an appointment which probably owed much to Lancaster's influence, for Montague may have already been a noted courtier, as he certainly was later,[4] while Ward had sided with Lancaster in the Gaveston affair,[5] and had often proved his vigour against the Scots.[6] The new-found zeal of Lancaster may be seen even more clearly in the letters which he wrote to the bishops of Bath and Wells and of Exeter on 3 October. The king had previously

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1 Vita Edwardi Secundi, pp.57-8.

2 That sheriff Trussell was he of the retinue is shown by H.G. Richardson, 'The Parliament of Lincoln,1316', Bull.Inst.Hist.Res.,xii (1934),pp.105-7.

3 Rot.Scot.,i,pp.132-4.

4 Inf.,pp.305-9.

5 Foedera,II,p.230.

6 See, e.g., ibid.,p.8; Parl.Writs,II,i,pp.408-10.

written to Drokensford, bishop of Bath and Wells, asking him to pay to the Bardi the residue of the sexennial tenth granted by the pope; a letter from Lancaster followed in support of the king's a week later, and a similar pair of letters, separated by the same interval, reached Stapledon, bishop of Exeter. Writing to Stapledon, Lancaster stated that the king, with his council's assent, had charged the Bardi to make purveyances for the needs of the march. The earl was obviously eager to see the defences of the north strengthened as quickly as possible and was even prepared to tolerate the financing of northern affairs by Italians to this end.[1] About the same time negotiations began at Durham, on Bruce's initiative,[2] for a truce with the Scots, though these were probably entered into with sincerity by neither side and Edward may have complied with Bruce's request only as a result of the French king's promptings.[3] All the evidence suggests that at the York parliament Edward and Lancaster at last combined to give the problem of the north the attention which it demanded. Discussion 'de expugnatione Roberti de Brutz et recuperatione Scotie' was certainly not postponed until the next parliament, as the Vita remarks.[4]

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[1] Hist. MSS. Comm. 3rd Rep. (1872), p.361; The Register of Walter de Stapleton, 1307-26, ed. F.C. Hingeston-Randolph (1892), pp.429-30; Davies, op.cit.,p.399.

[2] See the exchange of letters between Bruce and Edward in Lambeth MS. 1213, ff.32v-33.

[3] Rot.Scot.,i,pp.132-4.

[4] Vita Edwardi Secundi, p.58.

The York parliament thus gave clear pointers to what were to be the most characteristic features of the next two years - firm insistence on the Ordinances, and a more energetic policy towards Scotland. Lancaster stayed at York from about 14 September until 9 October or later (parliament dispersed on 28 September),[1] and he similarly attended the next parliament which met at Westminster on 20 January.[2] This was, in the matters which it discussed, virtually a continuation of that at York. Here Lancaster and Warwick were particularly prominent. (One chronicle even reports, almost certainly wrongly, that Warwick was made the king's chief councillor about this time.)[3] Lancaster was present in London from about 30 January to 20 March, and he and Warwick, together with Pembroke, Hereford, and the archbishop of Canterbury, were frequent witnesses to royal charters - all five, for instance, witnessed a grant on 12 March.[4] The leaders of the council are picked out by other evidence. Archbishop Reynolds, Sandale, the chancellor, Warwick, 'et aliorum de consilio domini Regis' ordained that Andrew Tange should draw up a roll recording the 'Great Cause' between Edward I and John Balliol, and Tange started work on 15 March;[5] while on 17 March the king wrote to Reynolds, Lancaster, and the other councillors thanking them

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1 Parl.Writs,II,i,p.133.
2 Ibid.,pp.136-8.
3 Ann.Lond.,p.232.
4 C.53/101, m.6.
5 E.101/376/7, f.18.

for the diligence which they had shown in the execution of nos grosses busoignes and asking them to show the same diligence until the conclusion of the business; and on 19 March Edward forwarded to the same group a petition from the Cinque Ports against the Flemings.[1]

With the supremacy of Lancaster, Warwick, and moderates such as Pembroke, and the lack of any clearly defined group around the king, it was natural that the Ordinances should again be enforced. The purge of September had not been entirely effective and there was a new attempt to rid the administration and household of those who burdened them. Despenser and Walter Langton were removed from the council and the superfluous members of the household expelled from court, causing, the Vita says, the reduction of daily household expenses in decem libris.[2] As at York, the king again confirmed the Ordinances 'ut ex hoc corda comitum sibi poterit melius coaptare'.[3] Scottish affairs, however, were parliament's main occupation. The measures of the autumn had made little difference to the state of the border. Tyndale had been occupied, Gilsland laid waste, and a huge tribute taken from Cumberland.[4]

New initiatives came from the northerners themselves. On 29 December,

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[1] SC.1/45/190,191; Davies, op.cit., p.397.

[2] Vita Edwardi Secundi, p.59; cf. Tout, Place of the Reign of Edward II, p.93, n.1. According to Ann.Lond.,p.232, parliament sat 'super statu domus regis et regni Angliae'.

[3] Auct.Bridl.,p.47.

[4] Lanercost Chron.,pp.229-30.

1314, a correspondent at York had told Edward that the imminent desertion of the marches by the northern magnates would do much harm and that many would cross to the enemy 'si plus tout ne eynt soccours et compfort de chevatayne de par vous'. For this reason he asked the king to countermand his summonses to the border lords, and he went on to report that the archbishop of York and the bishop of Durham had convoked an assembly of magnates and clergy for 3 January at York to take counsel on the safety of the marches.[1] Edward heeded the advice: twelve of the northern lords were excused attendance at parliament,[2] and on 6 January four custodes deputed by the York assembly of three days previously - William Roos of Helmsley, John de Mowbray, Peter de Mauley, and Ralph Fitzwilliam - were appointed as joint captains of the northern forces and fifteen other barons were ordered to attend them.[3] When parliament met a fortnight later this system of reliance on local forces evidently appeared inadequate and it was decided to send certain magnates, including Pembroke, to the north with an army and to set the navy to guard the coasts.[4] At the same time loans were requested from the religious houses to finance the campaign; almost £9,000 was demanded in this way.[5]

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1 SC.1/35/142a.

2 Parl.Writs,II,i,pp.139,435.

3 Ibid.,pp.435-6.

4 SC.1/49/29; Reg.Stapleton, pp.431-2.

5 Parl.Writs,II,ii,pp.87-8.

The clergy granted their share only on condition, inter alia, that the Ordinances were observed, that a sincere peace was made between king and barons, and that all grants of land contrary to the Ordinances were revoked.[1] Not for the last time in the reign was demand thus set against supply.

Parliament dispersed on 9 March and was prorogued until 13 April for the delivery of petitions and other business for which there had previously been no time 'par la grant occupacion qe nous et les autres bones gentz de nostre conseil aviens entour larray de noz busoignes devers Escoces'.[2] The sending of new forces to the north could not be carried through immediately - the loans from the religious houses were not due at the exchequer until 6 April - and meanwhile the defence of the march was again placed in the hands of the northern magnates. On 15 March commissioners were dispatched to the north to discuss with the lords their future services in the marches[3] and probably to relate the decisions of parliament to them. On the same day John Botetourt was made admiral of the eastern seas, and his effective blockade of the enemy ports resulted in a steep rise in wheat prices in Scotland,[4] aggravating the effects of the famine. Edward and his administration could no longer be charged with neglecting northern affairs - though the strength of their measures had yet to be shown.

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1 Ibid., p.92.

2 Ibid., pp.88-9; II,i,pp.149-50; DL.10/217.

3 Parl.Writs, II,i,pp.439-40.

4 Rot.Scot., i,pp.139,141-2; Vita Edwardi Secundi, p.60.

Lancaster apparently did not return to Westminster for the second session - he was at Kenilworth on 20 March, Donington on 14 May, Warwick on 8 June, and Melbourne on 13 June - but he remained active in the keeping of the marches and in the government generally. On 13 May Archbishop Greenfield of York summoned the bishops of Durham and Carlisle, the northern clergy, and 59 of the magnates to attend a council at Doncaster on the defence of the north on 5 May, which he and Lancaster had decided on. The assembly was clearly intended to provide only interim measures against the Scottish threat, since it was obvious that the decision taken in the previous parliament to send a force to the north would soon be implemented.[1] Its proceedings are not recorded (that it took place is suggested by Greenfield's presence at Wheatley, two miles from Doncaster, from 4 to 6 May),[2] but it did nothing to weaken Lancaster's power in the north, for on 28 May Warwick, Sandale, and Badlesmere were commissioned to discuss with the earl the steps to be taken for the safe custody of the marches.[3] The meeting probably took place at Kenilworth in early June,[4] but it had no immediate effect. Lancaster's influence in another field was shown on 8 June, when an agreement bweween Badlesmere, the constable of Bristol, and the men of Bristol was made before him, Warwick, and Sandale.[5]

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1 Letters from Northern Registers, ed. J. Raine (Rolls Ser.,1873), pp.245-7.

2 Reg.Greenfield,v,p.327.

3 Parl.Writs,II,i,p.450.

4 Ibid.,II,ii,p.92.

5 SC.1/35/135,135a.

By late June the English forces were gathering in the north.[1] Pembroke had left London by 20 June and on 5 July he was appointed *custos* of the area between the Trent and Roxburgh.[2] He agreed to serve from 2 July to 1 October, taking 4,000 marks for himself and 100 men-at-arms, and Badlesmere was to attend him with a similar body for a wage of 3,250 marks.[3] According to the *Vita* there were 500 men-at-arms all told, and a horse valuation gives the names of 310 mounted men.[4] With such a considerable force it must have seemed as though the burden of northern defence was at last to be shifted from the shoulders of the local magnates. (It seems very unlikely indeed that the full-scale summoning of 372 barons and knights for 25 August, which according to the *Rotuli Scotiae* took place on 30 June at Berwick, has any connection with this year.[5] Edward was not at Berwick but at Westminster on that day,[6] and the summonses do not appear on the close rolls, nor is there any subsequent evidence to show either that the assembly met or that it was cancelled. The writs have almost certainly been erroneously enrolled and perhaps refer to a summons in another year.)

But in spite of the size of his force Pembroke could effect nothing.

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1 For the military arrangements in 1315, see Powicke, *Military Obligation*, p.142.

2 *Parl.Writs*, II, i, pp.453-4.

3 E.101/376/7, f.60.

4 *Vita Edwardi Secundi*, p.60; E.101/15/6.

5 *Rot.Scot.*, i, pp.145-6.

6 E.101/375/17.

The intelligence system of the Scots was better, and, above all, they were fighting the type of war to which they were used. In late June they descended on the see of Durham, sacking Hartlepool and forcing the people to take to the sea in ships;[1] and on 22 July they laid siege to Carlisle, which had always barred their raids along the western flank of the Penninea.[2] The siege was abandoned after ten days, but by then all the surrounding countryside had been burnt, wasted, and robbed of its cattle.[3] Rumours had reached Bruce that his brother's army in Ireland tad been scattered, and, besides, the approach of Pembroke made it dangerous to remain,[4] for the Scots could not risk a pitched battle. Pembroke's subsequent campaign against the retreating Scots was a disaster. The English army devastated the land as much as their enemies had done, and the Scots lured them on into their own country before turning on their pursuers. The English lost many men,[5] and the only gain which the campaign produced was the capture of two Scots who were afterwards ransomed.[6]

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1 Lanercost Chron.,p.230; Guisborough, p.396.

2 Lanercost Chron.,pp.230-2; Vita Edwardi Secundi, pp.61-2; Meaux Chron.,ii,p.333; Auct.Bridl.,p.48; Guisborough, pp.396-7.

3 Lanercost Chron.,p.230.

4 Vita Edwardi Secundi, pp.61-2.

5 Guisborough, p.397.

6 Lanercost Chron.,p.232; Cal.Pat.Rolls,1313-17,p.455; Bain, Cal.Docs.Scot.,iii,Nos.456,458. News from Carlisle was sent to Lancaster and the other earls, on the king's orders, probably in July (J.G. Edwards, Calendar of Ancient Correspondence concerning Wales (Cardiff,1936),p.253).

News of the raising of the siege was not brought to the king until 10 August.[1] Two days previously Lancaster had been appointed *superior capitaneus* of all the northern forces in an attempt to answer the apparently continuing Scottish threat to the city. Though Pembroke's commission did not expire for almost three months he had clearly been superseded by Lancaster, who was given powers to raise and arm all men between fifteen and sixty in the area under his control, while Pembroke and the other magnates were ordered to obey and assist him.[2] Lancaster was thus elevated from the position of political adviser to that of field commander. His appointment was a panic measure on Edward's part, something of a *pis aller* after the failure of both the local magnates and of Pembroke. It is very doubtful if Edward placed any trust in his cousin. The St. Albans' chronicle reports that at the end of 1314 the hatred between Lancaster, Warwick, and their adherents, and the king was hidden;[3] the clerical subsidy in March, 1315, was granted only on condition that a sincere peace was made between king and barons;[4] and when Warwick, Lancaster's most faithful ally, died in August, 1315, rumour said that those close to the king had poisoned him.[5] Lancaster's new supremacy cannot have been welcomed, though for himself it represented the highest position in the government which he had yet achieved.

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1 E.101/376/7, f.40.

2 *Parl.Writs*, II, i, p.457.

3 Walsingham, *Hist.Angl.*, i, p.143.

4 *Parl.Writs*, II, ii, p.92.

5 Walsingham, *Hist.Angl.*, i, p.137.

There is nothing in the issue rolls or wardrobe accounts to show that Lancaster's commission was ever drafted as an indenture between the king and himself, or to indicate the amount of pay, if any, which he was to receive - though these details are easily ascertainable for Pembroke's force. This hiatus is very mysterious and occurs again when Lancaster served on the Berwick campaign in 1319: it is discussed later under that year.[1] The relief of Carlisle ended the immediate crisis which had led to Lancaster's appointment and probably explains why he failed to lead an expedition northwards at once. He was obviously contemplating such an expedition: a writ of 12 August to the bailiffs of Dover and other ports abrogated a previous order prohibiting the sending abroad of victuals by ship and commanded them to send victuals to the north for the stay of the earl and other magnates there, providing that the merchants concerned undertook not to send their cargoes to the Scots.[2] The permission to crenellate at Dunstanburgh - a 'public concern', it has been suggested, rather than a private stronghold[3] - which he obtained on 28 August[4], was another reflection of his increased activity in the north (though in fact the castle had already been under construction since May, 1313).[5] A meeting with the king, Richmond, Hereford, Warenne, and

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1 Inf., pp. 398-400.

2 Rot. Scot., i, p. 149.

3 For the dispute over the functions of Dunstanburgh see W.D. Simpson, 'Dunstanburgh Castle', Archaeologia Aeliana, 4th Ser., xvi (1939), pp. 31-42, and 'Further Notes on Dunstanburgh Castle', ibid., xxvii (1949), pp. 1-28.

4 Cal. Pat. Rolls, 1313-17, p. 344.

5 DL. 29/1/3, m. 2d.

other magnates followed at Lincoln. Here it was decided that Edward should remain in the north throughout the winter, attended by his barons, horsed, armed, and with their retimues. Writs were accordingly sent out to 66 men, most them either northerners or the king's own household knights.[1] To finance this muster the king called for the payment of the clerical tenth, still outstanding, and for an extension until the next parliament of the term set for the repayment of loans made to him.[2] To ease matters further the lords were to serve at their own wages.[3] Finally, Lancaster declared that he was ready to go towards the north.[4]

The condition of the country by this time was a dismal one. There had been no successful campaign (the relief of Carlisle was hardly a success) and the north was as open as before to Scottish attacks. The cost both in men and money of the sustained but disastrous military effort was a heavy burden. Since Bannockburn Edward had been trying to extend the customary bounds of military obligation in order to strengthen his armies and make them as nearly self-supporting as possible. In August, 1314, the whole of the Yorkshire foot had been pressed into service under Pembroke at the cost of the vills, even though the service might be outside the county boundaries,[5] while in November York, Lincoln, Northampton, and

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1 Parl.Writs,II,i,pp.457-8.
2 Ibid.,II,ii,pp.96-7; Reg.Stapleton, p.432.
3 Parl.Writs,II,i,pp.457-8.
4 Davies, op.cit.,App.No.101.
5 Parl.Writs,II,i,p.431; Powicke, op.cit.,p.142.

London were ordered to supply armed cross-bowmen at the king's expense. Some of York's expenses were subsequently disallowed, even though they had been promised.[1] This policy was continued in 1315, when in August the sheriffs were told to arm the levies south of the Trent and prepare them for forty days service - complaints followed that some of the arrayers had extorted money and taken bribes to allow men to stay at home.[2] At the same time as Edward was trying to shift military expenses from his own shoulders, taxation continued at a high level. In the January parliament of 1315 the counties had granted a twentieth and the boroughs a fifteenth, the combined yield, according to the lay subsidy rolls, being some £37,200. The clerical tenth granted at the same time yielded about £15,900.[3] It was in this parliament too that Edward demanded heavy loans from the religious houses. In making his financial plea to the clergy from Lincoln in September he said that Pembroke's expedition had absorbed not only all the money already received from the lay and clerical subsidies, but also much of the normal revenue of the kingdom as well.[4] The country was suffering from financial and military exhaustion. More and more money was demanded and there were attempts to widen military obligation at almost every array, yet no corresponding military success resulted - and all this took place against a background of famine, disease,

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1 Parl.Writs,II,i,pp.433-4; Powicke, op.cit.,p.142.

2 Parl.Writs,II,ii,pp.94-5; II,i,p.460; Powicke, op.cit.,p.142, n.3.

3 Ramsay, Revenues, ii,pp.112-3.

4 Parl.Writs,II,ii,pp.96-7.

and Scottish dominance in the northern counties. It was natural that successive campaigns should break down under these strains and that Edward's government should be blamed for an incompetence which was not entirely its due. The unhappy circle of shortage of money, extension of military obligation, discontent, and military failure was hard to break.

The effects of the king's continuous demands, and his deference to Lancaster on military matters were both shown vividly in October, 1315. On 19 October Edward sent messengers to Donington to put various points to the earl, who returned his answers in a schedule.[1] The king had heard that the magnates would not come to the north at their own cost, as had been agreed at Lincoln. The earl was unable to advise on this until he had en certeyn responduz from the king. Secondly, Edward had complained about assemblies called by the barons, to which Lancaster answered that these ought not to be prevented unless they were harmful to the king or kingdom. To the treasurer's notification that there was no money for the king's stay in the north during the coming winter, the earl advised that the king should take his expenses (faire myses) in the north as he did in the south - his (the king's) stay ought not to be intolerably expensive. Lastly, Lancaster said that he was ready to remain in the north as he had agreed at Lincoln. The magnates' dissatisfaction at their proposed service at their own expense, together with

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[1] Davies, op.cit., App.No.101. A few extra words have been gleaned from the original, SC.1/34/106.

the king's lack of money, thus appear to have postponed a campaign yet again. The earl's reply was immediately forwarded by the king to the council in London for its advice.[1] A weightier testimonial to the importance of Lancaster's counsel in formulating policy towards Scotland could hardly be provided.

That Lancaster was eager for a new Scottish campaign and was prepared to undertake one virtually on his own initiative if the king could not support him is shown by the replies from 26 religious houses to his requests to provide horses and carts for carriage towards the north. The replies mention no year but may be dated to October-November, 1315, from internal evidence.[2] Most of the houses were uncompliant: the famine and the constant demands of the Scottish war for men and money had clearly sapped their resources to the point whence they could give very little more. The abbot of Glastonbury wrote that though they would

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[1] Davies, op.cit.,App.No.62; E.101/376/7, f.43.

[2] PRO.30/26/71/15. The returns are certainly before 31 May, 1316, when William, abbot of Fountains, who replies for his house, died. He was elected in 1311 (Dugdale, Monasticon,II,p.288), and 1315 remains the only possible year between these dates. The prior of Sixhills received his writ on 31 Oct. (PRO.30/26/71/15/7). Spalding and St. Frideswide's replied on 10 Nov., and Chester on 19 Nov. (ibid.,Nos.3,10,12).

The houses sending in returns were:- Minting, Sixhills, St. Katherine's, Lincoln, Spalding, Park (?Louth Park), Sempringham, Kyme, Kirkstead, Humberston, Stixwould, Swineshead, (Lincs.); Bridlington, Whitby, Fountains, Rievaulx, Easby, (Yorks.); Whalley, (Lancs.); Blythe, Welbeck, (Notts.); Lacock, Malmesbury, (Wilts.); Chester, (Cheshire); Glastonbury, (Som.); St. Frideswide's, (Oxon.); Mersea, (Essex).

Lancaster was patron of four of these - Spalding (Monasticon,III, p.226), Humberston (ibid.,IV,p.430), Whalley (ibid.,V,p.639), and Lacock (ibid.,VI,p.500) - and probable patron of several others, e.g., Stixwould (ibid.,V,pp.724-5), and Chester (ibid.,II,pp.372-3). Over most of the rest, particularly the Yorkshire houses, he probably had some territorial influence.

The return from one house is illegible.

willingly obey him, hay was so dear that they had neither fodder nor grass to sustain horses or other beasts, and they begged to be excused.[1] The abbess of Lacock and the abbot of Malmesbury similarly excused themselves because of their blighted lands.[2] The depredations of the king and the magnates are very evident. The prior of Easby said that when John de Grey was in Scotland he had taken all their horses, and they could buy no more through poverty and shortage of corn.[3] The abbot of Welbeck wrote that his house was much burdened by the buying of corn, by murrain among its beasts, and by the king, who had stayed there on 8 September, and that they could send nothing;[4] while the prior of Blythe similarly complained that Edward had taken their horses and carts for his Scottish army and that they had suffered greatly from prises of carriage by other persons.[5] The abbot of Kirkstead and the prior of Mersea gave the same excuse - the king's requirements had already burdened them too heavily.[6] The evidence of these replies is corroborated from other houses. At Crowland, for instance, where the king had stayed before Bannockburn, the demands of the royal party in provisions, presents, and bribes, had struck the abbey with such force that a double tallage had to be exacted from all its manors that

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1 PRO.30/26/71/15/16.
2 Ibid.,Nos.24,25.
3 Ibid.,No.17.
4 Ibid.,No.18.
5 Ibid.,No.23.
6 Ibid.,Nos.6,5.

year;[1] and an entry in the chronicle of Louth Park for 1315 suggests that Lancaster's demands, coming after those of the king, were especially burdensome - 'Nam et ministri Comitis Lancastriae in feodo suo rapuerunt quod invenerunt'.[2]

Altogether Lancaster was promised only fourteen carts and 22 horses. Some houses said that they would send what they could, but nine were unable to offer anything. Preparations for the campaign may have been well advanced by the time the replies were received - 30 archers set off from Leicester towards the earl on 12 October,[3] and certainly by the end of the month arms gathered in exercitum Scotorum had been stored in Halton Castle[4] - but the discouraging response from the religious houses, together with the treasurer's earlier lament over the lack of money, suggests that the country did not have the resources for any new campaign and that Lancaster, though unwillingly, had to accept this. He had already been forced to resort to the very methods of purveyance which he himself had condemned, but even these yielded a poor return. With the country thus exhausted by famine and war the mounting of another expedition was not possible.

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1 F.M. Page, The Estates of Crowland Abbey (Cambridge, 1934), pp.59-60.

2 Chronicon Abbatie de Parco Lude, ed. E. Venables (Lincs.Rec.Soc., 1891), p.24.

3 Bateson, Leics.Bor.Recs.,i,pp.302-3.

4 Vita Edwardi Secundi, p.65; Tupling, op.cit., p.45.

There was a second reason for the abandonment of the campaign. On 22 October Adam Banaster's revolt began in Lancashire and this and its aftermath must have occupied the earl until the end of the year. A detailed description of the revolt has already been given,[1] but something remains to be said about its possible causes and its effects in Lancashire.

Banaster had been in Lancaster's service as a knight as early as 1305,[2] and his loyalty never seems to have been in doubt until 1315. According to the Flores, Lancaster had raised him up 'ex latibulis latrocinii et januis mortis'.[3] The reasons for the revolt remain somewhat obscure. According to the Vita, Banaster had committed murder, was unable to obtain a pardon, and rose against the earl in the hope that this would gain him the king's favour;[4] and this seems to be corroborated by later evidence. It is probable, however, that the rising was chiefly directed against Robert Holand. Though Banaster was Holand's brother-in-law, there was a long-standing feud between the two families which this alliance may not have overcome.[5] The fact that about this time Holand was presuming on the power which Lancaster's service had brought him may have aggravated the quarrel: in 1327 a jury

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1 Tupling, op.cit.

2 Sir Christopher Hatton's Book of Seals, ed. L.C. Loyd and D.M. Stenton (Oxford, 1950), p.161.

3 Flores Hist., iii, p.172.

4 Vita Edwardi Secundi, p.64.

5 Tupling, op.cit., p.xliii.

returned that he had entered into certain of Lancaster's lands in south-west Lancashire, and had appointed bailiffs and other ministers there and taken all the profits without showing any authorisation from the earl.[1] These illegal encroachments may well have provided some justification for Banaster, and one chronicle explicitly describes the revolt as 'discordia et maxima pugna, inter dominum Robertum de Holonde et Adam Banastre milites'.[2]

The rising began on 8 October when Banaster and two other knights, Henry de Lea and William Bradshaw, met with various others and formed a confederacy, binding themselves on oath to maintain one another.[3] A fortnight later, after having been joined by Sir Ralph de Bickerstaff, a former deputy sheriff, they moved off on their plundering expedition. They robbed the rector's house at Wigan, moved south-west towards Liverpool, where they unsuccessfully attacked the castle, and then retreated a few miles to West Derby. On 26 October a detachment assaulted Clitheroe Castle and captured a store of arms there, while the main body of rebels advanced on Warrington. From here they launched a further attack on Halton Castle, where they took more arms,[4] and by 31 October they were at Manchester, pillaging indiscriminately and

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1 Ibid.,pp.xlii-xliii.

2 Ann.Paul.,p.279.

3 Tupling, op.cit.,p.42.

4 Ibid.,pp.43-5; Vita Edwardi Secundi, p.65.

displaying a banner painted with the king's arms to try and justify themselves - this they said had been sent to them by Edward himself, though in fact it had been taken from a local church. Two days later they left Manchester, first making for Wigan, and then for Preston.[1]

Banaster's career, however, was almost over. While he and his men were at Preston they were attacked by a Lancastrian force led by Adam de Huddleston, Walter de Vavasour, Richard le Waleys, and Edmund de Neville, the deputy sheriff. In the first encounter Lancaster's men were beaten off; Huddleston and Waleys were captured and Vavasour mortally wounded. But the victory was short-lived and on the same day Neville gathered his followers and put the rebels to flight. Banaster and Lea remained in hiding until 12 November, when they were discovered and executed.[2] Bradshaw fled the county, and the intermittent feud which he and his family carried on against the Holands for the next eight years strongly suggests that Holand was regarded as responsible for the conditions which led to the revolt.

In the suppression of the rising the king cooperated closely with Lancaster. An embassy had been sent to the earl at Wigan, probably in early November,[3] and on 7 November he wrote to the king from Wigan in reply. He thanked Edward for having his affairs so much at heart and said that he fully understood that Banaster and his adherents had not been maintained

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[1] Tupling, op.cit.,pp.45-6.

[2] Ibid.,pp.38,46; Vita Edwardi Secundi,pp.65-6; Guisborough,pp.397-8.

[3] E.101/376/7, f.18; Cal.Close Rolls,1323-27,pp.440-1.

by him (strong support for the Vita's story that the revolt was undertaken in order to gain the king's favour). He then asked for a commission for himself, Arundel, and Warenne, to bring the traitors to justice, and for similar commissions for the justices of Chester and Wales, that the rebels might not be received in their bailiwicks and that if they were captured their bodies might be delivered to him.[1] Edward was eager to help, and on 12 November commissions were issued to Lancaster, Arundel, Fulk Lestrange, and William Dacre to deal with the rising, and to the justices of Wales and Chester for the rebels' arrest.[2] The commissions were forwarded to Lancaster on 22 November,[3] and meanwhile on 13 November other similar great seal writs were being sought by the king from the chancery in London.[4] It is difficult to substantiate the charge brought by a jury in 1323 that Banaster and Lea were executed on the orders of Lancaster and Holand 'feloniously and against the lord king's peace';[5] though Edward had given no orders for the rebels' execution,his easy compliance with Lancaster's request meant that his cooperation could be presumed.

To some extent the Banaster revolt was merely another manifestation of northern violence. Lawlessness in the north appears always to have been on a much wider scale than in the south, and family feuds developed

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[1] SC.1/21/190.

[2] Cal.Pat.Rolls,1313-17,p.421.

[3] E.101/376/7, f.76.

[4] Ibid., f.13.

[5] Tupling, op.cit.,p.38; Cf. Ann.Lond.,p.237.

easily and were long-lasting - the Eland feud, supposedly rooted in the larger rivalry between Lancaster and Warenne in 1317, is perhaps the most famous example. Primitive ties of kinship were stronger than in the south, and resort to the sword more natural. The rising of 1315 has many of the characteristics of this type of almost tribal quarrel. Banaster's family suffered greatly. Margaret, his sister, later told the king that their brother, Nicholas, had been imprisoned at Pontefract for over three years; and John Banaster's goods, worth £100, were seized by the earl's men.[1] Another victim reported that Lancaster and Holand had imprisoned him for over a year because he had been with Banaster and that he could not secure his release until he had quitclaimed lands in Blackburnshire to Sir Richard Holand, Robert's cousin.[2] The total booty was afterwards estimated at £5,000.[3]

The deep and bitter family rivalries which the revolt brought to the surface, the broad area which it covered, and the large force needed to quell it must have had the most serious effect on Lancaster's plans for a Scottish campaign. The earl certainly thought that its aftermath demanded his presence, for on 14 November, a week after the dispatch of his letter from Wigan, he was at Lancaster, where he granted to John de Haverington the right to enclose a park - probably a reward for the

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[1] SC.8/319/E.364; Rot.Parl.,i,p.414.
[2] SC.8/58/2872.
[3] Tupling, op.cit.,p.40.

active part which John and his brother Michael had played in Banaster's pursuit.[1] By this time the season was too advanced for any expedition, either royal or Lancastrian, though contact between earl and king remained close. In mid-December there was a meeting at Doncaster between the king, the magnates, and the treasurer,[2] at which Lancaster was present.[3] This assembly produced little of importance. Relations with France perhaps dominated the discussion,[4] but more weighty matters, particularly Scotland, were postponed until the parliament which had been summoned for Lincoln on 27 January, 1316.[5]

Though Lancaster's influence can be seen most clearly in the conduct of Scottish affairs during this period, it was not confined to this alone. Marks of royal favour provide alternative evidence for his high position, and the enforcement of the Ordinances shows that the policies which he and the other baronial leaders had formulated in 1311 were at last being put into practice. In February, 1315, he obtained permission for his men to go to Ireland to make purveyances of corn.[6] Pardons were granted at his instance, and commitments of land made at his request - in May, 1315, for example, the county of Kerry was committed to Ralph de Sharpenham at his instance, and Elie

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1 DL.42/1, f.135v.
2 E.101/376/7, f.11.
3 C.53/102, mm.13-15.
4 Foedera, II, pp.281-2.
5 Parl.Writs, II, i, pp.152-3, 460.
6 For what follows see Davies, op.cit., pp.397-8.

de Hertford was assigned to keep land in several counties for a rent of 40 marks a year (Lancaster's choice here was not a happy one, for Hertford subsequently refused to pay his rent and while imprisoned for this, hatched a plot to kill the treasurer by black magic).[1] He obtained a licence for the priory of Kenilworth to appropriate a local church, and to more powerful friends he could be just as useful. He wrote to the king on behalf of the widowed countess of Warwick, asking him to secure the release of some of her household who had been imprisoned, and on another occasion he wrote to the chancellor to request that only his nominees should be given a commission to enquire into the death of a valet of his. He was as cooperative in small matters as he was in the direction of Scottish affairs - his valet Ralph de Tydworth, for instance, was active in taking the lands of a deceased tenant-in-chief into the king's hands. Grants to himself were comparatively rare. In the York parliament of 1314 he was given a weekly market and two yearly fairs in a Lincolnshire manor, and the king later confirmed to him various liberties which Henry III had granted to Edmund of Lancaster, but which had apparently been little used.[2] These were the first favours of any importance which the earl had gained since his change of sides in 1308-9.

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[1] E.159/90, m.103d.

[2] Cal.Charter Rolls,ii,1300-26, p.242; E.159/88, m.12d.

The enforcement of the Ordinances provides proof enough of his strength. (This has already been investigated in detail,[1] and only the main points are treated here.) The emphasis placed on the Ordinances in the parliaments of 1314 and 1315 has been mentioned above; a royal order to the exchequer on 14 February to see that they were inviolably observed confirms the king's acquiescence in this new policy.[2] Perhaps the most important of the Ordinances was that demanding the resumption of all gifts made by the king since March, 1310, until royal debts had been paid, and refusing to sanction any further gifts without the consent of the baronage in parliament. This clause, intended to strike at the king's evil counsellors as well as to fill his coffers, was put at the forefront of Lancaster's demands in 1317-18, and it is thus extremely probable that he was responsible for its rigid enforcement during this earlier period. A full resumption was ordered on 5 March, 1315, and was immediately acted on by the exchequer - on 11 April, for instance, the sheriffs of London were ordered to resume certain rents. More significant were the losses sustained by those close to the king. Henry Beaumont gave up the Isle of Man and the reversion of valuable lands, Warenne lost the castle and honor of the High Peak, the younger Audley the escheated lands of

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[1] Davies, op.cit.,pp.402-5, from which most of the following information is taken. Full references to unsupported statements will be found there.

[2] E.159/88, m.29.

an outlaw, the younger Despenser a wardship, and John Charlton a bailiwick and a manor in Shropshire.[1] By resumptions of this type Lancaster was already building up a fund of resentment against himself among those who had profited from royal patronage, as the politics of the next three years were to show.

Other evidence exemplifies the observance of the Ordinances. The revenue of the wool custom in the port of London was surrendered by a French merchant to whom the king had granted it, and at Southampton the royal seals for the testification of recognisances between merchants were surrendered to local men chosen by the commonalty.[2] Commissions for perambulation of the forest were issued in May, 1315, in accordance with the Ordinances. The pleas heard before the marshalsey court were strictly confined to offences committed within the household. Various grants were made with the assent of the baronage - the more positive side of the resumption clause - while the wardrobe now drew on the exchequer for almost all its revenue.[3] The king, albeit unwillingly, was putting into operation the whole scheme which he had previously denied with such vehemence. Unity, essential in the face of the perpetual threat from Scotland, was bought at the price of the Ordinances.

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1 Cal.Fine Rolls,1307-19, pp.240-44.

2 SC.1/35/157.

3 Tout, Place of the Reign of Edward II, p.93, n.2.

At the end of 1315, then, Lancaster had almost reached the peak of his power. The Ordinances were at last being acted on; there was no strong court party; and the earl himself was consulted on almost all matters of policy. The enforcement of the Ordinances showed Lancaster as a man with a programme, taking a firm and consistent stand, as he had always done, on the reforms of 1311. Many of the measures on which he placed most emphasis were constructive and useful; the resumption of royal gifts, for instance, cannot have failed to have helped the king's ailing finances. The earl's activity does much to refute the charge of sullen indifference to the nation's fortunes which is often levelled at him. True, apart from the Ordinances his achievement was small. Much had been proposed for Scotland, yet little done. The evidence shows that he had been preparing a sizeable expedition in the autumn of 1315. That financial exhaustion, the lack of substantial offers of help, and the Banaster rising prevented this expedition was hardly his fault. His service on the council had shown that he was not averse to routine administrative work, though his retirement to his estates after the spring parliament marked a recurrent weakness: power could not be effectively exercised except at the centre of government, and successive embassies were no substitute for direct contact with the king. His importance must not be overestimated. Pembroke was

perhaps as influential, and had the signal advantage of being trusted by the king - it was Pembroke who had led, though disastrously, the only campaign of the year and Pembroke and Badlesmere whom Edward had called on in October for advice on the keeping of the marches during the winter.[1] But Lancaster too had shown that his attitude towards Scotland was not lethargic, and had achieved a real measure of influence over the king. The position which he gained at the parliament of Lincoln was only a natural and culminative corollary to the place in the country's government which he had established for himself in 1315.

The importance of the Lincoln parliament has probably been exaggerated by reason of the survival on the parliament roll of a full record of its proceedings, the first official narrative account of any parliament to appear.[2] It marked no break in Lancaster's career and merely raised him to a position which, contemporaries may have thought, was justified by his work during the previous fifteen months. When the assembly met on 27 January[3] Lancaster was not present, and he appeared only on 9 or 10 February,[4] accompanied, according to a later accusation, by an armed force.[5] Legislation

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[1] SC.1/49/32.

[2] Rot.Parl.,i,pp.350-64. A detailed discussion of the work of the parliament is given by Davies, op.cit.,pp.408-24.

[3] Rot.Parl.,i,p.350.

[4] Richardson, 'The Parliament of Lincoln,1316', pp.105-7.

[5] C.49/File 66/23.

occupied the next few days: the price ordinance promulgated in the Hilary parliament of 1315 (without the assent of the Ordainers, reports the French Brut, and by the king and 'son prive feble conseille' alone)[1] was repealed, and the Statute of Sheriffs enacted. But it was not until 17 February that the matter for which this parliament is generally remembered was carried through.

On that day[2] the bishop of Norwich, on behalf of the king, said that Edward wished the Ordinances to be fully observed, together with the perambulations of the forest made in the time of Edward I. The bishop then asked Lancaster to become 'de Consilio Domini Regis Capitalis'. After considering the offer for a time, the earl gave a measured and conditional reply. He agreed to be of the king's council (he said nothing about being its chief) because of his care for the welfare of the kingdom and for the Ordinances and in the hope of being able to reform many things nient covenables concerning the king's household and kingdom. But if Edward refused to follow the advice of the earl and the council then he reserved the right to leave the council without incurring any ill-will. Nothing touching the realm was to be done without conciliar advice, and any member of

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1 Bodley MS. Lyell 17, f.113.

2 Not on 24 Feb., as Tout thought (Place of the Reign of Edward II, p.95). See H. Johnstone, 'The Parliament of Lincoln of 1316', Eng.Hist.Rev., xxxvi (1921), pp.53-7.

this body who did anything or gave any advice prejudicial to the king and kingdom was to be removed at the following parliament at the prompting of the king and earl.[1]

Lancaster's acceptance of the proffered appointment gave titular confirmation to the position which he had largely held for the previous year. That his newly-recognized supremacy was not considered an extraordinary or revolutionary step is shown by the way in which it is treated by the chroniclers. John Walwayn, the putative author of the Vita,[2] was present at Lincoln as an auditor of petitions[3] - yet he (if it is he) reports the appointment in a decidedly offhand way[4] and devotes more space to the abolition of the price ordinance. The Sempringham chronicler dismisses the parliament in a sentence - 'il ny avoit rien fait'.[5] The canon of Bridlington records that king and earl were in agreement and that Lancaster was sworn of the council 'ad addendum et subtrahendum de ordinationibus prius factis, prout regi et regno melius viderit expedire'[6] - the most knowledgable version, brief though it is, that the chronicles have preserved.

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1 Rot.Parl.,i,p.351.

2 N. Denholm-Young, 'The Authorship of the Vita Edwardi Secundi', Eng.Hist.Rev.,lxxi(1956), pp.189-211.

3 Rot.Parl.,i,p.350.

4 'Perambulatio tamen forestarum ibidem conceditur, et comes Lancastrie principalis consiliarius regis efficitur' (Vita Edwardi Secundi, p.69).

5 Le livere de reis de Brittanie, p.332.

6 Auct.Bridl.,p.49.

This emphasis on the Ordinances is completely justifiable. The earl's purpose in accepting the king's offer was clearly to effect reforms based on them, while maintaining the independence of his own position. He wanted, through the council, to supervise Edward without committing himself in any way, so that if the king refused to cooperate, as he probably would (and, in fact, did) he could withdraw without being accused of a breach of faith. As might be expected, the months of Lancaster's superiority after the Lincoln parliament witnessed the continued enforcement of the Ordinances. Mention of the reform of the household in the earl's reply at Lincoln and the nature of those clauses which were afterwards confirmed, strengthen the impression that the main burden of Lancaster's complaints was still that household expenses were too heavy and that the king was wasting his substance on extravagant gifts. The baronial position represented by the earl had hardly changed in six years.

Parliament met its obligation to deal with Scottish affairs by granting the king a foot-soldier from every vill in the kingdom and a subsidy of a fifteenth from the shires, and agreeing to a muster at Newcastle on 8 July, 1316.[1] For Lancaster, however, the most important consequence of the assembly was the establishment of a

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[1] Rot.Parl.,i,p.351.

committee, consisting of the bishops of Llandaff, Chichester, Norwich, and Salisbury, the earls of Pembroke, Hereford, Arundel, Richmond, and Lancaster, and Bartholemew Badlesmere, to amend the condition of the household and kingdom and to remove les noun covenables from the king's service. (We learn this only from a letter written by Lancaster to the king in July of the following year.)[1] The committee met in London, where, with the advice of the rest of the council, articles were drawn up and forwarded to the king through Badlesmere and William Inge. Other evidence suggests that Lancaster was taking his new responsibilities seriously. On 15 March letters from the constable of France were sent to the archbishop of Canterbury, Lancaster, and others of the council at London, with instructions for answering them;[2] on 25 March the mayor and aldermen of London came before Lancaster, the treasurer, and the chancellor, and other councillors, and offered 500 marks for a confirmation of their liberties;[3] and at the end of March the earl was with Edward at Langley, where he witnessed the confirmation of a charter of Edward, the king's son, and was present when two petitions were handed to the king.[4]

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[1] Murimuth, pp.271-6, summarised in Latin in Auct.Bridl., pp.50-2. Cf. Davies, op.cit.,p.422.

[2] Davies, op.cit.,App.No.108.

[3] Cal.London Letter Books: Letter Book 'E', p.60.

[4] Cal.Pat.Rolls,1313-17,p.476; Cal.Chanc.Warr.,i,1244-1326, p.440.

The coincidence of this period of Lancastrian activity with the continued enforcement of the Ordinances is easy to demonstrate.[1] On 6 March the sheriffs were ordered to publish the Ordinances and to see that they were observed. More specific injunctions soon followed. On 12 April the collectors of the customs were ordered to pay their monies into the exchequer, notwithstanding any other assignments which the king might have made. Later in the month writs were sent to the exchequer calling for the revocation of all grants made by the king and the letting out of the lands, etc., thus granted for his greater profit; Beaumont, and probably the elder Despenser, again suffered by this resumption.[2] Unjust prises, mentioned by the London annalist as one of the king's major contraventions of the Ordinances,[3] were similarly attacked. They were prohibited in orders to the sheriffs on 10 April, and in February, 1317, when Lancaster's influence was in sharp decline, commissions were issued for an enquiry into wrongful prises in three northern counties.[4]

The importance of the earl's position vis-à-vis Scottish affairs was as marked after the Lincoln parliament as it had previously been. The king again deferred to his advice. In

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[1] For unreferenced statements in the following paragraph, see Davies, op.cit., pp.415-7.

[2] Cal.Fine Rolls, 1307-19, p.275.

[3] Ann.Lond., p.237.

[4] Parl.Writs, II, ii, pp.110-11.

February he forwarded to him letters concerning conditions at Berwick and others which probably related to Beaumont's attempts to gain a truce;[1] and he may have been among the prelates and magnates whom the king nominated in March to treat on Scottish affairs.[2] In the following month he was granted power, with Pembroke, Badlesmere, and Holand, to give safe-conducts to Bruce or other Scottish envoys who were coming to discuss a peace.[3] The meeting was to take place at Leicester, on Lancaster's own territory.[4] Though this was cancelled, it is, as Davies has remarked, a striking indication of Lancaster's power at this time that on a commission of four he could obtain a place for his servant Holand.[5] As in 1315, Lancaster's actual appearances in the north were infrequent. On 1 May the constable of Barnard Castle was ordered to allow him and his men, who were going north on the king's business, to use the castle whenever they liked - though since this instrument was later cancelled the earl presumably never took advantage of it.[6] On 8 June his envoys, on their way north on Scottish affairs, were given safe-conducts,[7] but there is nothing to show what these affairs were.

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1 Cal.Chanc.Warr.,i,1244-1326,pp.435-6; Bain,Cal.Docs.Scot., iii, No.474.

2 Parl.Writs,II,i,p.163.

3 Cal.Pat.Rolls,1313-17,p.450.

4 Rot.Scot.,i,p.154.

5 Davies, op.cit.,p.418.

6 Cal.Pat.Rolls,1313-17,p.453.

7 Rot.Scot.,i,p.155.

Meanwhile Edward was facing the most desperate difficulties that he had yet experienced. It is doubtful whether any government could have functioned effectively in 1316. Not only did the famine reach its peak during this year,[1] with all the economic dislocation which this entailed, but a number of new and taxing domestic problems came into prominence. In Glamorgan Llewelyn Bren revolted, and the suppression of his rising diverted a good deal of governmental energy which could have been better used elsewhere. The Vita reports that little was done at the Lincoln parliament because of the war in Wales,[2] and certainly many of the most important magnates were absent from the court during February and March. The earl of Hereford, whose territorial interests were involved, was appointed captain of the English forces on 11 February,[3] and Montague, Badlesmere, the two Mortimers, Henry of Lancaster, and John Giffard of Brimpsfield also served.[4] Their campaign, though short and successful, was expensive (Montague told Edward in March that he had 150 men-at-arms and 2,000 foot at the king's wages)[5] at a time when the crown's resources were already stretched to the

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[1] Vita Edwardi Secundi, p.69.

[2] Ibid.

[3] Foedera, II, p.285.

[4] Cal.Chanc.Warr., i, 1244-1326, pp.437, 439-40; Cal.Anc.Corr. concerning Wales, pp.68-9.

[5] Cal.Chanc.Warr., i, 1244-1326, p.440.

uttermost. The king faced similar troubles in the northern marches of Wales, where the old quarrel between De la Pole and Charlton over the lordship of Powys had broken out again. In March Sir John Cromwell was sent to Powys to settle the disturbances, and the king told the chancery that 'if this riot be not hastily quenched much greater evil may come in other parts of Wales',[1] which suggests that a general Welsh rising was feared. Local warfare continued in Powys throughout the summer of 1316 and was apparently ended only by the surrender of De la Pole's lands to the king and his pardon in October.[2] The granting of this last at Lancaster's instance suggests that the earl may have taken sides in his retainer's quarrel with Charlton, as he had done in 1312-13, and it is possible that Edward's treatment of De la Pole contributed to Lancaster's break with the government in November.

More serious still were the disturbances at Bristol, where the dispute between the townspeople and Badlesmere, the constable of the castle, reached a climax in June and July, 1316.[3] Pembroke was sent to the town in June to recall the commonalty there to obedience, but the rioters refused to hear him and in July Bristol

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[1] Ibid., pp.436-7.

[2] Cal.Pat.Rolls, 1313-17, pp.541, 548.

[3] For this see Vita Edwardi Secundi, pp.70-4; and E.A. Fuller, 'The Tallage of 1312 and the Bristol Riots', Trans.Bristol and Glos. Arch. Soc., xix (1894-5), pp.172-278.

suffered a full-scale siege, in which Badlesmere, Charlton, one of the Mortimers, and Maurice de Berkeley all took part. The Vita gives the significant information that the townspeople knew that the king was going to Scotland and that they hoped that the need for his magnates' help in the north would force him to withdraw. This was a vain calculation, however, and on 26 July the besieged surrendered. In December the city was pardoned, the liberties were restored, and the five year revolt was over.

The importance of these three local movements lay not in the threats which they offered to the king's authority, but in the additional problems which they posed for an already harassed and over-burdened administration. The multiplicity of the government's tasks would have overwhelmed any king and it is hardly surprising that Edward and his ministers were able to do so little in 1316. They attempted much. Military obligations continued to be stretched to an unprecedented degree in an effort to relieve the exchequer of some of its financial responsibilities. The levy of one man per vill granted at Lincoln entailed the maintenance by the vills of their representatives to the county muster, beyond that to the national muster, and, further still, for 60 days in the field, together with the supply of arms and armour to the representatives. The levy was well under way before it was cancelled in

late June, perhaps because of the Bristol affair. Again, in August the fifty pound landholders were summoned, not to take up knighthood as often before, but to serve with horses and arms and without promise of pay; while at the same time all the 'fencibles' of the northern counties were arrayed to serve with more than the customary amount of armour. Parliament had not consented to this array and in several cases it was resisted.[1] These measures were accompanied by purveyance on a vast scale. For the (subsequently postponed) muster of 10 August, for instance, the sheriff of Yorkshire was told to supply 1,000 quarters of wheat, 500 of barley and malt, 1,000 of hay, 200 of salt, 200 of peas and beans, and 400 bacons.[2] Such quantities could hardly be raised without the most burdensome pressure from above - nor, in a time of dearth, without the king's officials abusing their authority. In December commissioners were appointed to investigate the charge that the royal purveyors had been taking victuals intended for the royal household and selling them for their own profit and that they had been issuing tallies of an unjustly low value to those whose goods they had seized.[3]

But despite this strenuous activity no campaign took place. The summons to Newcastle on 8 July was, in June, postponed until

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[1] Powicke, op.cit., pp.143-4.

[2] Rot.Scot.,i,pp.156-7,160-1.

[3] Cal.Pat.Rolls,1313-17,p.600.

August, and then until 6 October.[1] The combination of heavy military exactions, oppressive purveyances, and failure to mount any expedition was not one calculated to soothe grievances. We can see now the variety of domestic pressures which were acting on the king and we can appreciate his constant shortage of ready cash, both for his household and for his army. These things were not so obvious to contemporaries. Even had Edward been like his father, a good leader and a fine warrior, it is difficult to doubt that his people's loyalty would have been severely tested in the conditions of 1316.

Lancaster's frustration at the government's inability to act effectively, particularly in the north, may have contributed much to the returning feud between earl and king. Lancaster had apparently left the court in the spring - he had been at Donington on 28 April and at Whalley on 25 July - and he played no conspicuous part in the suppression of disaffection during the summer months. In early August he was preparing to go north with the rest of the king's army. He had appointed an attorney on 4 August and was with the king at York later in the month.[2] Here the two men

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[1] Parl.Writs, II, i, pp.461-3, 466-8, 476-8.

[2] C.71/9, m.II; C.53/103, mm.19-21.

evidently quarrelled violently. Edward's growing dislike at the restrictions which the Ordinances imposed upon him may have been at the heart of the matter, and it is possible that the spark which set the fire ablaze was the king's order, made without baronial consent on 20 August, to the fifty pound landholders to serve without promise of pay[1] - an obvious violation of the Ordinances. One chronicler reports that the king dared not go on for fear of capture, but instead armed himself against the earl. Once again the quarrel is blamed on the incentores discordiae around the king, who successfully gave specious reasons for his going no further.[2] A campaign was still mooted as late as 17 October,[3] but soon afterwards it was abandoned and by mid-November Edward was moving south again, passing fearfully through Lancaster's estates.[4] (The birth of a son to him at Eltham in July may have speeded his retreat.)[5] Meanwhile Lancaster had continued to prepare for an expedition. His men received protections in August and September,[6] and by late October he was at Newcastle with Pembroke and Hereford,[7] presumably

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1 Parl.Writs, II, i, p.478.

2 Flores Hist., iii, pp.176-7.

3 Parl.Writs, II, i, p.483.

4 Flores Hist., iii, p.177.

5 Trokelowe, p.95.

6 C.71/9, m.9.

7 Letters were sent to the three earls there on 28 Oct. and 2 Nov. (Soc. of Antiquaries MS. 120, f.72).

awaiting the muster and trying to influence the election of a new bishop at Durham.[1] The king's withdrawal and the cancellation of the campaign after such elaborate preparations cannot have failed to infuriate him. Most of Edward's political difficulties had disappeared - Bren was in prison, Powys was at peace, and Bristol had submitted - and he could offer little to justify his continued refusal to go north. Lancaster's attempts to mount an expedition in the autumn of 1315 and his activity on Scottish business in the spring of 1316 suggest that he had a sincere desire to see the problem of Scotland effectively taken in hand, and it was probably Edward's cancellation of the campaign which made the breach between the two an open one.

When Edward failed to move north Lancaster too retraced his steps. 'Mala voluntas regis versus comitem Lancastriae semper duravit', comments the Tintern writer, and the Lanercost chronicler agrees - 'neuter enim de alio confidebat'.[2] The dismissal of the earl's retainer Peter de Lymesey from his shrievalty on 11 November and the king's order to the exchequer to call in the arrears of William Trussell, another Lancastrian sheriff, and to arrest him if he were unable to pay,[3] were both symptoms of royal displeasure.

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[1] Ut inf., pp. 322-23.

[2] Flores Hist., iii, p. 341; Lanercost Chron., p. 233.

[3] E. 159/90, m. 18d.

More significant was Arundel's appointment on 20 November as captain of the northern forces between the Trent and Roxburgh.[1] Arundel's promotion to a position which Lancaster had nominally held since August, 1315, marked the supercession of the earl as one of the directors of English policy towards Scotland. Plans for a campaign had now totally evaporated. The new appointment and the negotiations for a truce which began about the same time[2] temporarily ended any hope of a more vigorous approach to northern affairs. Lancaster's period of power was over.

It was unfortunate for Lancaster that his chance to demonstrate his political abilities and to show whether he could offer any remedy for the country's difficulties should have coincided with two years of economic disruption. We have seen how the famine affected the policies of both Edward and Lancaster: the replies from the monastic houses to Lancaster's demands for carts, the king's constant pleas for loans, the resentment aroused by purveyance and new military exactions, all bear witness to the acute problems which faced the government. Lancaster cannot be blamed for having done so little with his new-found power - in the conditions of 1315 and 1316 it is hard to see that any man could have been more successful. And in

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1 Parl.Writs,II,i,p.483.

2 Rot.Scot.,i,p.168; Soc.Antiq. MS. 120, f.15.

one direction his activities had obviously been to the good of the country. The resumption of grants, conciliar supervision of royal patronage, the reform of administrative abuses in the household and in the customs service - these measures did something to strengthen the crown's finances and gave the commons much to thank Lancaster for. Yet when all allowances have been made and when the enforcement of the Ordinances has been taken into account it must still be said that Lancaster did not exercise his power very effectively. He continued to spend more time on his estates than in London or at court, and his failure to remain near the king was a serious weakness, for it allowed much influence to go by default to those like Pembroke who were prepared to stay at Edward's side. It is possible that the earl's ill-health accounts for this puzzling feature of his career, as will be suggested later.[1] But even when he did attend at court and council there is nothing to show either that his authority was paramount - Pembroke and Reynolds of Canterbury are similarly prominent - or that many new initiatives came from him alone (though the nature of the records would hardly reveal this). The planning of a campaign in the autumn of 1315, the enforcement of the Ordinances, and probably the establishment of a committee to reform the household after the Lincoln parliament - these appear to

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[1] Inf., p. 521-22.

be his sole distinctive contributions to the country's government. Meanwhile his power was being undermined by the small group of courtiers who were gathering around the king and who were totally opposed to all that Lancaster stood for. It is to this new development that we must now turn.

CHAPTER 7

The King's Friends and the Treaty of Leake, 1317-18

I

Lancaster was now in isolation and remained so until the events of 1321 brought the marchers to his side. His position, foreshadowed by his stand in 1314, made it almost impossible for him to exercise any pressure on the king and the administration except through violence. Warwick's death in 1315 had removed his strongest accomplice. Of the other earls, Warenne was soon to be in open opposition to him; Arundel, married to Warenne's sister, and Lancaster's successor in the north, had no reason to differ from his brother-in-law; Hereford was close to the king, as his constant witnessing of royal charters shows, and was retained by him for life from November, 1316;[1] while the hand of Pembroke still lay behind all Edward's more positive actions. Lancaster had only his retainers on whom he could rely, and though in many ways his opposition in 1317 and 1318 had the strongest constitutional justification there were no legal means by which he could make his influence felt.

The strength of his case and his inability to press it became clear in the first few months following his departure from the government. On 28 January, 1317, writs of summons were issued to five royal clerks, three household knights, and five justices to appear at Clarendon on 9 February for a colloquium which the king was holding

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[1] Ut inf., p. 336.

with certain prelates and magnates.[1] The latter must have been summoned orally, since no writs to them exist. The threat from Scotland, where Arundel was proving no more successful than his predecessors,[2] probably formed the main subject of the assembly's discussions, though rumour later had it that the abduction of Lancaster's wife was plotted there.[3] This seems quite feasible: charter witness-lists show Warenne, the subsequent culprit, Hereford, the elder Despenser, and William Montague to have been present,[4] while Trivet's continuator adds to these (not necessarily correctly) the younger Despenser, Roger Amory, and Hugh Audley.[5] These men formed the core of the opposition to Lancaster in 1317-18, and the earl's own failure to appear at Clarendon, though summoned,[6] together with the absence of the restraining Pembroke, then on his mission to Avignon, would have given the curialists a monopoly of the king's confidence. Politics were entering upon a more violent phase.

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1 Parl.Writs,II,i,p.170.

2 Scalacronica,p.143; V.H. Galbraith, 'Extracts from the Historia Aurea and a French "Brut"', Eng.Hist.Rev.,xliii(1928),p.208.

3 Cont.Trivet, pp.20,22.

4 C.53/103, mm.10,12-15.

5 Cont.Trivet, p.20.

6 Ibid.; Walsingham, Hist.Angl.,i,p.150.

One immediate consequence of the council was the summoning of a similar one, to be held at Westminster on 11 April, for which writs were issued to seven clerks on 18 February, during the Clarendon meeting, and to the archbishop of Canterbury, Lancaster, Hereford, Holand, Bereford, the Despensers, Inge, and Scrope on 14 March.[1] The failure of Lancaster to appear and the absence of other magnates[2] may have made it impossible to take any decisions at Clarendon, and it was perhaps in an attempt to persuade Lancaster to come to the Westminster assembly that two household knights were sent to him on 16 March.[3] If so, their work was in vain, for Lancaster did not appear (this was hardly surprising, since his wife had been carried off by Warenne four days before the opening of the meeting) and as a result he was publicly declared an enemy of king and kingdom.[4] Contact was still maintained, however, and royal envoys visited him at Donington between 21 April and 2 May, and again between 29 May and 12 June.[5] It may have been the latter embassy which delivered a writ of summons to the earl to be at Newcastle on 8 July for a new campaign;[6] the Vita implies that this summons was intended as a final

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1 Parl.Writs,II,i,p.170.

2 Walsingham, Hist.Angl.,i,p.148.

3 Soc.Antiq. MS. 120, f.26.

4 Cont.Trivet, p.20; Walsingham, Hist.Angl.,i,p.150.

5 Soc.Antiq. MS. 120, ff.25v,30v.

6 Parl.Writs,II,i,p.487.

test of the earl's loyalty.[1] But as usual nothing happened, for the assembly was prorogued until 11 August[2] because of Pembroke's capture abroad and the number of magnates who were occupied with his deliverance.[3] Edward's lack of enthusiasm for a Scottish expedition had been demonstrated yet again.

Pembroke had returned to London by 22 June,[4] only five days after the prorogation, and he was soon followed by Anselm, cardinal of St. Marcellin and St. Peter, and Luke, cardinal of St. Maria, who had been sent by the pope to arrange a peace both with the Scots and with Lancaster. A meeting was arranged for Nottingham on 18 July, to which Lancaster and other magnates were summoned,[5] but, as before, the earl did not appear. He excused himself in a long letter, the text of which has fortunately been preserved, both in its original French, and in a Latin summary by the canon of Bridlington.[6] It illustrates very effectively the reasons for his departure into the political wilderness.

Edward had evidently accused the earl of convoking illicit gatherings and of retaining very large numbers of men, thus disturbing the kingdom and frightening the people. Lancaster denied this: he

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1 Vita Edwardi Secundi, pp.79-80.
2 Parl.Writs,II,i,pp.490-2.
3 E.101/15/11/5; E.101/15/14/4.
4 Soc.Antiq. MS. 120, f.29.
5 Parl.Writs,II,i,p.171.
6 Murimuth, pp.271-6; Auct.Bridl.,pp.50-2.

retained men only to uphold the king's peace and lordship, and he would come with his whole force to Newcastle on 11 August, as he had been summoned to do - his retinue was very necessary for his service with the king. He could not come to Nottingham, since he was unwell. He then went on to remind the king how 'a vostre darrein parlement, tenu a Nicole' it had been agreed that a committee should be set up to reform the kingdom and the royal household. The points which it made were forwarded to the king, but had not been observed. Those who should have been removed from the king's service had been allowed to remain, and in fact the king held them dearer than before, giving so much to them that little or nothing remained for himself. The money thus wasted could have been put to much better use had it been retained. He had not kept the Ordinances, which he himself had confirmed, and on this account the people were much injured. Finally, the king ought not to be surprised that the earl refused to come to Nottingham, for the matters which were to be discussed there 'dussent estre tretez en plein parlement et en presence des peeres de la terre'. Lancaster was sworn to this, and the king ought not to require him to come to treat outside parliament business which should be settled within parliament. (The earl's previous excuse for his absence at Nottingham was thus a transparent fiction.) He ended by reaffirming his intention to be at Newcastle on 11 August and offered to go soner if necessary.

There are here three interrelated complaints: the king had not dismissed his evil counsellors, but instead advanced them further; he had not kept the Ordinances; and, connected with this, he had treated matters outside parliament which should have been discussed within. These three grievances, on analysis, form the strongest statement of Lancaster's constitutional case during these middle years of the reign.

One of the most obvious features of the years 1316-17 is the rise of a strong court party. This was a small group - its nucleus consisted of Amory, Audley, and the younger Despenser, the husbands of the three Gloucester coheiresses, together with Montague and perhaps Badlesmere and Henry Beaumont - and its members were dependent for their political power solely on the king. The Flores Historiarum, the chronicle most conscious of this development, says that Audley, Montague, and Amory rose up 'sub umbra regis' that the desire of each of them was 'ardenter aliena rapere si posset, aut concupiscere si non posset', and that they were more wicked than Gaveston. 'Factus est novissimus error peior priore'.[1] No doubt this is partly the exaggerated and rhetorical language of a violent partisan - yet there is ample evidence to support the chronicler.[2] Amory, 'the supreme

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[1] Flores Hist.,iii,p.178.

[2] For much of what follows, see Davies, op.cit.,pp.431-5 (though his conclusions are wholly different).

influence at court',[1] had perhaps profitted most. His lucrative marriage in April, 1317, was itself due to the king's favour.[2] In February, 1315, he had obtained various Percy lands during the minority of the heir,[3] and in August of the following year the even more valuable wardship of the Verdun lands fell to him.[4] In January, 1317, he had been granted 200 marks a year, to be received until the king should provide him with lands or rents to that value,[5] and he had already received £100 for his part in putting down Llewelyn Bren's revolt.[6] His influence over the king was apparent in the number of chancery writs issued on his information and in the writs of privy seal which went out at his request;[7] and while a messenger who brought the news of the birth of a child to the empress of Constantinople was rewarded with a silver-gilt cup worth £8. 11. 0, a similar messenger bringing news of the birth of a child to Amory's wife received a gift of £20.[8] In the value set upon him by the king, Amory had no rival.

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1 Ibid.,p.432.
2 Flores Hist.,iii,p.194.
3 Cal.Fine Rolls,1307-19,pp.234,237.
4 Ibid.,pp.294,316-7.
5 Cal.Pat.Rolls,1313-17,p.609; E.403/180, m.3.
6 E.159/89, m.45.
7 Davies, op.cit.,p.432.
8 Soc. Antiq. MS. 121, f.31v; E.403/184, m.3.

Montague's influence, however, approached that of Amory.[1] Like him, he received from the king an annuity of 200 marks from February, 1317, which was later exchanged for lands and rents to that value.[2] He used the marriage of Joan, daughter and heiress of Theobald de Verdun, which had been granted to him by Edward,[3] to procure a useful match for his younger son, and the two were married in April, 1317, in the royal chapel at Windsor[4] - another sign of the king's favour. In the same year he was given the lands of a northern rebel,[5] the wardship of the lands of a tenant-in-chief,[6] and the bodies and ransoms of three Welshmen.[7] His position as steward of the household from November, 1316[8], put him in a unique position for influencing Edward, and his activity about this time in the suppression of the Bren revolt,[9] in settling the disputes at Bristol,[10] and on commissions[11] is proof enough of his usefulness.

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1 For Montague, see especially R. Douch, The Career, Lands, and Family of William Montague, Earl of Salisbury, 1301-44 (London Univ. M.A. thesis, 1950), pp.10-27.

2 Cal.Pat.Rolls,1313-17,pp.609,669-70.

3 Ibid.,p.535.

4 Archaeologia,xxvi(1836),pp.337,339 (from Soc.Antiq. MS. 120).

5 Cal.Charter Rolls,1300-26,pp.361,403.

6 Cal.Fine Rolls,1307-19,p.337.

7 Cal.Pat.Rolls,1317-21,p.51.

8 Tout, Place of the Reign of Edward II, p.315.

9 Sup.,p.290.

10 Soc.Antiq. MS. 120, f.19.

11 Cal.Pat.Rolls,1313-17,p.501; 1317-21,pp.273,278.

Audley and the younger Despenser were less important. Audley's marriage to Gaveston's widow, which took place at Windsor on the same day as that of Montague's son,[1] brought him lands worth 2,000 marks a year, (apart from his wife's share in the Clare inheritance), the gift of the king to Margaret de Clare in December, 1316.[2] He himself obtained a fee[3] and various grants of land from the king,[4] and his influence was shown in the issuing of writs of privy seal at his request and in payments from the exchequer on his information.[5] Despenser in 1317 obtained grants of fine[6] and of wardship and marriage,[7] together with 200 marks for his service in Scotland.[8] But it was his father who made the most valuable gain - the wardship of the Warwick lands, which he was granted in June, 1317, for the comparatively small sum of 1,000 marks a year.[9]

That these five were perhaps conscious of forming a distinct and compact group is shown by a series of recognisances made on 1 June, 1317, in the king's presence at Westminster and enrolled by his order.

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1 Archaeologia, xxvi(1836), p.337.
2 Cal.Pat.Rolls, 1313-17, pp.577-9.
3 E.403/183, m.8.
4 Cal.Close Rolls, 1313-18, p.541.
5 Davies, op.cit., p.433.
6 Cal.Pat.Rolls, 1313-17, p.634.
7 Ibid., p.640.
8 E.403/180, m.6.
9 Cal.Fine Rolls, 1307-19, p.331.

Each party bound himself to each of the others for £6,000, with the exception of the Despensers, who did not bind each other.[1] The purpose of these recognisances is not clear, but it is probable that some agreement had been entered into and that the sums of money were pledges for its fulfilment. These men were not 'the raw material from which Pembroke had to build his middle party'.[2] As yet, there was no 'middle party' - or if there was, it consisted of Pembroke alone, and he was out of the country during the crucial early months of 1317. This was a court group, possessing the king's ear, having a near monopoly of the most valuable patronage, and united by a formal bond. Neither now nor in 1318 did this party, and those like Beaumont on its outskirts, show any signs of wanting a reconciliation with Lancaster; it stood to suffer, as the younger Despenser, Amory, Audley, and Beaumont had already suffered, from his insistence on the resumption of royal grants, which was likely to follow his return to power. Its members' awareness of this fact was made glaringly clear in the negotiations leading to the treaty of Leake.

Lancaster's first complaint now becomes much more distinct. It is surely of these five that he is thinking when he writes that

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[1] Cal.Close Rolls,1313-18,p.477.

[2] Davies, op.cit.,p.433.

'you have held them dearer than they were before, and others you have newly taken to you, which are of the same condition, and do give them of your substance daily, so that little or nothing remaineth unto you'.[1] The annual fees to Amory, Montague, and Audley, the grants of extensive lands and even more valuable wardships and marriages - all suggest that there was justice in the earl's grievance. He may particularly have had in mind the grant of the Warwick lands to Despenser, for there could be no veneer of legality for this. In July, 1315, the king had promised Warwick that his executors should have the wardship of all his lands south of the Trent until the full age of his heir.[2] This agreement had now been deliberately broken. Lancaster may have felt a special responsibility for the young heir, for at his christening he had given him a bone of St. George in a golden casket,[3] and Rous records that Beauchamp took his Christian name from Lancaster.[4] The wardship was granted on 21 June, and the earl's letter to the king followed on 21 July - an interval which would probably have allowed him to hear of the grant. There were certainly later objections to it, for it was one of the charges against the Despensers in the Westminster parliament of 1321 that the

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1 Murimuth, p.275.

2 Cal.Fine Rolls,1307-19,p.255.

3 N.H. Nicholas, Testamenta Vetusta,i,(London,1826),p.80.

4 The Rows Roll, ed. W. Courthope (London,1859),No.47.

elder, with the assistance of his son, had obtained the repeal of the king's concession, though this had been confirmed in the Lincoln parliament of 1316 at the request and with the assent of the peers.[1] Amory's wardship of the Verdun lands, and the marriage of Montague's son to Verdun's daughter may have provoked a similar personal grievance, for Lancaster had probably been on particularly good terms with Theobald de Verdun - he had at least thought enough of him to attend the funeral of his first wife in 1312.[2]

But there was a yet more personal reason for his vendetta against the court party. On 11 April Lancaster's wife had been carried off from Canford in Dorset to Reigate by the earl of Warenne,[3] 'non tamen causa adulterii sed in despectu comitis antedicti'.[4] The roots of the feud are hidden, but they may lie in Lancaster's presence on the council which had urged the bishop of Chichester, probably in 1316, to prosecute Warenne for his liaison with Maud de Neirford and his attempt to divorce his wife Joan of Bar.[5] It is clear, however, that Warenne was only the instrument of court policy:

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1 Stat.Realm,i,p.183.

2 Dugdale, Baronage,ii,p.474.

3 The best accounts of the abduction are in Cont.Trivet, pp.20-2; Walsingham, Hist.Angl.,i,pp.148-9; and Flores Hist., iii,pp.178-9.

4 Meaux Chron.,i,p.335.

5 F. Royston Fairbank, 'The Last Earl of Warenne and Surrey', Yorks.Arch. Journal,xix (1907),p.200; Reg. Reynolds (Lambeth Palace Library), f.125.

the St. Albans' chronicle says that the abduction was planned 'assensu regio, plurimis Anglicorum' (the last word altered to 'Aulicorum' in one version),[1] and the implication of Trivet's continuator that it had been planned at Clarendon has already been mentioned. War between the two earls was to follow later in the year and as early as 28 May gatherings in arms were forbidden.[2] Meanwhile, Lancaster was provided with an excuse for his absenting himself from the king's councils. The Vita, perhaps reporting another part of the letter recorded by Murimuth and the canon of Bridlington, says that when summoned (presumably to the Nottingham meeting in July) he pleaded that he feared the insidias capitales of certain men who were sheltered and nourished by the royal court. They had already carried off his wife and he would not come until they had been sent away from the king. He also asked that he might take vengeance and satisfaction for the wrong done to him.[3] This he was indeed to do a few months later.

In the earl's grievances there was undoubtedly a strong element of jealousy. He was an 'out' protesting against the favours enjoyed by the 'ins', favours which had not been bestowed on him on anything like the same scale during his period of power. Reasons have been

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1 Walsingham, Hist.Angl.,i,p.148.

2 Foedera,II,p.332.

3 Vita Edwardi Secundi,p.80.

suggested as to why the wardship granted to Despenser and the marriages to Amory and Montague may have irked him particularly. But behind this personal facade lay a deep and justifiable complaint. The king was wasting his estate, dissipating it on worthless followers, at a time when the need for money had rarely been greater - the very contingency which the Ordinances, with their insistence on baronial sanctions for royal grants, had tried to prevent. 1316 had been a year of heavy taxation: lay subsidies yielded just over £39,000, clerical subsidies £23,000, while the pope had granted Edward a crusading tenth.[1] The king's military exactions too, though only occasionally in direct violation of the Ordinances, had been uncustomarily oppressive. The link between constantly high taxes and military effort, and royal extravagance, must have been obvious to contemporaries.

By his reckless grants the king had already set the Ordinances at nought, and there is clear evidence that by the end of 1316 he was beginning to chafe under their (and Lancaster's) yoke. The ministerial changes of the York parliament of 1314 were reversed. Ingelard de Warley and John Ockham, dismissed in 1314, both became barons of the exchequer in December, 1316, and June, 1317, respectively, while in November, 1316, the keepership of the privy seal was

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[1] Ramsay, Revenues, ii, pp.114-6.

suppressed as a separate office - a blatant contravention of the Ordinances. In May, 1317, John Hotham, Gaveston's former ally, replaced Walter Norwich as treasurer.[1] During the period when these appointments were being made wardrobe revenues were being drawn increasingly from forinsec sources and not from the exchequer - another violation of the baronial reforms. In the first half of 1316 the wardrobe's forinsec receipts rose from 5% to 40% of its total revenues, and though this figure dropped to about 15% during the next two years[2] the proportion must have been still too high to be regarded favourably by those like Lancaster who had always fought for the most rigid enforcement of the Ordinances.

Sweeping though these administrative changes were, Edward was probably planning an even more far-reaching assault on the Ordinances. In December, 1316, there took place the famous mission to the papal curia which is generally regarded, though without evidence, as having brought the 'middle party' to birth. One of its objects, according to the Vita, was to obtain from the pope the king's absolution from the Ordinances, which, the envoys maintained, tended to the destruction of church and kingdom. This the pope refused: he had heard that the Ordinances had been drawn up by trustworthy persons and it was

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[1] Tout, Place of the Reign of Edward II, p.97.

[2] Tout, Chapters, ii, p.240.

unlikely that they had ordained anything to the prejudice of the kingdom or the church.[1] It would be wrong to imagine that the repeal of the Ordinances formed the sole or even the main object of the embassy. Scotland was a more pressing problem, and the excommunication of Bruce and the placing of the land under an interdict (both again refused by the pope) were probably thought to be more important than the revocation of the Ordinances. Tout dismissed the matter of the Ordinances as having no connection with the mission, basing himself on the presence of Badlesmere, then 'hand-in-glove with Lancaster'.[2] But Badlesmere was at this time much more closely allied to the court than to the earl (he had been retained by the king for life from September, 1316,[3] and was a constant witness to royal charters). Moreover, the embassy contained Raymond Suspiriano,[4] the French lawyer who had argued so vehemently against the Ordinances in 1312,[5] and Edward was so grateful for Pembroke's help with the mission that he took the somewhat extraordinary step of offering to act as his attorney during the earl's absence.[6] The emphasis laid on the danger of the Ordinances to the church when the business was brought before the pope

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1 Vita Edwardi Secundi, pp.78-9.

2 Tout, Place of the Reign of Edward II, p.101.

3 Soc.Antiq. MS. 120, f.45.

4 SC.1/49/38.

5 Ut sup., pp.204-5.

6 SC.1/49/39.

seems a telling piece of circumstantial evidence in favour of the Vita's story, and no point which this chronicle makes can be lightly put aside. All the evidence points to the overthrow of the Ordinances as one of the objects of the mission.

The king, then, by his lavish and unsanctioned grants, his military measures, his promotion of dedicated curialists in the administration, his failure to expel evil counsellors, like Beaumont, condemned in 1311, and his appeal to the pope, gave full justice to Lancaster's claim that he had not kept the Ordinances. What of the earl's final grievance - that the king had treated outside parliament matters which should be discussed within it? This is harder to analyse. Although in his letter Lancaster refers ostensibly only to the Nottingham meeting it is almost certain that he had in mind the two previous assemblies at Clarendon and Westminster as well. His objection lay in the fact that to treat matters in this type of assembly which should be treated in parliament was against the king's and his own oath - presumably, though this is not stated, the oath to maintain the Ordinances. Now the Nottingham assembly was called to discuss measures to be taken against the Scots (Lancaster himself says as much towards the end of the letter); the Westminster council in April had similarly been summoned, according to Trivet's continuator, to decide what was to be done about the Scottish invasion of Ireland;[1]

[1] Cont. Trivet, p.20.

and the meeting at Clarendon in February probably had the same object. To discuss these matters in such assemblies was, from a legalistic viewpoint, a contravention of that ordinance which stated that the king should not undertake a war nor leave the realm without the common assent of the baronage in parliament, and that if he summoned his service for such an enterprise the summons should be held as void.[1] We know that Lancaster had previously insisted on the observance of this clause: the refusal of him and his fellow-earls to accompany the king in 1314 because they had not been consulted in parliament has already been noted; and when Edward had proposed to cross to France in 1314 there had been similar protests about his going inconsulte.[2] This surely lay at the root of the earl's refusal to attend the three councils in 1317: they were not parliaments, yet they were called to discuss the conduct of the war. It was a narrow and unimaginative attitude on Lancaster's part, and it gave priority to the letter of the law over the national welfare; yet to one who had always based the whole strength of his position on the Ordinances and nothing but the Ordinances it was perhaps a natural view to take.

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[1] Stat.Realm,i,p.159.

[2] Vita Edwardi Secundi, p.38.

But this solves only half the problem. Why did Lancaster consider that the three assemblies were not parliaments? Did he know what a 'parliament' was, or was he merely covering his own factiousness with an invalid quasi-constitutional excuse? Firstly, there may be an implicit complaint that he had not been summoned in regular form. To the Clarendon assembly only clerks, justices, and household knights had been summoned by writ.[1] No record exists to show that writs were issued to the baronage, and Lancaster could be punctilious about formalities when it suited him. In February, 1313, he and the other earls had protested that they had not been cited to appear in parliament by a proper summons.[2] But this is unlikely to be the whole explanation - writs were after all issued for both the Westminster and the Nottingham meetings.[3] It is much more probable that the earl refused to regard these as parliaments because only a very small section of the baronage had been summoned. Writs to attend at Westminster were issued to Lancaster himself, Hereford, Holand, and the two Despensers, besides the justices and two prelates; and at Nottingham to Lancaster, Norfolk, Warenne, Hereford, the Despensers, and Badlesmere, together with four prelates.

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[1] Parl.Writs,II,i,p.170.
[2] Ann.Lond.,p.227.
[3] Parl.Writs,II,i,pp.170-1.

These were nothing like full gatherings of the baronage which alone would seem to have constituted parliaments in the eyes of Lancaster and his contemporaries. In 1313 the opposing barons had declared that they would come to parliament only when granted safe-conducts, but that 'Parlamentum...non potest fieri sine eis',[1] and in 1312 the baronial negotiators had told Edward that they would try to obtain an aid for him in the next parliament 'quant il averont lur piers pluis pleinement'.[2] Small though these pointers are, they seem to show that current opinion regarded a full showing of barons as essential for a parliament. Moreover, most of those summoned in 1317 were known to be hostile to Lancaster - Waremne, the Despensers, and probably Badlesmere were all strong supporters of the court, Hereford was moving closer to the king, and the bishops of Winchester and Ely, the one chancellor, the other treasurer, were curialist by office. Montague, one of the members of the 'triumvirate', was also present at Nottingham.[3] The Vita, as has been shown, gives the presence of his enemies as the earl's reason for not coming to the meeting[4] - and this is almost certainly correct. In 1320, when Lancaster complained that the king was holding a parliament in cameris,

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[1] 'Gaveston's jewels and horses', p.16.

[2] Ann.Lond., p.211.

[3] C.53/104, mm.15-16.

[4] Ut sup., p.312.

the same chronicle puts forward the same reason for the earl's absence,[1] and it is clear that throughout the whole period of the 1318 negotiations Lancaster was frightened (or at least pretended to be) of the strength of the court party and of what might happen to him should he appear in person. No new constitutional theory is advanced in the earl's protest; least of all was he arguing that the assemblies were not parliaments because the commons were not present - the Ordinances, when talking of parliament, speak only of the presence of the barons. In stating that Scottish affairs should be treated 'en plein parlement et en presence des peeres de la terre', Lancaster was placing side by side two phrases which were complementary. There could only be a 'full' parliament when the peers were present, as they certainly were not at Clarendon, Westminster, or Nottingham; and without a 'full' parliament measures against the Scots could not, according to the Ordinances, be discussed. Add to this the earl's distrust of those peers who were summoned, and the position adopted by him in the July letter becomes both clear and consistent.

We can now begin to obtain some idea of how Lancaster acquired his posthumous reputation as a defender of the constitution, as one 'qui pro lege libertatis decertasti Angliae'.[2] Much of his case

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[1] Vita Edwardi Secundi, p.104.

[2] The Political Songs of England, ed. T. Wright (Camden Soc., 1839), p.272.

against king and court was undoubtedly founded on envy and self-interest, and certainly he was later to profit very handsomely from the courtiers; but at the core of his argument there was a strong sense of constitutional justice. Alone among the nobility at this time he protested against the king's extravagance, his grants made without baronial assent (harmful not only in that they wasted his inheritance, but that they also undermined the power of the barons), his administrative changes contrary to the Ordinances, and his failure to summon full meetings of the baronage for the discussion of foreign policy. Of those who had previously sided with him and would do so again later, most were benefitting too much from their connection with the king to wish to abandon it. Lancaster himself, had he profited in the same way, might have been much less willing to take the stand which he did, and, indeed, his personal and constitutional motives for attacking the court party in 1317-18 are tightly entangled. His isolation had one most important consequence - it meant that he could not hope to influence events by peaceful means but could only work through violence. His attacks on Beaumont, Amory, and Warenne, described below, were not mere lawlessness but attempts to coerce the king and those around him where other means of pressure could not hope to succeed. It may not be a coincidence that of the six surviving notices of indenture with the earl five date from the last seven months of 1317, and three of these from June and July. Lancaster appears to have been preparing for the worst.

Thus by the middle of 1317 stalemate had been reached. Lancaster was summoning armed assemblies and would not approach the king, while Edward could take no strong measures against the Scots until the earl's opposition had been broken. King and cardinals remained at Nottingham from 15 July to 6 August, after which the king set out on a long perambulation through Lincolnshire, eventually reaching York on 4 September.[1] The court party were with him in strength - Audley, the elder Despenser, Amory, and Montague were among those witnessing a charter on 13 August[2] - and a writ which went out from the Nottingham assembly on 24 July, calling for loans from the merchants on all exports and imports because of the insufficiency of both the ordinary revenues and the previous year's subsidies to meet the expenses of the Scottish war,[3] must have given sharp point to Lancaster's case against the curialists and their wasting of the crown's resources. From this time onwards he took the law into his own hands.

His first move came with Middleton's attack on the cardinals in September. This has already been described in detail,[4] and here it is only necessary to summarise it briefly and to put forward the evidence for Lancaster's almost certain involvement in it. In

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[1] E.101/377/7.

[2] C.53/104, m.14.

[3] Parl.Writs,II,ii,pp.115-6.

[4] Sir A.E. Middleton, Sir Gilbert de Middleton (Newcastle,1918).

October, 1316, Lancaster had been disappointed in his hopes of obtaining the see of Durham for his clerk John de Kinardesey. Though the monks elected Henry de Stamford, prior of Finchale, Edward, at the queen's instigation, overruled this and pressed on the chapter Louis de Beaumont, Isabella's relative and brother of Henry de Beaumont, whom the Ordainers had tried unsuccessfully to eject from the court.[1] It was intended that the new bishop should be consecrated in the autumn of 1317, but meanwhile a bond was drawn up between Sir John de Eure, then the keeper of Mitford Castle,[2] and Sir Robert de Sapy, the guardian of the temporalities of the see, to the effect that if Beaumont should be consecrated before Michaelmas, then Eure would pay to Sapy 100 marks.[3] It is at this point that Lancaster's influence first becomes apparent, for Eure was almost certainly in league with him. He was bound to him for life by indenture from 29 December, 1317, and was pardoned as one of his adherents in November of the following year.[4] It looks as though Lancaster, doubly angered by the failure of his candidate at Durham and by the election instead of one who was a

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[1] Robert de Graystanes, Historiae Dunelmensis Scriptores Tres, ed. J. Raine, (Surtees Soc., 1839), pp.97-9.

[2] From 15 Nov.,1316-24 June,1317, presumably in the absence of Pembroke, to whom the castle belonged (E.101/68/2/36).

[3] Middleton, op.cit., pp.25-7.

[4] Bodley MS. Dugdale 18, f.40; Cal.Pat.Rolls,1317-21,p.231.

foreigner and the brother of a court favourite whom the Ordainers had sought to exile, had commissioned Eure to prevent the consecration. This would serve the dual purpose of striking at the Beaumonts and pricking the king's authority in the north.

On 1 September the Beaumonts, accompanied by the cardinals, were attacked and robbed by Sir Gilbert de Middleton, a well-known Northumbrian marauder, while they were some nine miles south of Durham.[1] Beaumont's party had evidently been warned of the attack, both by the London clergy, who had told them of the danger of going beyond York,[2] and by the prior of Durham, who had evidently imputed any possible attack to the Scots, for the Beaumonts had replied 'quod Rex Scotiae talia non auderet attemptare'.[3] That Middleton, Lancaster, and the Scots were all in collusion is clear. In 1318 188 of the earl's followers were pardoned 'excepting the robbery of the cardinals'.[4] Amongst the Lancastrian contingent were probably Sir John de Eure, an order for whose arrest went out on 30 September,[5] Sir John de Lilburn,[6] who took Knaresborough Castle for Lancaster in

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1 Graystanes, pp.100-101; Trokelowe, pp.99-100.

2 Trokelowe, p.100.

3 Graystanes, p.100.

4 Cal.Pat.Rolls, 1313-17, pp.233-5.

5 Ibid., p.88; cf. ibid., 1358-61, p.361.

6 Ibid., 1358-61, pp.121,141; 1317-21, p.231.

the same month,[1] and John de Lasceles,[2] later the earl's constable of Conisborough.[3] None of Lancaster's more regular retainers were present, however - Eure, Lilburn, and Lasceles all seem to have been new to his service - and his force was probably under the command of Sir Gilbert, as A.E. Middleton conjectured.[4] He was perhaps anxious to avoid any open involvement in the business; though if this were so, he did not succeed, for the attack was later imputed malitiose to him by the king and court.[5]

There is ample evidence to show that Middleton was acting with the Scots. The Meaux chronicle records that he had joined with them and promised them lands on the marches,[6] while Castleford says that the cardinals blamed Bruce for the attack and that many of the raiders afterwards withdrew to him.[7] Lilburn had already been accused earlier in the year of releasing Scots prisoners from Mitford Castle, holding them to ransom, and illicitly keeping the money raised.[8] And according to one source, Thomas Randolph, earl of Moray, and

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1 Ut inf., p.328.
2 Cal.Pat.Rolls, 1358-61, pp.555-6.
3 Ut inf., p.537.
4 Middleton, op.cit., p.29.
5 Cont.Trivet, p.23.
6 Meaux Chron., ii, p.333.
7 MS. Göttingen Hist. 740, f.220.
8 Bain, Cal.Docs.Scot.,iii, No.539.

James Douglas, Bruce's principal lieutenants, were actually present at the attack.[1] That Lancaster should have been willing to ally himself with such a force shows well the degree of vehemence which his opposition had reached and the lengths to which he was prepared to go to humiliate the king's friends.

After the attack the Beaumonts were taken off to Mitford Castle (gained perhaps through Eure), while the cardinals, though robbed, were allowed to go on to Durham. Their presence had almost certainly upset Middleton's plans - the raid had been primarily directed against the Beaumonts and it had not been foreseen that they would travel with the cardinals - and it was probably to make some kind of restitution that Middleton visited Durham on 7 September. There he was met by Lancaster, who had arrived to lead the cardinals southwards, and the two men spoke together in the church. After this, Middleton restored many goods to the cardinals, but without effect,[2] and the two cardinals were then conducted to York (or Boroughbridge, according to one chronicle),[3] where Lancaster delivered them to the king before returning to Pontefract.[4] The aftermath

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[1] Ibid., No.1356.

[2] Graystanes, p.101.

[3] Brit.Mus. MS. Domitian A.XII, f.42; Meaux Chron.,ii,p.334.

[4] Cont.Trivet, p.23. Cf. Trokelowe, p.99; Walsingham, Hist.Angl., i, p.151.

of the incident is well known. The Beaumonts had probably been ransomed by mid-October,[1] while Mitford Castle, with Middleton in it, was taken in December. Middleton himself was brought to London and executed. The cardinals demanded a subsidy from the clergy for the insult which they had suffered, but this was refused, and the clergy's previous warning cited in justification.[2] The rising had no long-term effects; it merely served to demonstrate once again Edward's ineffectiveness in the north and the state of almost total lawlessness prevailing there which made such an attack possible. In connection with this, it is perhaps significant that Sir Thomas Gray gives the king's arrest of Middleton's cousin, Sir Adam de Swinburne, as the cause of the rebellion, saying that Swinburne had spoken too <u>rudement</u> to Edward about the condition of the marches[3] - and Swinburne had some link with Lancaster, for on his release in October, 1317, he was delivered to the earl.[4]

For Lancaster, the attack had misfired badly. He had not allowed for the presence of the cardinals, which was bound greatly to magnify Middleton's offence, and he had done no harm to the Beaumonts. His appearance at Durham on 7 September was probably

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1 Middleton, <u>op.cit.</u>, p.46.
2 Trokelowe, pp.100-101.
3 <u>Scalacronica</u>, p.144.
4 Soc.Antiq. MS. 121, f.12v.

an attempt to heal the deep wound which his accomplice had inflicted on the cardinals - but it was not successful. His gesture of conducting the cardinals southwards did not save him from the imputation of being concerned in the attack, though there was (and is) no absolutely direct evidence to show this. Ill-conceived and ill-executed, the Middleton affair served only to show the depths of Lancaster's hatred of the court party. It did him no good, and even had the cardinals not been present it is difficult to see how such an enterprise could have been of any permanent advantage to him.

The earl's attacks on the courtiers were not confined to the Beaumonts: Amory and Warenne suffered similarly. On 5 October Sir John Lilburn seized Knaresborough Castle,[1] which Amory had held for the king since December, 1314.[2] Alton Castle in Staffordshire was evidently attacked at the same time, for on 3 November Lancaster was ordered to deliver both the castles to the sheriffs of the respective counties.[3] On the previous day Roger de Swinnerton, a former Lancastrian retainer, had been sent to Stafford with a small force of men-at-arms,[4] presumably to guard against any similar

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[1] Cal.Inq.Misc.,ii,1307-49,No.392. Cf. Le livere de reis de Brittanie, p.334; Scalacronica, p.148.

[2] Cal.Fine Rolls, 1307-19, p.225.

[3] Foedera,II,pp.345-6; Cal.Fine Rolls,1307-19,pp.346-7.

[4] Soc.Antiq. MS. 121, f.19.

disturbance. Prior to this, on 18 October, Amory's lands had been taken into the king's hand for the favourite's protection.[1] The king's injunctions were not heeded. The sheriff of Staffordshire was refused admittance to Alton, and, on reporting this, was told by Edward to go and make another attempt.[2] Knaresborough was occupied by Lancaster's men until late January, when it came under siege from William Roos of Helmsley, John Mowbray, John Marmion, Ralph de Bulmer, John Fauconberg, Simon Ward and other Yorkshire magnates whom the sheriff had assembled (an interesting reflection of the opposition to Lancaster among a section of the northern baronage, to be even more strongly emphasised in 1321). The siege was evidently expensive and lasted for some time. Eventually rumours came that the earl of Moray was approaching to relieve the castle, and this, together with Lancaster's presence not far away at Pontefract 'cum magna multitudine gentium armatorum' and the assistance which he was sending to his retainer, persuaded Roos, the leader of the besieging party, to negotiate with Lilburn. He agreed to surrender provided Roos recompensed a certain John de Mauleverer for the damages which he, Lilburn, had done to him,[3] and on 29 January the castle was handed over on those terms.[4] Lilburn himself was pardoned in March.[5] Once again

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1 Cal.Pat.Rolls,1317-21,p.34.
2 Cal.Fine Rolls,1307-19,pp.346-7.
3 SC.8/204/10165,10162; Cal.Pat.Rolls,1321-24,p.433.
4 Cal.Inq.Misc.,ii,1307-49,No.392.
5 Cal.Pat.Rolls,1317-21,p.123.

Lancaster's power had been demonstrated, and once again he had resorted to Scottish help to further his own ambitions.

More prolonged was the earl's war against Warenne. On 3 November the king ordered him to stop attacking Warenne's Yorkshire castles - presumably Sandal and Conisborough - and offered to do justice to him in the dispute.[1] The chronicle of St. Werburgh's, Chester, records the devastation of all Warenne's lands north of Trent at this time,[2] and at Wakefield Maud de Neirford, Warenne's mistress, was among those ejected from their lands by Lancaster.[3] By January, 1318, Lancaster was evidently in control of his rival's Yorkshire lands: he had appointed a constable for Conisborough and was disposing of its timber for the repair of one of his follower's houses, and similar dispersals of the castle's resources followed in February and March.[4] The full significance of the struggle does not appear until the period following the treaty of Leake.

In spite of the earl's open opposition to the king and the court there was in September, 1317, an attempt to bring the two men together again. The conditions did not seem propitious. Apart from the attack on the cardinals of which he was suspected, and the

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1 Foedera, II, p.345.

2 White Kennett, Parochial Antiquities (Oxford, 1695), p.376.

3 SC.8/157/7833.

4 J. Hunter, South Yorkshire, i, (London, 1828), p.109; J. Watson, Memoirs of the Ancient Earls of Warren and Surrey, ii, (Warrington, 1782), pp.26-7.

probable beginnings of his moves against Amory and Warenne, Lancaster began to interfere with the king's mustering arrangements and to put forward new and unsupported claims. A muster had been arranged for 15 September at Newcastle, with a preliminary assembly at York or Northallerton[1] - but Lancaster, from his castle at Pontefract, refused to let the troops pass on to York, saying that he was steward of England and that if the king wished to take up arms against anyone he ought first to notify the steward.[2] This impasse was broken only by the sending to Pontefract of a mission, consisting of the archbishops of Canterbury and Dublin, the bishops of Winchester, Llandaff, Salisbury, Norwich,and Chichester, and the earls of Pembroke and Hereford[3] - and here for the first time we can see a middle party coming into being, a party of which the nucleus was Pembroke and the bishops. About seventeen out of twenty-three bishops, it has been calculated, took an active mediatory role in politics between 1317-20,[4] and during the negotiations of 1318 they were to form a moderate counter-balance to the excessive demands of the courtiers, none of whom can conceivably be placed in this central

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1 Parl.Writs,II,i pp.494-9.

2 Vita Edwardi Secundi, p.81.

3 Cont.Trivet, p.23.

4 K. Edwards, 'The Political Importance of the English Bishops during the Reign of Edward II', Eng.Hist.Rev.,lix(1944),p.331.

group. The result of the Pontefract embassy - an initial triumph for these moderates - is almost certainly contained in an important and hitherto unnoticed transcript amongst Dodsworth's manuscripts.[1] This records a meeting between the archbishops and bishops (unnamed) and Lancaster, in which the earl promised for himself and his men that they would neither ride to arms nor molest anyone, nor carry out any deprivation except by law, and that whenever he came to parliament he would do so peaceably and would reverence the king as he ought. In exchange, the ecclesiastics offered security for him and his men at parliament time. Lancaster exempted Warenne from the terms of the settlement, and reserved the actions and complaints which he had against him until the next parliament. As long as Lancaster observed the agreement the prelates promised to support him, and if he should break it then they would take necessary measures against him as a disturber of the peace. If anyone should molest the earl or his men, the prelates would similarly take measures against them. The document concludes with a copy of Lancaster's oath, in which he promised not to usurp the royal power and swore to maintain the Ordinances and to see that those things which had been wrongfully alienated from the king were returned to him, according to the oath which he, Lancaster, had sworn at the making of the Ordinances.

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[1] Bodley MS. Dodsworth 8, f.262. See appendix.

These terms were not entirely in the king's favour. Lancaster's promise to forsake his lawlessness is bartered for the reservation of his quarrel with Warenne - which was thus put outside the settlement - and the oath with which the document concludes. This oath, though superficially it may appear as a concession from Lancaster, is in reality strongly in support of his policy and might almost have been dictated by him. His general promise to guard the Ordinances was rather in the nature of a threat than a concession, while his undertaking to press for a resumption was in complete accord with his previous demands on the subject of royal grants. He was making ill-defined promises - not to break the peace, not to usurp the royal power - in exchange for hard returns, and it is clear that he regarded as impossible any settlement which was not grounded on the maintenance of the Ordinances. True, he promised to come peaceably to parliament, but his appearance in arms there, so he said later, was to protect himself from the king's evil counsellors, and if the Ordinances were to be enforced and royal grants resumed the power of his enemies would presumably suffer an inevitable decline.

Trivet's record of the envoys' report that 'in Comite nihil possent invenire paci contrarium' tallies well enough with the 'official' version of the settlement.[1] A second meeting followed

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[1] Cont.Trivet, p.23.

at York, at which the cardinals were present, where it was agreed that the king should do nothing against the earl and his men, and vice versa.[1] A parliament was to be held at Lincoln on 27 January,[2] to which the earl was to come bono modo[3] (probably a reference to his previous promise to come in peace and unarmed) to do and receive justice.[4] On 24 September Hereford and Pembroke were commissioned to release all those who had been arrested as followers of the earl and to protect him and his men until the coming parliament.[5] Lancaster, who had already given up the custody of the bridges, then returned in peace to Pontefract de promisso confisus,[6] while Edward paid off his army[7] and on 29 September started southwards again.[8]

But, as with all the temporary settlements reached between the king and the earl during this period, no show of trust followed. While passing Pontefract on his way to London, Edward ordered his men to take up arms and it seemed as if he were about to besiege the castle.[9] Lancaster led out his men to the top of the castle ditch

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1 Ibid.; Flores Hist.,iii,p.180.

2 Flores Hist.,iii,p.180; Vita Edwardi Secundi,p.82; Parl.Writs, II,i,p.171.

3 Cont.Trivet,p.23.

4 Ibid.; Vita Edwardi Secundi, p.82.

5 Parl.Writs,II,i,p.171.

6 Cont.Trivet,p.23; Flores Hist.,iii,pp.180-1.

7 Parl.Writs,II,i,pp.499-500.

8 E.101/377/7.

9 Vita Edwardi Secundi, p.82.

and jeered at Edward's force.[1] Only Pembroke saved the situation by reminding the king of his agreement and by assuring him that Lancaster would not dare to try and ambush him, and Edward abandoned his scheme and returned to London.[2] His foolhardiness is attributed in one chronicle aulicorum...consilio,[3] and it may well have been the courtiers' ire at the terms which Lancaster had put forward, from which they would suffer most, which induced some of them to urge the king to take up arms.

During the following months contact was maintained with Lancaster through the archbishop of Dublin, who made two journeys to Pontefract in October and November.[3a] Meanwhile Edward had been attempting to consolidate his supporters around him, probably in the expectation of what must have seemed an increasingly inevitable war. On 1 November an indenture was drawn up by which he undertook to retain Pembroke for life.[4] Unfortunately the document itself is badly damaged, but it appears that the earl was to be retained in peace and war for a certain sum (indecipherable) in peace-time, together with 500 marks worth of land, and in wartime for an

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[1] Flores Hist.,iii,pp.180-1; Cont.Trivet,p.24. The insult at Pontefract and the holding of the bridges against the king was later one of the charges in the indictment against Lancaster (Foedera,II,p.479).

[2] Vita Edwardi Secundi, p.82.

[3] Cont.Trivet, p.24.

[3a] E.403/183, m.3; Soc.Antq.MS.121, f.30.

[4] E.101/68/2/42a.

additional 1,000 marks a year, with which he was to provide the king with 200 men-at-arms. This was only the most important of a series of indentures which the king had sealed in the previous eighteen months. In September, 1316, Badlesmere had been retained for life, for 600 marks a year in peace and 5,000 marks in war, with which he was to provide 100 men and a banneret;[1] while Hereford had been retained from November, 1316, to serve with 100 men, for which he was to receive 1,000 marks in peace and 2,000 marks in war.[2] (He may possibly have had to provide more than 100 men in war-time - the state of the document makes it impossible to say.) Lesser barons had been similarly bound - John Giffard from December, 1316, for 200 marks a year,[3] John Mowbray and John de Somery from June, 1317, for £100 and 200 marks a year respectively,[4] and John de Cromwell for £100.[5] There were probably others. Though the king thus gained a large force for his protection, the lavishness of the fees, particularly those for Pembroke, Badlesmere, and Hereford, must have been as objectionable to Lancaster as Edward's other grants to Amory and his associates.

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1 Soc.Antiq. MS. 120, f.45; MS. 121, f.20v.

2 E.404/1/7.

3 Cal.Pat.Rolls,1313-17,pp.620-1.

4 E.101/398/4, f.16; Soc.Antiq. MS. 121, f.36v.

5 Soc.Antiq. MS. 121, f.38.

A much larger body than that of the curialists alone was thus given a vested interest in seeing that the earl's demand for a full resumption was not carried through, and the protractedness of the negotiations in 1318 may have been partly due to the pressure put on the mediators by the wide circle of the king's dependents as well as by those who were unmistakably of the court.

Of these retainers, two, Pembroke and Badlesmere, sealed the famous indenture with Amory on 24 November, 1317, which has usually been taken to mark another stage in the formation of the middle party.[1] The terms of the agreement are well known. Amory was to induce the king to follow the advice of Pembroke and Badlesmere and was himself to follow this advice. He was not to assent to or procure the king's granting over £20 worth of land to anyone without the consent of the two others, and if the king should attempt to do so or to do anything which might be prejudicial to himself or the kingdom, then Amory was to do all he could to prevent him. If he was unable to prevent him, he was to inform Pembroke and Badlesmere, so that all three could force the king to change his mind. This Amory pledged himself to do with an oath on the Host and an indemnity of £10,000. Pembroke and Badlesmere,

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[1] See, for instance, Davies, op.cit., pp.433-5. The indenture is printed ibid., App.No.42, and in Parl.Writs, II, ii, p.120.

for their part, promised to maintain and defend Amory against all persons except the king, and to keep fully their part of the agreement, which was to remain secret.

This bond cannot be characterised as that 'by which Pembroke, Badlesmere, and Amory bound themselves to exercise restraint upon the king',[1] nor as 'an organised effort to replace earl Thomas by earl Aymer as the king's chief counsellor'.[2] The indenture was directed at Amory alone. The emphasis placed by Pembroke and Badlesmere on the restriction of royal alienations shows their recognition of the force of Lancaster's chief argument. If a settlement were to be reached in the forthcoming January parliament, Amory, the main recipient of such alienations, had to be restrained, and, if possible, the king's other extravagances drastically reduced. This the bond sets out to do. It does not bind all three participants on equal terms, nor, though it shows Pembroke and Badlesmere as members of a middle party in a real sense, does it mark the establishment of any formal group. Amory had no reason for wishing to restrain the king - indeed, it was against his interests to do so. That the two others were able to bind him thus must have been the result of strong pressure, though how this was applied it is impossible to say.

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[1] Davies, op.cit., p.35.

[2] Tout, Place of the Reign of Edward II, p.104.

From Lancaster's view-point the bond's importance lay in the recognition which it gave to his case for a restriction on royal alienations. The temporary settlement at Pontefract in September had gone further than this and allowed for retrospective resumption as well as future restriction - and Pembroke had again taken part in this settlement. That the king's chief adviser should thus assent to Lancaster's argument shows that his grievances were not imaginary nor were they entirely a cover for the pursuit of his own selfish objectives. It would be idle to deny that Lancaster's motives were not only those of pure zeal for the cause of the Ordinances. In his war against Amory he may have been actuated as much by territorial ambition as the later settlement with Warenne showed him to be, and in his feuds with both Amory and the Beaumonts he had been willing to seek Scottish help. Yet in spite of his factiousness and his seeming indifference to his country's fate, Lancaster's argument - on the keeping of the Ordinances, resumption of royal grants, dismissal of evil counsellors, and the necessity for the consent of the whole baronage in matters of foreign policy - was a strong one. Against him were ranged both the king's friends, who had grown fat on royal patronage, and (probably) the host of lesser men who were largely dependent on royal generosity.

These men were unlikely to disgorge willingly. Between Lancaster and this group stood a middle party - Pembroke, Hereford, Badlesmere, and most of the bishops - who had already recognised part of Lancaster's case in the settlement of September and the indenture of November. It remains to be shown how these three affinities reacted against each other in the negotiations leading to the treaty of Leake.

II

Two attempts have already been made to describe the extremely complex negotiations of 1318,[1] but in both cases important sources have been entirely overlooked. Though the main trends in the attempts to reach a settlement are clear, it would be as well to emphasise at the start that no entirely accurate account of these attempts is possible - the materials are too scanty and much of what survives is ambiguous, so that the record of a single meeting can sometimes equally well fit two different dates. But these limitations, irksome though they are, do not affect the gist of the argument.

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[1] J.G. Edwards, 'The Negotiating of the Treaty of Leake, 1318', in Essays in History presented to R.L. Poole, ed. H.W.C. Davis (Oxford, 1927); B. Wilkinson, 'The Negotiations preceding the "Treaty" of Leake, August, 1318', in Studies in Medieval History presented to F.M. Powicke, ed. R.W. Hunt, W.A. Pantin, and R.W. Southern (Oxford, 1948).

The work of Pembroke and Badlesmere in curbing Amory's greed and the king's extravagance was taken a step further when, about 30 November, 1317, a meeting of the clergy in London accepted the Ordinances as a basis for peace-making.[1] At this time Lilburn was occupying Knaresborough Castle for Lancaster, while Warenne's Yorkshire lands may have been in the earl's hands, and it was probably these developments which made it seem too dangerous to try and reach agreement in the parliament which had been summoned for Lincoln on 27 January, as arranged in September. It was feared that Lancaster would come armed, as he had so often done before, and that there would be a clash between his forces and those of the king.[2] On 30 December a colloquium was held at Westminster, where the bishops pressed Edward to prorogue parliament. Five days later the king complied.[3] Henceforth peace was to be arranged by intermediaries, and only when an agreement had been reached was parliament to be summoned.[4]

Nothing was done for the next six weeks. Then, on 22 February, Trivet's continuator records that the archbishop of Canterbury held a council at St. Paul's, where the clergy urged that the king's

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1 Flores Hist., iii, p.182; Ann. Paul., p.281.
2 Vita Edwardi Secundi, p.84.
3 Parl. Writs, II, i, pp.174-6.
4 Vita Edwardi Secundi, p.84.

departure for Scotland should be postponed until Whitsun so that envoys could meanwhile be sent to Lancaster to make peace.[1] No military expedition had in fact been summoned at this time - officially a truce with the Scots still held and it was not until after the capture of Berwick in April that a summons was issued - and it seems very probable that the chronicler meant that parliament, not a military assembly, should be prorogued. On 3 March its meeting, which was to have taken place on 12 March, was postponed until 19 June ad requisicionem Prelatorum[2] - an almost certain reference to the decision of the previous month's council. The impression, already given by the September settlement, that the bishops formed the core of the middle party is confirmed by their activities in the early months of 1318.

On 29 March Sandale of Winchester, the chancellor, left the court,[3] and on 12 April there followed at Leicester a settlement with Lancaster. The Vita places this meeting before the prorogation of parliament in March,[4] but it must be assumed, with Prof. Wilkinson, that 'the narrative of the monk is, at this point, logical rather than chronological';[5] there is no evidence for a

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1 Cont.Trivet, p.26. Cf. Hist.MSS.Comm., Wells,i,p.179.
2 Parl.Writs,II,i,pp.178-9.
3 Ibid.,II,ii,p.122.
4 Vita Edwardi Secundi, p.85.
5 Wilkinson, op.cit., p.344.

Leicester meeting in March. The canon of Bridlington, the best source for the assembly, lists those present - the archbishop of Canterbury, the bishops of Norwich, Chichester, Winchester, Llandaff, and Hereford, the earls of Lancaster, Pembroke, and Hereford, William de Bereford and Walter de Norwich, and 28 barons.[1] Some of these names can be checked - Reynolds, for instance, was certainly at Leicester on 9 April,[2] and Sandale on 7 April.[3] Badlesmere, not on the canon's list, was present from 5 to 21 April with a force of 100 men-at-arms[4] (evidently, and understandably, Lancaster was still not trusted), and he, Reynolds, and Pembroke appear to have led the embassy, for it was their letters which were sent to the king during the meeting.[5] Sir J.G. Edwards doubted whether Lancaster himself was present,[6] but an indenture between the earl and Sir Otho de Grandisson, sealed there on 13 April, seems to show that he was.[7] It is, in any case, inherently unlikely that he would have left the negotiations to his representatives - the matters discussed were too important, too central to his policy of strict insistence on the Ordinances, to be left to intermediaries alone.

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1 Auct.Bridl.,p.54.

2 Brit.Mus. Add.Ch.41381.

3 Register of John de Sandale, Bishop of Winchester, ed. F.J. Baigent (Hants.Rec.Soc.,1897), p.90.

4 Soc.Antiq. MS. 121, f.20v.

5 Ibid., f.30v.

6 Edwards, op.cit.,pp.363-4.

7 DL.42/2, f.221.

For the Leicester assembly gave Lancaster almost everything that he wanted. The king's party firstly undertook that the Ordinances would be observed and that the king's evil counsellors would be removed. Then came the central question of royal alienations. It was promised that these would be resumed immediately, that those who had received lands from the king should be attached to account for their profits, rightfully the king's, at the exchequer, and that they should give security to appear at the next parliament to receive the judgement of their peers for having received such gifts. Lancaster and his men were to be pardoned for their transgressions 'videlicet ad ducendum regem per viam asperitatis ut melius regat populum quam ante haec tempora consuevit, tam de captione castrorum quam bonorum mobilium quorumcunque'. The wording is obviously Lancaster's and provides interesting proof that he himself conceived his attacks on the courtiers in the previous year as ultimately to the king's benefit and the only way of ensuring better government - as has already been argued. Any of the earl's followers captured by the king were to be freed, and peace was to be made with the Despensers, who were to stay in Lancaster's retinue for their lives. Thus for the canon of Bridlington.[1] The Vita adds that the promise to observe the

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[1] Auct.Bridl., pp.54-5.

Ordinances was made on the king's behalf and that Lancaster promised due fealty to the king and his men, though reserving his personal quarrel with Warenne;[1] while the Flores Historiarum confirms the undertaking to maintain the Ordinances.[2]

That the royal envoys were prepared to concede so much was a measure of the pressure under which they found themselves. Events in the north were making a speedy settlement in England imperative. Berwick fell a few days after the Leicester meeting and, with the chief northern fortress lost, other reverses followed. In May the castles of Harbottle and Wark surrendered, and soon the Scots advanced to Northallerton, then to Ripon, and finally almost to Pontefract.[3] For those working for a peace in England two problems remained - the king's assent had to be obtained for the Leicester agreement, to which, according to the canon of Bridlington, he was not a party, and Lancaster had to be brought into the government. It is fair to guess that his cooperation was regarded as essential for the stable direction of affairs - a 'three party system' would be unlikely to have any permanence - and that his retinue and de facto powers of array were thought to be necessary for any successful campaign.

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1 Vita Edwardi Secundi, p.85.
2 Flores Hist.,iii,pp.183-4.
3 Auct.Bridl.,p.55; Meaux Chron.,ii,p.335; Soc.Antiq. MS. 121, f.20.

But Scottish considerations were not the only force acting on the middle party: the curialists, who stood to lose everything from the Leicester agreement, were evidently beginning to press the mediators towards a less conciliatory settlement. This first became clear on 2 June, when a council meeting, under the leadership of the archbishops of Canterbury and Dublin, the earl of Pembroke, and Despenser, was held at the exchequer.[1] The main purpose of the meeting was to advise the king on the defence of the realm against the Scottish invasions, both in England and Ireland. Only the return of Lancaster to the government, it was suggested, could make new measures effective. In the past he had absented himself from the king's councils, had appeared at parliament 'a force et armes', and had convoked armed assemblies. The blame for much of the country's ill-fortune was laid upon his behaviour (perhaps with reason). Lancaster had said that his private army was justified both by the Ordinances and/by the need to protect himself from the evil counsellors around the king, who had assented to the abduction of his wife. These grievances, it was agreed, 'se deussent trier selom lei de terre' and the earl should receive acquittance and

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[1] C.49/File 4/27. Another version of this was printed from C.49/File 4/26 by E. Salisbury, 'A Political Agreement of June, 1318', Eng.Hist.Rev.,xxiii(1918),pp.81-3. Both versions are fragmentary, but the general purport is clear enough. That printed appears to be the earlier draft, and amendments and interlinings are often entered in full on the second copy. Only the unprinted document provides the date. Wilkinson, op.cit.,p.339, conjectured that it was drawn up on 8 June, the day on which Edward confirmed the Leicester agreement.

amends from those guilty. Then followed what appears to be a promise to maintain the Ordinances (the state of the document makes certainty impossible). If Lancaster refused to accept these conditions and still declined to take part in the government, then the magnates would assume the business of the king and realm without waiting for him; and if he did come, it should be as an equal, not as a superior, 'sanz sovereinte a li accrocher vers les autres'.[1] The agreement concludes with a threat of sanctions against the earl, now impossible to specify owing to the condition of the manuscript, should he continue to summon armed assemblies.[2]

By a fortunate chance the unprinted version of the agreement is endorsed with the names of the prelates and magnates who presumably subscribed to it. Apart from the leaders, already mentioned, these were the bishops of Norwich, Coventry and Lichfield, Chichester, London, Salisbury, Winchester, Ely, Hereford, and Worcester, the earl of Hereford, the Despensers, Montague, Badlesmere, and Amory - an interesting combination of mediators (the archbishops and bishops, Hereford, Pembroke, and Badlesmere), and courtiers (the Despensers, Amory,and Montague). As we would expect from such a group, the concordat bears evidence of strong pressure from the court, most

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[1] Salisbury, op.cit.,p.84.

[2] C.47/File 4/27.

noticeably in its hostility to Lancaster - though this is somewhat mitigated by the tentative promise to maintain the Ordinances and to make amends to the earl for the wrongs done to him. It does not constitute a 'political revolution', as Wilkinson thought,[1] but it shows the direction in which the negotiations were moving and the difficulties from both sides confronting the mediators.

Temporarily, however, conciliation prevailed. On 8 June Edward accepted the Leicester agreement. In St. Paul's the bishop of Norwich announced on his behalf that he would observe the Ordinances, keep the peace with Lancaster, and abide by the counsel of the earls and barons.[2] The Flores Historiarum says that these promises were to be confirmed ad tertium diem at Northampton,[3] and a final settlement must have seemed imminent. On 9 June Edward wrote to the exchequer to announce his confirmation of the Ordinances, and, in accordance with this, to order a total resumption of all alienations granted away since the Ordainers' original commission, and the levying of the issues which had accrued to the grantees.[4] Thus the most important clauses of the Leicester

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1 Wilkinson, op.cit., p.341.

2 Ann.Paul.,p.282; Flores Hist.,iii,p.184.

3 Flores Hist.,iii,p.184.

4 E.159/91, m.64d. See appendix.

settlement were to be implemented. Within the next three days summonses were issued for a muster at York on 26 July,[1] and Lancaster and his followers were granted safe-conducts to come to the king on 29 June.[2] All the evidence suggests that moderation had triumphed, peace was near, and that there was at last to be a united campaign against the Scots.

Within a week this plan had foundered. The king's order on resumptions brought a strong reaction from the courtiers. Though there is no schedule on the fine rolls or the memoranda rolls to indicate the extent of the resumptions, incidental information shows that Edward's mandate took immediate effect, at least in some cases. On 9 June John Giffard lost the 200 mark annuity which he had been receiving since December, 1316, and the younger Audley was deprived of the very extensive lands which he had had from the king during the previous three years.[3] There were almost certainly other similar resumptions. It was natural that the dispossessed should show strong resentment. Montague was with the king on 10 June,[4] the Despensers on 11 June, and when Hotham of Ely, the new chancellor, left the court a few days later 'en acunes bosoignes que nous (le Roi) touchent'[5] it was to reopen, in favour of these

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1 Parl.Writs,II,i,pp.501-3.

2 Cal.Pat.Rolls,1317-21,p.162.

3 Cal.Close Rolls,1318-23,p.51; Cal.Fine Rolls,1307-19,p.374.

4 C.53/104, m.3.

5 Parl.Writs,II,ii,pp.123-4.

men and their allies, all that had already been settled at Leicester and confirmed in London. Lancaster too had his suspicions. On 9 June he wrote from Tutbury to his constable of Bolingbroke, telling him to guard the castle by day and night and to allow no one to enter except those living there 'tanque home sache a queu fyn cest assemble a Northampton vodra crere'.[1] The king moved to Northampton at the end of the month, but it is possible that an advanced party was already there and that it was these men whom Lancaster feared. As yet there was obviously trust on neither side.

Meanwhile another difficulty appeared in the path of the mediators. About this time the people of Bromfield and Yale wrote to their lord, Warenne, to tell him that they had been threatened by Lancaster, who had written to them to say that he meant to have their land and that if they behaved well towards him he would be a good lord to them, but that he would have the country 'une manere ou autre'. They appealed to Warenne for help, saying that they could do nothing against such a great power and begging him to ask the king to order the justices of Wales and Chester and the sheriffs to go to their aid.[2] Warenne forwarded a copy of this petition to the king on 14 June, expressing surprise that the earl should act thus

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[1] DL.34/1/14.

[2] SC.8/177/8829.

'de puys qe bone pees et bon accord est ore taille entre vous et luy en toutz pointz', by which accord the quarrel between Lancaster and himself was to be settled. He asked for speedy help from the justices and the king's men in those parts for the defence of his lands and the king's honour.[1] A minute of the council's decision in the matter survives. Warenne was to be told to go to Bromfield to guard his own lands if he wished, while Lancaster was to be informed of Warenne's message to the king and ordered to refrain from breaking the peace in that region.[2] The latter part of the decision was certainly carried through, and letters close went out to Lancaster on 16 June.[3] It is obvious that the council wanted to do nothing to disturb the delicate equilibrium which had been established, nor to prejudice the work of the current embassy by royal interference in a private feud. Since the task of this embassy was so much against Lancaster's interests any additional grievance might lead to open war.

Wilkinson suspected that the work of this mission was reflected in Trokelowe's statement that about 24 June there was a meeting at Leicester at which peace between the earl and the king was quodamodo reformata and certain articles were conceded.[4] The later version

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[1] SC.8/177/8830.
[2] SC.8/177/8831.
[3] Cal.Close Rolls,1313-18,p.554.
[4] Trokelowe, p.102.

of the St. Albans' chronicle confirms this account and says that the king 'more solito promissos Articulos concessit observari'.[1] Wilkinson, following Trokelowe, implies that at Leicester king and earl gave their pledges directly to one another. Both chroniclers and commentator have been misled, however, for though a meeting may have been arranged for Leicester and though it may have been given out that the settlement would be confirmed there, this was not what happened. A notarial instrument, hitherto unknown, records an agreement at Horninglow, three miles south of Tutbury, on 23 June between the archbishop of Dublin and the bishops of Norwich and Ely, and Lancaster and his men. Here the earl's answers to certain articles were read and then handed over to the bishop of Ely. The articles, which concerned the points formerly spoken of at Leicester, had been drafted in London by the archbishops of Canterbury and Dublin and had since been discussed at Tutbury. Their opening and closing clauses are quoted, the witnesses listed, and a statement added by the notary that his record had been drawn up at the earl's request.[2]

The opening and closing clauses of the agreement which the instrumentquotes are almost identical with those of discussions recorded, apparently verbatim, by Knighton,[3] the dating of which has

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[1] Walsingham, Hist.Angl.,i,p.154.

[2] Foljambe Charters, App.No.IV. See appendix.

[3] Knighton, op.cit., pp.413-21.

caused some controversy. Wilkinson believed that these discussions took place on another mission between 4 and 16 July,[1] though Edwards had previously ascribed them to the period between 13 June and 2 July.[2] This latter dating is now shown to be almost conclusively correct. Knighton himself places the discussions immediately after the king's confirmation of the Leicester agreement in London, and the two bishops, Norwich and Ely, whom he names as having led the discussions are among the three prelates named in the notarial instrument. It might be thought that the instrument is simply quoting the Leicester agreement, but this is unlikely: it is quite clear that Knighton's first article, the opening of which the Foljambe document copies, is a drastic modification of one of the Leicester articles. Trivet's continuator may preserve a third reference to these Tutbury discussions - he reports that about 1 June the archbishop of Canterbury, with other earls and barons, was sent to Lancaster to discuss with him 'diversis Articulis per Regem instinctu aulicorum sibi transmissis'.[3] Though neither date nor personnel agree with the other accounts, the mission, to judge from its proposals, was certainly undertaken at the courtiers' instigation, as the chronicler says. This question of dating, involved though it is, is essential to any understanding of the interplay of interests during these weeks.

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[1] Wilkinson, op.cit., p.349.

[2] Edwards, op.cit., p.370.

[3] Cont.Trivet, p.26.

What happened at Tutbury? Firstly, the bishops proposed that there should be no absolute resumption of lands, but that each grant should be judged in parliament as covenablement donez or otherwise. This was a clear retreat from the Leicester position, which had provided for a total resumption,[1] and it was justifiably rejected by Lancaster, who demanded that 'les dites choses furent mises en ocure si come fuist accordes a lez perlances a Leycestre', and that all issues should come to the exchequer for the king's use.[2] Next, the bishops suggested that the grantees should not be punished, a further softening of the Leicester agreement, which had decreed that these men should receive the judgement of their peers in parliament. Again Lancaster refused: the proposal infringed the Ordinances, which laid down that the grantees were to be punished in parliament. A compromise was finally reached, which provided that all alienations made since the commission (presumably that granted to the Ordainers in 1310) were to be repealed, that none were henceforth to be made without the consent of the baronage in parliament until the king's debts had been paid, and that if such were made they were to be held as null and the recipients punished by parliament by award of the baronage.[3] There was a discreet

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[1] Auct.Bridl.,p.54.
[2] Knighton, p.414.
[3] Ibid., p.415.

silence on the question of whether those who had already received gifts were to be punished, a silence which marked a partial victory for the court party.

Another long wrangle followed over the guarantee against treachery to be given to Lancaster when he came to meet the king. The royal negotiators suggested that the king should issue letters patent of safe-conduct for the earl and his men, but Lancaster replied that he had done nothing for which such a surety was necessary and that he had previously been put in danger on such a safe-conduct by the mischief-making counsellors around the king. He still greatly desired to come to the king, however, and asked them to draw up a valid safe-conduct. The bishops then suggested that the prelates and magnates who had been at Leicester should assure him by their letters, but this again failed to satisfy. The earl did not doubt the good faith of the prelates and cardinals, but some of those who were at Leicester had since gone back on their oaths and had bound themselves to maintain the king's evil counsellors. It was then proposed that those whom he particularly distrusted should give letters guaranteeing him no harm, on pain of excommunication to be enforced by the cardinals. The earl still refused to accept any security from those whom he mistrusted: he would come to parliament when it seemed to him to be safe to do so, and those whom he held

suspect ought to be punished in parliament by the award of the peers, according to their crimes against the Ordinances.[1]

Further time was taken up by the discussion of arrangements for an actual meeting and for the submission of the earl to the king. The question of security still formed the chief obstacle to agreement. The bishops made another proposal: those whom Lancaster suspected should absent themselves un peoee while the king and the earl met, and afterwards the earl should receive his enemies, who were to make amends if found guilty, into his friendship. The prelates would enforce this. But Lancaster would not compromise. He suspected only the evil counsellors and they were to be removed de tut, a removal which he justified by quoting the appropriate clause of the Ordinances. He could not receive into his friendship those whom he held as his enemies without breaking his oath, until acts against the Ordinances had been 'arrested' by award of the peers in parliament. He welcomed the promise of the bishops to take action against either side which refused a reasonable peace, for it had been and was his wish that things harmful to the crown, to the church, and to the people should be redressed, so that peace could be maintained.[2]

It was the record of these conversations which was handed to Lancaster by the bishop of Ely at Horninglow on 23 June. A compromise

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[1] Ibid., pp.415-8.

[2] Ibid., pp.418-21.

had been reached in the matter of resumptions, by which the earl gained most of his points, including the promise of a repeal of all alienations, though he tacitly conceded that the recipients of grants should not be punished. It may well be that such concessions as he made were motivated by the progress of his ambitions in Bromfield and Yale; the success of his designs on those lands could have induced him to make some political sacrifices, including the modification of the Leicester settlement. One problem was still outstanding - no provision had yet been made for a meeting between the king and the earl, and Lancaster stood firm on the necessity for the dismissal of evil counsellors before such a meeting could come about. The bishop of Norwich did not return to the court until about 2 July,[1] and in the meantime he was joined by lay envoys - Pembroke (still with the king on 25 June),[2] Badlesmere, and the younger Despenser - whose task was almost certainly to induce Lancaster to change his mind on this last point. In this they were apparently successful, for Archbishop Reynolds, writing to Prior Eastry on 11 July (in a letter unnoticed by either Edwards or Wilkinson), says that the envoys had told the king that they found Lancaster 'in multis super quibus antea spes pacis timebatur frustrari satis condescendentem vie finalis concordie ineunde', and that the earl was to come to Northampton (where the

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[1] Parl.Writs,II,ii,pp.123-4.

[2] C.53/104, m.1.

court had arrived on 30 June)[1] within the next ten days.[2] For a second time there seemed no obstacle which could bar the way to a final peace.

Between 4 and 16 July there was another mission to Lancaster, in which the chancellor again took part.[3] Reynolds, writing on 18 July, is as certain as before that a peace is about to be ratified, and he tells Eastry that he will let him know the final outcome of the negotiations.[4] His optimistic outlook changed very rapidly, however. A third embassy left the court on 20 July,[5] and on the following day Reynolds told Eastry that the archbishop of Dublin, the bishops of Chichester and Ely, the earls of Pembroke and Arundel, and the younger Mortimer and Badlesmere, had set out for Lancaster and that he hoped they would return with pleasing news about 30 July. He obviously feared that civil war was very close: the outcome of events was doubtful, and he told the prior to see that the relics of the church were put in safe keeping.[6] Another letter, written by an anonymous clerk probably on the same day, gives a partial explanation for the transformation of the easy and confident atmosphere

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1 E.101/377/7.

2 Hist.MSS.Comm. Report on Manuscripts in Various Collections, i,(1901), pp.220-1.

3 Parl.Writs,II,ii,pp.123-4.

4 Hist.MSS.Comm.Var.Coll.,i,p.220.

5 Parl.Writs,II,ii,pp.123-4.

6 Hist.MSS.Comm.,Var.Coll.,i,pp.267-8.

of three days previously. The clerk firstly reports the result of the mission of 4-16 July. It had been agreed, he says, that there should be a complete resumption 'tam in redditibus quam in pecunia' (this had already been settled by 23 June, as we have seen), and that the evil counsellors were to be wholly removed from the king, only to return for parliaments and wars. This was a great concession to Lancaster and gave him what he had been striving for in the earlier Tutbury discussions in June. In exchange the earl promised to forgive his enemies for their offences, except for Amory and Montague, whom he alleged to be plotting his death, on condition that they made him amends. Next came Lancaster's most important proposal: he suggested that a council of eight bishops, four earls, and four barons should be set up, to hold office for a year, two bishops, one earl, and one baron acting in each quarter - an institution envisaged previously by Montfort's Forma Regiminis of 1264, as Edwards has pointed out,[1] and probably appealing to Lancaster as the only way in which the king's extravagance could be permanently curbed. The envoys agreed to the proposal, and the earl then said that he wished to come to the king and to go with him against the enemy.

This settlement, writes the clerk, was accepted by the king on the embassy's return (about 16July). Some of those who had been sent, however, tried to turn the king against the agreement, though Pembroke

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[1] Edwards, op.cit., p.378.

and the bishops stood firm. A council had been held, and it had been decided to send a further mission 'ad mitigandum Comites et alliciendum ad vias laxiores'. The clerk then names the envoys who had set out on this task.[1] (It is the coincidence of the names given by the clerk with those given in Reynolds' letter of 21 July which enables the clerk's undated letter to be ascribed to about the same date.)

The clerk's information points to a rapid hardening of attitudes, certainly on the part of the courtiers, probably on the part of Lancaster as well, between 16 and 20 July. The question of a general resumption almost certainly still lay at the centre of the mediators' difficulties. At Tutbury in June the bishops had failed to induce Lancaster to concede that each grant should be considered on its merits, which was as much as the courtiers were prepared to yield, and the earl, though tacitly dropping his demand for the punishment of the grantees, had successfully insisted on the promise of a general resumption. This, according to the clerk, had been confirmed on the next mission in early July, where Lancaster had also gained his point on the expulsion of evil counsellors, and made the revolutionary proposal for a standing council. If these three reforms were to be enacted the influence of the courtiers and their large share of royal patronage would be totally gone. The Vita, speaking of the negotiations

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[1] Hist.MSS.Comm., Var.Coll., i, pp.268-9.

in general, says as much: 'Oderant etiam comitem reliqui omnes eo quod tueri volebat ordinationes. Illi namque iuxta ordinationes a curia regis erant amovendi, et terras quas a domino rege acceperant similiter amissuri.'[1] Some had particularly cogent reasons for wishing to alter the earl's terms - on 20 July, just at this time, the younger Mortimer, for instance, had been granted a 1,600 mark share in the marriage of the young earl of Warwick,[2] one of the richest prizes in the king's gift. Mortimer was very probably one of the missi who turned against the settlement, as the clerk relates. A strong court reaction against the imposition of the earl's demands was inevitable.

Lancaster mistrusted the courtiers just as they mistrusted him. Though the embassy of 4-16 July had provided for a meeting between king and earl, and Reynolds had said that such a meeting was to take place by 21 July, the strength of those around the king at Northampton may have changed Lancaster's mind. He had already told the envoys that Amory and Montague were plotting his death, while the Vita records that he refused to come because the king's party - Warenne, Amory, the Despensers, Audley, and Montague are named - were at Northampton in such numbers 'ita ut reputares eos non ad parliamentum venisse, sed potius ad bella'.[3] There is some documentary proof of this -

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1 Vita Edwardi Secundi, p.87.

2 Cal.Fine Rolls,1307-19,p.369; Cal.Pat.Rolls,1317-21,p.193.

3 Vita Edwardi Secundi, p.87.

Badlesmere, for instance, was at Northampton from 30 June until at least 7 July with 100 men-at-arms.[1] The younger Despenser's appointment as chamberlain, hitherto undated but made, according to the French Brut, while the king was at Northampton,[2] confirms the impression of the continuing dominance of the court party.

Edward's recognition of the impasse which had been reached was marked on 20 July by his prorogation of the muster until 25 August.[3] According to Wilkinson, the embassy which left Northampton on this or the following day had only one central purpose - to bring Lancaster into the standing council, from which, it is implied, his proposal had excluded himself. It is pointed out that although Lancaster had promised to meet the king and to serve him in war, he had seemingly said nothing about his own place on the council, which prompts the conclusion that 'considering how urgent the need was for his presence on the council, it seems likely that his failure to give a definite promise to serve has considerable significance'. Secondly, Wilkinson argues that the middle party had continually been trying to secure Lancaster's cooperation (witness the 2 June agreement). Its aim 'was not, and could not be, to exclude him from the council', and its members were afraid 'not that Thomas

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[1] Soc.Antiq. MS. 121, f.20v.

[2] Bodley MS. Douce 128, f.157.

[3] Parl.Writs,II,i,pp.504-5.

had secured the possibility of his election to the council, but that he had virtually denied that possibility, just as he was doing when the negotiatiems had first begun'.[1]

This was not the purpose of the embassy, the objects of which were threefold - to persuade Lancaster to forego his demand for a total resumption, to dilute his proposal for a standing council, and to offer him suitable inducements to make these concessions. Any new negotiations which this mission may have produced are not recorded, but an agreement was probably reached on 25 July, since on 31 July the earl was pardoned for all offences committed before that date.[2] The terms of this settlement, however, can be deduced from those of the treaty of Leake, which followed a fortnight later. Shortly after the return of the embassy on 29 July, a tractatus was held at Northampton, where there was a strong movement for an immediate peace, a movement in which the queen took a leading part.[3] It was probably in order to arrange a meeting between the king and the earl that a final mission set out on 1 August.[4] The negotiations were concluded.

How much had Lancaster conceded and what had he gained? The treaty of Leake, sealed on 9 August, provides a commentary on his

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[1] Wilkinson, op.cit., pp.350-1.

[2] Parl.Writs,II,ii,p.125.

[3] Cont.Trivet,p.27; Vita Edwardi Secundi, p.88.

[4] Parl.Writs,II,ii,pp.123-4.

political ambitions in 1317-18.[1] Firstly, it adopted his expedient of the standing council, to consist of the bishops of Norwich, Chichester, Ely, Salisbury, St. Davids, Carlisle, Hereford, and Worcester, the earls of Pembroke, Richmond, Hereford, and Arundel, and Hugh de Courtenay, Roger Mortimer, John Segrave, and John de Grey. Lancaster was to be represented only by a banneret - though the presence on the council of nine former Ordainers perhaps helped to appease him and can be represented as a placatory move. The council's members were to act in rotation, as he had suggested, and its assent was to be necessary for everything which might be done outside parliament; any matters otherwise transacted were to be considered as null and were to be rectified in parliament. The councillors named were to remain with the king until the next parliament, when those who should stay with the king by quarters were to be chosen from them and the other peers.

It is difficult to believe that Lancaster's absence from this council was not a 'mitigation' of his original proposal, and equally difficult to accept Wilkinson's contention that the mediators' central purpose on the mission of 20-29 July was to bring Lancaster into the council - he has severely underestimated the degree of pressure from the court party to which the envoys were subject.

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[1] Ibid., II, i, pp.184-5; Davies, op.cit., pp.447-9.

What would be the point of Lancaster's suggesting the establishment of a standing council if he himself were not to serve on it? That he had accepted a position as head of the council at Lincoln in 1316, albeit with reservations, showed that he was not averse to occupying such a place (though he had not always exercised responsibly the powers associated with it). And if Lancaster was not to serve on the council, who was? Through whom could he exercise any power, and whom did he trust? He had made it consistently clear throughout the negotiations that he had little confidence in the good faith of any of those opposed to him. Though during the June negotiations he had assured the prelates that he knew that both they and the cardinals wished him no evil,[1] he had previously accused even the bishops of breaking their oath to the Ordinances.[2] Many of the lay magnates at the Leicester meeting of 12 April had since gone against him.[3] His dislike, and perhaps fear, of the courtiers was obvious. It seems altogether improbable that he would have ceded power over the king's actions to a council the members of which he distrusted and in which he himself had no place. To this extent the probable replacement of the earl by one of his bannerets was a major concession to the court.

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[1] Knighton, p.417.

[2] Flores Hist.,iii,p.183.

[3] Knighton, p.417.

The treaty continued with a promise of pardon for Lancaster and his men, in exchange for which the earl undertook to make release and acquittance to all those who had wronged him, with the exception of Warenne, against whom he reserved all his quarrels, actions, and suits. (It is known from other sources that Warenne was prudently absent from Leake,[1] though Amory et ceteri were there and were received into the earl's grace.)[2] The agreement was concluded with an affirmation that the Ordinances should be kept, and with a pledge, sealed by the archbishops of Canterbury and Dublin, eight bishops, eight earls, and twelve barons, that the settlement should be fully maintained. That these guarantors included the younger Despenser and Henry Beaumont, who had consistently opposed the Ordinances, cannot have reassured Lancaster. On specific points - the resumption of royal gifts, the removal of evil counsellors - nothing was said, and this surely marked the success of the mission ad mitigandum Comitem.

The St. Albans' chronicler, speaking of the settlement of 23 June, which was much more favourable to the earl, concludes by saying 'Sed cito postea concessio Regis apparuit non solum frivola, sed penitus fraudulenta.'[3] He may well have had in mind the contrast between that agreement and the final treaty, for Lancaster had indeed conceded

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[1] Hist.MSS.Comm., Var.Coll., i, p.269.

[2] Vita Edwardi Secundi, p.88.

[3] Walsingham, Hist.Angl., i, p.154.

much to king and court. The Leicester meeting in April had given him all he wanted; in particular, his demands for a general resumption and the punishment of the grantees had been accepted. Subsequent negotiations had seen a gradual undermining of his position, culminating in the general promise to observe the Ordinances, with no emphasis on specific clauses, and the work of the York parliament, to be discussed later. The existence of a middle party during these months is not in doubt (though 'party' perhaps suggests a degree of organisation and a unity of aim which were not always present). The treaty was not 'the first great triumph of the middle party',[1] however, but a partial victory for the courtiers. Court pressure on the middle party had been evident ever since the attempt at Tutbury in June to re-negotiate the Leicester settlement and to induce the earl to agree to the consideration of each royal grant on its merits (which was, in fact, done in the York parliament). The courtiers' dissatisfaction with the Tutbury agreement and the merely minor concessions which Lancaster made there were largely responsible for the prolonging of the negotiations and the sending of the penultimate embassy ad mitigandum Comitem; and the vagueness of much of the Leake settlement marked their success. The mediators stood rather between Lancaster and

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[1] Davies, op.cit., p.449.

the court than between Lancaster and the king - Edward's docility and seeming lack of interest in the discussions is very marked. That they were able, under such strong pressure from both sides, to secure a kind of compromise, though one politically weighted in the courtiers' interests, was a tribute to their perseverance and their realisation of the necessity for unity in the face of the Scots. The apparent collapse of Lancaster's opposition to their proposals in late July, and his willingness to give up so much, alone remain to be explained.

III

The reconciliation at Leake appeared to contemporaries to be genuine.[1] Reynolds, writing on 8 August, told Eastry that during the next few days Lancaster and the king were to meet at Nottingham to discuss the keeping of the north against the Scots,[2] and nothing in his letter suggests that the treaty was not regarded as permanent and fully acceptable to all sides. The work of the mediators was completed in the parliament which met at York on 20 October, for which writs had been issued on 25 August;[3] this assembly and the settlements with the courtiers which took place during its meeting complemented the Leake agreement and at last permit a full estimate of Lancaster's gains and losses.

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1 Cont.Trivet,p.27; Ann.Paul.,p.283; Auct.Bridl.,p.55.

2 Hist.MSS.Comm.,Var.Coll.,i,p.269.

3 Parl.Writs,II,i,pp.182-4.

The earl was present at York from about 26 October to 22 November, after which he returned to Pontefract, leaving Roger Beler to act as his agent and to send him news of the parliament's proceedings.[1] The business of the session has already been discussed in great detail,[2] and here it is only necessary to outline those of its decisions which are relevant to Lancaster's policy and to his relations with the king. Its first action was to enroll and affirm the treaty of Leake and to give the treaty a limited implementation. On 16 November Walwayn was replaced as treasurer by Sandale per consilium,[3] and other changes followed during the parliament. Henry le Scrope, chief justice of king's bench, Bereford, chief justice of common pleas, and Norwich, chief baron of the exchequer, were all retained[4] - though it was decided that the number of barons of the exchequer should be reduced if necessary.[5] Badlesmere replaced Montague as steward of the household, while Montague himself was made seneschal of Gascony.[6] This was perhaps a conciliatory move towards Lancaster, for it removed one of the chief targets of the earl's suspicions during the previous months without

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1 Wardrobe Account,1318-19,mm.1,6.

2 Davies, op.cit.,pp.450-68; Tout, Place of the Reign of Edward II, pp.112-9.

3 Cal.Pat.Rolls,1317-21,p.227.

4 H. Cole, Documents Illustrative of English History in the 13th and 14th Centuries (London,1844),p.3.

5 Ibid.,p.4; Davies, op.cit.,App.No.27.

6 Cole, op.cit.,pp.3-4.

giving offence to Montague,[1] though the good thus done was nullified by Badlesmere's appointment, as will be shown. Northburgh was to stay as keeper of the wardrobe, and, most important of all, the younger Despenser was to continue as chamberlain, though he was to take no fee.[2] Since this last was agreed on 'par consail et a la requeste de grantz', it is probably safe to assume that Lancaster had been overruled (to judge from his former objections to the Despensers he is unlikely to have agreed to the younger's continuance in office), that his influence on most of these appointments was slight, and that any concessions by the king and those around him were made from a position of strength. Local administration was dealt with at the same time. On 25 November a new escheator north of Trent was appointed, and four days later all the sheriffs, except those of the northern border counties, were changed.[3] The new sheriff of Yorkshire, Robert de Rithre, was a Lancastrian retainer, (though his tenure of office was short),[4] and the earl's influence may probably be seen here.

For Lancaster, parliament's most important work was its verdict on royal alienations. There was no wholesale resumption, for which he had pressed so strongly. Instead, various grants were considered

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[1] Cf. Douch, William Montague, Earl of Salisbury, pp.24-6.

[2] Cole, op.cit., pp.4,9.

[3] Cal.Fine Rolls,1307-19,pp.380-3; Vita Edwardi Secundi,p.91; Auct.Bridl.,p.56.

[4] He was replaced by Simon Ward on 19 Dec.(Cal.Fine Rolls, 1307-19,p.387).

on their merits (the compromise, in fact, which the bishops had suggested at Tutbury in June), some repealed, and others allowed to stand. Lands granted to Oliver de Bordeaux were to remain to him and his heirs, but the grant made to him of 100 marks a year until he had received 100 marks worth of land, together with other gifts made to him since the Lincoln parliament, were cancelled. Montague was allowed to keep the grant of land to the value of 200 marks which had been given him for his good service to the king and to his father. The younger Despenser was to keep 300 marks worth of the lands to the value of 600 marks which the king had granted him by his letters patent. Amory was to receive that part of the £100 worth of land which had been given to him for his good service at Bannockburn and which had not yet been paid; in addition, a marriage, worth 2,000 marks, was to remain with him until the next parliament, and he was to find surety to answer to the king for the issues of the marriage, should it be decided to resume it. Badlesmere was to have the reversion of lands worth £100, out of the 500 marks worth which the king had granted to him, and in the meantime he was to take £100 a year. Of the lands granted to Beaumont in England and Gascony, some were to be held by him and others resumed; while Audley's claim to his wife's rights, as Gaveston's widow, in the county of Cornwall was deferred. Gifts to seven others, including Hereford, were also considered.[1]

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[1] Cole, op.cit., pp.9-10.

This was a resumption on a very limited scale, and though most of the prominent courtiers were involved to some extent, their losses were comparatively small. What was more important, nothing was said about their dismissal from the court, which Lancaster had demanded, and they were thus left free to continue to tap the stream of patronage, provided that they could escape the notice of the standing council. The decisions on alienations are a measure of Lancaster's political defeat at Leake, and, in comparison with what had been conceded at Leicester in April, they represented hardly more than a ritual obeisance to his programme. For the moment, however, the attitude of those dominant in parliament was not an extremist one. Almost all grants during the assembly were made 'with the assent of the parliament',[1] and others on the charter rolls were given 'by the king and petition of council', or 'by king and council'.[2] Conciliar supervision of grants, though it lasted no long time, perhaps partly compensated Lancaster for the surrender of much of his policy on resumptions.

Moderation was again evident in the establishment of a committee to discuss the reform of the royal household,[3] the work of which culminated on 6 December with the issue of an ordinance.[4] The

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[1] Cal.Pat.Rolls,1317-21,pp.246-59, passim.

[2] Cal.Charter Rolls,1300-26,pp.396,403.

[3] Cole, op.cit.,p.12.

[4] Tout, Place of the Reign of Edward II,pp.118,158-60,240-84; Chapters,ii,pp.245-58.

curtailment of household expenditure is the main theme of the document: the precise duties and emoluments of each member of the household were laid down and the expulsion of unnecessary followers was ordered. This was a sensible and politic enactment, though it deflected attention away from the main reason for the king's impoverishment, his own extravagant generosity. Since the younger Despenser and Badlesmere were ex officio members of the committee of four which drafted the ordinance, this may have been deliberate - an attempt to screen the greater evil by abolishing the lesser.

In other ways the parliament showed that it was prepared to enforce the Leake settlement. The standing council nominated in August was continued in office, with the addition of two bishops and seven barons.[1] It seems very possible that Lancaster's banneret on the council was the northerner John de Clavering. Most of the king's grants during this period were witnessed by groups of the new councillors, among them men such as Somery, Martin, Courtenay, Grey, and Botetourt, who acted only rarely as charter witnesses at other times during the reign. Clavering, though holding no known official position, appears fairly frequently with these barons,[2] and he was certainly serving Lancaster at this time. As one of the

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[1] Cole, op.cit., p.12.

[2] C.53/105,m.18(8 Aug.,1318); m.16(6 Nov.); m.15(12 Nov.); m.10(20 Nov.); m.5(16 May,1319).

richer and more senior members of the retinue, Lancaster might naturally have chosen him as his representative. The point is of no great importance, since there is nothing to show Clavering's intervention in any of the council's decisions.

It had been intended that a Scottish campaign should follow the York parliament. In early August, while Lancaster and the king were together at Nottingham, certain towns had been asked to supply foot-men, complete with armour, to serve for forty days at local expense. (Both these latter stipulations were uncustomary and provide yet another example of Edward's extension of military obligation.)[1] On 16 September Edward was still speaking as though an expedition were imminent,[2] and between 23 September and 30 October many of the followers of Lancaster and the other nobles were granted protections and respite of debts.[3] It was not until 8 November, after parliament had been assembled for almost three weeks, that the levies were allowed to return home.[4] According to the St. Albans' chronicles, there had been a riot of some sort, as well as other hindrances,[5] but though this may be true it is more likely that parliamentary business had lasted much longer than expected (writs de expensis were not issued until 9 December)[6] and that the lateness of the season precluded any

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1 Parl.Writs,II,i,pp.505-6; Powicke, op.cit.,pp.145-6.
2 Parl.Writs,II,i,pp.507-8.
3 C.71/10,mm.11-12.
4 Parl.Writs,II,i,p.510.
5 Trokelowe,p.102; Walsingham, Hist.Angl.,i,p.154.
6 Parl.Writs,II,i,pp.194-5.

campaign. It was agreed in parliament that a muster should be held at Newcastle on 10 June in the following year, and that parliament should next meet at York or Lincoln a month after Easter.[1] Once again Edward had let opportunity slip by, though perhaps with more excuse than usual. Bruce was heightening the walls of Berwick, strengthening the fortifications, and victualling the town,[2] and when the English came north in 1319 they would find the fortress that controlled the eastern route to Scotland held securely against them.

In spite of the setbacks which his policies had suffered there is no evidence to show that, outwardly at least, Lancaster was not reconciled to Edward - indeed, the Flores Historiarum reports concordia summa .[3] He and his men were pardoned for all offences committed prior to 7 August,[4] while he himself and seven of his retainers - Robert Holand, William Latimer, Nicholas and Stephen de Segrave, John de Clavering, Fulk Lestrange, and Michael de Meldon - were among those on the committee set up 'ordiner les primers poynts qe sont a treter et parler en parlement'. Meldon was also charged, with Walter Norwich and William Ayremynne, with the enrollment of the king's reply to the petition put to him by parliament concerning the standing council.[5] But these things, though gratifying, were not important.

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1 Cole, op.cit.,p.4.

2 Barbour, The Bruce, ed. W.M. Mackenzie (London,1909),pp.302-4. Cf. History of the King's Works,ii,ed.H.M. Colvin (London,1963),p.564.

3 Flores Hist.,iii,p.186.

4 C.81/1707,passim; Parl.Writs,II,ii,pp.127-30.

5 Cole,op.cit.,pp.11-12.

What was important was the earl's claim to the stewardship. This will be discussed in detail later and only the bare facts need be recorded here. During the parliament Lancaster produced the royal charter of 1308 which had conveyed the office to him and his bodily heirs and asked that he should be able debito modo gaudere. This petition was answered by a promise to search the records of the exchequer, chancery, and wardrobe and to report back after Easter.[1] It was not by chance that the claim was put forward in this particular parliament, for the earl's object was almost certainly to secure the right to appoint the steward of the household. He had apparently challenged Badlesmere's appointment to this position (this seems to be the gist of the mutilated roll),[2] and the earl's subsequent bitter hatred of Badlesmere may be rooted in this incident. Another of his petitions, asking for the return of a Yorkshire village which he claimed, was similarly deferred.[3]

At Leake and in the parliament at York Lancaster had retreated a great distance from the intransigent position which he had adopted in the early summer. His two most important demands - on resumptions and the expulsion of evil counsellors - had received only the most qualified implementation, and he himself had no place on the new

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[1] Ibid., p.8.
[2] Ibid., p.3.
[3] Ibid., p.8.

standing council. After complaining bitterly at the danger which threatened him from those around the king he had received Amory and the others into his grace at Leake. Most surprisingly, these concessions, which had probably been drawn from him during the embassy of 20-29 July, had been made without apparent protest. The explanation of this uncharacteristic behaviour almost certainly lies in the inducements offered to him by the middle party, and in his own settlement with Warenne, which the mediators probably connived at. On 23 November Amory, Audley, and Montague all acknowledged large debts to Lancaster - Amory the sum of 906 marks 7.4, Audley 1,229 marks 6.6, and Montague 413 marks 4.0. The total is a few shillings less than £1,700. Amory's debt was certainly paid,[1] and in February, 1319 an acquittance was sent to Montague.[2] These recognisances, which puzzled Conway Davies,[3] are surely payments which the middle party had persuaded the courtiers to make as the price of a settlement. Suitable amends from these men had been mentioned both at the exchequer meeting in June and in the clerk's letter of 21 July as one of the prerequisites for a reconciliation;[4] and the Vita, speaking of the latter stages of

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1 Cal.Close Rolls,1318-23,pp.109-10.

2 Wardrobe Account,1318-19,m.1.

3 Davies, op.cit., p.435,n.5.

4 Salisbury, op.cit., p.82; Hist.MSS.Comm.,Var.Coll.,i,p.268.

the negotiations, says that 'omnes hii, contra quos diceret se comes habere querelam, ad arbitrium comitis satisfacerent, et super hoc fideiussores, cautionem aut pignora, prestarent'.[1] A large bribe was obviously intended to make Lancaster reconsider his political demands.

More important than these payments, heavy though they were, was the earl's settlement with Warenne, the significance of which has never been properly appreciated.[2] Warenne had been excluded from the treaty of Leake and does not appear to have been present at the York parliament.[3] The story of the 'agreement' which Lancaster subsequently made with him is told by Warenne himself in a petition which he presented to the king in 1322; its details are confirmed by other documentary evidence. After recounting how Lancaster had attacked his Yorkshire castles and threatened his death, and how he had been left out of the Leake settlement, Warenne said that mutual friends had then approached Lancaster and asked him to come to terms with his enemy. Lancaster had agreed, and Warenne subsequently went to Doncaster, then to Barrington (a few miles south-west of Pontefract), and finally to Pontefract at the other earl's bidding. When he had come into Lancaster's power, however,

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[1] Vita Edwardi Secundi, p.88.

[2] On the settlement, see ibid.,p.93; Somerville, op.cit., pp.26,337; Fairbank, op.cit., pp.212-3.

[3] Cole, op.cit., pp.2,11.

he was held and threatened with death unless he would agree to release to Lancaster all his lands in Yorkshire, his territory in North Wales - Bromfield, Yale, and Holt Castle - and the reversion of his estates in Norfolk. Warenne, under duress and 'ne poeit par autre voie eschaper pur le grant poer qe le dit counte...avoyt assis sour luy', had been forced into compliance. He now pleaded before the king that these extorted releases had no legal basis, and he asked for the return of his lands which had since come into the king's hands on Lancaster's death.[1] A shortened version of this petition was forwarded to the exchequer in June, 1322, with instructions to search the records and forward any evidence discovered.[2] The Welsh lands had already been returned a few days before this, but Warenne did not regain his Yorkshire manors until 1326 (and then for life only).[3]

Fortunately the truth of parts of this story can be checked. The release survives by which Warenne, on 29 November, 1318, at Doncaster, released to Lancaster in fee all his lands and rights in Yorkshire.[4] Twelve of Lancaster's retainers acted as the sole witnesses, lending some substance to Warenne's claim that he was

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1 SC.8/174/8702b.

2 E.159/95,m.29d.

3 Fairbank, op.cit., pp.215,219-20.

4 DL.25/3575; DL.42/2, f.410; Fairbank, op.cit., p.212.

coerced into setting his seal to the deed. No similar documents exist either for the Welsh lands or for those in Norfolk, though the releases were almost certainly made at the same time, for about 29 November men were sent from Pontefract to take seisin of Bromfield and Holt Castle for Lancaster, and a week later to receive Warenne's lands in Norfolk and Suffolk.[1] On the same day as the Yorkshire quitclaim was drawn up Warenne acknowledged a debt of £50,000 to Lancaster, to be paid at the house of the Friars Minor in Leicester on Christmas Day, and pledged all his lands to its payment.[2] (There is nothing to show that this sum was paid, or even that it was intended to be: it seems as though Lancaster had determined on Warenne's total ruin, but had afterwards relented.) The settlement was apparently completed at Sweaton, between Doncaster and Pontefract, a day later, when Warenne released to Lancaster his claims to a valuable wardship, that of Richard Foliot, which the two men were contesting in the courts.[3]

Most of these releases were ratified by the king in the new year. On 1 January Lancaster was licensed to hold the lands in Yorkshire and North Wales for the life of Warenne, who was given permission to enfeoff Lancaster with lands in East Anglia, to be regranted to him

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[1] Wardrobe Account, 1318-19, mm.5-6.

[2] E.42/101.

[3] DL.42/1, f.66. For the extent of Foliot's lands, see Cal.Inq.Post Mortem, vi, No.618.

for life with the reversion to Lancaster.[1] The terms of the first licence were a modification of the original agreement of November: Lancaster gained the Yorkshire lands for Warenne's life only and not in fee as before. In return for these concessions Lancaster was permitted to grant to the other earl for life lands and rents to the annual value of 1,000 marks in Somerset, Dorset, and Wiltshire[2] - the grant for this was drawn up on 13 March, 1319, at Pontefract and later confirmed by the king.[3] This was Lancaster's total contribution to the 'exchange'. Shortly afterwards his new tenure of the East Anglian lands was formally settled by a fine.[4]

These dealings were so favourable to Lancaster that in themselves they almost offer a confirmation of Warenne's story (though the latter appears to have erred in details - the major releases, for instance, were drawn up at Doncaster, not at Pontefract, as he said). Warenne's coercion is implicitly recognised by the Vita which comments that 'Iacturam fecit ut evitaret maius periculum, quia de duobus malis minus malum est eligendum.'[5] His rival's quitclaim left Lancaster without any territorial rival in Yorkshire. He gained two castles - Conisborough and Sandal - and eight other manors -

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1 Cal.Pat.Rolls,1317-21,pp.263-4.

2 Ibid., p.264.

3 D.42/2, f.25v; Cal.Pat.Rolls,1317-21, p.219.

4 Feet of Fines for Norfolk,ii, ed. W. Rye (Norwich,1886), p.255; Year Book 12 Edward II, ed. J.P. Collas (Selden Soc.,1964), pp.26-7; Cal.Close Rolls,1318-23,p.68.

5 Vita Edwardi Secundi, p.93.

Sowerby, Halifax, Dewsbury, Wakefield, Fishlake, Thorne, Hatfield, and Braithwell - though this may have been in part only a legalisation of the status quo, for he had held Conisborough, and probably the other manors, since January, 1318, or before.[1] His position in the West Riding was greatly consolidated - all the lands lay within 30 miles of Pontefract - and his sphere of influence, the region from which he could draw men and money, was enlarged. Though political reasons partly dictated his almost continuous residence at Pontefract from about this time, the increased centralisation of his power in South Yorkshire must have been a significant contributory factor.

The acquisitions in Wales would seem to have been equally well planned on Lancaster's part. Together with his own lordship of Denbigh, they gave him control of a wide belt of territory, stretching from the Conway to the Dee, and made him as important a magnate in North Wales as his brother was in the south. As has already been shown, he had been attempting to take over Bromfield and Yale in June, 1318, and he had now succeeded: the uses to which such gains could be put were shown in 1319, when he sent his officials to tallage his new Welsh tenants.[2] The lands in Yorkshire and Wales, together with the East Anglian manors, were a most valuable addition

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[1] Ut sup., p.330.

[2] Wardrobe Account, 1318-19, mm.3,7.

to the estates, in comparison with which the outlay of 1,000 marks worth of lands and rents in the southern counties can have mattered little. These areas were rarely, if ever, visited by Lancaster; few of his retainers lived there; and because they were detached and distant from the main block of the estates, they must necessarily have been expensive to manage. If these transactions can be termed an 'exchange', it was one which was entirely in Lancaster's favour.

If we accept the truth of Warenne's petition, one problem still remains: to what extent was this coercive settlement arranged through the middle party? The evidence is inconclusive, but it is entirely unlikely that the mediators would have promised reparation from Amory, Audley, and Montague, as they seem to have done, without also agreeing to amends from Warenne, whose abduction of Lancaster's wife was a greater personal insult than any ever offered to him by the others. (In connection with this, it is interesting to note that Lancaster wrote twice to Pembroke during this period, on 16 October and 20 January.)[1] It is conceivable that monetary compensation was intended, in which case the £50,000 bond might represent the pre-arranged sum, though it was an impossibly difficult one to pay. Or it may have been agreed merely that Lancaster should make his own terms with Warenne. The licensing of the land transactions by the king

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[1] Ibid., m.1.

seems to show that the settlement had been provided for and that Lancaster was anxious to have it recognised, while Warenne's tardiness in presenting his petition suggests that he realised that the 'agreement' could not be upset while the earl lived. Though the degree of the mediators' connivance at Lancaster's treatment of Warenne is not clear, the existence of such connivance is established reasonably firmly. The earl's 'mitigation' could only be bought at this very heavy price.

In this light, Lancaster's rivalry with Warenne appears to have been as much territorial as personal; the abduction of his wife may have been the occasion rather than the cause of the feud. So strong were his territorial ambitions that in the end he was prepared to barter for them the core of his political demands (though the compromise settlement at Leake and York ensured that these demands were not wholly forgotten), and much of his political influence. This suggests that his political objectives at this time may have been overemphasised. His absence from the government, noted before, and his long periods of residence on his own lands may not be due to the mere sulkiness to which they are usually ascribed but to his having a greater interest in the profitable management of his own estates than in the running of the country. The treaty of Leake and its pendants, the settlements with Warenne and the courtiers, strongly hint at this - but, lacking more definite evidence, it would be foolish to press the point to extremes.

The events of 1317-18 showed Lancaster in the best and worst of lights. He had taken a stand on the constitution, as defined by the Ordinances, which no one else had been prepared to take. The nub of his case lay in his efforts to curb royal extravagance - by the dismissal of those who battened on to Edward's generosity, by the revocation of royal grants, and by the establishment of a standing council to supervise an untrusted monarch. The implication, never directly stated, was that the king would then be able to reduce his heavy and constant demands for subsidies and loans, and perhaps also the burden of increasing military obligations which attempted to shift the burden of raising troops from the king himself and to lay it on the local communities. The relationship between Edward's lavishness to those around him, and the depressed state of the country, suffering from the aftermath of the famine, the persistent devastation of the north, and high taxation, must have seemed obvious to contemporaries.

But in Lancaster's attitude there was a quantity of self-interest. It is difficult to doubt that his attacks on the courtiers were inspired partly by simple jealousy; and the calling in of the Scots in 1317 to help him against the Beaumonts and Amory is hard to defend, though Lancaster offered a reasonable excuse by saying that his object was 'ad ducendum regem per viam asperitatis ut melius regat populum'.[1]

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[1] Auct.Bridl., p.54.

The strongest charge against him, however, lies in his apparent willingness at the end of the Leake negotiations to accept a humiliating compromise on his political principles for the sake of an extremely advantageous financial settlement. The treatment of Waremne was an example, on a much larger scale, of his normal extortionate dealings with his tenants and neighbours, and, like these dealings, suggests that considerations of private profit may have been as important to him as his desire for a purged court or for political power for himself.

That a settlement was eventually reached was entirely due to the efforts of the middle party. The mediators were under strong pressure from all sides. The courtiers naturally refused to accede to Lancaster's demands, which would have meant their virtual dispossession; and they themselves were probably under pressure, both from their own dependents and from those whom the king had tied to himself by generous indentures, to see that the earl did not get his way. Lancaster, lacking influential allies, seems to have relied on the threat of his retinue to manoeuvre for his ends, - and with some success, for the government's worry over the size of the earl's following is obvious throughout the negotiations. He could also exert another, negative, kind of pressure, in that by refusing to take part in the government of the country he made it extremely difficult to mount any campaign against the Scots - 'rex...nec posse contra

Scotos proficere sine auxilio comitis Lancastrie', says the Vita explicitly, while the same chronicle reports that the siege of Norham in the summer of 1318 and the castle's inability to hold out beyond Michaelmas spurred on the final settlement.[1] Here was the third source of pressure, that of outside events, to which the middle party was subject. The mastery of the Scots in the north was matched by the demands of the French over Gascony. Shortly before the treaty of Leake Philip V had demanded Edward's fealty for the duchy. Edward had excused himself and later sent envoys to perform the act for him, but sooner or later he was bound to go in person.[2] Thus quite apart from the danger of civil war implicit in the opposing demands of Lancaster and the courtiers, there were cogent reasons for reaching a speedy settlement, and it is to the great credit of the mediators that this was ultimately secured.

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1 Vita Edwardi Secundi, pp.87-8.

2 Foedera, II, pp.360, 365, 371.

CHAPTER 8

The Siege of Berwick and its aftermath, 1319-20

Throughout the winter and spring of 1319 Lancaster remained at Pontefract, while Edward stayed near York.[1] Preparations were already getting underway for the summer campaign: as early as 8 February the earl wrote to some of his officials 'pro gente eligenda versus Scociam',[2] and in March writs were issued for a parliament on 6 May followed by a muster at Newcastle on 10 June.[3] In April Harclay was appointed as custos of Cumberland and Westmoreland, and the younger Despenser was sent in advance to the north with a force of men-at-arms.[4] Efforts were made to raise money: convocation was asked for a clerical subsidy of a third, but this was refused until the king had sent an embassy to the pope to ask permission. A tenth was eventually granted.[5] Even Edward's lethargy seems to have been stirred by the obvious need for immediate action.

The York parliament of May, 1319, continued the work of the previous assembly.[6] Amory was allowed to retain the wardship granted to him, together with the issues of the ward's lands, for a fine of 2,000 marks.[7] Audley's claim through his wife to the earldom of

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1 E.101/377/13.
2 Wardrobe Account,1318-19,mm.1-2.
3 Parl.Writs,II,i,pp.197,513.
4 Ibid., p.515; Rot.Scot.,i,p.194.
5 Ann.Paul.,p.286; Murimuth,p.30.
6 Davies, op.cit., pp.461-3.
7 Cal.Fine Rolls,1307-19,p.401.

Cornwall was disallowed, since it was agreed that all grants made to Gaveston and his wife had been revoked and annulled.[1] Grants were again made with parliamentary assent and 'by king and council'.[2] Money for the forthcoming campaign seems to have been the most pressing necessity, and Edward secured subsidies of a twelfth from the towns and an eighteenth from the shires, together with a fine of 1,000 marks from the London burgesses for a new charter of liberties.[3]

Lancaster was present at York with a large force of retainers for most of the parliament. On 15 May William Latimer's indenture was witnessed by five of the earl's knights, and on 24 May he and fourteen of his men were present at the sealing of another deed.[4] His most significant intervention in parliament's proceedings was again concerned with the stewardship: he asked the king to grant him the stewardship of the household, an office unmentioned in his former petition and only claimed then by implication. He was told that if he wanted he could have writs ordering a search of the records, as conceded in the previous parliament but never asked for.[5]

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1 Cole, op.cit., p.49; Cal.Close Rolls,1318-23, p.143.

2 Cal.Charter Rolls,1300-26,p.408; Cal.Pat.Rolls,1317-21, pp.351,388,397.

3 Vita Edwardi Secundi,p.93; Auct.Bridl.,p.56; Ann.Paul.,p.286.

4 Holmes, op.cit.,pp.122-3; Cal.Close Rolls,1318-23, p.138.

5 Cole, op.cit., p.48.

Lancaster evidently followed this up, for on 7 June the exchequer was ordered to notify the king of the knights' fees held by Montfort and the other earls of Leicester by reason of the stewardship, with the conditions of their tenure.[1] Edward's eventual victory in the matter may be inferred from the absence from the memoranda rolls of any answer to this request, and Lancaster temporarily allowed his case to drop.

The question of the stewardship was of outstanding importance to Lancaster. The rights of all the great hereditary officials, constable, marshal, and steward, were very obscure at this time,[2] and because of this Lancaster could put forward concrete claims, though with little supporting evidence, which it was difficult to refute in equally concrete terms. In 1317, as we have already seen, he had asserted that it was his business as steward to look to the best interests of the kingdom, and that if the king wished to arm against anyone he ought first to notify his steward. In his claim to powers of this type he may have had in mind a precedent drawn from the Lord Edward's brief tenure of the stewardship in 1268-9. Edward had apparently been granted the stewardship in November, 1268, and at Christmas of that year he had been given

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[1] E.159/92,m.57d.

[2] M.V. Clarke, Medieval Representation and Consent (Oxford, 1936), p.239.

charge of all the king's castles. It has been plausibly suggested that the grant of the castles was to be taken with the grant of the stewardship,[1] and if this is so, then Lancaster obviously had some justification for claiming that his office gave him national powers. His petition for the stewardship of the household, however, was probably based on nothing stronger than the analogous rights of the earls of Warwick, hereditary chamberlains, and the earls of Hereford, hereditary constables, to appoint deputies at the exchequer;[2] and unlike these other earls Lancaster had only a very hazy precedent on his side - as far as is known, the only instance of a steward appointing a deputy dated from 1260, during Montfort's tenure, and that was for one specific occasion, a royal feast.[3] That Lancaster could propound a claim based on such flimsy grounds showed the importance which he attached to his household counterpart - and with reason, for this office gave its holder constant and close contact with the king. Whoever controlled the stewardship of the household would be able to set limits to the king's expenditure, both on ordinary domestic items and on the courtiers. The example of Montague, whose position as steward had made him a strong link in the chain which bound king and courtiers together, was before Lancaster's

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1 Denholm-Young, Richard of Cornwall, pp.144-6.

2 Davies, op.cit., pp.312-3.

3 Harcourt, His Grace the Steward, p.122.

eyes. The earl's erection of this new claim, implicitly in 1318, explicitly in 1319, was perhaps intended to counteract his own omission from the standing council; if he could not control the king from his place on the council, he would try to do so as steward of the household.

But Lancaster claimed more than the mere supervision of the court. The tract on the office of steward, almost certainly drawn up in 1320,[1] asserted that it was the steward's duty 'to supervise and regulate, under and immediately after the king, the whole realm of England and all the officers of laws within the said kingdom in times of peace and war'. He was to determine all cases in which the plaintiff had been unable to obtain a remedy in parliament, or in which there had been a miscarriage of justice. If the law was in doubt, the matter should be decided by a committee of twenty-five, drawn from the nobility and commons and nominated by the steward and constable. (By the date of the tract's composition Hereford, the constable, had crossed over to Lancaster's side again.) If the officers of the law were corrupt, the steward should admonish or remove them. Finally, it was the steward's special duty to intervene against the king's evil counsellors. Associating with

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[1] Ann.Paul., p.293; Clarke, op.cit., pp.242-3. The tract is printed in Harcourt, op.cit., pp.164-7.

himself the constable and representatives of the magnates and commons, he should ask such a counsellor to leave the court, and if this was refused, then he should appeal to the king himself and demand the man's expulsion. If this too failed, then the steward, constable, and other magnates, acting for the good of the kingdom, would be justified in taking that counsellor, holding him until the next parliament, and in the meantime confiscating his goods and lands. The tract concluded by citing a series of precedents, ending with Gaveston's execution, to support this argument.

Though this was a polemical piece, specifically designed to justify the attack on the Despensers in 1321, it doubtless represented Lancaster's considered opinion on his powers and responsibilities - the Vita's statement of his case in 1317, for instance, coincides closely with the first clause of the tract. The earl was claiming the right to act as a court of appeal in judicial cases and to supervise the king's choice of counsel. Neither of these claims had any basis, either in written law or in custom and precedent - they were put forward merely to give a theoretical justification for Lancaster's activities. If the king chose to keep his evil counsellors around him, the threat of violence was formerly the only sanction which the magnates had in order to bring him back to the constitutional path. Now Lancaster was using his own position,

and the imaginary powers attached to it, to go one step further and to defend such violence - even retrospectively, as in his citing of Gaveston's case. The stewardship itself was of no importance (Lancaster himself had perhaps tacitly recognised this by failing to press any claims until 1317, thus virtually allowing his case to go by default). What was important was the end to which Lancaster put the office. His use of it to justify his political stand was clever, though, because of the lack of precedent and his own failure to bring forward his claims earlier, ultimately unconvincing.

The weeks after the York parliament were taken up with final preparations for the campaign. Envoys were sent to Scotland to claim the kingdom and offer peace to Bruce - a formality which was as formally refused.[1] Orders were sent for the transfer of the exchequer to York by Michaelmas,[2] and in June writs were issued for the raising of footsoldiers, to be brought to Newcastle by 22 July.[3] Loans were demanded from the clergy and the towns in advance of the subsidies granted in the parliament,[4] and a meeting of the heads of various Yorkshire religious houses was held at York on 23 July,[5]

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1 Vita Edwardi Secundi, pp.93-4.
2 E.159/92,m.49.
3 Parl.Writs,II,i,pp.517-20.
4 Ibid.,II,ii,pp.140-2.
5 Ibid.,II,i,p.215.

perhaps to provide for the safety of the county in the king's absence. Lancaster meanwhile had left York and returned to Pontefract, whence he moved on to Leicester, Kenilworth, and Tutbury, reaching Pontefract again at the end of July. The preliminaries ofthe expedition must have taken longer than Edward expected, for orders had been issued to some of the levies to stay their march,[1] and it was not until early August that the king reached Newcastle[2] and was able to assemble his army, which was paid from 1 August.[3]

The campaign of 1319 was the first of the reign to which unanimous consent had been given and the first on which Lancaster served. Edward had behind him a baronage which was at least superficially united and which he had consulted at every step - discussion de guerra Scocie had occupied much of the time of the previous two parliaments and Lancaster could not complain, as he had done in 1317, that the king was preparing to wage war without baronial consent, against the Ordinances. The English forces were large, and were increased by the king's offer to allow to each combatant as much of the enemies' goods as could be taken up to the value of £100, thus forestalling any fears of possible restitution after a truce.[4] 23,596 foot had been summoned,[5] rather more than

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[1] Ibid., p.522.

[2] Edward was at Chester-le-Street on 31 July and at Newcastle on 3 Aug. (Cal.Chanc.Warr.,i,1244-1326,p.498).

[3] Bain, Cal.Docs.Scot.,iii,No.668.

[4] Vita Edwardi Secundi, p.94.

[5] Parl.Writs,II,i,pp.517-20.

for the Bannockburn campaign,[1] and the numbers of cavalry, which can be roughly deduced from the protections issued, amounted to an approximate minimum of 300;[2] 500 would probably be a more accurate figure. Fortunately the pay roll for the campaign has survived and this allows some comparison between the numbers of those summoned and those who appeared. 8,080 men are recorded as having served, though this is exclusive of the naval force and of Lancaster's troops, unmentioned on the pay roll, of whom 2,000 had been summoned. These 8,080 comprised 120 crossbowmen, 1,520 archers, 3,000 English foot, 2,400 Welsh, and 1,040 hobelars,[3] and, in addition, numbers of other irregulars were summoned during the siege.[4] The total size of the army probably amounted to about 10,000 foot (below half those summoned), 400-500 horse, and an unknown number of sailors and other 'extras', figures which stand comparison with those of the Bannockburn campaign, on which Morris thinks there were about 15,000 foot and 2,000-2,500 horse.[5] This estimate for the army of 1319 bears no relation to the chronicler's rash guess of 30,000 horse and foot,[6] but Edward's force must still have been impressively large.

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[1] 21,540 foot were summoned in 1314 (J.E. Morris, Bannockburn, Cambridge, 1914, p.40).

[2] C.71/10,mm.2-11.

[3] Bain, Cal.Docs.Scot.,iii,No.668.

[4] Ibid.,Nos.663,664,665.

[5] Morris, op.cit., p.41.

[6] Ann.Paul., p.286.

Lancaster's contingent was probably the strongest in the army. It has already been suggested that 35 to 40 retainers accompanied Lancaster on the campaign,[1] and these men themselves sometimes provided sizeable forces - the earl of Athol, for instance, served Lancaster at Berwick with two bannerets, four knights, and 33 men.[2] If 35 retainers each had to provide three knights and ten men, a reasonable average, Lancaster would have had a personal following of 140 knights and 350 men. In addition, he had been asked to supply 2,000 men from his estates. This arraying of tenants by their lords was a novel expedient, and the stipulation that the levies should be well armed and should have supplies for one month from the date of assembly placed further burdens on the magnates.[3] The force which Lancaster was asked to provide was equalled in number only by that of the bishop of Durham, and was equivalent to the total summoned from the earls of Hereford, Arundel, and Chester, the younger Despenser, John Charlton, John Hastings, and John Giffard of Brimpsfield. Attempts were certainly made to supply the quota demanded, though with what degree of success it is difficult to tell. On 6 July, six days after the issue of the summons, the earl's steward at Leicester was choosing men for the campaign, and weapons and armour

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1 Ut sup., pp.96-7.

2 Wardrobe Account, 1318-19, m.5d.

3 Powicke, op.cit., pp.156-7.

were being bought and repaired.[1] More commissions for the levying of troops were issued to local officials on 11 July;[2] fifty archers were later sent from Derbyshire and another forty from Staffordshire, the expenses (£9) of both forces being met by the earl's wardrobe. Demands on the religious houses for carts, as in 1315, were very heavy - more than 30 houses sent vehicles to Lancaster[3] - and a fleet of ships was also freighted.[4] The full contingent of 2,000 men may have been almost reached. Barbour says that the earl's 'batall...of the host neir thrid part was';[5] and it is clear, as will be shown, that the departure of him and his men made the continuation of the siege impossible.

The raising of such a force - hardly a third of the army, as Barbour reports, though perhaps a fifth - must have been extremely expensive,[6] and it is all the more surprising to find no mention of payments to Lancaster in the campaign pay roll, the engrossment of this in the wardrobe book,[7] or in the issue rolls. (His absence from the pay roll even led Bain to doubt his presence at the siege.)[8]

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1 Bateson, Leics.Bor.Recs.,i,p.320.

2 Wardrobe Account,1318-19,m.3.

3 Ibid.,m.4d.

4 Ibid.,m.6d.

5 Barbour, The Bruce, p.320.

6 The author of the Vita makes Lancaster say 'quod non modicos sumptus ibidem fecerim pro villa de Berewyk recuperanda' (Vita Edwardi Secundi, p.102).

7 E.101/398/4,ff.19-32.

8 Bain, Cal.Docs.Scot.,iii,p.xxvi.

he appears to have been drawing pay neither from the wardrobe nor from the exchequer, and this is equally true of the earlier period in 1315-16 when he had been serving in the north. There are three possibilities: he may have been receiving revenues from other sources - from the customs, for instance, or in remissions from the king's Italian bankers - which would not enter the issue rolls or the wardrobe books; or the king may have simply refused to pay him; or he may have refused to accept pay and asserted the old ideal, now a complete anachronism, of comital independence and service without pay. All these alternatives seem unlikely. A sampling of the pipe rolls and a search of the customs accounts have not revealed the diversion of any royal revenue to him; if the king were refusing to pay him, it would seem almost impossible that no word of complaint should have survived, especially as Lancaster was so vocal on other more general grievances; and it is very improbable that he could have afforded to scorn an offer of royal pay, and support his own retinue on war-time rates and 2,000 footmen at his own cost. In any case, the right to serve without pay had previously been applied only to feudal service. The campaign of 1319 was not 'feudal' - knight service was not demanded as it had been in 1310 - and to insist on paying for the levies from one's own lands in the face of an offer of pay would seem madness. The most plausible

explanation is perhaps that the earl was being paid by the king's bankers. This type of payment would be disguised in the exchequer or wardrobe records as a simple remittance to the firm or individual concerned, while the absence of any information on Lancaster's receipts in 1319-20 would similarly cover the earl's part in the transaction. There is only negative evidence for this, however, and the problem still remains.

Though Edward's army was large, his campaign seems hardly to have been planned, and the Vita implies that the decision to besiege Berwick was taken almost on the spur of the moment, after the English had left Newcastle.[1] This is corroborated by the apparent lack of siege engines and of diggers in the army, both of which had to be called up after the siege had begun.[2] Lancaster was evidently not entirely out of favour at this time, for on 7 September, while the army was still a few miles south of Berwick, he successfully petitioned the king for the return of certain lands in Bamburgh parish which had escheated after the defection to the Scots of Sir John de Middleton, the earl's tenant there.[3] After this the march north continued and later in the same day the English reached Berwick.[4]

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[1] 'Profectus inde dominus Rex in Scotiam apud Berewyk cum toto exercitu primo pervenit, et hanc primam expugnationem de consilio fore decrevit' (Vita Edwardi Secundi, p.94).

[2] Bain, Cal.Docs.Scot.,iii,No.663.

[3] Cal.Inq.Misc.,ii,1307-49,No.1125; E. Bateson, A History of Northumberland,i,(London,1893),pp.215-6.

[4] The army was iuxta Berwic' from 7-17 Sept.(E.101/378/3).

Almost all the chronicles mention the siege of Berwick (Barbour and the Lanercost writer are particularly informative) and almost all have something to say of Lancaster's part, which clearly determined the fate of the town. On arrival, Edward evidently decided on an immediate assault and probably on 8 or 9 September the English stormed the wall, almost managing to take it, while a similar attempt was made by ship on the seaward side. Both attacks were repulsed, however, and the army had no choice but to withdraw and reassemble.[1] Dissensions and divisions now began to appear among the magnates. The canon of Bridlington writes that some in the camp deliberately fostered this discontent, reporting the king's words incorrectly to the magnates, and vice versa.[2] The St. Albans' chronicler is more specific: according to him, Edward, fatuitate solita, began to give away favours which were not yet his to dispense, promising to make Despenser keeper of the castle and Amory captain of the town when it should be taken.[3] The story is corroborated by Robert of Reading, who writes that the king promised 'haereditates obsessorum, villas et honores eorum quae necdum...acquisierat' to certain despecti cynifloues and that he even went to the extent of twice ordering books of charters to be drawn up.[4] In addition to these blunders Edward made an

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1 Lanercost Chron.,p.239; Barbour, The Bruce, pp.306-10.

2 Auct.Bridl., p.57.

3 Walsingham, Hist.Angl.,i,p.155.

4 Flores Hist.,iii,p.186.

equally impolitic move by threatening to avenge Gaveston's death when the war was finished.[1] It was hardly surprising that this reckless stupidity should have alienated the magnates who were not of the court. One chronicler attributes Lancaster's withdrawal to this,[2] though this probably did not occur until about a week later, and the Vita writes that the king's threats were known to the earl and that henceforth he was not as active at the siege as he might have been.[3] Edward was at least partly to blame for the accusations of treachery which were later thrown at the earl.

According to the Meaux and Bridlington chronicles, the Scots knew of these bitter quarrels and took advantage of them to dispatch an army into England to wreak what damage it could.[4] But this may be only a retrospective view, and it is more probable that Bruce sent off his force because he feared a pitched battle at Berwick ('for it mycht weill turn to foly') and that he wanted to divert the English away from the border and force them into guerilla warfare, at which the Scots were so expert and the English so unpractised. This is half stated and half implied by both Barbour and the Lanercost chronicler.[5] The episode of the ensuing Chapter of Hyton, at which

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1 Ibid.; Vita Edwardi Secundi, p.104.

2 Walsingham, Hist.Angl.,i,pp.155-6.

3 Vita Edwardi Secundi, p.104.

4 Meaux Chron.,ii,p.336; Auct.Bridl.,p.57.

5 Barbour, The Bruce, p.310; Lanercost Chron.,p.239.

a makeshift army of Yorkshire clergy and townspeople were completely defeated by James Douglas and Thomas Randolph, earl of Moray, is too well known to need repetition.[1] Though the Scots failed to capture the queen, their main objective, they were able to press south and to reach Castleford, just north of Pontefract. Then, about 14 September, they turned westwards and began to retreat through Airedale and Wharfedale.[2] Meanwhile, probably on the same day as the engagement at Myton,[3] the English had made another assault on the walls of Berwick, with the same lack of success as in their previous attempt. The 'sow' which they had brought up to the wall to provide cover for their miners was smashed and burnt, their ships were stoned from the town's ramparts, and the drawbridge over which they had hoped to attack the walls again was fired by the defenders. At nightfall the English withdrew, 'woundit, and wery, and forbeft'.[4]

News of the disaster at Myton was brought to Berwick on 14 September[5] and, according to Barbour, the king immediately summoned his council to decide whether to continue with the siege or to turn

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[1] Vita Edwardi Secundi, pp.96-7; Barbour, The Bruce, pp.310-12; Flores Hist., iii, pp.188-90; Auct.Bridl., pp.57-8; Lanercost Chron., p.239.

[2] Auct.Bridl., p.58.

[3] According to Auct.Bridl., p.57, and Meaux Chron., ii, p.337, the battle of Myton took place on 12 Sept. 20 Sept., given by Walsingham, Hist.Angl., i, p.156, and Trokelowe, p.104, is obviously wrong, since the authorities agree that the raising of the siege on 17 Sept. was a consequence of the battle. The second English attack began 'or it (the siege) wes passit the fift day' (Barbour, The Bruce, p.313).

[4] Barbour, The Bruce, pp.313-8.

[5] Despenser writes that the news came 'devaunt qil avoit demoree viij jours' (G.T. Clark, Cartae et Alia Munimenta de Glamorgan, iii, Cardiff, 1910, p.1064). Cf. Barbour, The Bruce, p.319.

south and free the land from the Scots. Divisions were at once apparent. The southern magnates wanted to remain until town and castle fell, while the northerners, whose lands were in more immediate danger, advised the king to raise the siege and pursue the raiding Scots. Lancaster, who may well have known of the closeness of the Scots to his own territory around Pontefract, sided with the latter party, and because the king inclined towards the southerners, the earl angrily gathered his men and equipment and left the siege (Lancaster was almost certainly still at Berwick on 16 September, when he witnessed a royal charter,[1] and he must have left on that day). Edward followed, afraid to stay without the Lancastrian contingent.[2] There is no hint of any open collaboration with the Scots, though the earl's behaviour obviously lent itself to rumour and it was undeniable that his retreat led to the raising of the siege. The Lanercost chronicler gives a different report. He too speaks of discord in the council, but says that the king wished to divide his forces, sending part to meet the Scots and holding the siege with the rest. The magnates, however, wanted neither to split the army nor to fight with the Scots, and on their advice he raised the siege and turned south, believing that he would meet the retreating Scots.[3]

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[1] C.53/106,m.8.

[2] Barbour, The Bruce, pp.319-20.

[3] Lanercost Chron., p.239.

These accounts are just reconcilable, for it may be that the king's expedient of dividing the army was intended to meet the claims of both parties, though he himself would rather have stayed at the siege, and that after Lancaster's departure the other northerners successfully persuaded the king to move southwards.

Lancaster was widely blamed for the failure of the siege, and, if Barbour's version of events is true, correctly so. The Vita reports that 'imputatur comiti Lancastrie quod rex recessit de obsidione',[1] the St. Albans' chronicler comments that 'si se non subtraxisset, villa cum castro in manus Regis data fuisset',[2] and the younger Despenser, writing to his sheriff of Glamorgan, said that

> 'par le procurement et le compassement le counte de Lancastre fist taunt le dit counte qe le Roy se remua dilloeqe od tout soun host et ceo a graunte hounte et grevouse damage de nous touts, de quoi nous nous dotums qe les busoignes ne se taillent mye si bien entre nous come busoign fust'[3] -

useful documentary confirmation of the chronicle sources. Despenser himself, however, was not beyond suspicion - there was a rumour that he had sold the queen to the Scots and that when their raid had failed to capture her Despenser laid the blame on Lancaster in eius defensionem.[4] The earl was indeed blamed for this, as the Vita bears out, and for much

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[1] Vita Edwardi Secundi, p.97.

[2] Malsingham, Hist.Angl., i, p.156.

[3] Clark, Cartae de Glamorgan, iii, pp.1063-5.

[4] 'Chronicle of the Civil Wars of Edward II', ed. Haskins (Speculum, 1939), p.77.

else besides. After he had left Berwick rumour knew no bounds. Some arrangement had probably been made that he would try to cut off the Scots' retreat in one direction and the king in another.[1] This failed, however, for the enemy eluded the English and returned by a western route, through Stainmore, Gilsland, and Carlisle.[2] Their escape was blamed on Lancaster. He had received £40,000 from Bruce to help the Scottish king. None of his retinue had assaulted the wall at Berwick. Douglas in his retreat had passed unscathed through the earl's lines. Thomas's indignation at this obloquy, and his offer to clear himself[3] probably did little to remove the stigma which was now attached to his name.

'Sola fama laborabat, nec erat transgressio manifesta'.[4] It seems very doubtful if the charges against Lancaster had any factual basis. Even before the army heard of the Scottish raid, he had been disgruntled by the king's resurrection of the old bitterness over Gaveston and by Edward's promises to Despenser and Amory, which must have touched him particularly tenderly. His whole public career between 1316 and 1318 had been directed against the courtiers, and he may have cherished a particularly vehement grudge against Despenser,

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[1] Vita Edwardi Secundi, p.97.

[2] Lanercost Chron., p.240; Barbour, The Bruce, pp.320-1; Auct.Bridl., p.58; Walsingham, Hist.Angl., i, p.156.

[3] Vita Edwardi Secundi, pp.97,102.

[4] Ibid., p.102.

who had escaped the settlement of the autumn of 1318[1] and had apparently paid Lancaster no compensation. A violent antipathy between the two may have underlain the troubles at Berwick. When news came of the defeat at Myton and of the Scottish incursions into Yorkshire, little was needed to induce Lancaster to leave the siege and return to his own lands. Though he alone went as far as to leave Berwick, he was only one of a group of northerners in the council - this Barbour makes clear - and it is hardly likely that several barons were in league with Bruce. Lancaster's impetuosity, his quickness to take offence, and another seeming defeat for his policy of the previous years, reacted on his fears for his own lands to cause his desertion. These fears could conceivably have been an excuse, but this seems unlikely and no evidence has been produced of any alliance between Bruce and the earl at this date - if there had been such an alliance, Barbour, so meticulous in his details of the siege, would surely have known of it. But once Lancaster had left Berwick it was very natural that rumours should arise. It cannot be doubted that the removal of his contingent made the taking of the town impossible. To this extent was he to blame for the failure of the siege. His behaviour at Berwick made the court-inclined compromise of the previous year less stable than ever, and a new breach with Edward was inevitable.

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[1] Ibid., p.93.

The last months of 1319 saw the aftermath of the unsuccessful campaign. On 18 September, when the army had left Berwick, the king wrote to the archbishop of York and the bishop of Ely, the chancellor, ordering them to assemble the Yorkshire levies and join him in pursuit of the Scots[1] - good proof that the northerners had been victorious in the council, and that after Lancaster's withdrawal Edward had no choice but to try and cut off the Scots' retreat. But, as already mentioned, the Scots escaped by a western route, making pursuit fruitless. Newcastle was reached on 20 September and there the king stayed for a week,[2] while the army was paid off[3] and other arrangements made. Badlesmere and Northburgh, keeper of the wardrobe, remained behind when the king left the city, both to deal with surplus victuals and to provide for the safety of the marches,[4] now more than ever exposed to Scottish attack. The result was an indenture by which Sir John de Cromwell and Sir Robert de Umfraville, earl of Angus, were assigned general supervisory powers in Northumberland until the following midsummer. Each was to have 30 men-at-arms in his own retinue and another 140 at the king's pay, and provisions were made for the garrisoning of the county's castles.[5] These measures, however,

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1 Cal.Chanc.Warr., i, 1244-1326, p.502.

2 E.101/378/3.

3 On 24 Sept. (Bain, Cal.Docs.Scot.,iii,No.666).

4 Brit.Mus. Add.MS, 17362, f.9v.

5 Bain, Cal.Docs.Scot.,iii,No.667; Parl.Writs,II,i,p.527.

would hardly be adequate against an undefeated enemy, now secure in its possession of the strongest town on the border.

York was reached on 5 October[1] and on the following day the king wrote to Lancaster,[2] now probably at Pontefract again. Myton had shown too clearly the need for an urgent overhaul of the county defence system, and this was the main subject discussed at a council meeting on 13 October.[3] Arrangements were made for the supervision of the coasts and it was agreed that the king should stay at York with 600 men-at-arms, together with Henry Beaumont, John de St. John, the earl of Athol, and others. Despenser, Badlesmere, and Walter Norwich were told off to organise this - a useful indication of those councillors who were particularly close to the king. In each wapentake in the county two knights and one or two sergeants were to be chosen to array the local forces in a way which the council detailed. A scale of equipment was laid down according to each man's income; 'unusually harsh' penalties were prescribed for non-compliance with this order,[4] and each man was to be armed by Christmas. Since these instructions, together with the first commissions, were not issued until 6 November[5] little time was allowed for the equipping of what should have been a well-armed and organised militia.

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1 E.101/378/3; Flores Hist.,iii,p.190.

2 Brit.Mus. Add.MS. 17362, f.39v.

3 C.49/File 5/2.

4 Powicke, op.cit., pp.148-9.

5 Parl.Writs,II,i,p.527.

These provisions were essentially defensive; Edward must have known that without Lancaster's support and with the Scots holding Berwick he had no hope of leading a victorious army to the north for at least the next few months. But the precautions which he had taken were not enough. Towards the end of October the Scots again descended on the border counties, burning the harvest-full granaries of Gilsland and returning through Brough-under-Stainmore.[1] Though a few magnates were told to levy their forces,[2] there is no record of any action being taken. The new attacks and Philip V's persisting demands for Edward's homage for Gascony, which would entail a visit to France for the king,[3] combined to force a truce on the English. On 1 December commissions were issued to Hothum of Ely, chancellor, the younger Despenser, Pembroke, and Badlesmere to treat with the Scots,[4] and an agreement was reached three weeks later. Harbottle Castle, then held by Bruce, was to be handed over to the English commissioners who were either to dismantle it before the following Michaelmas or to return it to Bruce on that day, provided that no final peace had been concluded by then. No new fortresses were to be made by either side within the sheriffdoms of Berwick, Roxburgh, and Dumfries. A decision was also made on the question of vessels wrecked on the Scottish coast, and it was agreed

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1 Lanercost Chron., p.240.
2 Parl.Writs,II,i,p.526.
3 Vita Edwardi Secundi, pp.102-3.
4 Foedera,II,p.409.

that the peace should last for two years.[1] There was no real need for the Scots to abandon the war - the St. Albans' chronicle comments that it had not exhausted them, but that they were sated with English plunder[2] - and for Edward the arrangement for the slighting or surrender of Harbottle was a particular humiliation. Some of the magnates were displeased to see the king thus humbled,[3] but Edward had no choice left to him. Open war was impossible and the county defences had been repeatedly proved inadequate. Only a temporary halt to border warfare would allow him both to visit France and to regroup his forces for a possible future campaign.

Commenting on Edward's inglorious return from Berwick, Thomas of Castleford says of the king 'Quat beste to do certes he ne wist', and Robert of Reading similarly remarks on his emptyheadedness, his stupidity, and his inactivity at this time.[4] The campaign had demonstrated his complete lack of military and political ability; the alienation of Lancaster at the start of the siege had been a gross blunder, and the powerlessness of Edward to enforce one view or to unite his divided magnates had been shown in the council which followed the news of Myton. Not until Lancaster had been defeated

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[1] Ibid.,p.416; Bain, Cal.Docs.Scot.,iii,No.681; C.47/22/13/6.

[2] Walsingham, Hist.Angl.,i,p.156. Cf. Auct.Bridl.,p.60; Trokelowe, p.104.

[3] Vita Edwardi Secundi, p.103.

[4] MS. Göttingen Hist. 740, f.220v; Flores Hist.,iii,pp.192-3.

would he again mount a full-scale campaign against the Scots, and then with an equal lack of success. Just as the winter of 1319-20 marks a real watershed in Anglo-Scottish affairs, so also does it in the king's relations with the earl, for after Berwick not even a formal rapprochement between the two - of the type of October, 1313, September, 1314, and October, 1318 - would be attempted. Though Lancaster had, in the previous year, profited from the settlement of his feud with the courtiers (with the apparent exception of the Despensers), he had not been reconciled to them, and it was almost certainly the king's promises to them at Berwick which drove the earl into a position from which he would not turn again.

Mutual antagonism grew during 1320. A parliament was summoned (in proper form, though without the commons) to meet at York on 20 January,[1] but according to the Vita and the Sempringham chronicle Lancaster refused to attend, making his famous objection, so the Vita says, that it was not proper to hold a parliament in cameriis.[2] 'Trivet' also comments on Lancaster's withdrawal from the council at this time and gives a very significant and hitherto unnoticed explanation - the earl withdrew, he says, 'propter treugas initas cum Scottis sine assensu'.[3] If the remarks of the Vita and 'Trivet'

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1 Parl.Writs, II, i, pp.215-6.

2 Vita Edwardi Secundi, p.104; Le livere de reis de Brittanie, p.337.

3 Brit.Mus. MS. Nero D.X, f.110v.

are correct, Lancaster's attitude appears more reasonable and consistent than has sometimes been supposed, for it was basically the same as that which he had taken up in 1317: military affairs and foreign policy were the concern of the whole baronage. There is no means of knowing what assembly drafted the December truce, but the Vita vouches for its unpopularity in some quarters and it had certainly not received the consent of parliament or even of a large gathering of the baronage. True, all the barons had been summoned to York in January - but among them was a strong group whom Lancaster had reason to distrust. Pembroke, Badlesmere, and the younger Despenser were all with Edward at York,[1] and against each of them Lancaster had some complaint. Pembroke he later accused of treachery,[2] Despenser he held responsible for his disgrace after Berwick,[3] and Badlesmere had, since his appointment as steward of the household, become his bitter enemy. Their presence in itself would provide sufficient reason for his absence. Unfortunately, however, some doubt is thrown on the record of the chronicles by Lancaster's appearance as witness to a royal charter on 29 January;[4] even if he was not present on that particular day his name is unlikely to have been added to a witness-list if he had refused outright to attend the assembly. It is

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1 Parl.Writs,II,ii,p.144.
2 Vita Edwardi Secundi, p.117.
3 Ibid., p.109.
4 C.53/106,m.5.

equally difficult to disregard the testimony of three unrelated chronicles, and perhaps the most plausible explanation is that Lancaster initially refused to appear, for the reasons given, but was eventually persuaded to come for the assembly's last days (Edward left for Westminster on 29 January).[1] If 'Trivet' is right, the earl was still taking his stand on the letter of the Ordinances.

Such a stand became increasingly difficult after the York assembly, for there are signs that the courtiers were beginning to regain much of the influence which they had lost, through the institution of the standing council, in the last months of 1318. Ministerial changes made at York increased their collective strength.[2] Hothum, perhaps blamed for the Myton fiasco,[3] was superseded as chancellor by John Salmon, bishop of Ely, and Walter Stapledon, bishop of Exeter, replaced Walter Norwich as treasurer. This was a mere reshuffle within the ruling group; much more offensive to Lancaster must have been the appointment of Robert Baldock - 'a false pilede clerc', as the earl afterwards stigmatised him[4] - to the keepership of the privy seal, and the confirmation of Badlesmere as household steward and of the younger Despenser as chamberlain.[5]

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[1] E.101/378/3.

[2] For these changes, see Tout, Place of the Reign of Edward II, pp.120-1.

[3] Flores Hist.,iii,p.189.

[4] Brut, p.218.

[5] Flores Hist.,iii,p.191.

Edward could hardly have been more provocative. Moreover, his grants, though not on nearly such a lavish scale as before, marked the position which his favourites still held - indeed, the flow of benefits to them, in spite of the work of the two parliaments of 1318-19, had never dried up. Audley had received grants of weekly markets and yearly fairs on three of his manors,[1] and, via Anthony Pessagno, the sum of £1,000 tournois (about £250 sterling), while Amory similarly had £2,500 tournois from Pessagno on the king's mandate for his stay with Edward[2] (presumably as a result of an indenture, though this has not survived). Grants were also made to him in satisfaction of land to the value of a 100 marks a year which he had been given,[3] and he obtained wardships[4] and a charter of free warren.[5] Edmund of Woodstock, the king's brother, received an extravagant grant of lands in fee to the value of 2,000 marks a year in November, 1319.[6] The influence of Badlesmere was shown by the licences for alienation in mortmain which he obtained,[7] and Baldock's rising star was witnessed by the increasing number of writs which were issued on his information from February,1320, onwards.[8] 1319 and 1320 also saw the beginnings

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1 Cal.Charter Rolls,1300-26,p.395 (20 Nov.,1318).
2 E.159/93,m.76.
3 Cal.Pat.Rolls,1317-21,pp.248(Dec.,1318),388(Aug.,1319).
4 Cal.Fine Rolls,1307-19,pp.391(Feb.,1319),399(May,1319).
5 Cal.Charter Rolls,1300-26,p.400(Dec.,1318).
6 Ibid.,p.416.
7 Cal.Pat.Rolls,1317-21,pp.433(March,1320),449(May,1320).
8 Ibid.,pp.428,436,451.

of the Despensers' aggrandisement in South Wales.[1] Though neither the wasting of the king's resources nor the courtiers' monopoly of patronage were as marked as they had been in 1317-18, there was still justifiable cause for complaint.

Edward's eagerness to free himself from the vestiges of Lancastrian control, and in particular from the Ordinances, was shown by the mission to the papal curia which took place in the spring of 1320. The king's visit to France to pay homage for Gascony, originally intended for March, was later postponed until June,[2] and in the meantime an embassy led by Edmund of Woodstock, the elder Despenser, and Badlesmere, set out first for the French court and then for Avignon. One of its overt purposes was to obtain from the pope the provision of Henry Burghersh, Badlesmere's nephew, to the see of Lincoln;[3] Edward had commended him to the pope in letters of 6 March, a fortnight before the embassy's departure,[4] and his keeness in Burghersh's cause supplies further evidence of Badlesmere's strength at this time. The real task of the ambassadors, however, was to persuade the pope to absolve Edward from his oath to observe the Ordinances - and in this they were successful. This most important new fact is preserved only by 'Trivet',[5] but there is no reason to doubt

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1 Ut inf., pp.423-24.

2 Cal.Pat.Rolls,1317-21,pp.425,446.

3 Vita Edwardi Secundi,pp.104-5; Murimuth, p.31.

4 Foedera,II,p.418. The ambassadors set out on 19 March and rejoined the king at Amiens in late June or early July (Brit.Mus.Add.MS. 17362,f.11).

5 Brit.Mus.MS. Nero D.X, f.110v.

his report. He gives quite circumstantial details - such as an account of how Edmund of Woodstock was met at Avignon by the king of Sicily and eighteen cardinals who led him into the pope's presence - which suggest that the chronicler himself may have been a member of the English suit. Murimuth speaks of the ambassadors' business as being arduis et diversis and says that they spent more than £15,000,[1] much of it presumably on the bribes which would have been necessary to gain such a favour. The pope himself, in an undated letter, told the king that he had granted his petitions, as the envoys would tell him viva voce; and it is probable that he had in mind more than just Burghersh's provision to Lincoln, which he conceded in a bull of 27 May.[2] It is safe to infer from all the evidence that the embassy of 1320 achieved that which the mission of three years before had been unable to obtain. With the king's formal liberation from the bonds of the Ordinances and with a court party still behind him, a return to the politics of 1317-18 must have appeared very likely.

That this did not happen was probably due both to divisions among the courtiers themselves and to the moderating influence of Pembroke. By the summer of 1320 the old court party was breaking up,

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[1] Murimuth, p.31.

[2] Cal.Papal Letters,ii,1305-42,p.445; Foedera,II,p.425.

and a new and smaller group tightening its hold over the king. Of those who had been prominent in 1318, Montague was dead, while Audley, Giffard, and perhaps Amory, were already losing ground to the Despensers in Wales.[1] The Despensers, Badlesmere, and Baldock - these were the rising men. Pembroke, however, still held his central position, and on 4 June he was appointed as keeper of the realm during the king's absence in France.[2] Though the earl's place in the government justified the appointment, it is possible that the king deliberately kept his temperate and conciliatory adviser at home instead of making him the leader of the ambassadors to Avignon, of whose designs Pembroke may well have disapproved. But at all events Pembroke's influence must have reasserted itself by the time of Edward's return to England on 22 July. A number of administrative acts about this time testify to his position,[3] and the measures of the Westminster parliament, which met on 6 October, 1320, clearly bore the stamp of his policy.

Lancaster meanwhile probably remained at Pontefract. He was certainly there on 3 February, 25 April, and 9 October, 1320, and it is a significant mark of his isolation during this period that the wardrobe books record no payments for messengers passing between king

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1 Ut inf., pp.423-25.

2 Parl.Writs,II,ii,p.146.

3 Davies, op.cit., pp.438-40.

and earl. In contrast, Edward had written to him at least five times between the raising of the siege of Berwick and January, 1320.[1] It was natural that he should remain in the north, for what could he do in London? The tide was running against all that he had fought for, and the king's promotion of the Despensers' interests and his absolution from the Ordinances marked the total defeat of Lancaster's policies. The earl had no party behind him and no means of influencing events except by force - and force would have won him little sympathy at that time. It was hardly surprising that he himself did not attend the autumn parliament, but sent Nicholas Segrave and others to make his excuses.[2]

The Westminster parliament of 1320 saw a final and surprising victory for the forces of moderation before the débâcle brought about by the ambitions of the Despensers.[3] It was to a great extent Pembroke's victory. (During the parliament he himself secured a confirmation of a previous appointment as <u>custos</u> of the southern forests.)[4] As in the York assemblies of 1318 and 1319 grants were made by the king on the petition of the council or by the assent of parliament;[5] a commission was issued for the trial of those who

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1 Brit.Mus. Add.MS. 17362, ff.39v-40v.

2 <u>Ann.Paul.</u>, p.290.

3 For the Westminster parliament, see Davies, <u>op.cit.</u>, pp.470-2.

4 <u>Cal.Fine Rolls</u>,1319-27,pp.34-5.

5 <u>Cal.Charter Rolls</u>,1300-26,pp.428,431.

impeded justice by waylaying suitors, threatening jurors, and forming illegal conspiracies;[1] and - most important of all - on 14 November, after the parliament had ended, the king told the exchequer that he wished the Ordinances to be inviolably observed.[2] This last mandate obviously constituted something of a revolution, for it nullified all that the king had achieved for himself at the papal curia. It is difficult to ascribe the change to anything other than Pembroke's strong influence, and it may well have been preceded by a long struggle, now hidden from us, between him and the Despensers. But apart from this the king himself seems to have undergone a change of heart during the October parliament. Bishop Cobham of Worcester told the pope how Edward was rising unusually early and contributing to the discussion of parliamentary business, while 'Trivet' says that he showed prudence in answering the petitions of the poor, and clemency as much as severity in judicial matters, to the amazement of many who were there.[3] The king's uncustomary activity, the reforming measures produced by the parliament, and the dominance of Pembroke must have led some into an unjustifiable optimism.

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[1] Cal.Pat.Rolls,1317-21,p.548.

[2] E.159/94,m.22.

[3] Tout, Place of the Reign of Edward II,p.122; Brit.Mus. MS. Nero D.X, f.110v.

Pembroke too is likely to have been responsible for the attempt which was made during this parliament to secure a settlement with Lancaster. In July the pope had written to the king, urging him to make peace with the earl and to rely on the advice of the bishop of London and of Rigaud Dasser, the bishop-elect of Winchester; at the same time he wrote to Lancaster, asking him not to provoke the king, and to both the bishops, calling on them to end the 'renewed discord' between king and earl and to bring both sides to peace.[1] The pope's injunction was followed up in parliament, where it was decided that the two bishops should go to Lancaster cum quadam bulla (presumably the pope's letter of July). The mission, however, was held up at Northampton by the bishop of London's illness,[2] and there is nothing to show that the envoys reached the earl. There was certainly no settlement; nor was there any implementation of the king's order for the observation of the Ordinances - no revocations of grants, for instance, are recorded. The return to reasonable and moderate policies which the Westminster parliament had seen was very short-lived, for the ambitions of the Despensers in Wales, which were about to change the whole balance of power and make Lancaster once again the leader of a party after six years in isolation, brought into the open new and violent divisions among the magnates. These developments must now be described.

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1 Cal.Papal Letters,ii,1305-42,p.442.

2 Ann.Paul.,p.290.

CHAPTER 9

The Baronial Coalition, 1320-22

The last years of Lancaster's life saw a great change in the character of his opposition to the crown. Formerly, in particular between 1315 and 1318, he had put forward a distinct constitutional programme, founded solidly on the Ordinances, and having as its mainstays the demands for the resumption of royal alienations and for the dismissal of evil counsellors. These demands continued to be the justification for his opposition until the treaty of Leake and the subsequent settlements with the courtiers showed that Lancaster, under pressure from the middle party and the courtiers, was prepared (if the above interpretation is correct) to surrender them in their most radical form in return for heavy financial and territorial compensation. After this Lancaster no longer took his former intransigent stand on the Ordinances, and his policies were increasingly directed at one object alone - the evil counsellors around the king, in particular the Despensers, but also Baldock and Arundel. His new antagonism to the court was almost wholly personal in nature, though the general questions which were raised by the Despensers' dominance - primarily the ancient claim of the barons to act as the king's 'natural' counsellors - were as much constitutional issues as the former struggle over resumptions. But, as in 1317,

constitutional grievances could find an outlet only in violence - there was no other way in which the king's friends could be ousted. Unlike that earlier period, however, Lancaster now had a party behind him, and the interest of these last years lies mainly in the way in which he sought extra support for his movement and was forced to justify his cause to those whose help he looked for.

By the autumn of 1320 the schemes of the Despensers had begun to split the unity of the court and the movement was beginning which would soon throw the marcher barons into the arms of Lancaster. The progress of the Despensers' ambitions in South Wales is a well-charted story, which it is unnecessary to repeat;[1] it is enough to say that by this time the younger Despenser had already enlarged his share of the Clare inheritance by obtaining a life grant of Drusslan and Cantrefmawr[2] and a grant of full sovereignty over Glamorgan,[3] and by an advantageous exchange of lands with Audley, probably obtained by coercion, which gave Despenser, among other properties, the castle and town of Newport.[4] The animosity of John Giffard, whose lordship of Cantref Bychan, bordered on Cantrefmawr,[5] and of Hugh Audley had

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[1] For the fullest account, see J.C. Davies, 'The Despenser War in Glamorgan', T.R.H.S., 3rd Ser., ix(1915), pp.21-64.

[2] Cal.Pat.Rolls, 1317-21, p.56(Nov., 1317). Cf. ibid., pp.248, 255-6, for regrants.

[3] Cal.Charter Rolls, 1300-26, pp.398-9(Nov., 1318).

[4] Cal.Pat.Rolls, 1317-21, pp.257, 415, 456(Dec., 1318; Jan., May, 1320).

[5] Davies, 'Despenser War...', p.32.

thus been aroused. But it was not until Despenser tried to obtain Gower, to the west of his Glamorgan lands, that he raised the whole march against him.[1] John de Mowbray, who had married the eldest daughter of William de Braose, the son-less lord of Gower, naturally regarded himself as his father-in-law's heir and expected to receive the territory. There were, however, other claimants: Hereford, who wanted the land for his son, had given Braose a deposit for it and promised to pay the balance later, and the two Mortimers had also contracted to buy it from Braose. At the same time Despenser had made some arrangement with Braose, and since he was in the king's favour he seemed to have the greatest chance of success. To forestall this, Mowbray seized the castle of Swansea and the barony of Gower by virtue of a grant which Braose had made to him, with remainder to Hereford and his heirs - but since Gower had been alienated without a royal licence, the king, at Despenser's instigation, ordered its seizure into his hands. This was a direct blow at march custom, which did not recognise the need for a royal licence for alienation, and the king's attempts to take Gower were forcefully resisted.[2] It was not until 14 December, 1320, well over a month since the initial order had been given, that one of the king's sergeants was able to obtain seisin.[3]

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[1] For the Gower affair, ibid., pp.33-42.

[2] Cal.Fine Rolls,1319-27,pp.40-1 (Nov.,1320).

[3] Brit.Mus. Add.MS. 9951, f.7v.

Edward's forcible expulsion of Mowbray from Gower was momentous, for it struck a deep blow at march law, comparable only with Edward I's attacks on Gloucester and Hereford in 1290-92, and meant that henceforth no baron could feel safe in the possession of his inheritance. Hereford had a particular reason for feeling aggrieved, for he had already paid Bracose a consideration for the land and he regarded Despenser's action as a slight on his son.[1] There are indications that he may have been surreptitiously involved in the resistance to the escheator in November, for one of the leaders of that resistance had been Master Rees ap Howel, who was probably in the service of both Mortimer of Wigmore and of Hereford.[2] But Hereford was only the leader of a number of the most powerful marchers, each of whom had some reason to hate the Despensers: Audley was still embittered by the loss of Newport Castle, Clifford blamed the favourites for the defeat of his mother's claim to her nephew's estate,[3] Amory, married to another Clare coheiress, feared them as natural rivals, and the two Mortimers were driven to hostility by their threats of spoliation and of revenge for the death of the younger Despenser's grandfather.[4] To the general grievances over the infringement of

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[1] Vita Edwardi Secundi, p.109.

[2] Cal.Close Rolls,1318-23,p.285. For Rees, see R.R. Davies, The Bohun and Lancaster lordships in Wales in the 14th and early 15th centuries (Oxford Univ. D.Phil. thesis,1965),pp.88-91.

[3] Davies, 'Despenser War...', p.43,n.2.

[4] Vita Edwardi Secundi, p.109.

marcher customs were added these particular grievances, and the fact that those who had formerly been closest to the king - men like Amory and Audley - and had received so much from him, were now in opposition is an indication of the strength of the feelings which the Despensers had aroused against themselves.

But, as Davies has pointed out,[1] the dispute over Gower and the Despenser schemes in Wales only brought the barons' hatred to a head and was not its whole cause. The presumptuous and self-seeking spirit of the favourites was obvious in other fields, and most clearly in the control which they exercised over the king's will. No baron could approach the king without their consent,[2] and then a bribe was usually necessary;[3] they answered petitions as they wished;[4] they removed household officials without consulting the baronage,[5] and any who displeased them or whose lands they coveted they threw into prison. The king would take advice from none but them.[6] Thus the magnates were deprived of their customary right of advising the king, and deprived in the interests of the Despensers, whose plans were directly inimical to them. What constitutional course lay open to them?

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1 Davies, 'Despenser War...', pp.41-4.

2 Chron.Baker,p.11; Murimuth,p.33; Walsingham, Hist.Angl.,i,p.159; Stat.Realm,i,p.182.

3 Murimuth,p.33; Brut,p.212; Meaux Chron.,ii,p.337.

4 Chron.Baker,p.11; Murimuth,p.33.

5 Ann.Paul.,p.292.

6 Meaux Chron.,ii,pp.337-8; Brut, p.212.

They had no way of coercing the king peacefully, and as yet they refrained from direct violence (though, as will be shown, they prepared for it in Wales). Hereford took the lead and appealed to Lancaster.[1]

Lancaster had good cause to hate the Despensers. They had been at the centre of the group of courtiers against whom he had waged so virulent a war in 1317-18; his enmity for the father was of long-standing,[2] and he still blamed the son for his disgrace after the siege of Berwick.[3] But though he lent the marchers his support, for several months it appears that he would do no more. To accept as his allies former courtiers like Amory and Audley must have needed a more accommodating nature than Lancaster possessed. Yet he surely could not fail to see the importance of this alliance, for it brought him out of isolation and gave him a party to use - and Lancaster had had no party since 1314. With the marchers behind him he could attempt the coercion of the king. The chronology of the marchers' appeal to Lancaster is of some importance here. As early as January, 1321, there were signs of the coming troubles in Wales: on 18 of that month Despenser wrote to John Inge, his sheriff of Glamorgan, to say that the envy against him, Despenser, was growing, and telling him to victual and guard well his master's castles. He had heard that

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[1] Walsingham, Hist.Angl.,i,p.159.

[2] Trokelowe,p.107; Vita Edwardi Secundi,p.111.

[3] Vita Edwardi Secundi,p.109.

Rees ap Howel was making alliances and gathering men, and he asked Inge whether he thought it would be as well to have a commission to take Rees.[1] Hereford was probably behind these disturbances, for on 30 January the king ordered him, together with Warenne and Arundel and 26 others, not to assent to a certain illegal assembly which they were about to hold without royal permission for the purpose of treating matters which were the crown's prerogative.[2] It is very significant that many of the 26 who received similar prohibitions were northern barons: of these 26, four - Edmund Deyncourt, Henry Fitzhugh, Thomas de Furnival, and Ralph de Greystoke - were later present at Lancaster's meeting at Pontefract on 24 May,[3] and six - Deyncourt, Fitzhugh, Furnival, William Fitzwilliam, Richard de Grey, and Ralph Neville - were at the Sherburn assembly in June.[4] Several other important northerners - Peter de Mauley, William Butler of Wemme, John de Clavering - were forbidden to attend the January meeting, but were not present at Pontefract or Sherburn later in the year. We may see here the first gropings after an alliance with the northerners which Lancaster was to seek during the following months - though without knowing on what authority the king issued these prohibitions or whether

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[1] Edwards, Cal.Anc.Corr.concerning Wales, pp.219-20.

[2] Parl.Writs, II,ii,pp.155-6.

[3] Auct.Bridl.,p.61.

[4] B. Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers,1321', Eng.Hist.Rev.,lxii(1948),p.28.

the projected meeting ever took place it is not possible to say more. If there was a plan for such an alliance, Hereford was probably its instigator, for Lancaster's name is not mentioned, as it surely would have been had the king held him under the slightest suspicion.

Meanwhile, on the other side of the country, there was further evidence of the activities of the marchers. The abbot of St. Albans was currently engaged in an ancient feud with William de Somerton, prior of the abbey's cell at Binham in Norfolk. After Somerton had been to Avignon in 1319 to appeal against the exactions which the abbot was attempting to lay on the priory, and the abbot himself had attempted to go to the curia to answer the case, Somerton was arrested on the king's orders about Christmas, 1320, and delivered to the abbot, whom Edward held in high favour. Somerton's capture resulted in the dispatch of letters to the abbot, probably about this time or a little later, by Sir Robert Walkefare, described by Walsingham as Lancaster's consanguineus and affinis, and known to have been Hereford's steward.[1] Walkefare was aided by most of the prominent marchers - Mowbray, Mortimer of Wigmore, Clifford, Maurice de Berkeley, and others - who joined together in asking for Somerton's delivery, saying that he had been taken at the instance of Despenser, 'qui inter eos reputabatur publicus inimicus regionis'. As far as is known the plea had no

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[1] R.R. Davies, The Bohun and Lancaster lordships...,p.393.

effect, but the important thing was that it had been made. Men such as Mortimer and Mowbray could have no natural interest in an obscure East Anglian monastic dispute - though Walkefare, a Norfolk knight, might have been expected to have had some concern - and they clearly aimed at 'turning a monastic quarrel to political account' by using Somerton's case to bring pressure on the king from a new direction.[1]

The vague links of Walkefare with the earl suggest that Lancaster may have had a hand in this. The marchers had certainly appealed to him by the end of February, for on 27 February a correspondent (almost certainly Baldock) told the king that Lancaster had summoned his retainers and that he and the other magnates were about to set off for Wales to raise disturbances there. The king and the Despensers were advised to prepare and array their lands to meet this threat.[2] At this time Badlesmere and other royal envoys were present in the north to arrange a prolongation of the truce with the Scots,[3] and the correspondent reported that ambushes had been set for Badlesmere, who had taken the precaution of gathering a large force of men-at-arms. Presumably this was the work of Lancaster, whose personal feud with Badlesmere was a constant diversion of the baronial energies, Hereford may well have been with the earl at

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[1] W.J. Smith, 'The "Revolt" of William de Somertone', Eng.Hist.Rev., lxix (1954), pp.76-83.

[2] Cal.Anc.Corr.concerning Wales, pp.180-1.

[3] For these negotiations, see Anglo-Scottish Relations,1174-1328: Some Selected Documents, ed. E.L.G. Stones (London,1965),pp.146-53.

this time; though he was supposed to be taking part in the Scottish negotiations, the king wrote to the envoys on 23 February to say that he was not coming par aucunes enchesons,[1] and on 6 March it was rumoured that he had gone to Brecon with a large force to begin an attack on Despenser's lands.[2]

The receipt of this letter, and probably the news that Lancaster had joined with the marchers, spurred the king on to make preparations for immediate war. Orders had already been given on 1 March for the victualling and arming of the Welsh castles,[3] and on 6 March the king and the Despensers left Windsor for the Welsh border.[4] A letter received from the north on that day, almost certainly that already described, was forwarded to the chancellor and treasurer with a request for immediate advice and a warning 'not to marvel if they hear talk that the king attracts more people than usual'[5] - and a copy of this same letter was forwarded by Despenser to Inge, with instructions to take all necessary measures. Because Despenser had heard that some of his men were allying with those of Brecon, Inge was ordered to take hostages from each commote, and to inform him whether more men were needed for the castle garrisons.[6]

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1 Ibid., p.148.
2 Cal.Anc.Corr.concerning Wales, p.259.
3 Cal.Pat.Rolls,1317-21,p.569; Cal.Close Rolls,1318-23,p.292.
4 E.101/378/10.
5 Cal.Chanc.Warr.,i,1244-1326,p.518.
6 Cal.Anc.Corr.concerning Wales,pp.259-60.

Hereford's own castle of Builth was resumed by the king on 16 March, since Hereford had failed to appear at a conference which was to have been held between him and the earl marshal, the king's brother. Though this reason was given in the privy seal writ to the chancery,[1] it was stated in the order which was later sent out for the resumption that the castle was being taken into the king's hand 'by pretext of the ordinances made by the prelates, earls, and barons...and approved by the king',[2] a cunning way of turning the tables on Hereford, which the king was to use again later. A few days later Hereford had evidently returned to the king, for Despenser, again writing to Inge, said that he looked more morose and thoughtful than usual 'nest mye mervaille sil est, quar il se ad si portez en contenances devers son lige seignour que mult de biens et de honurs luy ad fait quil endeit bien avoir grant pensee'.[3] On 27 March Hereford and the other prominent marchers, including Despenser himself, had again to be warned to keep the peace and not to muster their men in a warlike manner.[4]

War must have seemed imminent, yet attempts were still being made to bring the marchers to the king. On 28 March Hereford and his allies were summoned to appear at Gloucester to discuss the assemblies which were being made in the marches.[5] A separate summons

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1 Cal.Chanc.Warr.,i,1244-1326,p.519.
2 Cal.Fine Rolls,1319-27,p.50.
3 Clark, Cartae...de Glamorgan,iii,p.1075.
4 Cal.Close Rolls,1318-23,p.363.
5 Parl.Writs,II,i,p.231.

was issued to Audley, who was accused of breaking the terms of an indenture which he had sealed with the king; he was ordered to appear before Edward to show why his lands should not be seized for this offence,[1] and in fact his castle of Montgomery was resumed by the king two days later.[2] The sergeants who were sent to take seisin of it had to employ guides 'quia terra erat de guerra'.[3] On 13 April another order was sent to Hereford and the marchers to keep the peace in Brecon and the neighbouring areas,[4] and by this time sporadic risings had probably broken out all along the border.

Meanwhile Hereford, who had failed to appear on 5 April, sent his reply to the king's summons through the abbot of Dore. He did not dare to come to the king while Despenser remained with him, and he asked Edward to remove the favourite from his presence and to summon a parliament before which both parties might come to put forward their complaints and receive judgement. In the meantime Despenser was to be delivered to Lancaster for safe keeping and Hereford would guarantee to produce him on penalty of total forfeiture. Before the king left Gloucester he would come to him in the hope that his request would be granted. Edward's reply to this was masterly. Despenser had been appointed as chamberlain by the counsel of the

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1 Ibid.; II,ii,p.158; Vita Edwardi Secundi, p.110.

2 Cal.Pat.Rolls,1317-21,p.575.

3 Brit.Mus. Add.MS. 9951, f.8v.

4 Parl.Writs,II,ii,p.159.

prelates and magnates and of Humphrey himself in full parliament at York, and no complaint had since been made against him in any parliament by Hereford or others. The king's orders were a sufficient protection to all who came to him; and to remove Despenser without cause would be unjust and a bad example to other royal ministers. A council had been arranged to be held at Oxford on 10 May and the king intended to decide then on a day and place for parliament. To commit Despenser to another person without cause would be contrary to Magna Carta, common law, and the Ordinances, to which Hereford was bound by oath, and contrary to the king's own oath to do justice to all, for Despenser had publicly offered to answer complaints in parliament. Edward professed himself ready to do justice to Hereford and any others who had grievances against Despenser. The letter ended with a summons to the meeting at Oxford (afterwards altered to Westminster and put back a week).[1]

This reply countered Hereford most adroitly, for by quoting Magna Carta and the Ordinances Edward put the earl in a position where it was he who could be shown to be trespassing beyond the law and approved custom. He promised a parliament and the appearance of Despenser to answer complaints, yet on the question of immediate redress, which for Hereford meant the surrender of Despenser to

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[1] Ibid., II, i, pp.231-2.

Lancaster's charge, he yielded no ground. At a deeper level, however, the reply was shortsighted and unimaginative, for it denied the barons all possibility of an immediate constitutional answer to their grievances and left violence as their only remedy. Edward had learned nothing from the events of the past months, and both he and the Despensers were over-optimistic, as the younger Despenser's letter of 21 March shows.[1] Though there had been rumblings from Wales since the beginning of the year king and court still underestimated both the military strength of the barons and the vehemence of their political grievances. Some precautions were taken, even at this late hour. On 26 April a guard was sent to Newport,[2] and five days later Hereford and the younger Mortimer were ordered to refrain from attacking the Despensers' lands.[3] But the troubles at this stage could not be quelled by a simple royal order, and on 4 May the barons began the devastation of the Despenser lands.[4]

Lancaster now assumed the leadership of the revolt. As will have been apparent, his previous role had not been conspicuous. Though the barons had almost certainly gone to him for advice and though he had probably directed their policies (Hereford's suggestion that Despenser should be surrendered to Lancaster implies this), he

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1 Clark, Cartae...de Glamorgan, iii, p.1075.

2 Brit.Mus. Add.MS. 9951, f.7v.

3 Parl.Writs, II, ii, p.161.

4 Flores Hist., iii, p.344.

had played no open part in the Welsh disturbances during the early months of the year. Probably his suspicion of an alliance with those who had so recently been against him, together with a desire to wait and see whether the rising had any chance of success, combined to restrain him. Although he himself remained at Pontefract while the Despenser lands were being ravaged, his surreptitious involvement in the movement is remarked on by almost all the chroniclers. He consented to the barons' doings 'ardenter et manyfeste',[1] or 'expresse'[2] (and even Pembroke approved 'occulte');[3] all things were done 'de consilio autem et mandato comitis Lancastriae'[4] or 'consensu et consilio Thomae';[5] the baronial party 'se dederunt ad consilium comitis Lancastriae';[6] 'þai comen to þe gentil Erl of Lancastre and axede him of conseile of þe disese þat was in þe reame þrouz Sir Hugh þe Spenser and his sone'.[7] About ten of the earl's more important retainers were involved in the rising and later received pardons in the July parliament,[8] and the Tintern version of the Flores Historiarum records that the prisoners taken during the siege of Cardiff Castle were afterwards led off to Lancaster.[9]

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1 Chron.Baker, p.11.
2 Murimuth, p.33.
3 Ibid.; Chron.Baker, p.11.
4 Lanercost Chron., p.241.
5 Meaux Chron., ii, p.338.
6 Knighton, p.422.
7 Brut, p.213.
8 Cal.Pat.Rolls, 1321-24, pp.15-20.
9 Flores Hist., iii, p.345.

All the evidence suggests that Lancaster, though taking no personal part in the devastation, was looked on by the barons as their leader.

There is no need to describe the course of the rising. The destruction in Wales lasted for about five days, after which the barons moved on to ravage other Despenser manors in the south and the midlands. Others too suffered: Arundel, whose eldest son married Despenser's daughter about this time, lost his castle at Clun in Shropshire to the younger Mortimer,[1] while the lands of John Cromwell and of John de Handlo, one of the elder Despenser's most trusted retainers, were similarly wasted.[2] The king's sergeant in Gower, whose presence had been at the root of the original troubles, was captured on 13 May,[3] and two days later new keepers were appointed for those castles in South Wales which Despenser had surrendered to the king for their protection.[4] At the same time a royal garrison was established at Bristol Castle,[5] and a council was held in London 'pur counsiler coment cele dessencioun se purroit meulz apeiser'.[6] This resulted in the issuing of writs for a parliament to be held on 15 July[7] - a victory for the moderates over those, the king amongst them, who had wanted to wage open war on the barons.[8]

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1 Bodley MS. Laud.Misc. 529, f.106.
2 Leland, Collectanea,i,ed. T. Hearne (London,1770),p.272.
3 Brit.Mus. Add.MS. 9951, f.7v.
4 Cal.Pat.Rolls,1317-21,p.584.
5 Brit.Mus. Add.MS. 9951, f.7v.
6 SC.1/54/139.
7 Parl.Writs,II,i,pp.234-6.
8 Vita Edwardi Secundi, p.112.

The abundance of administrative records makes it easy to follow the actions of the king and the court in the south, but the contrasting dearth of material on the doings of the barons makes it difficult to analyse their policies with the same clarity. This is a great loss, for the summer months of 1321, the period of the so-called Lancastrian 'pseudo-parliaments' in the north, form one of the most interesting phases of the reign, yet one of the most difficult to interpret. Perhaps these assemblies have been given too great a constitutional importance: the evidence already given of similar meetings in January and May, 1315, suggests that the summoning of the northern magnates to special meetings to provide for the defence of the north was nothing new, and these precedents make it difficult to assume that Lancaster was deliberately usurping the crown's prerogative by convoking such assemblies. The northerners themselves probably regarded the earl's summons as in no way unusual.[1] This modification, however, does not detract from the importance of the northern meetings, which show Lancaster trying to build up as strong a following as possible. The western marches were already with him, the north midlands had always been under his territorial influence, and the south he stood little chance of gaining, for the power of the king was too close and too strong and the Despensers had done little there to

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[1] For a contrasting view, see Clarke, Medieval Representation and Consent, pp.161-7.

raise a general outcry, as they had in Wales. Lancaster must have realised that the attack on the Despensers would eventually turn to open war and when this came the control of the north would be of enormous advantage to him.

The main narrative source for the two summer 'parliaments' is the canon of Bridlington's chronicle, and on the first meeting it provides the only information we have.[1] On 24 May there assembled in the chapter house of Pontefract Priory, at Lancaster's mandate and in his presence, fifteen northern lords - Thomas de Hulton, Thomas de Furnival, Edmund Deyncourt, Henry Fitzhugh, Ralph de Greystoke, Gilbert de Atton, Marmaduke de Twenge, Nicholas de Menill, Henry Percy, John de Marmion, Philip Darcy, William Fitzwilliam, John de Fauconberg, John Deyncourt, and Robert Constable of Flamborough. Most of these men were Yorkshire barons: Furnival's lands lay around Sheffield, Twenge, Menill, and Marmion had extensive holdings in Cleveland, most of Percy's estates were in the North Riding - and of those who held little land in Yorkshire, only Hulton, whose lands were mainly in Cumberland and Westmoreland, could be considered entirely outside the range of Lancaster's territorial influence. Yet this was not a body which the earl could bend to his will. Those present agreed that the current disturbances threatened the

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[1] Auct.Bridl.,pp.61-2.

peace of the land and the well-being of the king and kingdom, and to counter this they came together in a league for their mutual defence, so that if any man rose against the earl or any other, the rest would come to his aid. This agreement was set down in writing and confirmed by seal, but because it was thought necessary to obtain the advice of the majority, and especially of the prelates, Lancaster wrote to the archbishop of York and summoned him and the other prelates to Sherburn-in-Elmet, one of the archbishop's own manors a few miles north of Pontefract, on 28 June.

The earl had thus been unable to make the northerners commit themselves. There was apparently no mention of the Despensers by name, and the confederation which was set up for mutual defence could hardly have been satisfactory to Lancaster, for it gave no sanction for an attack on the Despensers unless they moved first. The decision to defer to 'consilium maiorum et praecipue praelatorum' at Sherburn showed that the northerners were uncertain of their ground and that, though willing to seal an agreement, they would take no action without the consent of a larger and more influential body. They were by no means in support of Lancaster's policy - they had, after all, more to lose than the marchers, many of whom had already felt the attentions of the favourites - and the earl must have seen that the second meeting would be crucial to the success of his cause.

What happened at Sherburn? Our knowledge of the sources for the assembly has been considerably enlarged by Professor Wilkinson, whose interpretation is in some respects more accurate than those which have preceded it.[1] The chronicle sources, largely relied on by previous writers, are few; the best is again that of the canon of Bridlington, whose narrative, in summary, tells how, when the meeting had been convened, John Bek, one of Lancaster's knights, read out a bill of grievances which needed to be remedied. The clergy, after having withdrawn to consider this, answered that they would certainly agree to aid in resisting the Scots, but that other matters should wait until the next parliament for a settlement. After this courteous snub the assembly broke up. The canon then inserts the articles which were presented against the Despensers in parliament, of which the first is the famous declaration of 1308 that 'homagium, juramentum, et ligiantia magis existunt ratione coronae quam personae regis'.[2] Other chronicles mention the assembly and collectively contribute a good deal of information which will be discussed later. To these sources Wilkinson has added a group of more official documents, the most important of which are two fourteenth century copies of an indenture said to have been made at Sherburn.

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[1] Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers, 1321'.

[2] Auct.Bridl.,pp.62-70.

The first copy (Wilkinson's MS.A) comes from Canterbury Cathedral and is grouped with a number of other documents dealing with the Despensers - the articles laid before the Sherburn assembly (in the original French, and not in the canon's latinised version, and without any mention of Bek), the indenture itself, the declaration of 1308, and the award against the Despensers at Westminster, all forming a compact dossier on the affair. The second set of documents comes from Lambeth MS.1213 and consists of the indenture, the subsequent accusations against the Despensers, the 'award', an address to the seigneurs justifying the conduct of the opposition, and finally the declaration of 1308. Thirdly, there is in MS.Ashmole 860 a summary of the indenture from another source (MS.C). It is most unfortunate that no original of the indenture has survived.

Wilkinson uses these sources to try and show that there were two meetings at Sherburn on the same day, 28 June. The first, he argues, was attended 'by northerners, southerners (not marchers), and by the earl of Hereford', and it is this meeting which the canon of Bridlington describes. The second assembly, noted by the Flores Historiarum, was composed of the marchers, Lancaster himself, the archbishop of York, and the bishops of Durham and Carlisle. The former met to hear Bek's articles and the answers of the northern

clergy to the proposals which Lancaster had put before the meeting at Pontefract, and its result was failure. The northerners sealed no indenture, probably in consequence of the clergy's refusal to support an attack on Edward. Since MS.A contains the same articles read at this first meeting as does the Bridlington chronicle, Wilkinson gives the manuscript a northern provenance.[1]

The second meeting, 'composed primarily of the marcher lords', was more positive in its reactions to Lancaster's proposals. It decided to go to the king and induce him, through the prelates' mediation, to exile the Despensers and confirm this with an 'irrevocable sentence'. Wilkinson thinks that the northerners' indenture, that in MS.A, was never sealed, but that that in MS.B, emanating from the marchers, possibly was, though it 'must remain an open question'. Thus Wilkinson concludes 'that all the documents in MSS. A and B (and in the canon of Bridlington) are not simply successive drafts of the same final agreement. They are drafts or proposals from two diverging programmes of opposition to Edward II, one the militant solution of the marchers, the other the opposition which Thomas of Lancaster tried to create at Sherburn and Pontefract, for which attempt he ultimately paid with his life.'[2]

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[1] Wilkinson, op.cit., pp.13-14.

[2] Ibid., pp.14-15.

A second conclusion is equally important. Wilkinson interprets the canon of Bridlington's use of the homage et serment declaration as though it were a statement of baronial principles - yet in the official version of the award on the statute roll there is a strange reversal, for the Despensers' maintenance of such a doctrine, to which they tried to induce John Giffard of Brimpsfield, Richard de Grey, and others to subscribe, is made part of the indictment against them. This latter version is also found in the French translation of the award given in MS.B, which corroborates Wilkinson's suggestion that this manuscript, proceeding from the marchers, is naturally much closer to the final enrollment than the abortive programme of MS.A. It follows, Wilkinson thinks, that the marchers suffered a considerable humiliation here, for they were 'compelled not merely to drop the declaration of 1308, but to condemn it, and to do this by condemning the Despensers themselves for having used it'.[1] Thus not only had Lancaster failed to gain the support of the northerners at Sherburn, but the marchers who had sided with him during the past months were themselves in a position of considerable weakness, and though they could coerce the king into exiling the Despensers they could not prevent their own doctrine being turned against them. If the baronial cause was really in such a parlous state it is hardly surprising that the campaign of the following year was so disastrous.

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[1] Ibid., pp.11,15,18.

These questions can be illuminated from other angles than those chosen by Wilkinson. Firstly, the chronicles, other than that of the canon of Bridlington, can be examined for information; secondly, an analysis can be made of those who were present at Sherburn, in order to discover the numbers of northerners, marchers, and of any other 'party'; and thirdly, Bek's bill of grievances must be discussed.

Two chronicles, 'Trivet' and the Brut, are especially valuable. 'Trivet' tells how, after the devastation of the Despensers' lands, the king sent Badlesmere and Reynolds of Canterbury to the barons (i.e., to Sherburn, though the place is not mentioned) to ask them to give up the destruction which they were wreaking and to come to the parliament which had been summoned. Here Edward promised that he would answer their complaints. But this mission was not a success: the barons refused to abandon their persecution of the younger Despenser until they had expelled him from the kingdom, and - more serious for the king - Badlesmere deserted to the magnates' side, binding himself to them by oath. The archbishop returned alone to tell the king what had happened.[1] The Brut corroborates 'Trivet's' account, in less detail, by similarly reporting that Badlesmere was sent to Sherburn by the king 'forto trete of accorde' and there deserted to the barons. Reynolds is not mentioned, but the place, Sherburn, is,

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[1] Brit.Mus. MS. Nero D.X, f.111.

and the Brut's report of the assembly concludes with the barons' oath 'forto breke and destourble þe doyng bituene þe kyng and Sir Hugh þe Spenser and his sone, oppon her power'.[1] The importance of both these accounts lies mainly in their treatment of Badlesmere, whose invidious position is discussed more fully below. Though the two chronicles say that Badlesmere allied himself to the barons at Sherburn (and the French Brut too says that he was bound to them by an oath)[2], his name does not occur in any of the three extant copies of the indenture. The explanation probably lies in Lancaster's unwillingness to accept his old enemy as a formal ally, though the marchers may have persuaded him to allow Badlesmere to join them - he was certainly present with them in the July parliament.

Like the Brut, the Vita also describes an agreement between Lancaster and the marcher barons for the destruction of the Despensers.[3] Neither chronicle mentions the northerners and both seem to imply that the contract was one between Lancaster and the marchers alone. The account given in the Flores Historiarum is more detailed, but there is no real evidence that it describes a meeting of marchers only, as Wilkinson suggests: it lists those present as the archbishop of York, the bishops of Durham and Carlisle, the earls of Lancaster, Hereford, and Angus, and the marchers - the two Mortimers, Clifford, Giffard,

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1 Brut, pp.213-4.
2 Bodley MS. Lyell 17, f.115.
3 Vita Edwardi Secundi, p.111.

Mowbray, Berkeley, Amory, and the two Audleys - 'cum aliis baronibus et benerettis ad numerum triginta septem aliisque militibus electis quam plurimis'.[1] The northerners, with whose names a London chronicler might not be expected to be too familiar, might easily fall into the latter group. Nor can the canon of Bridlington be said to describe a meeting of the northerners only: he names the same prelates, the earls of Lancaster and Hereford, 'neonon plurimi barones, baneretti, et milites, australes et boriales'.[2] The contingent of australes almost certainly comprehended the marchers - they would by literary custom fall into that division - and if Wilkinson thinks the marchers did not attend he has to explain to whom the canon of Bridlington's term australes applies, for, as will be shown, there were very few, if any, unattached barons and knights from southern England outside the Welsh marches present at Sherburn. Wilkinson's distinction between the two accounts is too artificial and over-subtle, and the claim that there were two meetings at Sherburn can certainly not be substantiated from the chronicles alone. It is also worth noting that the Flores makes no mention of the sealing of an indenture or the taking of an oath, and the decision to induce the king to exile the Despensers is followed immediately by the dispersal of the assembly and the gathering of the barons in London for parliament.

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[1] Flores Hist., iii, p.197.

[2] Auct. Bridl., p.62.

The remaining accounts of the meeting would be unimportant did not both mention that 'quibusdam articulis in proscriptionem dictorum Hugonis et Hugonis'[1] were drawn up at Sherburn - valuable evidence that a draft of the award against the Despensers had already been composed before the barons came to London in July. It is probable that these articles are represented either by those which the canon of Bridlington inserts into his narrative, or by those given in the Canterbury MS.A, which Wilkinson associates with the northern lords.

Any discussion concerning those who were present at Sherburn must take into account the fact that, unknown to Wilkinson, an indenture was definitely sealed at Sherburn. In one of the inventories of Lancaster's documents, drawn up after his death, there occurs under the heading Tretiz the item 'une partie del endenture du tretiz qe fuist tenuz a Shirebourne le dymanche proschein apres la fest seint Johan le Baptistre lan R. xiiij° seales de vint et synk seals'.[2] The final phrase is, of course, of the greatest importance, for we now know that at least some of those present, even though a comparatively small part of the total, were prepared to support Lancaster against the Despensers. Who were these 25? It has not been realised that the largest group at Sherburn was neither the marchers nor the

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[1] Trokelowe, pp.107-8; Walsingham, Hist.Angl.,i,p.160.

[2] DL.41/1/37,m.7.

northerners, but Lancaster's own retainers. Wilkinson lists 53 names which occur in the extant transcripts of the indenture, excluding the marchers,[1] and of these 27 can be shown with reasonable certainty to have been retainers of the earl. Since the point is important, it is best to list the names - the earl of Angus, Bek, Brakeworth, Bradburn, Clif, Deyville, Eure, Lestrange, Everingham, John and Michael de Haverington, Heslarton, Huddleston, Holand, Latimer, Longford, Longvillers, Neville, Reygate, Rither, Pierpoint, Stephen Segrave, Swillington, Trussell, Twyford, Wither, and Waleys. The evidence for the connection of these men with Lancaster is too bulky to be set out here, but it might be noted, for instance, that Eure, Latimer, Reygate, and Swillington were bound to him by indenture, that Twyford and Trussell were both receiving fees in 1313-14, and that Bek, Bradburn, Clif, John de Haverington, Everingham, Holand, Huddleston, Latimer, Lestrange, Neville, Segrave, Trussell, and Twyford were all frequent witnesses to the earl's charters. It looks very much as though Lancaster may have been trying to coerce the northerners into an alliance by a show of strength, in the same way as he had previously used his retinue to coerce the king.

Most of the retainers' names occur in both MSS. A and B, so that if there were two meetings, one for the northerners and one for the marchers, as Wilkinson suggests, then the earl's men were present at both.

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[1] Wilkinson, op.cit., p.28.

What of the northerners? All but three of those who had been at the previous meeting at Pontefract attended the Sherburn assembly - the three exceptions being Robert Constable of Flamborough, Ralph de Greystoke, and Thomas de Multon - but the number of northerners was not large. Gilbert de Atton, Ralph Dacre, the three Deyncourts, John de Fauconberg, Henry Fitzhugh, William Fitzwillian, Thomas de Furnival, John de Marmion, Nicholas de Menill, Philip Darcy, Ralph Neville, Henry Percy, and Marmaduke de Twenge - these are the most conspicuous northern names. The earl's retainers outnumbered them by almost two to one. It is very noticeable that most of these northern magnates are omitted from the indenture given in MS.A; and, as Wilkinson has pointed out, 'they are almost exactly the same as those...barons who had earlier, at Pontefract, refused support to Thomas of Lancaster without the backing also of the clergy'.[1] But suggestive though this is, it cannot be taken to support any theory of a double meeting at Sherburn, for although the northerners find no place in MS.A the same marcher barons are there as in MS.B - Hereford, the two Mortimers, the two Audleys, Amory, Mowbray, Berkeley, Clifford, Giffard, Mauduit, Talbot 'et les autres grauntes et autres de cele marche'.[2] Any idea of an appeal first to the northerners and

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[1] Ibid., p.10.

[2] Wilkinson does not print MS.B in full, and I use the transcript in Bodley MS. Tanner 12, f.50.

then to the marchers falls down when it can be shown that the marchers appear in both indentures. We are inevitably drawn to conclude, in opposition to Wilkinson, that the documents in MSS. A and B are simply successive drafts of the same final agreement.

The marchers, whose names are given above, constitute the third group at Sherburn. (To this list Henry Tyeys should be added: his name occurs only in MS.C,[1] from which Wilkinson prints the preamble to the indenture, but not the list of those who supposedly sealed it.) The fourth 'party' is composed of those who cannot be conveniently fitted into any of the three preceding categories. Some, like John de Sutton and Roger de Somervill, had a previous link with Lancaster - in the case of these two men, pardons as his adherents in 1313.[2] But most cannot be classified, and the ties which bound men like William de Pennington, John de Barton, and Thomas de Willoughby either to Lancaster or to the marchers or to the northerners have not been discovered, though it is possible that these were retainers of the northern magnates.

Some attempt can now be made to identify those who sealed the indenture which Lancaster afterwards kept. It must be almost certain that the thirteen marcher lords participated - it was they who had first appealed to Lancaster for help, and since they had already

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[1] Bodley MS. Ashmole 860, f.376.

[2] Cal.Pat.Rolls,1313-17,p.22.

devastated the Despenser lands they had little to lose by going further. They were obviously aiming at the complete obliteration of Despenser power in South Wales and it is inconceivable that any of them should have retreated at this stage. Who were the remaining twelve? It is very probable that they were the most faithful of the earl's retainers - it is a significant fact that of the 27 or so of the earl's followers who were at Sherburn, fourteen can be shown, either from the Boroughbridge Roll, from subsequent fines with the king for their safety, or from judicial records, to have fought with Lancaster on the Boroughbridge campaign. Bek, Bradburn, Clif, Deyville, Eure, Everingham, Longford, Rither, Reygate, Swillington, Trussell, Twyford, Wither, and Waleys were all involved in their lord's cause until the end. It can almost be taken for granted, then, that the northerners (with occasional exceptions - Fitzwilliam, for instance, was executed after Boroughbridge for his part in the rebellion)[1] rejected Lancaster's proposals. Their refusal to commit themselves at Pontefract and the subsequent siding of most of them with the king[2] seem to indicate this, quite apart from the evidence for their behaviour at Sherburn.

These conclusions are very weighty. Not only had Lancaster failed to gain the support of the northern magnates, but he had also

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[1] Knighton, i, p.426; Ann. Paul., p.303.

[2] For the behaviour of the northerners in 1322, see Wilkinson, op.cit., pp.9-10.

lost the confidence of a large part of his retinue - the fourteen or more retainers who refused to seal an indenture at Sherburn were probably representative of the much greater number of the earl's followers who had not attended the meeting. As will be shown, there were many desertions from the retinue later in the year, and Lancaster's subsequent policy becomes intelligible only in the light of these facts - his dealings with Scotland in January and February, for instance, were surely intended to gain for him the military support which the northerners and his own retainers were failing to provide; and in the same way the Doncaster meeting in November was meant not only as a constitutional protest at the return of the Despensers, but also as a rallying point for the forces of discontent. In June, 1321, Lancaster was becoming increasingly isolated, and the marchers were the only body on whom he could rely completely, for both they and he had already burnt their boats. His retainers, though committed to him by the ties laid down in their indentures, could not afford to side with a cause which to many must have appeared both wrong and doomed to failure.

If the marchers were the earl's only real strength, it seems strange that, though they were able to secure the Despensers' exile in the July parliament, they were unable to prevent their doctrine of 'homage et serment de ligeaunce' being turned against them, to such an extent that they were forced to condemn that very principle

on which they had staked their opposition. To Wilkinson this is a sign of the essential weakness of the barons,[1] and Davies similarly remarks that 'the charge made against the younger Despenser of making an indenture to restrain the will of the king was strange coming from the barons who had used that very argument in their own behalf when pursuing Gaveston.'[2] But during the July parliament it was Edward who was weak, as will be shown - the exile of the Despensers was after all forced on him by the barons. It is inherently unlikely that he would have had the subtlety or the strength to force this concession on the barons. What then is the explanation? The younger Despenser was accused of having made the bill in order to draw John Giffard, Richard de Grey, and others into his alliance, the object of which was the coercion of the king.[3] The account is circumstantial and does not sound as though it is the product of the barons' imagination, and the charge against Despenser is surely true. It is likely that Despenser knew of the importance which the opposition twelve years previously had attached to the declaration and deliberately used it to attract Giffard and Grey by suggesting that he, Despenser, was as much concerned with controlling the king's unreasonable actions as they were. It was a bait held out to show that the suspected favourite was in reality fighting for the barons and not against them

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1 Ibid., p.18.

2 Davies, Baronial Opposition...,p.479.

3 Stat.Realm,i,p.182.

(though all his other actions belied this). This being so, the opposition had no choice but to condemn the declaration - though their condemnation was aimed at Despenser's use of it rather than the declaration itself. The distinction is nice but plausible.

Nor is there any need to suppose that the canon of Bridlington's account of the indictment goes against this interpretation. Wilkinson's statement that 'according to the canon...they [the barons] used it [the declaration] as the preface to their indictment of the Despensers, as a statement of the principles on which they stood'[1] is not supported by the evidence. The chronicler says nothing about the barons' adherence to the declaration; on the contrary the heading to his version of the indictment - 'contra duos Dispensatores proponebant comites domino regi articulos subsequentes' - suggests that this was intended to be the first article of the charge. It is true that the important preface to this article, explaining how Despenser had used the declaration to attract Giffard and Grey, is omitted by the chronicler. There is nothing to show from what text the canon was copying, however, and he may well have been using an unfinished draft of the indictment. Certainly he was not using the statute roll, for he inserts the names of the king's evil counsellors and ministers which the official record omits.[2] Wilkinson's case

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[1] Wilkinson, op.cit., p.11.

[2] Auct.Bridl.,pp.65-7.

for the weakness of the opposition depends very largely on his interpretation of the canon's record, and it seems much more likely that this record is corrupt rather than that the barons were forced by the king's adroitness to execute a complete volte-face and to condemn that principle by which they had justified themselves only a few weeks previously.

The last matter which remains to be treated is the bill of grievances laid before the magnates by John Bek, which is given both by the canon of Bridlington and in the Canterbury MS.A (though without mention of Bek in the latter version).[1] Bek had been a Lancastrian retainer since about 1311, and the articles which he put forward were almost certainly devised by the earl himself. If this is so, they throw a rare and valuable light on his policies. The magnates were firstly urged to tell the earl if they knew of any grievances attributable to evil counsellors or to the king's unsuitable ministers, so that a remedy could be provided for such grievances by common consent. Instances were offered - the chancellor, treasurer, chamberlain, justices, keeper of the privy seal, and others who should have been chosen by common assent in parliament had taken office against the Ordinances and were the cause of new evils. They should be punished according to these same Ordinances. Next came

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[1] Ibid., pp.62-4; Wilkinson, op.cit., pp.20-1. Cf. Davies, Baronial Opposition..., pp.477-8.

mention of the marchers' grievances. Those who held from the king in chief by accustomed services had been disinherited and judged by the king's ministers without the assent of the peers of the land, and a remedy should be found for this. Similarly, justices of trailbaston holding royal commissions had, at the instigation of evil counsellors, indicted magnates in order to disinherit them against the common law; and the same evil counsellors had set up itinerant justices in London, where an eyre should not be held except 'en temps de bon pes' and with parliamentary assent, and through the abuses of Quo Warranto in the same eyre many had lost their franchises and inheritances. Evil counsellors had forced merchants to go to St. Omer to make their sales, at great expense and contrary to former royal charters. Treaties and confederations had been made with foreigners, with the help of the evil counsellors, so that aliens could come into the land to the destruction of church and people. Lastly, the evil counsellors had aided the king in his retention of too many lawyers, so that if magnates or lesser men were impleaded before the king they had no one to represent them.

In many ways this bill represents a conventional reiteration of Lancaster's old policies adapted to new conditions. There is the same repetitive emphasis on the king's evil counsellors; the Despensers are not named but they are clearly in mind - the clause dealing with the disinheriting of tenants-in-chief shows this obviously enough. There is the same insistence on the Ordinances

which had characterised Lancaster's opposition between 1316 and 1318, though since the Despensers had attained power the Ordinances had been virtually a dead letter; and, as a corollary to this, there is strong stress on the powers of parliament, the assent of which was required for the appointment of important officials and the establishment of an eyre.[1] The grievances have changed from those of the earlier period (no mention, for instance, of the need for the resumption of royal alienations), but the methods of remedying them have not, and Lancaster's ideal remains that of a king surrounded by a purged council, dependent for its authority on the Ordinances and the powers of a baronial parliament (or at least of a consultative body) which the Ordinances sought to extend. Thus far the earl's bill was conservative in its approach.

But the bill is more than just a restatement of old principles. Several of its clauses seem to represent appeals to various sectional interests and it is likely that its publication was an attempt to broaden the basis of the earl's support beyond the ranks of the marchers alone, though the bill recognised their grievances. The article dealing with the St. Omer staple , for instance, may have been intended to attract the attention of those merchants who were pressing for home staples. The Westminster conference of April, 1319, had

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[1] Mention of parliament in these two instances is found only in the Canterbury MS. and not in the Bridlington chronicle.

shown the unpopularity of the St. Omer staple with most English merchants, and the Bardi, possibly Lancaster's bankers as well as the king's, showed an equal dislike for it.[1] Here was an opportunity for Lancaster to demonstrate that his cause was concerned with more than the affairs of the Welsh marches. Similarly, the complaint against the London eyre, 'the last and the worst the city had to face', was probably intended to show the Londoners that they had not been forgotten.[2] Edward's attack on the city franchises had not increased his popularity and there was a fund of ill-will waiting to be tapped. Attempts to win the Londoners' support became prominent again in later months, and at Sherburn Lancaster was already showing his interest in the citizens' claims. Some of the other articles - that dealing with the shortage of advocates, for instance, - may well have originated in the complaints of particular groups.

Wilkinson was right in his main conclusion that the northerners refused to support Lancaster at Sherburn, but there is much more than this to the assembly. After Sherburn only the marchers stood firmly behind the earl - even his own retainers were refusing to back him - and though an indenture was sealed only 25 of those present gave their assent to this. It was thus essential for Lancaster to seek out new supporters, and the articles read by Bek suggest that he was

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[1] For the agitation for home staples at this time, see Tout, Place of the Reign of Edward II, pp.229-33.

[2] For the eyre, see G.A. Williams, Medieval London: From Commune to Capital (London, 1963), pp.286-7.

thinking along these lines before the assembly met. To write in terms of two assemblies at Sherburn, as Wilkinson does, is to complicate unnecessarily an already complex discussion, and to imagine that the marchers deserted and condemned their own doctrine in the subsequent parliament is to credit the king with a skill and coercive power which he did not then possess. The justification for this long treatment of the Sherburn meeting lies in its importance *vis-à-vis* Lancaster's relations with the other elements in the baronial opposition. Though the meeting marked the first formal union of the earl and the marchers, it also marked the point at which the opposition began to disintegrate, and its consequence was that during the next months Lancaster had to fight hard to form a party behind him. In trying to induce those present to seal an indenture (and the numbers of his retainers present suggest that he may have been willing to use force to achieve this), Lancaster over-reached himself, for the barons and knights from outside the marches were not willing to commit themselves. Failure in revolt meant inevitable disgrace and possible death, and the northern magnates, including the earl's own men, had not seen enough of the Despensers at close hand to make revolt seem justified.

Lancaster did not attend the July parliament but remained at Pontefract[1] while the marchers moved south and took up their quarters outside the city. There was no break, however, in the earl's personal

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[1] Knighton, i, p.422; *Ann. Paul.*, p.293.

campaign against the Despensers. In the first few days of July a Lancastrian force led by Holand seized the Despenser manor of Loughborough and occupied it, so that the inhabitants did not dare to return for more than three months. Despenser's other Leicestershire properties appear to have been sacked at the same time.[1] Meanwhile the marchers had stopped outside London to negotiate with the mayor and citizens for entry and it was not until 1 August that they were allowed in.[2] On the same day Edward wrote to Pembroke, who had just returned from France, asking him to be at Westminster on the following day 'par le grant desir qe nous avoms de vous veer et daver voz conseux et voz aviz en busoignes qe nous touchent'.[3] Pembroke was to play the leading part in the parliament. The chronicles stress the size of the baronial army, and though Mortimer, Hereford, Amory, and Audley are all named as joint leaders[4] the whole force was united under one livery.[5] Such an opposition left the king little room for manoeuvre and though he prevaricated for a few days two factors dictated his eventual submission. Firstly, he was afraid of civil war, as all the chronicles emphasise. The barons had threatened to burn London from Charing Cross to Westminster because they believed that the younger Despenser was hiding with the king and procuring these delays,[6] and even the king's deposition was

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1 SC.8/106/5268; Parl.Writs,II,ii,p.226.
2 Ann.Paul.,p.296.
3 SC.1/49/50. Cf. Ann.Paul.,p.297.
4 Ann.Paul.,p.294.
5 Brut,p.213. Cf. Trokelowe,p.109; Walsingham, Hist.Angl.,i,p.161.
6 Ann.Paul.,p.297.

mooted if he failed to answer their complaints.[1] Edward had no hope of resisting this opposition by force,[2] as the Meaux chronicle points out, and though he never consented inwardly to the barons' demands[3] he had no choice but to give in temporarily. And secondly, there was a strong mediating party which pressed upon him the dangers of resistance and the necessity of surrender. Pembroke, who is reported to have taken an oath to defend the baronial grievances and who had been secretly sympathetic to the devastation of the Despensers' lands, represented Edward's choice as one between the common good of his country and the possible loss of his throne,[4] and the earl of Richmond, the prelates, and the queen similarly prayed the king to grant the barons' petitions. Edward had no party to which he could turn for support and on 14 August he granted the Despensers' exile.[5] The charges against them were presented in writing, pardons were granted to all those who had acted against them between 1 March and 19 August, and on 22 August parliament dispersed.[6]

But the victory of the opposition was a hollow one, for there was no means of imposing a permanent check on the king and once Edward

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1 Vita Edwardi Secundi, p.112.

2 Meaux Chron.,ii,p.338.

3 Chron.Baker,p.11; Murimuth,p.33.

4 Vita Edwardi Secundi,pp.112-3.

5 Ann.Paul.,p.297; Vita Edwardi Secundi,p.114. Etc.

6 Ann.Paul.,p.297; Stat.Realm,i,pp.181-4; Cal.Pat.Rolls,1321-24, pp.15-20; Parl.Writs,II,i,pp.237-43.

had been freed from the immediate supervision of the barons he returned to his old ways. Though the elder Despenser went abroad to Poitou, the younger, whom the king had recommended to the protection of the Cinque Ports, remained at sea off Sandwich, where he robbed two Genoese dromonds 'in scandalum regis et regni'.[1] Before Michaelmas Edward had rejoined him and at Harwich the two plotted how they could best avenge themselves on the barons.[2] Their opportunity came when, on 13 October, the queen was refused entry into Bartholemew Badlesmere's castle of Leeds in Kent by Badlesmere's wife. The subsequent siege and fall of the castle marked the opening of the campaign which was to end at Boroughbridge.[3]

Badlesmere's position is worth discussing, for it gives some insight into Lancaster's character and into the policies of the baronial opposition in general. Chronicle evidence has already been cited to show that he deserted to the barons at Sherburn in June. Until then he had been active about the court: he had taken part in the peace negotiations with Scotland earlier in the year and during this period he regularly attested the king's charters. After 14 June, however, he no longer appears as a witness, and on 16 June

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[1] Flores Hist.,iii,p.198; Vita Edwardi Secundi,pp.115-6; Meaux Chron.,ii,p.339.

[2] Murimuth,p.33.

[3] Almost all the chronicles deal with the siege of Leeds. Writs were sent out for the levying of troops on 16 Oct. (Parl.Writs, II,i,p.539), and Edward was present at Leeds from 25 Oct. to 3 Nov. (E.101/378/11).

he was replaced as constable of Dover Castle, though he remained as constable of Tunbridge Castle until 26 September[1]. (Unfortunately neither of the first two dates tallies exactly with that of the Sherburn meeting, and Badlesmere may already have been dropping out of favour before he was sent to the north.) His activities after his alliance with the opposition are illuminated by the continuator of Gervase of Canterbury, a valuable and hitherto unnoticed commentator on the Kentish scene. According to this source, Edward's creation of his brother Edmund as earl of Kent (on 26 July)[2] was a move directed against Badlesmere 'ne maximus foret prae ceteris in Cantia'. This was soon followed by Badlesmere's return to Kent, against the king's orders. From Tilbury in Essex he travelled via his castles of Henghom, Leeds, and Chilham, and eventually reached Canterbury with a force of nineteen knights. Here he was joined by Sir John Cromwell and his wife, who asked for his help (this episode is very mysterious, for Cromwell was an ardent royalist) and when this had been promised the two men joined the other barons at Oxford. Edward, seeking vengeance on Badlesmere, then laid siege to Leeds.[3]

Other sources throw some light on this story. Badlesmere was certainly acting with the opposition by this time, for he received

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[1] Tout, Place of the Reign of Edward II, pp.131-3.

[2] E.101/378/11.

[3] Leland, Collectanea, i, pp.272-3.

a pardon in August and according to Baker he committed Leeds to his wife while 'proficissebatur cum aliis baronibus ad demolicionem gazarum Hugonis'.[1] The Flores explains Edward's new hatred for him by saying that 'ab officio seneschalliae contra regis affectum recesserat'.[2] Badlesmere, however, could not expect help from Lancaster; the earl's attitude towards him, presumably by reason of his alleged usurpation of the stewardship of the household, had not changed since February, when ambushes were reported to be being laid for the unfortunate knight in the north.[3] When, on 27 October, the marchers and Badlesmere assembled at Kingston in order to raise the siege of Leeds, Lancaster forbade them to help and wrote to the king to ask him to stop persecuting his liege men without justice. At the same time the marchers wrote to Edward asking him to abandon the siege and promising to surrender the castle to him after the next parliament. But the king, seeing that the castle could not resist much longer, refused to listen, and after a few days Leeds was taken, to be followed by Badlesmere's other Kentish castles.[4] The marchers meanwhile returned to Lancaster at Pontefract.[5]

Thus Badlesmere was isolated between the two sides. The Canterbury chronicler reports that Lancaster 'negavit operam suam

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1 Cal.Pat.Rolls,1321-24;p.15; Chron.Baker,pp.11-12.

2 Flores Hist.,iii,p.199.

3 Ut sup., p.430.

4 Meaux Chron.,ii,pp.339-40; Vita Edwardi Secundi,p.116; Chron.Baker,p.12; Ann.Paul.,p.300; Bodley MS. Lyell 17, f.114; Leland, Collectanea,i,p.273.

5 Brit.Mus. MS. Nero D.X, f.111v.

baronibus quamdiu Badelsmer cum eis in exercitu maneret. Quare a baronibus est derelictus, et a rege fortissime persecutus'.[1] An order for his arrest, together with that of the other marchers, was issued on 7 December, and another for his arrest alone on 26 December,[2] and he was subsequently excepted from all safe-conducts issued to the rebels by the king. It is probable that Lancaster similarly refused to receive him. One chronicle reports that when, in 1322, Hereford and the remaining marchers retreated from Gloucester to join the earl at Pontefract he would not admit Badlesmere 'qui coram eo mullam gratiam potuit invenire'[3] - though another source seems to deny this.[4] Badlesmere was apparently not present at Boroughbridge, but was afterwards taken at Stow Park in Lincolnshire, one of his nephew's manors, and hanged at Canterbury.[5]

The reasons for Badlesmere's treatment by both Edward and Lancaster remain very obscure. He had formerly basked in the king's favour, and it is very doubtful if he had been the subject of the Despensers' attentions in Wales, since he held only a few manors along the march, and those in Shropshire. He must have known that he would not be welcomed by Lancaster. The most plausible explanation

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1 Leland, Collectanea, i, p.274.

2 Parl.Writs, II, i, p.172; Foedera, II, p.469.

3 Haskins, 'A Chronicle of the Civil Wars of Edward II', p.78.

4 Ut inf., p.480.

5 Brut, p.221.

is that the Despensers had completely robbed him of the influence over the king which his stewardship gave him and that his crossing over to the barons was a reaction against the Despensers' omnipotence at court. Kinship ties may also have played a prominent part, for they bound him closely to the marcher barons. His wife was Margaret de Clare, Roger de Clifford's aunt,[1] and since 1316 his daughter had been married to the eldest son of Mortimer of Wigmore.[2] Equally difficult to explain is Lancaster's attitude towards him. It seems too much to impute this entirely to the stewardship question, and indeed the Vita speaks of plures transgressiones[3] which the earl held against him. Certainly the affair showed Lancaster in the worst possible light. At a time when he needed all the support he could find he was content to dissipate his strength in the pursuit of unimportant personal feuds, and, if the Canterbury chronicler is right, to threaten even to withold his help from the marchers unless they deserted Badlesmere. He could not afford to turn away a useful helper, yet he did so, and his behaviour shows a surprising lack of a sense of proportion, an inability to distinguish between the main issues at stake and those which were trivial and personal.

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[1] Margaret was the daughter of Thomas de Clare and elder sister of Maud, wife of Robert de Clifford and mother of Roger (Peerage, I, p.372; III, pp.290-1).

[2] For this marriage, see Holmes, op.cit., pp.43-4.

[3] Vita Edwardi Secundi, p.116.

Lancaster clearly knew how badly off he would be in any military struggle with the king, and after Leeds such a struggle must have appeared increasingly inevitable. It was probably in another attempt to rally support around him that, on 18 October, he issued writs for an assembly at Doncaster on 29 November. (One transcript of an original writ survives; the names of the other recipients are known only from the king's letters to them forbidding their attendance.)[1]

His difficulties were much increased by the growing number of desertions from his retinue. Robert Holand's failure to appear for his lord in March, 1322, has perhaps turned attention away from the less spectacular but equally important trickle of smaller men, knights and bannerets, who left Lancaster for the service of the king during 1321 and 1322. One of the best examples comes from an earlier date and shows that even before the earl leagued with the marchers against the Despensers his knights were no longer happy with his behaviour towards the king. Before Easter, 1320, John de Creting, who had served Lancaster since 1313 and possibly earlier, approached him 'at his command and not according to the form of the writing, for which the earl scolded him, and he, understanding that the earl did not conduct himself towards the king as he was bound to do, reproached him therefor, for which reason the earl immediately sent him away'.

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[1] G.L. Haskins, 'The Doncaster Petition,1321', Eng.Hist.Rev., liii(1938), pp.478-85.

His annuity of £40 was stopped at the same time.[1] A similar case comes from 1321. Peter de Mauley IV, a Yorkshire retainer, subsequently told the king how he had deserted Lancaster when he heard that the earl wanted to arm against the king. Lancaster planned to kill him for this and to destroy his castle at Mulgrave, and the other barons used him equally violently; Badlesmere forced him to agree to the marriage of his eldest son with Margaret, daughter of Robert Clifford, to settle the reversion of all his lands on the pair, and to seal a recognisance of £20,000 to Badlesmere if the settlement were not fulfilled.[2] John de Clavering, another retainer, was acting as Baldock's informant on Lancaster's activities in the north in February, 1321, and was almost certainly with the king on the Boroughbridge campaign.[3] Similarly John de Haverington, who had probably been in Lancaster's service since 1306, was summoned to be with the king in February, 1322 - though he had been present at the Sherburn assembly and had been forbidden to attend at Doncaster - and since he was with Harclay in the north in June, 1322 and his lands were not confiscated, it is almost certain that he sided with the king.[4] William Latimer, retained from May, 1319, was, on 26 February, 1322, empowered to raise the Yorkshire levies against the earl and at the

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1 Cal.Ing.Misc.,ii,1307-49,No.466.

2 SC.8/200/9974,9975; Cal.Close Rolls,1318-23,p.481.

3 Cal.Anc.Corr. concerning Wales,p.180; Parl.Writs,II,i,p.549.

4 Parl.Writs,II,i,p.549; Cal.Pat.Rolls,1321-24,p.130.

beginning of 1323 was appointed as keeper of the city of York.[1] Fulk Lestrange, probably a retainer since 1311, was still with his lord in December, 1321, when he witnessed a charter, but apparently deserted soon afterwards.[2] He was summoned to appear with his forces at Coventry on 28 February, 1322, and in May he was appointed as seneschal of Aquitaine.[3] Fulk Fitzwarin was receiving a 200 mark annuity from the earl in 1318-19, but was the leader of the royal cavalry on the Boroughbridge campaign.[4] These were all important men with extensive lands and capable of raising large retinues themselves - and their desertion must have lost Lancaster a large part of the private army on which he could normally rely. It is probable that a number of lesser retainers - Richard le Waleys and William Butler of Warrington, for instance[5] - also left the earl, and there is much justice in the charge of unfaithfulness which a contemporary poet brings against the retinue.[6] The process was a circular one: the retainers left their lord because they felt that his cause was likely to fail and every desertion in itself weakened that same cause. This cycle, already foreshadowed by the limited number of sealings at Sherburn, provides a clear reason for Lancaster's turning to the Scots in the winter of 1321-22.

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1 Parl.Writs,II,ii,p.180; Cal.Pat.Rolls,1321-24,p.234.
2 DL.42/1, f.196v.
3 Parl.Writs,II,i,p.549; Peerage,XII,i,p.342.
4 Wardrobe Account,1318-19,m.4; Vita Edwardi Secundi,p.118.
5 Parl.Writs,II,i,p.549.
6 Political Songs, ed. Wright, pp.270-1.

The Doncaster assembly, then, was another attempt to rally support to a weakening opposition. Historians have always doubted whether the meeting ever took place,[1] since there was no evidence for it but the king's prohibitions, the transcript of a letter of summons to John Engayne, and a petition against the Despensers which could not be proved to have emanated from the same assembly. But there is at least one chronicle reference which can be taken to allude to this meeting: the Sempringhem annalist says that in Advent, 1321, Hereford, Clifford, Mowbray, Audley, Amory, Badlesmere, the Mortimers, Giffard, Tyeys, and Mauduit 'e mulz dautres graunz de lur convine approcherent au counte de Lancastre a Schireburn e a Pontfrait e la furent entrejurez autre foiz a meyntenir ceo quils eurent comencez; e de illoque alerent en Guales ove graunt force'.[2] This sounds very much like the Doncaster meeting (though the chronicler has misteken the place where it was held),and the reference to a second oath - the first presumably being that taken at Sherburn in June - suggests that the marchers were as strongly behind Lancaster as ever. There is better evidence than this, however. On a roll of fourteenth century transcripts of letters connected with Tunbridge Priory there occurs a mutilated version of the petition against the Despensers

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[1] Haskins, op.cit.,p.479; Wilkinson, op.cit.,pp.7-8; McKisack, op.cit.,p.64.

[2] Le livere de reis de Brittanie, p.339.

corresponding almost exactly with that printed by Haskins. But unlike his copy the petition has a heading and is preceded by a letter from Lancaster to the mayor and citizens of London, which is worth giving in full:-

> 'Ceste lettre fut maunde au Roy par le Counte de Lancastre Senescal Dengleterre et par autres bons genz de la terre pur lestat de la corone meintenir.
>
> Thomas counte de Lancastre et de Leycestre Senescal dengleterre au maire et as bons genz de Londres saluz et bon ami. Nous vous enveyoms dedeyns cestre transcrit de lettres qe nous et le counte de Hereford, le seygneur de Mortimer, et nos autres bons piers avoms envoyez a nostre seigneur le Rey par les queux vous purez pleynement nos ententioms savoyr. Et vous prioms de par nous et nos autres bons piers qe vous nous soyez aydont et consaillant qe lestat de seynte eglise et de la corone et les points de la grande chartre et les ordinances soient meintenuz pur lonour nostre seigneur le Roy et la commun bien de vous et de nous et de tut la roillaume. A dieu qe vous gard. Donez a nostre chastel de Pountfreit le ij iour de Decembre'.[1]

This letter and the accompanying petition are important for two reasons. Firstly, it must now be almost certain that the petition against the Despensers was drafted by an assembly at Doncaster, or at least in the north. Lancaster's letter was sealed only three days after the date for which the meeting had been summoned, and in both summons and letter there is the same reference to 'good peers' which has given the assembly its nickname. And secondly, the forwarding of the petition to the Londoners represents an obvious bid for the support of the city by Lancaster. Since the eyre during the first

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[1] Bodley MS. Rolls Kent 6, box I,(f).

half of the year London had had little sympathy with the king's cause, and the mayor, Hamo Chigwell, had ridden a middle course only with great difficulty.[1] At the Sherburn assembly Lancaster had cleverly played on the responsibility of evil counsellors for inaugurating the eyre and attacking the city franchises, and Hereford, before his entry into London for the July parliament, had blamed the Despensers by name.[2] The city's antagonism towards Edward was increased by his attempt to impose on it a charter of service, a sealed military indenture to formalise its allegiance; and his accusation of 17 November that certain of the rebels had been received in the city may well have been true, for there was much sympathy with their cause.[3] Lancaster's appeal in the following month, however, had little effect, for the king's grip over the city was too strong. During February the citizens, spied on by the king's ubiquitous agents, sent troops to Edward, though given the choice they would have sided with the barons.[4] The behaviour of their contingent may have given them some satisfaction, for it was 120 short of the number demanded and many afterwards deserted.[5] Nevertheless, Lancaster had failed to win the city, and the king's strength and influence there, particularly over Chigwell, closed yet another source of support to him.

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1 Williams, Medieval London, pp.285-9.

2 Ann.Paul., p.295.

3 Williams, op.cit., pp.289-90; Cal.Letter Book 'E', pp.151-5.

4 Bodley MS. Lyell 17, f.114v. Cf. Meaux Chron., ii, p.341.

5 Parl.Writs, II, i, p.553.

Perhaps the most remarkable aspect of the Doncaster meeting is the names which appear on the list of those who were prohibited from attending.[1] It is not known how the king obtained these names - he may have come into possession of a full list of those summoned, or he may have issued prohibitions merely on suspicion. Certainly the list is an odd one. Of the 102 names on it, 32 had been present at Sherburn. This group was composed of ten marchers, sixteen northerners, and six of Lancaster's own retainers. These are the men whom Lancaster might be expected to have summoned, and the comparatively small number of his own retainers can easily be explained by the numerous desertions which were occurring about this time. But what of the other men on the list? Many of them were royal servants whose loyalty to the king had never been doubted. Five - John Cromwell, Richard de Grey, Robert Insula, John de St.John, and John de Somery - are recorded in the wardrobe book of 1320-21 as being bannerets of the royal household, and one - Robert Morley - as a household knight.[2] Somery and Ralph Basset of Drayton, also named, were ordered with others on 30 November, 1321, to attack the rebels in Warwickshire, Leicestershire, and Staffordshire (this was the day after the Doncaster meeting), and a few days before Boroughbridge

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1 Foedera, II, p.459.

2 Brit.Mus. Add.MS. 9951, ff.24v, 26v.

the same two men were ordered to take Kenilworth for the king.[1] Robert Insula had served the king in the north for several years, fought for him at Boroughbridge, and received a valuable wardship soon afterwards.[2] John Pecche had been appointed by the king as keeper of the town and castle of Warwick on 6 November, 1321, was summoned to raise troops in Warwickshire in February, 1322, and was present at Boroughbridge as a banneret on the king's side.[3] Geoffrey de Say had served against the Scots from 1314-19, had been granted a commission to try those who had defended Leeds Castle in October, 1321, and in February, 1322, was summoned to raise men-at-arms for Edward.[4] None of these men is likely to have had any sympathy with Lancaster's cause - and some would surely be outstandingly hostile to it. Ralph de Gorges, for instance, whose name appears on the list, was a Despenser retainer who had been captured and delivered to Lancaster after the fall of Cardiff Castle to the rebels in the spring of 1321;[5] and the earl's antipathy to Henry Beaumont which had clearly shown itself in Middleton's escapade in 1317, was well known. There are others whose loyalty it is difficult to doubt - the earl of Arundel, tied by marriage to the younger Despenser and later

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1 Parl.Writs,II,i,pp.541-2; Cal.Fine Rolls,1319-27,p.107.

2 Peerage,VIII,p.72.

3 Ibid.,X,p.342.

4 Ibid.,XI,pp.474-5.

5 Flores Hist.,iii,p.345. According to Ann.Paul.,p.293, the castle was Caerphilly.

one of Lancaster's judges, the earl of Norfolk, the king's brother, Andrew Harclay and Anthony Lucy, the joint defenders of the northern march. These were all staunchly royalist.

It seems unlikely that the king issued prohibitions to these men on suspicion alone - none had any previous connection with Lancaster[1] and had there been such a nest of discontent and sympathy with the marchers among the king's men, and particularly in the household, it seems certain that other evidence would have shown it. There is only one other conclusion: Lancaster was casting his net as widely as possible and was desperately trying to draw to himself those whose support he had no hope of gaining. The northerners had refused to aid him - though the summoning of many of them to Doncaster shows that he was still trying to win them - his own retainers were deserting him, and the forces of the marchers alone, only a dozen barons and their men, were not strong enough to resist the king in what must have seemed an increasingly inevitable battle. He may have hoped, by appealing to men in the king's household, to have played on the grievances probably aroused, as in Badlesmere's case, by the dominance of the Despensers over the king and their assumption of all power at court - yet his appeal was a measure of panic. His own cause at this time was as unconstructive as that of the Despensers, and it had the additional disadvantage of seemingly certain failure.

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[1] Though Enlogium Historiarum, iii, ed. F.S. Haydon (Rolls Ser., 1863), p.196, says that Harclay had been knighted by Lancaster.

The petition produced by the Doncaster assembly[1] said much that was true though little that was new; it shows the hand of Lancastrian policy as clearly as do the articles which Bek had read at Sherburn. The Despensers and other evil counsellors had procured the seizure of castles, lands, and goods belonging to the peers without legal process or judgement, and contrary to the king's oath, the Great Charter, and the Ordinances. The younger Despenser was being maintained by the king in spite of the sentence of exile passed on him, and Edward had charged the men of the [cinque] ports to guard him; in this position he had robbed merchant ships, to the loss of the land, the crown, and the people. He and the other evil counsellors had caused men to be disinherited without parliament and the award of their peers. They had induced the king to make alliances and retainings against the good men of the land, and had robbed and preyed on the people so that they could not live in peace. And although the magnates had often wanted to combine to stop these outrages and to amend them, Despenser and the other evil counsellors had procured the issue of writs 'que nul ne venge a autre' on penalty of all that they could forfeit, so that there was no way in which affairs could be put to rights. Thus the magnates were given reason to rebel against their liege lord, contrary to their will, from which la commune du pople suffered. (This clause, with its emphasis on

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[1] Haskins, op.cit., pp.483-5.

the inability of the barons to obtain legal redress from the king, and their consequent unsought resort to violence, provides a clear-sighted view of the constitutional difficulties in which the opposition was placed.) These same evildoers had persuaded the king to issue a writ to Robert Ewer and others to take the peers of the land.[1]

The king was given until 20 December to answer these grievances and provide for the good government of the land. If nothing had been done by then the petitioners asked Edward not to take it amiss if they defended their rights and their inheritances, pursued the evil counsellors, and amended the government of the realm as they were held to do. As a pious afterthought they prayed the king to take in hand the saving of the northern marches against the Scots.

The petition is a workmanlike statement of the opposition's claims against the younger Despenser. The exile of the favourite had not been successful - how could it have been without the means of imposing permanent supervision on the king? - and in the final clause the barons were preparing to justify their resistance by force. Against the illegalities of the Despensers they raised, as before, the Great Charter, the Ordinances, and the powers of parliament. But it was foolish to threaten the king with coercion if he failed to redress their grievances, for, with whatever justice Lancaster and

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[1] This commission was issued on 19 Oct. (Cal.Pat.Rolls,1321-24,p.28).

his allies pressed their claims, they had little military strength behind them. There is nothing to show which of those summoned actually attended at Doncaster, but in all probability only the marchers and the earl's remaining retainers came to the meeting; the northerners had earlier shown their lack of sympathy for Lancaster, and it is inconceivable that the large number of courtiers summoned should have defied the king's prohibition. The earl's appeal to the Londoners, already described, was one attempt to revive a failing cause; his negotiations with the Scots was another. A letter of safe conduct issued by James Douglas to Richard Topcliff and another on 6 December - eight days after the Doncaster meeting - to come to Jedburgh probably marks the start of these negotiations.[1] The king's letter to Lancaster forbidding him to attend at Doncaster had accused him of intending to bring the Scots into the kingdom,[2] and it is probable that the earl had been holding this threat in reserve as a last resort; nothing indicates Lancaster's collusion with the Scots since the siege of Knaresborough in 1318. His innovation was a serious one, for only with great difficulty could he now pretend to be fighting for the crown and against the evil counsellors. Douglas had no such respect for the king's person and office as Lancaster professed to have. Other communications followed. On 15 January Thomas Randolph extended the

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[1] Foedera, II, p.463.

[2] Ibid., p.459.

original conduct to last until 15 August[1] - the length of this period suggests that protracted negotiations were in the offing. A third safe conduct was issued on 16 February, again by Randolph, giving permission for Mowbray and Clifford to enter Scotland with forty horsemen. A letter followed from Douglas, addressed to 'King Arthur' (the pseudonym which Lancaster had evidently adopted) and proposing a meeting about 17 of the same month; and in another undated letter to Ralph Neville Douglas asked for an envoy to be sent 'a certer de ceo que serra fait des choses que nous touchunt'. But the most informative letter is the last in the series. This is undated and contains the names of neither addressee nor addressor, but was almost certainly written by Lancaster in mid-February. He tells his correspondent that the marchers - Hereford, Amory, Audley, Clifford, Giffard, Tyeys, Mauduit, Wylington, and Badlesmere - have come to Pontefract and are ready to make surety to the Scots if they will carry out the matters already spoken of, that is, to come to the barons' aid and to go with them in England and Wales. The writer asks him to name a date and place where both parties cold meet to complete matters, and requests a safe conduct for thirty horsemen 'de sauvement venir en vos parties'.[2]

If these letters are genuine, they constitute a damning indictment of baronial policy and one which Edward was able to put to good use.

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[1] Ibid., p.472.

[2] Ibid., p.474.

The correspondence is known only through transcripts sent to the king from the north and then forwarded on 1 March to the two archbishops and the sheriffs with orders for publication.[1] The archbishop of Canterbury read the letters in St. Paul's on 7 March.[2] Though the Pauline annalist reports the rumour that the letters were forged and though they came from an admittedly hostile source there is no need to doubt their truth, for the cumulative evidence for Lancaster's acting with the Scots is very strong. He was charged at his trial, from evidence provided by an indenture found on Hereford's body, with having allied with the Scots.[3] The indenture took the form of an agreement between Lancaster and Hereford, and Bruce, and probably records 'the matters already spoken of' which are mentioned in the last letter above. It was decided that Bruce, Randolph, and Douglas would come with their forces to Lancaster and Hereford, that they would war on all those whom the barons wished to damage and save those whom they wished to save, and that they would come to the barons in England, Wales, and Ireland and would maintain their quarrel without claiming <u>conqueste ou seigmurie</u> in these lands. If Bruce was prevented from coming, then Randolph and Douglas were to act for him. The barons' side of the bargain was an undertaking not to ride against the Scots in aid of the king of England, and a promise

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1 <u>Cal.Close Rolls</u>,1318-23,p.525.
2 <u>Ann.Paul.</u>,p.302.
3 <u>Foedera</u>,II,p.479.

that when their quarrel had ended they would do all they could to make peace between the two countries 'issi q'il tendrent lour terre Descoce auxi peissiblement, come eux la lour en Engleterre' (an interesting anticipation of Harclay's treaty of the following year). The canon of Bridlington is sceptical of the truth of this transaction,[1] but even allowing for the context of the document it seems circumstantially very probable. It was no wonder that, with Lancaster's deep involvement with the Scots at this time, he should in January have ignored a request for help from the northern knights - for the two year truce had expired and the Scots were now raiding as far south as Richmond.[2] Similarly, the strong rumours, discussed later, that the baronial forces were retreating towards Scotland until stopped at Boroughbridge, were probably justified.

Thus the barons' position was a weak one, for while they may have had custom, if not written law, on their side in their attempts to rid the council and court of the Despensers, they could after their alliance with the Scots no longer plead any justification save that of expediency. The king's publication of the Scottish negotiations was an implicit triumph for him, for his was now the side of order and legality against the treasonable actions of the opposition. Not only had Lancaster's failure to win support in 1321 lost him much

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[1] 'Istud ultimum non affirmo, sed an sit verum nec ne nescio. Deus novit' (Auct.Bridl.,p.78).

[2] Lanercost Chron.,p.242.

military strength; it had also forced him into reliance on the kingdom's enemies, thus largely destroying the justice of his cause and losing him more men. Nor did the alliance with the Scots bring any military benefit - there is no record of any Scottish aid being sent. Bruce almost certainly had no trust in Lancaster and was merely using him.

By mid November Edward was preparing for war.[1] On 15 of the month the king's ministers in Wales were ordered to raise his forces there, and a fortnight later orders were issued for a general muster at Cirencester on 13 December.[2] An ecclesiastical council, called for 1 December, declared the exile of the Despensers to be unlawful.[3] Ironically, it was about this time that Lancaster and the marchers wrote to the king to ask for his ratification and approval of the petition of the Doncaster assembly against the Despensers. The king's reply was mild enough. Lancaster, he said, had reproached him undutifully and without regard for his royal estate, and had laid down a period within which reform should be carried out as though he, the king, were the earl's subject. Besides which, he had joined with his adversaries, though the king had no quarrel with him personally.[4]

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[1] The most chronologically accurate account of the complicated Boroughbridge campaign is that contained in the Evesham chronicle, Bodley MS. Laud.Misc. 529. 'Trivet', who seems to have been very close to the court at this time, is also useful. The king's itinerary can be followed in his daily household account roll, E.101/378/11.

[2] Parl.Writs,II,i,pp.540-1.

[3] Ann.Paul.,p.300; Murimuth,p.35; Parl.Writs,II,ii,p.173.

[4] Brit.Mus. MS. Nero D.X, f.111v.

TO BOROUGHBRIDGE

PONTEFRACT (19 Mar.)

DONCASTER (18 Mar.)

TICKHILL

WARSOP (16 Mar.)

TUTBURY (11 Mar.)

BURTON (10 Mar.)

MEREVALE (2 Mar.)

TRENT

HOLT

SHREWSBURY (14 Jan.)

TONG (11 Jan.)

BRIDGNORTH

LUDLOW (25 Jan.)

SEVERN

WORCESTER (31 Dec.)

AVON

STRATFORD (25 Feb.)

HEREFORD (28 Jan.)

GLOUCESTER (6 Feb.)

CIRENCESTER (20 Dec.)

WYE

THE BOROUGHBRIDGE CAMPAIGN
1322

→ The King's Itinerary.

- → - Conjectural Movements of the Barons.

O Lancastrian Castles

Edward evidently still saw the contest as one between the marchers and himself, and indeed the earl's military inactivity until this stage did much to justify this version of events. The king, however, was determined to break the marchers and soon the war was bound to involve Lancaster. The letter to the earl was written from Cricklade in Gloucestershire, when the royal party was already on its way to the west, and by 20 December Cirencester was reached.[1] While he was staying here for Christmas Edward sent men to destroy Giffard's castle at Brimpsfield.[2] Meanwhile, the barons had separated after the Doncaster meeting, the marchers under Hereford and the Mortimers leaving for Wales, while Lancaster remained at Pontefract, perhaps to conduct the negotiations with Scotland. Gloucester fell to the marchers about 6 December[3] and since they now had control of the river crossing, the key to the southern marches, Edward was forced to turn northwards after Christmas, reaching Worcester on 31 December.[4] By this time Hereford, his forces strengthened by an alliance with Adam of Orleton, bishop of Hereford,[5] had established himself securely at Gloucester. The prior of Lanthony, of which house he was patron, gave him loyal support, sending the cellarer to Winchcombe to spy on

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1 E.101/378/11.

2 Bodley MS. Laud.Misc. 529, f.106v.

3 Ibid.

4 E.101/378/11.

5 For Orleton's part in the rebellion, see W.E.L. Smith, Episcopal Appointments and Patronage in the Reign of Edward II (Chicago,1938),pp.130-4.

the king and his army, lending Hereford money and horses, and charging the monks in chapter to pray for the success of the baronial cause and to say a daily orison 'issint qe dieu lour donast le victoire en lour emprise'.[1]

Edward could not cross the Severn at Worcester because the barons were holding the opposite bank,[2] and he again had to look northward. An advance party under Fitzwarin was sent up to Bridgnorth to repair the bridge there and guard it for the crossing of the army. News of this plan must have reached the barons, for when Fitzwarin's men had established themselves at Bridgnorth, Hereford and the Mortimers swept down on the town by night, burnt it, drove out the royalists, and destroyed the bridge. Edward, still at Worcester, was now left with no choice but to move up the Severn as far as Shrewsbury before he could cross,[3] and as soon as he had left Worcester (on 7 January)[4] that town was attacked and taken by a baronial force under Amory, who had presumably remained at Gloucester while his allies were at Bridgnorth. By this time the marchers in the upper Severn valley had apparently split up. The Mortimers remained in the northern march, while Hereford's men, after having sacked the Despenser castles at Elmley and Hanley in Worcestershire, returned to Gloucester about 21 January.[5]

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[1] JI.1/1388,m.8.

[2] Vita Edwardi Secundi,p.118.

[3] Ibid.; Bodley MS. Laud.Misc. 529, f.107; Brit.Mus. MS. Cleo. D.IX, f.60v.

[4] E.101/378/11.

[5] Bodley MS. Laud.Misc. 529, f.107; Brit.Mus. MS. Nero D.X, f.111v; Parl.Writs,II,ii,p.174.

Until this time the barons had had much success. They had captured three of the more important towns along the march, humiliated the king at Bridgnorth, foiled for a considerable time his intention of crossing the river, and struck at the Despensers. Edward's actions suggest that his main objective was nothing more than a limited campaign to clear the rebels from the marches;[1] his march westwards and not northwards, and the tone of his letter to Lancaster both imply that he contemplated no wider war until the rebels, now united again, attacked Tickhill Castle. The baronial strategy apparently had no clear purpose beyond the prevention of the king's crossing of the Severn and the holding of the march against him. It is possible that the marchers were hoping to raise a large army in Wales and eventually to offer battle to the king, but there is no evidence for this. Whatever hopes they had were dashed when Edward reached Shrewsbury on 14 January.[2] Not only had he now gained the west bank of the river, but shortly afterwards he also secured the surrender of half the marcher army. On 22 January the Mortimers gave themselves up, and their example was soon followed by the elder Audley, Maurice de Berkeley, and Rees ap Howel.[3] According to the Meaux chronicler, they lacked money, their knights were deserting, and expected help from

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[1] 'Tunc congregavit exercitum copiosum iturus in Marchiam, ut magnates expugnaret qui occupabant partem illam' (Vita Edwardi Secundi, p.117).

[2] E.101/378/11.

[3] Parl.Writs,II,ii,p.176; Murimuth, p.35.

Lancaster had not arrived. Higden confirms this in part, though he throws the onus on the Mortimers rather than Lancaster, saying that they began their attack in the marches before the earl was ready to help them.[1] The true explanation, however, may rather lie in the attacks of Sir Gruffydd Llwyd on the castles of Chirk, the Mortimer stronghold, and Holt, which belonged to Lancaster,[2] and on the seizure by the royalist Robert Ewer, probably about Christmas, of Bromfield Castle, also Lancaster's.[3] The fall of the earl's two chief fortresses in North Wales would explain his inability to support the marchers.

It was the news of this disaster which induced Hereford and his party at Gloucester to withdraw to Lancaster at Pontefract.[4] Commissions had been issued for their arrest on 15 January, and on 23 January orders were issued for the confiscation of Hereford's goods.[5] There was an obvious danger that he would be cut off in the south now that the king controlled the upper Severn and Edward showed his intentions quite clearly when he wrote from Shrewsbury to the exchequer

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[1] Meaux Chron.,ii,p.340; Higden, Polychronicon,viii,p.310.

[2] J.G. Edwards, 'Sir Gruffydd Llwyd', Eng.Hist.Rev.,xxx(1915), pp.589-601; and for a slight modification of this view, B.P. Parry, 'A Note on Sir Gruffydd Llwyd', Bulletin of the Board of Celtic Studies, xix (1962),pp.316-8.

[3] Brit.Mus. MS. Nero, D.X, f.111v.

[4] Meaux Chron.,ii,p.341; Brut, p.215; Flores Hist.,iii,p.346.

[5] Parl.Writs,II,ii,p.175; Cal.Fine Rolls,1319-27,p.92.

and to the city of London to say that he was about to turn south towards Ludlow.[1] From there he went through Hereford to Gloucester, reaching the city on 6 February.[2]

Meanwhile in the north Lancaster had laid siege to Tickhill Castle, a move which may have been directed against William de Aune, constable of the castle and probably an ally of the Despensers; Aune, Baldock, and one of the Despensers are all known to have been concerned in at least one case of wrongful disseisin.[3] The siege of Tickhill marked the turning point of the campaign, for it provoked the king to a new determination to crush Lancaster finally. 'Sic nota et incepta est guerra in Anglia' comments the Lanercost chronicler perceptively.[4] The siege gave a clear purpose to what had formerly been a mere series of skirmishes along the march, and open conflict between Lancaster and the marchers on the one side and the king on the other now became much more marked - 'et factae sunt eorum inimicitae manifestae'.[5] The siege had begun by 10 January[6] and news of it was evidently brought to the king at Gloucester, for in the ten days that he was there preparations were put in hand for a full-scale campaign. On 8 February

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[1] Parl.Writs,II,ii,p.176; Davies, op.cit.,App.No.35.

[2] E.101/378/11. For Edward's proceedings against the bishop of Hereford at Hereford, see Vita Edwardi Secundi,p.119.

[3] SC.8/71/3515.

[4] Lanercost Chron.,p.242. The Brut,pp.215-6, makes the same point - 'And when þe Kyng herde telle þat his castell was bisegede, he swore... þat þe sege shulde be remevede, and assemblede an huge power of peple and went þiderward forto rescue þe castell'.

[5] Lanercost Chron.,p.242.

[6] Cal.Pat.Rolls,1321-24,p.47.

Edward wrote to Lancaster recounting the crimes which the rebels had committed and warning him not to receive the marchers, who had retired from Gloucester and publicly declared that they were about to join Lancaster and that he would help them.[1] Other messengers went north about the same time. The prior of Lanthony sent a clerk to Hereford to warn him that his lands had been seized and that his goods which were deposited in the abbey had been taken by the king's officials (though the prior had retained the more important deeds and sent them to John Bohun, the earl's son, at Windsor); and Hereford sent a spy to the south 'pur espyer le Roi e sa covyne en celes parties et ceo qe fust fait endroit des Mortimers'.[2] Lancaster's reply to the king's demand, fortunately preserved by the Meaux chronicler, probably arrived within the next few days. He answered insolently that he had drawn no rebels to himself nor was he accustomed to nourish such men, but if he knew where they could be found he would kill them or expel them from the kingdom.[3] It was obvious that neither party contemplated any sort of peaceful settlement, and between 7 and 18 February writs were issued for the assembly of a large army at Coventry on 28 February;[4] the king's intention, implied in letters

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1 Parl.Writs,II,ii,p.176.
2 JI.1/1388,m.8.
3 Meaux Chron.,ii,p.341.
4 Parl.Writs,II,i,pp.545-54.

of safe conduct for the Despensers who were about to join him, seems to have been to crush the rebel magnates first and then to proceed directly against the Scots,[1] whose renewed depredations were made known to Edward at Gloucester by Harclay. As Edward made plain to him, nothing could be done about foreign enemies until traitors within the kingdom had been defeated. Harclay was, however, given powers to discuss with Bruce arrangements for a peace.[2]

The king left Gloucester on 17 February and reached Coventry ten days later.[3] In the north Lancaster had been trying to raise troops, largely in vain - the surrender of the Mortimers must have made his chances of success seem increasingly narrow and few were willing to attach themselves to a cause which was rolling towards disaster.

On 13 January William Trussell came to Leicester with Lancaster's letter ordering the steward to levy the men of the town and bring them to Tutbury. When they arrived there, however, they found not Lancaster but John Mowbray and with this excuse they returned home. On 10 February Trussell brought a second letter to the mayor and community de minis, ordering the townsmen to obey him, while another letter reached the steward again commanding a levy of the men of the town and liberty, to come to Pontefract against the Scots - a transparent

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1 Ibid.,II,ii,p.177.

2 Vita Edwardi Secundi,pp.120-1; Foedera,II,p.473.

3 E.101/378/11.

and desperate lie. It does not appear that any men were sent and while the king was at Gloucester messengers were dispatched to him from the town ad inquirendum nova. Leicester was obviously anxious not to be on the losing side. In early March the king arrived and his differences with the community were settled for a fine of £200 and a bribe to the Dominicans of £2 for arranging with the king's confessor 'quod ipse esset pro villa erga dominum Regem'.[1] Others were equally unwilling to serve Lancaster. The substeward of the honor of Tutbury in Leicestershire gathered many people together 'et per rigorem fecit eos jurare quod forent parati cum armis suis ad profiscendum cum Thoma...contra dominum Regem', and divided his forces into companies 'ad magnum terrorem populi'.[2] The men of Pickering, too, afterwards complained that the earl's ministers had arrayed them to go against the king at the siege of Tickhill,[3] and threatening letters which Lancaster sent to the sheriff of Lincoln in February probably had a similar purpose.[4] Clearly few were prepared to serve the earl without coercion - the risk was too great - and no reliance could be placed on an army of reluctant conscripts, as events following the engagement at Burton Bridge were to show.

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1 Bateson, Leics.Bor.Recs.,i,pp.328-33.

2 JI.1/1389,m.28.

3 Honor and Forest of Pickering,(North Riding Rec.Soc.,1896),p.244.

4 SC.8/91/4525.

The best examples, however, of the failure of the earl's recruiting schemes comes from Lancashire. Between 2 and 24 February Edmund Neville, former deputy sheriff of the county, was charged by Lancaster to raise the men of the county for him. Neville took his commission to the town of Lancaster and tried to levy a force to go with him to Ashbourne in Derbyshire, to the earl's aid; but, a jury later returned, no wages were paid and no one went.[1] Richard de Holand and Thurstan de Northlegh met with better success, for they were able to raise 500 men at Wigan and take them to Rochdale to help the earl.[2] About the same time Robert Holand was gathering his forces, supposedly for the earl, at Ravensdale in Derbyshire[3] - though Holand's treachery, described later, ensured that they were of no benefit to Lancaster.

More striking than these examples is the attempt of Robert de Clitheroe to gain support for the earl. Clitheroe, a former escheator north of Trent, had been accused in 1320 of extensive peculation during his period of office,[4] and it may have been this which induced him to side with the rebels. He had no previous links with the earl and it is all the more surprising to find him preaching in his parish church at Wigan that the earl's undertaking was lawful and that of the king unlawful and telling his parishoners 'that they were the liege men

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1 Tupling, op.cit., pp.63-5.
2 Ibid.,p.74.
3 Ibid.,pp.80-3.
4 E.159/93,m.82d.

of that earl and were bound by their allegiance to give aid to the same earl in the enterprise which he had undertaken against the king... and saying that he would absolve from all their sins all who were willing to go in aid of that earl; and thus by his preaching and sermons he stirred up, abetted, procured, and advised...men to go against the king, so that many who previously had no intention of going, etc, did go'. Not slow to set an example, he himself sent two men-at-arms and four footmen.[1] His sermon and the injunctions of the prior of Lanthony constitute two excellent early instances of the use of the pulpit for political purpose, though in neither case is there any evidence of deliberate tuning by the rebel leaders.

Interesting though Clitheroe's support is, it cannot have helped Lancaster greatly. While Edward moved northwards the earl broke off the siege of Tickhill and moved to Tutbury and then to Burton,[2] where he could hold the crossing of the Trent against the king. At Lichfield Edward was joined by the Despensers and their retinues,[3] and by 7 March he had reached Caldwell,[4] just south of Burton, while his army fought for control of the bridge. The bridge itself was destroyed by the barons and the town burnt,[5] but little was gained, for on 10 March the

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1 Tupling, op.cit., pp.71-2.

2 Meaux Chron.,ii,p.341.

3 Bodley MS. Laud.Misc. 529, f.107.

4 E.101/378/11.

5 Flores Hist.,iii,p.346; Auct.Bridl.,p.75; Foedera,II,p.478.

royal army crossed by a ford upstream.[1] Lancaster would have made a stand and met the king's forces in battle (he did, in fact, display his banners),[2] but he was probably dissuaded both by the size of the royal army, in full view once it had crossed the river,[3] and by the desertion of Holand, who was to have brought 500 Lancashire men to help the inadequate baronial force.[4] Holand had evidently been acting with the king, unknown to Lancaster, for the past few days. Edward had summoned him and his forces on 4 March,[5] and a jury afterwards presented that on the day on which the king crossed the river Holand sent letters to his lord 'quod causa fuit detrahendi dominum suum predictum'[6] - a statement which, though vague, has the smack of premeditated treachery. After some aimless ravaging in Ravensdale,[7] Holand eventually joined the king at Derby and was sent to Dover Castle.[8]

All was now lost. Some of the barons wished to throw themselves on the king's mercy, but Lancaster, with that foolhardy overconfidence which characterised the last year of his life, refused to do this, thinking that his kinship with the king guaranteed his safety,

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1 Vita Edwardi Secundi,p.122; Meaux Chron.,ii,p.341; Walsingham, Hist.Angl.,i,p.164; Bodley MS. Laud.Misc. 529, f.107v.

2 Foedera,II,p.478.

3 Walsingham, Hist.Angl.,i,p.164; Meaux Chron.,ii,p.341.

4 Brut,p.216; Vita Edwardi Secundi,pp.122-3.

5 Parl.Writs,II,i,p.556; II,ii,p.181.

6 Collections for a History of Staffordshire (William Salt Soc., ix,1888),p.99.

7 Ibid.; Brut,p.216.

8 Knighton,i,p.424.

especially since he had armed against the traitor Despensers and not against Edward himself.[1] Hereford was evidently more prudent: he told one of his intimates that he had laid plans for his escape abroad to Hainault, whose count was his kinsman.[2] By now Edward was in no mood to be placated - the younger Despenser had only narrowly prevented him from unfurling his standard and declaring open war on the rebels[3] - and he proceeded to follow his enemies northwards, taking Tutbury[4] and then ordering the earls of Kent and Surrey to lay siege to Pontefract.[5] Here the fleeing barons had called a halt a few days previously, and a council had been held in the Dominican friary. It was commonly agreed that they should make for Lancaster's castle at Dunstanburgh and stay there until the king's anger calmed and he forgave them, but the earl himself dissented, arguing that it would be said that they were going to the Scots and that they would be regarded as traitors. He would go no further north than his own castle of Pontefract. Not until Clifford threatened him with his sword did he fall in with their plan.[6] In fact, the rumours which Lancaster feared were widespread and his flight was seen as the final treachery - though with an inferior and diminishing army and an impetuous and violent king in pursuit there was little real alternative.

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1 Chron.Baker,p.13.

2 DL.34/1/25.

3 Auct.Bridl.,p.75.

4 Vita Edwardi Secundi,p.123; Meaux Chron.,ii,p.342; Flores Hist., iii,p.346.

5 Parl.Writs,II,ii,p.181.

6 Brut,p.217.

Estimates of the size of Lancaster's force are not easy to find; the Brut gives him 700 men, but this may be too generous.[1] Nothing could hold the king. The resistance of the earl's castles collapsed as he fled. Kenilworth had surrendered before the king reached Coventry,[2] Tutbury was given up when Edward arrived there, and Pontefract was handed over when its constable heard of Lancaster's final defeat.[3] It was probably while the royal army was marching on Pontefract that the queen wrote to Simon Ward, sheriff of York, and to Andrew Harclay, ordering them to cut off the retreating rebels.[4] The rest is too well known to need repeating in detail. Harclay gathered the border levies and intercepted the rebels at Boroughbridge on 16 March. This was the first real action in which the northern forces, chiefly hobelars, which he had organised and trained during the previous seven years, had been involved.[5] Lancaster tried to bribe and argue with him showing how 'þe Kyng is ladde and misgovernede by miche false conseil' through the Despensers, Arundel, and Baldock, and offering him the best part of five earldoms if he would go with him 'to destroie þe venyme of Engeland'.[6] Harclay was not tempted. The battle which

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1 Ibid.

2 Bodley MS. Laud.Misc. 529, f.107; Vita Edwardi Secundi,p.123.

3 Brut,p.221; Leland, Collectanea,i,p.274.

4 Flores Hist.,iii,p.346.

5 For this, see J.E. Morris, 'Cumberland and Westmoreland levies in the time of Edward I and Edward II', Trans.Cumberland and Westmoreland Arch. and Antiquarian Soc.,New Ser.iii(1903),pp.317-25. The best account of the battle is in Lanercost Chron.,pp.242-4.

6 Brut,p.220.

followed is more important for military than for political history; in the night before it began many of Lancaster's remaining knights deserted,[1] and one chronicle states that William Latimer, his former retainer, was the joint leader of Harclay's army.[2] The earl was captured next day, and led first to York and then to Pontefract. In the wake of the battle a riot of plundering began.[3]

At Pontefract a long indictment was laid against the earl, beginning with his recent actions against the king and then searching back into the past as far as the plundering of the jewels and horses in 1312 (supposedly pardoned in 1313). Then followed charges of coming armed to parliament against the king's mandate, inducing the king to pardon him and his men (in 1313?), sending knights to York to try and draw the city to his side, holding up the king and his army at Pontefract in 1317, and of negotiating with the Scots, as already described. He was sentenced to be hanged, drawn, and beheaded, though the first two punishments were remitted because of his royal blood; and other leading rebels - William Tuchet, Henry de Bradburn, both Lancastrian retainers, Warin Insula, Thomas Mauduit, William Fitzwilliam, and William Cheyny - were sentenced at the same time.[4]

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[1] Lanercost Chron.,p.244.

[2] Bodley MS. Laud.Misc. 529, f.107v.

[3] For the plundering in Yorks., see JI.1/117; at Kenilworth, Leicester, and Donington, JI.1/1389; and in Staffs., William Salt Soc., ix,pp.95-100, and Cal.Inq.Misc.,ii,1307-49,No.747.

[4] Foedera,II,pp.478-9. See also Trokelowe,pp.112-23, and the brief summary of the indictment in Auct.Bridl.,p.77.

The court before which the indictment was readhad only a very dubious legality - the Lanercost chronicler comments that sentence was passed 'sine parliamento et sine maiori et saniori consilio praehibito'[1] - and its refusal to hear Lancaster's answers had few precedents.[2] Of the seven judges - the earls of Kent, Surrey, Richmond, Pembroke, Arundel, Athol, and Angus - only two, Surrey and Arundel, can be said to have been biassed against the earl from the start, and two, Athol and Angus, had been his retainers. It is clear, however, that the real influence was that of the Despensers,[3] which, coupled with the king's almost morbid desire to avenge Gaveston's execution,[4] for which Lancaster had been pardoned but never forgiven, made the earl's death inevitable. On 22 March, 1322, he was led out and executed.

The most remarkable feature of Lancaster's career during these last years is the change in the character of his opposition. Most of his programme of 1315-18, founded on strict adherence to the Ordinances and inparticular the need for a resumption of all royal grants, was dropped. It is true that the Ordinances are quoted in the Sherburn articles and the Doncaster petition, but Lancaster did not press for their literal observance, as he had previously done, and their

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1 Lanercost Chron.,p.244.

2 Vita Edwardi Secundi,p.126; Brut,p.222.

3 Brut,p.223; Lanercost Chron.,p.244.

4 Lanercost Chron.,p.244.

resurrection on these two occasions appears more as an act of piety than as a vital part of a political manifesto. As for resumptions, they are never once mentioned and we can only presume that Lancaster, having accepted the settlement of 1318, feared that if he raised the matter again attempts would be made to deprive him of the territorial advantages which he had enjoyed since then. His campaign in 1321 and 1322 was directed almost wholly against the Despensers and their friends, particularly Baldock and Arundel. His ultimate aim was their total removal from court, the restoration of the barons to their customary position as the king's advisers, and the undoing of the mischief which the favourites had worked in the government - this, at least, is the theme of his pronouncements at Sherburn and Doncaster and of his plea to Harclay before Boroughbridge. Though, as before, there was probably a strong vein of personal pique and jealousy behind this campaign, in broad terms his opposition was a principled one - and, to some extent, a popular one. Hereford's support from the prior of Lanthony, the sending of supplies to the barons by the abbot of Winchcombe,[1] Clitheroe's sermon in favour of Lancaster's cause, the Londoners' sympathies, all suggest that many wanted the earl's victory. The extraordinarily rapid growth of Lancaster's cult after his death, to which we will return later,

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[1] JI.1/1308,m.9.

perhaps shows that the rising was popular on a lower social level, though naturally this type of evidence has to be treated cautiously.

If the revolt was justified and had a measure of support, why then did it collapse so feebly? This is indeed a central problem. We can trace the stages of collapse easily enough - the slow desertion of Lancaster by his knights, the unsuccessful appeals to the northerners, the Londoners, and to the courtiers themselves, and the final turning to the Scots - but it is much more difficult to decide why such an apparently good cause should have met with such limited support. The answer perhaps lies mainly in factors which were outside Lancaster's control. The period between the siege of Berwick and the beginning of the Boroughbridge campaign was one of the more prosperous of the reign. From the autumn of 1318 onwards there had been a marked economic recovery after the effects of the famine. In that year wheat prices averaged 4/6½d a quarter, almost a third of the famine level of 16/- a quarter which had been reached two years previously, and less than the average pre-famine price for wheat. Prices had risen sharply again between 1319 and 1321, however, and in the latter year reached the very high level of 11/8d a quarter, subsequently declining to 9/- in 1322.[1] It might be imagined that the short period of extreme scarcity and famine in 1321 (for which Rogers' figures bear out the remarks of the St. Albans' chronicle)[2] would have given

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[1] J.E.T. Rogers, A History of Agriculture and Prices in England, i, (Oxford, 1866), pp.199-200, 230.

[2] Walsingham, Hist.Angl., i, p.163.

birth to social discontents which might have benefited Lancaster's cause - but two factors offset the effects of the dearth. Firstly, for virtually the first time in the reign there was no war with Scotland. Between the truce of December, 1319, and its termination in January, 1322, the northern counties lived under an unaccustomed and welcome peace, and neither in the chronicles nor in the petitions and letters from the north do we find the ceaseless complaints at the king's inadequate attempts to deal with the Scots, which had been so marked a feature of earlier years. Thus one source of unrest at the king's misrule was closed to Lancaster. And, secondly, the corollary of the two year truce was a very noticeable slackening in the king's military and financial demands. There was no general summons between that for the Berwick campaign and that for the campaign against the rebels in the autumn of 1321. The unusual measures which followed the chapter of Myton in 1319 affected only Yorkshire,[1] while any discontent which may have been aroused by the summoning of unpaid levies in 1321-22[2] came too late to help Lancaster. If there was military pressure, it came from Lancaster rather than from the king, as is shown by the earl's coercive attempts to raise troops. In the absence of much military activity on the king's part the abuse of purveyance must also have declined. More important even than this

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1 Ut sup., p. 409.
2 Powicke, op.cit., p.150.

was the lack of new demands for taxes. No lay subsidies were asked for or granted between May, 1319, prior to the Berwick campaign, and Lancaster's death. The unusual calm in the north meant that there were no extraordinary demands which could justify such taxation, and the king seems to have been content to rely on the customs, now recovering again after the famine, and on a papal tenth which he obtained in 1320, to meet his normal expenses.[1]

For the first time in the reign, then, there was a general peace and a freedom from royal demands for men and money. Though many undoubtedly suffered severely from the dearth of 1321, men could not complain that the king, through taxation, was robbing them of what little surplus cash they had, nor could Lancaster allege, as he had implicitly alleged all through 1317 and 1318, that Edward was wasting the scanty resources of an exhausted kingdom on the court favourites. The Despensers may have obtained much from the king, but it was difficult to charge him with promoting them at the nation's expense, and though they bore heavily on those who opposed them or those whose lands they wanted, as numerous petitions against them show, this was not a general enough grievance to foment widespread unrest. The conditions were not propitious for rebellion, and Lancaster's opposition could not find itself a sufficiently broad base to stand much chance of success. His quarrel had not enough universal interest

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[1] Ramsay, Revenues, ii, pp.120-9.

and was too much concerned with specific marcher grievances. That the earl realised this and tried to remedy it is shown by the articles which Bek read at Sherburn, but these again appealed to particular interests. There was no general charge which could be made against the Despensers and which would have won immediate support among the politically active classes. The wider accusations which could be levied at them - of lording it over the administration, of monopolising the king's ear, and so on - in any case affected only those who were accustomed to be about the king and to be active on the council, especially men such as Hereford, Audley, Amory, and Giffard, who also happened to be marchers. How strong an attraction was this grievance likely to have for northerners like Marmion and Fauconberg, who can never have had much influence at court or council? To side with Lancaster meant chancing bankruptcy, proscription, disgrace, and death: the risks were too great, the prize not worth the winning. Many of the earl's knights probably took the same view. Though money and loyalty bound them to one who had been an apparently generous lord, his cause was not their cause and the dangers attached to being on the losing side in a civil war drew many of them over to the king. When Lancaster turned to the Scots the trickle probably became a flood. There were limits to which the <u>via asperitatis</u> could be stretched and these had now been exceeded.

Lancaster's defeat thus has a strong element of inevitability about it. He was similarly unlucky in the small number of the greatest lay magnates who came over to him. Of the earls, only Hereford was his supporter. Warwick, his strongest ally at the time of the Ordinances, had been dead for six years, his son was a minor, and his estates were in the hands of the Despensers. It is unnecessary to emphasise how much the loss of the resources, in men and money, of such a great earldom must have meant to Lancaster between 1315 and 1322. Warenne had become an even more intransigent enemy since the land settlement of 1318, while Arundel, Warenne's brother-in-law and from 1321 the father-in-law of the younger Despenser's daughter, was bound to the court by the ties of kinship and interest. Richmond and Oxford were political nonentities, though Richmond's appearance as one of Lancaster's judges in 1322 shows where his sympathies lay. Pembroke is the only earl whose affiliations are difficult to gauge, for though he never deserted the king his loyalties were strongly suspect. He had obviously played an equivocal part in the parliament of 1321, and 'Trivet' tells the interesting story of how he was arrested after the York parliament which followed Boroughbridge and was brought back from his home to the king at York. After taking an oath to be faithful to the king and not to ally himself with those who were against the king or those whom the king maintained, he was released.[1] Clearly

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[1] Brit.Mus. MS. Nero D.X, f.112v; Cal.Close Rolls,1318-23,pp.563-4.

Pembroke had found it very difficult to maintain his 'middling' position in 1321 in the face of the Despensers' dominance in Wales, which threatened his own interests there, and he had been drawn some way towards the barons' side. But this was no help to Lancaster, for his sympathy did not express itself in material terms.

Even a brief analysis such as this reveals how isolated Lancaster still was. Though he had a party about him, it was composed of marchers alone and of these only Hereford was of the first rank. The military resources of a dozen or so marcher barons were not enough, especially when Lancaster's own support, both from his retinue and from the levies which his territorial influence allowed him to array, was collapsing around him. This last factor pinpoints the rebels' final weakness - Lancaster's own inadequacies as a leader. He was initially very slow in coming to the marchers' aid; he did nothing but advise during the first four months of 1321, and though this inactivity could be interpreted merely as caution (Hereford and his allies had been high in the king's favour until only a few months previously), his delay allowed the king and the Despensers ample warning of what was in store for them. Similarly, in July and August he stayed at Pontefract, leaving the marchers alone to secure the favourites' exile. Later he allowed his own feud with Badlesmere to weaken the whole opposition movement. Militarily he did no better. His failure to send help to the Mortimers in January, 1322, though

partially excused by the attacks on his own Welsh lands, brought about the collapse of the barons in their stronghold, the marches; while his siege of Tickhill, for which no direct provocation had been offered, was a major tactical error, which changed the whole nature of the campaign and persuaded Edward that the earl had to be defeated. These examples of the earl's incompetence may well have persuaded some to desert him who would not otherwise have done so. Though Lancaster was unfortunate in that his rebellion came during a period of peace and relative prosperity, his own shortcomings had something to answer for. The struggle between crown and opposition cannot be seen in the black and black terms in which it is usually painted. The opposition's cause was a good one, but its limitations lay in its narrow appeal, in the dangers involved in any resort to arms against the king, and ultimately in the deficiencies of its leader. Lancaster's cause was worthy of a more able advocate.

CONCLUSION

Thomas of Lancaster

Historians have been almost unanimous in their verdicts on both Edward II and Thomas of Lancaster, but while excuses have sometimes been made for the king's inadequacies his cousin has profited by no such exculpation. Stubbs, Tout, and Davies all castigated him for his lack of principle, his factiousness, and his inability to govern, and even Miss McKisack writes that he was 'isolated by his own ambition' and that his posthumous reputation 'far exceeded his deserts'. Yet the devil's advocate could call on near contemporaries who were less certain of Lancaster's failings. 'Of this erle and of his dedes', wrote Higden, 'is ofte greet stryf among comoun peple, whether he schulde be accounted for seyntes other none. Some seyn yis, for he dede many almes dedes, and worschipped men of religioun, and maytened a trewe querel, as it semed, to his lyves ende; also his enemyes durede afterward but a while, and deyde in shameful deeth. Other seien the contrarie, and telleth that he was an housbonde man, and rought nought of his wyf, and defoulid a greet multitude of wommen and of gentil wenches; if eny man offended hym a lite, he lete slee hym anon. And postataes and evil doers he favored strongliche, for he schulde nought be i-punsched by the lawe...Also that he foloweth schamefulliche in tyme of fyghtinge for the right anon to the deeth, and suche on schulde nought be acounted a saynt, nameliche whan he was i-take and i-slawe maugre his teeth.'[1]

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1 Higden, Polychronicon, viii, pp.313-5 (Trevisa's translation; spelling slightly modernised).

Higden expresses well the contrast between the earl's high political ideals and the almost repulsive nature of the man himself. He was undoubtedly one in whom others could see few attractive personal qualities. His estate records show a rapacious, grasping, and cruel landlord, so powerful that he could ride roughshod over the rights of others and defy the law with impunity. In 1314 he used force and bribery to gain his way over the three Northamptonshire manors. He pursued Warenne relentlessly for personal profit, and in the settlement of 1318-19 was apparently prepared to barter some of his political principles in return for large territorial and financial concessions. His violent feuding brought out all his worst qualities: before Edward II's accession he had levied a private war against Tutbury Priory, which, in its brutality and violence, was unusual even by fourteenth century standards of lawlessness; in 1315 he hunted down Adam Banaster's party with greedy vindictiveness, turning the revolt to his own financial profit; and in 1321-22 he allowed his quarrel with Badlesmere to disrupt the baronial coalition. Some of Higden's accusations can be proved in detail. Lancaster, for instance, had at least one illegitimate son,[1] and the charge of favouring 'postataes' is borne out by the presence in his household of Hugh Skilhare, a former abbot of Furness who, after having been excommunicated and then absolved, was deposed from his position in 1303.[2] It is

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[1] Somerville, op.cit., pp.26-7.

[2] 'Gaveston's jewels and horses', p.7; PRO.30/26/71/15/11; T.A. Beck, Annales Furnienses (London,1844),pp.239,245.

hardly surprising that the earl had so few friends. His family circle appears to have been equally unhappy. His childless wife left him in 1317, and it may be significant that of the 750 letters which he sent out in 1318-19 not one was to his brother Henry, nor, if charter witness-lists can be relied on, was Henry often in his company. Unscrupulous, violent, and avaricious, he was not a man likely to convince others that he could either lead or govern.

Whatever his contemporaries thought of him, Lancaster undoubtedly saw himself as a second Montfort. The issues which were ventilated under Edward II were basically those of the 1250's and 1260's, and the history of that earlier period of Reform and Revolution was much in the air. At the parliament of 1312, according to the Brut, the king 'ordeynede þe lawes of Sir Symond Mountford', and the author of the Vita could speak of 'that noble man Simon Earl of Leicester', who 'laid down his life in the cause of justice' and could draw parallels between Montfort's attempts to restrain Henry III and the earl's efforts to curb Edward in 1313.[1] Lancaster had inherited the Montfort lands and the Montfort title-deeds, and he regarded himself as his predecessor's political heir as well. In 1320 he petitioned the pope for the canonisation of Thomas de Cantilupe,[2] Montfort's chancellor and one of the heroes of the earlier reform

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[1] Brut, p.207; Vita Edwardi Secundi, pp.18,44.

[2] Letter Book of Richard de Bury, ed. N. Denholm-Young (Roxburghe Club, 1950), p.19.

movement, and in some instances - notably in the form of the council which he suggested in 1318, and in his attempts to use the stewardship, - he harked back to precedents drawn directly from Montfort's activities in the 1260's. Just as the strength of Montfort's claims had lain in Henry III's acceptance of the Provisions of Oxford, so Lancaster's case rested on the Ordinances and the king's oath to maintain them. The questions raised were the same in both periods. Had the king an absolute right to choose his own counsellors? Had any opposition either the moral justification or the political strength to force the king to concede it a share in the government? Was the king to be bound by law, and if so, what law?

Until 1311 Lancaster and the barons had only custom, and possibly the coronation oath, to which they could appeal on these matters. The Ordinances, however, placed specific limitations on the power of the crown, and Edward's oath to observe them signified his acquiescence in the reforming programme. Yet the king afterwards maintained, with some justice, that he had been compelled to accept the Ordinances and that they thus had no validity (though, like Henry III in 1261, he was unsure enough of his ground subsequently to seek papal absolution from his oath). This was the case which he put to the Yorkshire knights in 1312 and it was an impossible one for Lancaster to answer. The king would obviously not restrict himself willingly, and if he were consistently to assert that he had no obligation to abide by an oath

exacted under coercion, then only force could limit him. The long battle over Gaveston's legal status at the time of his death was a crucial test case on the question of the Ordinances' validity, and it was one which Lancaster and his party lost. There was no precedent by which the earl could claim the king's voluntary acceptance of the Ordinances, and hence it was difficult for him to argue, in his later struggles with the curialists, that he had law on his side. If the moral justification for the earl's claims was thus in doubt, so also were the means to enforce those claims. Conciliar supervision of the king worked only temporarily in 1318-19, and as long as the king could control the organs of government and could move the chancery and the exchequer to the north as he liked, then Lancaster's assertions were, in practical terms, merely chimerical.

It would be wrong, however, to adopt too eagerly the view of Tout and Davies that the king's authority over the administration made his position virtually unassailable, for Edward's external problems forced him to make concessions to the barons. These problems, quite apart from the opposition at home, would have taxed the resources of a much stronger and more intelligent ruler, and it is their interaction with the claims of the opposition which gives the period its peculiar interest. Here the parallel with Henry III's reign ends. Between 1307 and 1322 war with Scotland was almost continuous. Bannockburn was a crushing humiliation, but in the long run the cumulative disasters

suffered by the English were probably more damaging. The tax paying capacity of the northern counties was reduced; violence and lawlessness grew under the shadow of the Scottish attacks; and, above all, the king's failure to deal effectively with Scotland bred resentment and disaffection, pointing the way to Harclay's treason in 1323. Behind many of Edward's difficulties in the north lay his financial troubles. He had inherited large debts, and his position was weakened still further by famine, the costs of holding the north, and his own extravagance. Heavy taxation, purveyance, and the extension of military obligations were the inevitable result, and these measures produced much popular discontent. (It is often forgotten that the opposition to Edward II was a popular as well as a baronial one.)

Closely related to these questions were the demands of Gascony. The king's difficulties in his duchy were a constant drain on the time of an already harassed government and a constant diversion of the energies of competent administrators; able chancery clerks and magnates like Pembroke and Richmond were often occupied in France when urgent problems demanded their attention at home. In addition, the Scottish threat in Ireland, the revolt of Bristol, and the perpetual feuding with Flanders over piracy and shipping rights, all needed attention at various times. It was this multiplicity of conflicting pressures acting on a king whose personal deficiencies were so marked which helped to produce such wavering and ineffective rule.

The burdens under which the king laboured gave the barons their opportunity. Edward's two greatest needs were for men and money, and to obtain them he was forced to bargain with the opposition. In 1313 the baronial negotiators placed redress of grievances against the provision of financial and military support for a new Scottish campaign, and in 1314 Lancaster and his allies put their demands on the Ordinances before the king's plea for their service in Scotland. The relations between Lancaster and the king from 1314 to 1318 were determined in part by Edward's need for the earl's retinue in any future northern campaign. It was this more than anything else which brought Lancaster into the government after Bannockburn and which was the strongest motive of those working for a reconciliation between king and earl in 1318. The value of his private army was clearly demonstrated in 1319, when its withdrawal from Berwick made the continuation of the siege impossible. The clergy occasionally used similar tactics: in 1315, when the king's finances were strained to the uttermost, they granted a subsidy only on condition, inter alia, that the king should undertake to observe the Ordinances. On numerous occasions Edward was given the chance to deal effectively with some of his external difficulties in return for an acknowledgement of the limitations which the Ordinances had placed upon him. The opposition had no need to attack the king's control of the executive, centred in the household and wardrobe, as long as it could exert this kind of hold over his powers.

The barons' case, defended by Lancaster alone after 1315, gained much of its strength from its ability to offer a partial remedy for the country's distress. On foreign affairs, Lancaster argued that there could be no success unless the Ordinances were maintained; as long as decisions on foreign policy were the prerogative of an ill-advised clique around the king and not of the whole baronage, then the English cause in Scotland would fail. He similarly relied on the Ordinances to fill the royal treasury. It has often been pointed out that the demands of the Ordainers for the ejection of the Frescobaldi and the abolition of the new customs did much to place the king in his impossibly difficult financial position - but it has not been noticed that other clauses of the Ordinances provided compensation for these losses. The resumption of royal alienations, for instance, would have greatly strengthened the crown's finances, and Lancaster put this at the forefront of his programme between 1314 and 1318. Retrospective measures such as this, however, were of limited use as long as the king maintained a favoured party at his side. Until royal patronage could be permanently controlled the king's improvident generosity would continue to weaken the country. Lancaster's grievances against the courtiers, like those of the barons against Gaveston earlier in the reign, were primarily financial. One chronicler had pointed to the apparent connection between Gaveston's greed and the king's demands for taxes, and a link of this

type must have seemed even more plausible between 1315 and 1318, when England faced famine and the regular revenues of the crown were in decline. Reform of the household was not so much an administrative desideratum, as Tout and Davies argue, but a fiscal one. What Lancaster wanted, and what that ordinance which called for the expulsion of evil counsellors set out to provide, was a purged and less expensive household, in which royal patronage and royal expenditure on unnecessary servants would be strictly regulated. In Lancaster's case against the curialists there were of course strong elements of jealousy - those in the household were privileged and they alone had ready access to the rich prizes which the king had to bestow - and of the old belief that the barons were the crown's 'natural' advisers. In its essence, however, his argument was financial. His stand was both rational and principled and on it must rest a large part of his reputation.

It was unfortunate for Lancaster that he attained power when power could be used with least effect. Between 1314 and 1316 the famine, the depressed state of the royal finances, and the king's defeat at Bannockburn made any victorious campaign against the Scots impossible. No government could have waged war effectively in the conditions of these years. (Lancaster himself was forced to use purveyance in order to raise supplies in the very way which had been so strongly condemned in 1311.) The earl's chief success in this

period lay not in his inevitably ineffectual attempts to deal with Scotland but in his vigorous enforcement of the Ordinances. Though these did not turn out to be the panacea for which he had hoped, their maintenance undoubtedly earned him much popularity, as the Vita confirms,[1] and if we are to understand his appeal and his reputation after 1322 we must look more closely at the reforms. We are inclined to forget that they brought benefits to all and that they were concerned with more than merely finance and the king's advisers. Men looked to the Ordinances to remedy their complaints on a variety of matters. Two examples from many will illustrate the point.[2] In an undated petition Walter de Wheatley told the king and council that he had been imprisoned on the orders of the steward and marshal of the household at the suit of another man in a plea of trespass. This trespass, Walter said, had not been committed within the verge of the household nor in the king's presence, and he asked to be delivered to the common law 'solenc les ordinances desicome il est condempne countre les ordinances'. The endorsement to his petition runs: 'De transgressionis factis extra virgam fiat querenti remedium secundum forma ordinationum'.[3] Here is a clear instance of a man appealing to the Ordinances on a matter

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[1] 'O quante laudis habebas preecones dum iugiter defenderes ordinationes' (Vita Edwardi Secundi, p.98).

[2] For other cases of appeals to the Ordinances, see SC.8/136/6751; SC.8/334/E.1143; Rot.Parl., i, pp.290, 298; Eyre of Kent, i, ed. F.W. Maitland, L.W.V. Harcourt, and W.C. Bolland (Selden Soc., 1909), p.176.

[3] SC.8/334/E.1148.

which they had defined - the inability of the household ocurt to try offences committed outside the verge - and apparently winning his case. Again, in 1318 the people of Leicestershire asked the council to remove their sheriff, William de Neville, since he held no land in the county except his wife's dower, and the Ordinances had stipulated that every sheriff should hold lands in his county. Neville was deposed with most of the other sheriffs at the York parliament.[1] The barons had been skilful propagandists and the publication of the reforms throughout the shires had undoubtedly had its effects. Ordinary men were aware of the rights which the Ordinances had given them, as these cases show, and it was natural that Lancaster, the staunchest defender of the principles of 1311, should receive their gratitude.

These facts do much to explain the earl's immense posthumous reputation. Any magnate who died in opposition to a harsh and resented regime might expect some reverence, and after 1327, when Lancaster's former enemies had all met miserable ends, it was hardly surprising that his name should be held high. The commons in that year asked for his canonisation[2] and from then on the hold which his cult had over the popular imagination never slackened. In the

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[1] SC.8/58/2881; Cal.Fine Rolls,ii,1307-19,p.382.

[2] Rot.Parl.,ii,p.7.

fifteenth century a hagiographical life was produced[1] and on the eve of the Reformation his hat and belt were still preserved at Pontefract as respective remedies for headaches and the dangers of child-birth.[2] None of this is remarkable, for once such a cult had started simple-minded devotion would ensure its continuance. Much more interesting is the speed with which Lancaster became a popular hero. News of the miracles at his tomb was brought to the king at the York parliament which met within six weeks of Lancaster's death. A royal envoy sent to discover the truth of the stories found 'tout la pais tesmoignants les faits', and an armed guard was dispatched to Pontefract to close the church where the earl's body lay.[3] The disturbances recurred in August, 1323, when a mob, said to number two thousand and to be drawn from Kent, Essex, Lancashire, and other counties, killed two of the constable of Pontefract's servants who had been sent to guard the place of Lancaster's execution and to prevent any offerings there.[4] About the same time a miracle was reputed to have been performed at the tablet which the earl had set up in St. Paul's to commemorate the king's affirmation of the Ordinances[5] - strong evidence of the

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[1] Anecdota ex codicibus hagiographicis Johannis Gielemans (Bollandists, Brussels, 1895), pp.80-90.

[2] Letters and Papers of Henry VIII, x, p.141.

[3] V.H. Galbraith, 'Extracts from the Historia Aurea and a French "Brut"', Eng.Hist.Rev., xliii (1928), pp.215-6; Knighton, i, p.426.

[4] C.47/86/29/772; Cal.Inq.Misc., ii, 1307-49, No.2103.

[5] Bodley MS. Lyell 17, f.115v.

popular connection between Lancaster's name and the reforms. This veneration grew at a time when there was great danger in showing any sympathy for the earl's cause, and it is in itself a tribute to the benefits brought by the Ordinances and to the impression which Lancaster and his ideals had made on the people between 1311 and 1322. Knighton says that the commonalty conceived of him as dying 'pro justitia ecclesiae et regni', and Robert of Reading that he was executed 'pro Ecclesiae jure et statu regni'.[1] We who can see the burdens placed on the country by Edward II's rule might be sceptical of these judgements and dismiss them as the permissible exaggerations of men who would have turned to any leader against an unpopular king. A close study of Lancaster's career, however, of the vigour with which he defended the Ordinances, and of the practical advantages which these brought, all make such a curt verdict impossible.

Thus the Ordinances meant different things to different men. To the king they meant intolerable restraint on the royal power; to the courtiers they presented the threat of a limitation of their control of the king's patronage and of their dominance at court and council; to Lancaster they offered the chance to strengthen the crown's finances at a time when these were especially weak, to restore the king's rightful advisers to their proper place, and to curb the privileges enjoyed by those about the household; and to the people

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[1] Knighton, i, p.426; Flores Hist., iii, p.204.

they provided the opportunity of alleviating the rule of an oppressive yet ineffective government. That Lancaster had only a very limited success in achieving the aims embodied in the Ordinances was partly due to bad luck and partly to his own inadequacies. We have already spoken of the difficulty of placing any permanent restrictions on the crown, of the conditions of the time, which made effective rule hard to attain, and of Lancaster's violence and rapaciousness, which sometimes made it hard to distinguish his 'constitutional' aims from his personal ones. The earl's own qualities doubtless alienated many potential friends, but perhaps an even more serious fault was his seeming irresponsibility. His dealings with the Scots, though justifiable on his own terms as a means of putting pressure on the king for domestic reform, stained his name with treachery. In his refusal to serve on the Bannockburn campaign and in his summoning of Scottish aid in 1317-18 he put the need for reform before the problem of Scotland. Even if contemporaries recognised this principle in Lancaster's actions, which is doubtful, they must have thought that he had reversed the proper order of priorities. The Vita tells us that after he had been accused (almost certainly unjustly) of treachery at Berwick in 1319 'the favour of the people turned to hatred'.[1]

But the gravest defect in Lancaster's character was his apparent unwillingness or inability to govern, exemplified by his recoiling

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[1] Vita Edwardi Secundi, p.98.

from power on numerous occasions between 1312 and 1322. Much of the last five years of his life was spent in apparently continuous residence at Pontefract - he hardly strayed from there for a single day, for instance, between 23 November, 1318, and 27 May, 1319. Tout and Davies have assumed that this indicates a lack of interest in government, a deplorable lethargy which led him to seek power but not to use it, to want the opportunities which it gave but not the responsibilities (though it is difficult to see how these views can be reconciled with the equally common interpretation of Lancaster's career as one of thwarted ambition. If Lancaster had ambitions of the kind ascribed to him, he himself, by his refusal to take a regular part in government, did his best to thwart them.) These condemnations, however, may do Lancaster an injustice, for it is possible that he was chronicly sick. There are a number of allusions to his ill-health. In 1305 the young Edward wrote to commiserate with him on illness which had prevented him from coming to see the prince.[1] In November, 1311, the king told Holand that he was glad to hear that Lancaster's health had improved and that he would soon be able to ride again; he hoped to see both men at the next parliament.[2] In July, 1317, Lancaster told Edward that he was not 'en estate de travailler' and could not attend a council meeting.[3] Though this

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[1] Johnstone, Letters of Edward Prince of Wales, p.69.

[2] SC.1/45/221.

[3] Murimuth,p.272; supra,p.304.

excuse was palpably false, it was at least one which the earl thought worth using. Lastly, in January, 1321, the king ordered the issue of letters pardoning him for his absence at the London eyre, because he had not yet sufficiently recovered from his illness to travel.[1] No broad conclusions can be drawn from these scraps of evidence, but they do tentatively suggest that Lancaster's residence in the north may have been a forced one. Certainly he seems to have acted energetically enough on his own estates - witness his attempts to organise the opposition in the summer of 1321 - and if he were the victim of some disabling disease much that is puzzling about his behaviour would at once become clear.

Whatever the causes, Lancaster's inability to work with others and his retreats from power undoubtedly cost him much support among the moderates. The frustration of his schemes between 1316 and 1319 was partly due to his refusal to work with the government when given the opportunity. While he thus maintained his independence - and a useful bargaining counter in the attraction which his military strength held for a king whose campaigns had regularly ended in disaster - he was unable to influence king and council by peaceful means. Power went by default to those like Pembroke who were prepared to exercise it.

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[1] W.H. Stevenson, 'A letter of the younger Despenser on the eve of the Barons' Rebellion, 21 March, 1321', Eng.Hist.Rev.,xii(1897), p.756,n.34.

The number of those around the king who were profiting from their position, the earl's unrepentant stand on the Ordinances, and his unwillingness or inability to cooperate with the government - all these factors threw Lancaster into isolation. He was the first dissident since the time of John and the last before Henry Bolingbroke to have vast enough estates to fall back on in order to support his political claims. It is possible that he was interested in estate management for its own sake - this would do much to explain his fondness for his own residences - but more likely that he correctly saw his lands as one of the bases of his political power. His pressure on his tenants and neighbours was not motivated by purposeless greed but by the necessity of raising money to fee his retainers and to levy troops. By the standards of the day the earl's retinue was outstandingly large, and in his hands it formed a potent political weapon, able to attempt to effect his programme by force when peaceful means were unavailable, as in 1317-18, and to end a campaign by its withdrawal from royal service, as in 1319. Even without a party behind him, his retinue made him a force to be reckoned with, and the government's somewhat ambivalent attitude towards him in the middle years of the reign resulted from its urgent need for the army which he could raise and its fear of the uses to which he might put that army. There were other more subtle ways of using the retinue to embarrass king and court - between 1312 and 1314, for instance,

Lancaster employed the claims of his retainers De la Pole and Tuchet to enlarge his own sphere of influence, to bring pressure to bear on the king, and to win himself something of a reputation for good lordship. Chiefly, however, the retinue was of value in providing physical support for a programme which could not be carried through by 'constitutional' means.

It would be naive to assume that enough evidence will ever be available to provide a completely satisfactory estimate of Lancaster's career. There is much that we cannot know. What were his personal relationships with his contemporaries? Was he ever on friendly terms with a man such as Pembroke? Who were his intimates and in whom did he confide? Other more tractable questions have yet to be answered. We know very little of the crown finances or of relations with France and the papacy or of the reasons for the seeming increase in lawlessness under Edward II. Yet in spite of these limitations we can make some interim assessment of this enigmatic man. It is clear that his character combined conflicting qualities to an unusual degree. Greedy, violent, and cruel as he was, he nevertheless took a firm stand on the right of the baronage to limit the power of an extravagant, feckless, and incompetent king. He alone of the magnates maintained this principle consistently and won the reputation which he largely deserved. In the short run he failed because the political and economic conditions of 1321-22 were not propitious for rebellion,

as they had been a few years earlier and would be again five years later; in the long run, because he lacked moderation, because his stand was flawed with self-interest, and because he gave little evidence of an ability to rule at a time when this above all else was what the country needed. The judgements of earlier historians have all been too simple and forthright in their condemnations. Thomas of Lancaster was a man of great complexity, living under a king whose problems were insoluble. The earl tried to provide answers to some of those problems, but with little effect. Several contemporary chroniclers were wholly in sympathy with him; a few enumerated his failings as well as his virtues; none denounced him unreservedly. We would do well to preserve the same balance.

APPENDIX OF DOCUMENTS

No. 1.

The return of Gaveston's jewels and horses to the king, 23 February, 1313.

E.403/164,m.2.

Quibusdam carectaris et portitoribus cariantibus, cartantibus, et ducentibus illa jocalia et alia diversa que capta fuerunt apud Novum Castrum super Tynam per dominum comitem Lancastrie et per ipsum dominum comitem et quosdam alios magnates Anglie xxiij die Februarii anno presenti domino Regi liberata de hospicio domini Roberti de Clifford iuxta ecclesiam Sancti Dunstani in vico de Fletestret London' usque turrim London' et in presencia domini Johannis de Sandale tenentis locum thesaurarii ibidem discarcantibus et in thesauraria Regis posita, pro labore suo, cariagio, cordis, et huiusmodi compoto pro predictis jocalibus sic cariandis, recipientibus denarios xxiiij die Februarii - vj.s.

Summa vj.s.

No. 2.

An agreement between Lancaster and the prelates, with the earl's oath to maintain the Ordinances, September?, 1317.

Bodley MS. Dodsworth 8, f.262.

The brackets from 'Serement qe...' to 'ditz prelats' are present in Dodsworth's original transcript, and inverted commas have been added to the two parts of the earl's oath for the sake of clarity.

Une accorde entre ercevesqes et evesqes dun parte et le count de Lancastr' dautre parte de dicti comitis veniendo (sic) ad parliamentum.

Il est accorde entre lez honurables peres en dieu les ercevesqes et evesqes dun parte, et le count de Lancastr' daltre parte, qe le dit count ad graunte e lealment premist qe par ly, ne par ses soens, ne chivauchera as armes sur nuly en damage fesant, encontre la pees, ne surquerra apertement ne privement, par malice, fors qe en forme de ley, si home ne ly surquerge ou ses gens. Et en totez le fois qil vendra au parlement, il vendit duement, et en peisible manere, com pere de la terre, sicom son estat demande. Et ausi est accorde qe covenable surte seit fet pur ly et pur les soens en avaunt qil viegne au parlement. E qe le dit count, quant il vendra, fet reverance a son seynur le Rey, sicom il fere doit a son seignur lige. Et fet a remembrer qe a tut la parlaunce le dit count de Lanc' ad reserve,

devers ly, totes les maners des accions et des qerels qil ad devers le count de Carenne tant qe au procheyn parlement. E les prelatz avantnomes ount grante au dit count de Lanc' pur eus et pur les auters prelatz de la province de Canterb' qe, tant com le dit cont veut les choses avantnomes tenir et continuer lez ditz prelatz li tendrent le bon lieu qil purront en ben et en reson. Et si le dit count voet lez chosez avandits enfreyndre, les dits prelates, par autorite de Seint Eglise, frount la execution qil purront ou deyvent, par ley de Seint Eglise, auxi com a cely qi serra destourbeur de la pees. Et si nul del realme vousit le dit count, ou les soens, privement ou apertement surquer, les prelatz avant ditz frount semblable execution encontre ceus. (Serement qe le dit count de Lancastr' fit as ditz prelatz.) 'Qe ie unqes ne pensei de ostir le real poer de la dignite nostre seynur le Rey E. qi ore est, en desheritaunce de ly, ne des ses heirs, si me eide deus et ses seyntes', unqore le serment fit il, 'si me eide deus et ses seyntes, ico voyle garder et meyntenir les ordinances fet par les prelatz, contez, et barons, et affermes depar le Rey, et les choses qe ne sont mie duement alienes du Rey, et de la coronne, encontr les avantdits ordinances, voyle, a mon poer, qil seent reprises et retournes au Rei solonc le serement qe ie fesoi a la fesaunte des dites ordinaunces', etc.

No. 3.

The king's order to the exchequer to carry through a general resumption of royal alienations, 9 June, 1318.

E.159/91,m.64d; E.368/88,m.92.

Baronibus pro Rege. De donis Regis revocandis.
Cum Rex quasdam ordinationes per prelatos et proceres regni Regis nuper factas confirmaverit et in omnibus et singulis articulis preceperit observari, ac in ordinationibus illis contineatur quod omnes donationes per Regem factas ad dampnum Regis et diminutionem corone Regis post sextum decimum diem Martii, anno regni sui tercio, qua die Rex commissionem suam fecerat prefatis prelatis et proceribus super dictis ordinationibus faciendis, de castris, villis, terris, tenementis, balliviis, wardis, maritagiis, escaetis, et remissionibus quecunque fuissent, tam in Vasconia, Hibernia, Wallia, et Scotia quam in Anglia totaliter revocentur, Rex volens premissa executioni debite demandari, quasdam donationes terrarum, tenementorum, balliviarum, wardarum, maritagiorum, et escaetarum, ac remissiones firmarum, debitorum, et aliorum per Regem factas post sextum decimum diem Martii predictum, in quodam rotulo Rex mittit baronibus sub pede sigilli sui, mandans quod omnia et singula premissa quatenus ad barones pertinent in manum Regis ad commodum Regni inde faciendum resumi, et exitus de terris, tenementis, balliviis, wardis, et escaetis a temporibus donationum illarum perceptos, de terris et catallis illorum quibus illa

data fuerunt si superstites sunt, vel si mortui sunt, de terris, tenementis, bonis, et catallis que fuerunt eorundem diebus quibus obierunt, ac firmas et debita sic remissa et perdonata, ac fines seu redemptiones pro maritagiis predictis factos seu levatos, ad opus Regis levari faciant. Et si forte illi quibus huiusmodi donationes facte fuerunt eas aliis vendiderunt, et de terris, bonis, et catallis que fuerunt illorum quibus dicte donationes sic facte fuerunt, exitus predicti levari non poterunt, tunc exitus illos de terris, bonis, et catallis illorum qui res sic donatas emerunt, seu ad opus suum alias receperunt post diem lune proximam ante festum Sancti Michaelis, anno regni sui quinto, qua die ordinationes predicte publicate fuerunt, ad opus Regis levari faciant in forma supradicta. Teste Rege apud Westm' ix die Junii anno xi°. Per Regem et consilium.

No. 4.

Notarial instrument recording the confirmation of certain articles (given in full by Knighton, i, pp.413-21) at Horninglow, 23 June, 1318.

Foljambe Charters, Appendix No.IV.

The document is damaged, and conjectural emendations have been added in brackets. The dots represent gaps which cannot be filled; the spaces which they cover correspond accurately with the length of the gaps in the original. Two dots indicate a gemipunctus.

Per presens publicum instrumentum cunctis appareat evidenter quod vicesimo tercio die mensis Junii, anno (m)illesimo trecentesimo octodecimo, indictione prima, constitutus personaliter in mei notarii publici infrascripti, (pre)sencia dominus Stephanus de Segrave miles, in quodam gardino apud Hornynlowe iuxta Burton' super Trentam (et in prese)ncia venerabilium patrum et dominorum, dominorum Alexandri Dublinensis archiepiscopi, Johannis Norwycensis, et Johannis Eliensis (episcoporum.....) responciones dicti domini comitis ut dicebat factas ad quosdam articulos per Cantuariensem et Dublinensem.. archiepiscopos (apud L)ondon ut dicebatur ordinatos super punctis prelocutis Leicestr' et ordinatis prius apud Tuttesbur'..... dicto domini Norwycensi..episcopo presente et eisdem assistente ex parte venerabilis patris domini Walteri dei gracia Cantuariensis (archiepiscopi nomin)e provincie Cantuariensis dicto domino comiti traditos, legit et recitavit de mandato dicti domini comitis. (Sic inci)pit: Primerment les terres, rentes, et les tenementz donez encountre la forme des ord(enances seient renduz) en la main nostre seignur le Roy, etc, et sic terminatur, A desh(eriteson nostre s)eignur le Roy, en emblemissement (et dam)age de (so)n poeple fuissent adresoez pur bien de pees av(oire et mente)nir. Acta et recitata..... s..... (co)mes eandem cedulam manu propria dicto domino

Eliensi e(piscopo tradid)it et idem episcopus eam recepit.....
.....co predictis presentibus nobilibus viris dominis Willelmo le
Latimer, Fulcone Lestra(nge), ... (Johan)ne de Beek'
militibus testibus et aliis magnatibus in multitudine copiosa a .....
..

Et ego Henricus dictus Sava(ge) clericus Lich'
sacri Ro(mani imperii) auctoritate notarius
publicus lecture et recitationi .....
(cedu)le et traditioni eiusdem ut supradictum
est una cum dictis(testibus) presens interfui,
vidi, et audivi, scripsique et ea in hanc
publ(icam) formam ad mandatum dicti domini
comitis redegi meoque signo signavi rogatus.

(Signum)

APPENDIX 1.

Lancaster's Itinerary, 1307-22

Most of the following place-dates are derived from Lancaster's own letters, from charters granted by him, and from the witness-lists on the royal charter rolls (C.53). Information derived from the last source should be used cautiously, since there is not always evidence that witnessing of a charter necessarily implies the presence of the witness.

1307.		
6 August	Dumfries, Scotland.	Foedera, II, p.2.
17 "	Sanquhar, "	E.101/373/7.
29 "	"	C.53/94, m.10.
29 September	Lenton, Notts.	E.101/373/5.
30 "	Chilwell, "	Cal.Close Rolls, 1307-13, p.42.
8 October	Nottingham	C.53/94, m.10.
16 "	Northampton	Ibid.; Cal.Close Rolls, 1307-13, p.42.
14 November	Langley, Herts.	C.53/94, m.10; E.101/373/7.
18,22 "	"	C.53/94, m.8.
1308.		
6 February	Dover, Kent.	Cal.Fine Rolls, 1307-19, p.14.
18 "	Eltham, "	C.53/94, m.8.
24 "	Westminster	Foedera, II, p.36.
20,22 March	"	C.53/94, m.7.
14 May	"	E.101/373/7.
18 "	"	C.53/94, m.6.
19 "	"	E.101/373/7.
22 "	"	C.53/94, m.6.
23 "	"	E.101/373/7.
22 September	Chertsey, Surrey.	C.53/95, m.13.
" "	Byfleet, "	Bodley MS. Lat.Hist. c.5(R), m.3.
4 October	Westminster	C.53/95, m.13.
4 November	"	Ibid., m.14.
6 "	London (Savoy)	SC.1/37/49; Cal.Chanc.Warr., i, 1244-1326, p.280.
8 "	Westminster	C.53/95, m.12.
23 "	Kenilworth, Warw.	Cal.Chanc.Warr., i, 1244-1326, p.281.
1309.		
22 January	Melbourne, Derbs.	Brit.Mus. Campbell Ch. xi.12.
31 May	Passenham, Northants.	Cal.Anc.Deeds, vi, No.C.7446.
15 June	Tutbury, Staffs.	Cal.Pat.Rolls, 1317-21, pp.203-4.
10 August	Somerton, Lincs.	Cal.Close Rolls, 1307-13, p.226.
26 September	Kenilworth	E.159/83, m.79.

1310.		
7 February	Higham, Northants.	DL.25/960.
10 March	Westminster	C.53/96,m.7.
17 "	London	Ann.Lond.,pp.170-1.
22,30 "	Westminster	C.53/96,mm.6,2.
1 June	London	C.146/C.9512.
14 "	Defford, Leics.	DL.42/2,f.59.
8 August	Melbourne	Shaw, Antiquities of Staffs.,i,p.93.
10 "	Pontefract, Yorks.	DL.42/1,f.399.
21 September	Leicester	C.81/1705/42.
1311.		
10 June	Pontefract	DL.42/1,f.398.
13 July	London	DL.25/1233.
26 "	Penwortham, Lancs.	SC.8/279/13933.
25,26 August	London	C.53/98,m.13.
3 September	"	Ibid.
27 "	"	De Antiquis Legibus Liber,pp.251-2.
29 "	"	C.53/98,m.11.
30 "	"	DL.42/2,f.220.
1 October	"	C.53/98,m.13.
1312.		
4 May	Newcastle, Northumbs.	Cal.Close Rolls,1307-13,p.459.
18 June	Warwick	Davies, op.cit., App.No.138.
19 August	Blackburn, Lancs.	E.101/309/16.
9 October	Croxden, Staffs.	Dugdale, Monasticon,V,p.661.
1313.		
13 January	Pontefract	'Gaveston's jewels and horses',p.7.
23 February	London	E.403/164,m.2.
1 July	Donington, Leics.	Coucher Book of Whalley Abbey, ed. W.A. Hulton (Chetham Soc.,1847), i,p.281.
14 October	"	DL.29/1/3,m.27d.
9 November	"	Ibid.
1314.		
15 April	Kenilworth	Ibid.
26 June	Melbourne	Ibid.
6 September	York	C.53/101,m.20.
10 "	Donington	DL.25/929.
14,16,20,21, 27 September	York	C.53/101,mm.22,21.
29 "	"	Ibid.,m.17.
1 October	"	Ibid.,m.20.
3 "	"	Hist.MSS.Comm.,3rd Rep.,p.361.
5 "	"	C.53/101,m.20.

1314 (continued).		
6 October	York	DL.42/2,ff.194-5.
7 "	"	C.53/101,m.20; Brit.Mus.Harl.Ch.43.C.46.
9 "	"	C.53/101,m.18.
1315.		
1 January	Donington	DL.42/2,f.132.
30 "	Westminster	C.53/101,m.15.
10,20 February	"	Ibid.,mm.16,6.
1,8,12 March	"	Ibid.,mm.6,7.
20 March	Kenilworth	DL.42/2,f.79.
14 May	Donington	Ibid.,f.104.
8 June	Warwick	SC.1/35/135a.
14 "	Melbourne	Historic and Municipal Documents of Ireland, ed. J.T. Gilbert (Rolls Ser., 1870),p.369.
30-31 August	Lincoln	C.53/102,m.17.
1 September	"	Ibid.
30 "	Donington	Davies, op.cit., App.No.109.
14 October	Kenilworth	DL.25/977.
19-20 "	Donington	Davies, op.cit., App.No.101.
23 "	"	SC.1/34/107.
7 November	Wigan, Lancs.	SC.1/21/190.
14 "	Lancaster	DL.42/1,f.135v.
15 December	Pontefract	Bodley MS. Dodsworth 76,f.147.
" "	Doncaster	C.53/102,m.14.
18-20 "	"	Ibid.,mm.13,15.
22 "	Worksop, Notts.	Ibid.,m.15.
1316.		
27 January	Kenilworth	SC.8/71/3534.
10 February	Lincoln	Richardson, 'Parliament of Lincoln', p.107.
12,17 "	"	Rot.Parl.,i,pp.350-1.
20,24,27 "	"	C.53/102,mm.7,6.
14 March	Sulby, Northants.	Ibid.,m.6.
23 "	London	Cal.Letter Book 'E',pp.59-60.
30 "	Langley	Cal.Chanc.Warr.,i,1244-1326,p.440.
31 "	"	Cal.Pat.Rolls,1313-17,p.476.
28 April	Donington	DL.25/1652.
25 July	Whalley, Lancas	Dugdale, Monasticon,v,pp.646-7.
19,22,24 Aug.	York	C.53/103,mm.21-19.
6 November	Durham	Hist.Dunelm.Script.Tres.,p.98.

1317.		
4 April	Kenilworth	Cal.Pat.Rolls,1317-21,p.225.
19 June	Tutbury	Cal.Inq.Misc.,ii,1307-49,No.976.
21 June	"	Bodley MS. Dodsworth 94,ff.122v-123.
21 July	Ashbourne, Derbs.	Murimuth,pp.271-2.
24 "	Pontefract	Bodley MS. Dugdale 18,f.40.
7 September	Durham	Hist.Dunelm.Script.Tres,p.101.
18 December	Pontefract	Cal.Inq.Misc.,ii,1307-49,No.970.
29 "	"	Bodley MS. Dugdale 18,f.40.
1318.		
24 January	"	Hunter, South Yorks.,i,p.109.
18 February	"	Foljambe Chs.,Yorks.,i,No.333.
23 "	"	Watson, Memoirs of the Earls of Warren,p.26.
28 March	Belper, Derbs.	Ibid.,p.27.
13 April	Leicester	DL.42/2,f.221.
3 May	Kenilworth	Coucher Book of Whalley,iv,pp.939-40.
5 May	"	Bateson, Leics.Bor.Recs.,i,p.318.
24 "	Donington	Coucher Book of Whalley,iv,p.941.
9 June	Tutbury	DL.34/1/14.
23 "	Horninglow, Staffs.	Foljambe Chs.,App.No.IV.
7 August	nr.Loughborough,Leic.	Auct.Bridl.,p.55; Ann.Paul.,p.283.
8-10 "	Leake, Notts.	C.53/105,mm.17-18.
8 September	Tutbury	Foljambe Chs.,v,No.33.
12 "	"	DL.42/2,f.130v.
24-25 "	York	C.53/105,m.17.
30 "	Pontefract	DL.42/1,f.191.
3,5,13,16,23, 25 October	"	Wardrobe Account,1318-19,m.1.
26-29 "	York	C.81/1707/36,35,38,39.
1-2 November	"	C.81/1707/59,45.
2-4,6 "	"	C.53/105,m.16.
8-10 "	"	Wardrobe Account,1318-19,m.1.
11 "	"	Ibid.
12-14 "	"	C.53/105,mm.15-16.
15-16 "	"	Wardrobe Account,1318-19,m.1.
20-21 "	"	Ibid.; C.53/105,mm.14-15.
23 "	"	C.53/105,m.14.
" "	Pontefract	Wardrobe Account,1318-19,m.1.
26 "	"	SC.1/28/134.
27-30 "	"	Wardrobe Account,1318-19,m.1.
1 December	York	C.53/105,m.9.
" "	Pontefract	Wardrobe Account,1318-19,m.1.
2,4,7 "	"	Ibid.
9 "	"	C.81/1707/62.
13,15,18 "	"	Wardrobe Account,1318-19,m.1.

1319.		
4-5 January	Pontefract	Wardrobe Account,1318-19,m.1.
7 "	"	C.81/1707/52.
13,20 "	"	Wardrobe Account,1318-19,m.1.
26 "	"	C.81/1707/51.
28 "	"	Wardrobe Account,1318-19,m.1.
3 February	"	Ibid.
4 "	"	Cal.Anc.Deeds,iii,No.A.5579.
6,9,11,18, 24 February	"	Wardrobe Account,1318-19,mm.1-2.
5-7 March	"	Ibid.,m.2.
13 "	"	DL.42/2,f.25v.
19 "	"	Wardrobe Account,1318-19,m.2.
20 "	"	DL.25/3392.
26,28 "	"	Wardrobe Account,1318-19,m.2.
7 April	"	Literae Cantuarienses,iii,p.398.
19 April	"	Wardrobe Account,1318-19,m.2.
22 "	"	SC.8/234/11689.
1,9 May	"	Wardrobe Account,1318-19,m.2.
15 "	York	Holmes, op.cit., pp.122-3.
16,18,20,22 May	"	C.53/105,mm.3-5.
24 May	"	Cal.Close Rolls,1318-23,p.138.
27 "	"	Coucher Book of Whalley,iv,p.941.
28 "	"	Wardrobe Account,1318-19,m.2.
4,5,9 June	Pontefract	Ibid.
16 "	Kenilworth	DL.25/1795.
24 "	Leicester	Bateson, Leics.Bor.Recs.,p.320.
25 "	"	Wardrobe Account,1318-19,m.3.
26,28,30 June	Kenilworth	Ibid.
5 July	"	Ibid.
10 "	Tutbury	C.81/1747/43.
11,15,18,21, 27 July	"	Wardrobe Account,1318-19,m.3.
28 "	Pontefract	C.81/1707/13.
30 "	"	C.81/1707/12.
1 August	Rothwell, Yorks.	Wardrobe Account,1318-19,m.3.
6 "	Newcastle	Ibid.
9 "	Tynemouth, Northumbs.	Ibid.
19 "	Ross "	Ibid.
21 "	Fenham "	C.53/106,m.8.
7 September	Newlands "	Cal.Inq.Misc.,ii,1307-49,No.1125.
16 "	outside Berwick	C.53/106,m.8.

1320		
2 January	Pontefract	Letter Book of Richard de Bury, ed. N. Denholm-Young (Roxburghe Club,1950),p.19.
29 "	York	C.53/106,m.5.
3 February	Pontefract	Cal.Pat.Rolls,1317-21,p.431.
25 April	"	Foljambe Chs.,Yorks.,i,No.341.
9 October	"	PRO./30/26/71/14.
1321		
14 February	"	Register of Hamo de Hethe, Bishop of Rochester, ed. C. Johnson (Kent Records,1948),pp.94-5.
24 May	"	Auct.Bridl.,p.61.
22 June	"	DL.42/2,f.82v.
28 "	Sherburn, Yorks.	Auct.Bridl.,p.62.
6 August	Pontefract	Bodley MS. Barlow 49,f.134v.
1 October	"	SC.8/92/4557.
17 "	"	Foljambe Chs.,Yorks.,i,No.349.
18 "	"	Haskins, 'The Doncaster Petitions, 1321',p.483.
2 December	"	Bodley MS. Rolls Kent 6, box 1(f).
6 "	"	DL.42/1,f.196v.
1322		
1 March	Tutbury	Le livere de reis de Brittanie, p.341.
10 "	Burton, Staffs.	Bodley MS. Laud Misc.529,f.106.Etc.
16 "	Boroughbridge, Yorks.	Ibid. Etc.
22 "	Pontefract	Foedera,II,p.478.

APPENDIX 2

Additions to Sir Robert Somerville's list of Lancaster's Estate Officials (Somerville, op.cit., pp.350-3).

The format of Somerville's list has been followed, and the letter 'S' after an entry indicates that further information on the official concerned will be found there. In almost all cases the date given is that at which the official appears as definitely holding office.

Bolingbroke Honor

William de Wakefield, steward, March, 1319 (Wardrobe Account,1318-19,m.2).

Bromfield

Maddok ap Thlewelyn, receiver, March, 1319 (ibid.).
Robert de Praiers, steward, March, 1319 (ibid.); steward of Denbigh, December, 1318 (ibid.,m.1). S.

Denbigh

Thomas de Pontefract, receiver, October, 1318, May, 1319 (ibid.,mm.1,2).
William de la Mountaigne, steward, March, 1319 (ibid.,m.2).

Dorset
John le Marescal, steward, March, 1319 (ibid.).

Dunstanburgh
Robert de Bincestre, appointed constable on 20 March, 1319 (DL.25/3392).

Halton Honor
Thomas de Hale, steward, 1311 (Fox, Parliamentary Representation of the County of Lancashire,p.xi).
Henry de Bruscbes, receiver, May, 1319 (Wardrobe Account,1318-19,m.2). S.

Kenilworth
Nicholas de Fyton, constable, October, 1298 (C.47/35/21/3).
Walter de Baa, constable from October, 1298 (ibid.).
Nicholas de Croumpe, steward, October, 1315 (Stoneleigh Ledger Book, ed. R. H. Hilton, Dugdale Soc.,1960,pp.169-70).
Hugh de Cuilly, late constable, August, 1322 (Cal.Close Rolls,1318-23, p.587); auditor with John de Miners, December, 1305 (DL.25/976).

Lancaster Honor
Gilbert de Billing, receiver, October, 1318, June, 1319 (Wardrobe Account, 1318-19,mm.1-2). S.
John de Leeke, bailiff of fees in Lancashire, February, 1319 (ibid.,m.1). S.

Leicester Honor
John de Holt, steward, 1298-9 (Bateson, Leics.Bor.Recs.,i,p.395). S.
Richard de Coleshill, steward, c.1300 (ibid.,p.233; Fox, Honor of Leicester, p.77).
Elias de Stapleton, steward, c.1306-11 (Bateson, Leics.Bor.Recs.,i, pppp.245,276).
Richard le Foun, steward, 1311-22 (ibid.,pp.276,338).
Geoffrey de Sutton, receiver, March, 1318 (Wardrobe Account, 1318-19,m.2).

Pontefract Honor
John Traves, steward, 1314-15 (G. Fox, History of Pontefract (Pontefract, 1827) p.67).
William de Malghum, steward, August, 1317 (Cal.Inq.Misc.,ii,1307-49, No.976).
John de Bucton, steward, 1320 (Fox, History of Pontefract,p.67).
Ralph de Beeston, constable, March, 1322 (Brut,p.221). S.
John de Lasceles, constable of Conisborough, February, 1318 (Watson, Memoirs of the Earls of Warren,p.26). S.

Tutbury Honor
Robert de Pipe, steward, February, 1298 (Brit.Mus. Campbell. Ch. viii.6).S.
Richard de Schulton, steward sometime before 1313 (DL.29/1/3,mm.5,12).
Henry de Ille, steward, March, 1322 (JI.1/1389,m.18).
Richard de Pontefract, sometime constable (ibid.).
William de Burdeleys, receiver, 1306-7 (DL.29/1/3,m.5).

Other Officials
Simon de Balderston, auditor, 1312-13 (Bateson, Leics.Bor.Recs.,i,p.277).S.
Henry de Leicester, auditor, 1321 (ibid.,p.326). S.
John de Bentley, constable of Thorpe Waterville sometime after November, 1313 (DL.29/1/3,m.26d).
James Doubel, wardrober sometime before 1314 (ibid.,m.16.).
John de Kynardesey, sometime wardrober (Wardrobe Account,1318-19,m.6.).
Robert de Brumesdon, bailiff of Hungerford, March, 1319 (ibid.,m.2).
William de Cosington, bailiff of Clifford, March, 1319 (ibid.).
Thomas de Alkebarrowe, bailiff of Norfolk, January, 1319 (ibid.,m.1). S.

APPENDIX 3

Estate Profits

Table 1. Net profits and losses from the manors and receiverships in the 1313-14 account roll, calculated by the method described on pp.49-50.

Receivership of Lancaster	+ £199. 7. 8
Lonsdale and Amounderness Forests	+ £ 30. 3. 1
Myresdale	+ £ 11. 0. 2
Thorpwaterville Castle	- £ 59. 5.10
Aldwinckle	+ £ 5. 0.10
Thorpwaterville and Achurch	+ £ 4.16. 6
Embleton	+ £ 99. 0. 1
Receivership of Embleton	- £ 74. 9. 6
Easingwold	+ £ 69.19. 4
Pickering	+ £338.17. 3
Receivership of Pickering	- £ 72.10. 5
Stamford	+ £ 28.18. 5
Tutbury	+ £ 7.14. 9
Newcastle-under-Lyme	+ £ 93.18. 6
New liberty of Tutbury Honor in counties Leicester and Warwick	+ £ 7. 4. 5
Rolleston	+ £ 61. 9. 6
Uttoxeter	+ £ 91.16. 5
New liberty in co.Derbs. in Repton and Gresleigh	+ £ 1. 6. 0
Marchington	+ £125. 5. 6
Barton	+ £ 3.12. 7
Tutbury Ward	+ £ 31.11. 1
Barton Ward	+ £ 7.17. 0
Marchington Ward	+ £ 15. 3. 6
Uttoxeter Ward	+ £ 22.15. 8
Yoxhall Ward	+ £ 22.15. 9
Needwood Forest	- £ 10. 3. 1
Aggardisley and Hoarcross	+ £ 20.14. 4
Rowcliff Quarry	+ £ 20. 0. 0
Stapleford	- £ 0.13. 0
Scropton	+ £ 1.14. 5
Southwood	+ £ 16.13. 8
Bonsall	+ £ 23. 5.10
Newbiggin	+ £ 9. 2. 4
Brassington	+ £ 18. 7. 7
Wirksworth	+ £ 24.12. 2
Matlock	+ £ 2.12. 5
Idridgehay	+ £ 10.10.11
Holand	+ £ 8.14.10

Belper Ward	+ £	96. 3. 1
Duffield Ward	+ £	4.18. 9
Colbrook Ward	+ £	30.12. 1
Boland Ward	+ £	16. 7. 9
Duffield Frith	- £	12.12. 6
Duffield	+ £	37.10. 1
One part of the honor ocurt of Tutbury in co.Derbs.	+ £	12. 7. 8
A second part of the honor court of Tutbury in co.Staffs.	+ £	3.19. 2
New liberty in co.Staffs.	+ £	15. 7. 6
Wirksworth Socage	+ £	55.12. 4
Wirksworth Wapentake	+ £	161. 0. 7
Appletree Hundred	+ £	23. 5. 3
Perimplementum of Appletree Hundred	+ £	9.11. 0
New liberty in co.Derbs.	+ £	16.13. 4
Spondon	+ £	22. 2. 9
New liberty in co.Notts.	+ £	5.19. 0
Alderwasley	+ £	33.10. 3
Holbrook	+ £	8. 7. 3
Duffield	+ £	92.10. 8
Ireton Wood	+ £	10.13.10
Heage	+ £	8. 3.10
Belper	+ £	45.11. 5
Hartington and Crowdecote	+ £	106. 0. 4
The Peak	- £	60.17. 3
Equicium of Needwood	+ £	60.11. 2
Receivership of Tutbury	- £	197.11.10
Receiver General	- £	245.16.10
New liberty in co.Berks.	+ £	6. 0.11
Receivership of cos.Berks. and Wilts.	- £	19. 4. 3
Hungerford	+ £	30. 1. 7
Kenilworth	- £	17.10. 1
Essex, Colham, Middlesex, and London	+ £	109. 3. 5
Collingbourne	+ £	79.14. 1
Everley	+ £	57.14. 7
Melbourne	+ £	43. 1. 6
Melbourne Castle	- £1,343. 8. 3	
Shilton	+ £	75.16. 1
Hinckley	+ £	10. 9. 2
Desford	+ £	30.12. 0
Heathley	+ £	18.19. 0
Carleton	+ £	26.16. 4
Warwick	+ £	26.13. 8
Desford	+ £	5. 8. 3
Shilton	+ £	14.18. 4
Hinckley	+ £	4.15. 6
Glenfield	+ £	0. 5. 7

Sileby	+ £ 34.19. 9
Northampton	+ £ 29.19.11
Leicester Forest	+ £ 14. 1. 9
Earl's Wardrobe	- £7,155. 4. 9
Receivership of Leicester	+ £ 158. 1. 7
Leicester Castle	+ £ 3.14. 9
Countess's Household	+ £ 385.15. 4
Higham	+ £ 65. 5. 8
Park	+ £ 118. 6. 0
Ironcester	+ £ 31. 0. 2
Raunds	+ £ 47. 6. 2
New liberty in cos.Beds. and Northants.	+ £ 15. 6. 0
New liberty in co.Bucks.	+ £ 0.19. 0
Barton	+ £ 14.16. 0
Receivership of Higham	+ £ 31. 3. 4
Wadington	+ £ 18. 3. 7
Alkbarrow	+ £ 4.19.11
Fees in cos.Lincs., Notts., and elsewhere	+ £ 117. 8. 6
Fees in cos.Norfolk and Suffolk	+ £ 14.15. 0
Total Net Deficit	£5,310. 2. 7

Table 2. Liveries from the former Lacy lands to manors and receiverships on the 1313-14 account roll.

Receipt	Amount	Delivered by
Receiver of Tutbury	£ 2. 0. 0	Receiver of Bolingbroke
Receiver General	£ 71. 0. 0	" " Halton
"	£640. 0. 0	" " Bolingbroke
"	£493.12. 2	" " Denbigh
"	£ 20. 0. 0	" " Pontefract
"	£ 37. 0. 0	Reeve of Ardington
"	£ 26. 0. 0	" " Aldbourne
Receiver of cos.Berks. and Wilts.	£ 75. 0. 0	" " Ardington
"	£ 23. 0. 0	" " Avington
"	£311. 6. 5	" " Aldbourne
"	6.12. 4	" " Winterbourne
"	£ 38.16. 3	" " Trowbridge
Clerk of works at Melbourne Castle	£ 40. 0. 0	Receiver of Donington
Wardrobe	£ 3. 1.11	Reeve of Leeds
"	£ 9. 4. 1	" " Rothwell
"	£ 0.14. 3	" " Almondbury
"	£699.11. 5	Receiver of Pontefract
"	£738. 9. 6	" " Bolingbroke
"	£ 6. 9. 9	Reeve of Sutton
"	£ 4. 2. 6	" " Halton in Lindsey

Receipt	Amount	Delivered by
Wardrobe	£ 30. 0. 0	Bailiff of Clifford
"	£ 6. 2. 8	Reeve of Buckley
"	£ 108.11. 7	Reeve of Donington
"	£ 68.16. 3	Receiver of Halton
"	268. 2. 0	" " Denbigh
Receiver of Leicester	£ 21.18. 0	Reeve of Donington
"	£ 23.11. 6	Receiver of Pontefract
Keeper of the Countess's Household	£ 80. 0. 0	" " "
Receiver of Higham	£ 82. 0. 0	Reeve of Buckley
"	£ 29.13. 4	" " Bicester
"	£ 46.13. 0	" " Middleton Stoney
"	£ 69.16.11	" " Wadenho
"	£ 0.12. 4	" " Wardington
Total liveries from former Lacy lands	£4,080.18. 2	

APPENDIX 4

Lancaster's Retainers: Summary Biographies

The following thirty brief biographies have been presented in an abbreviated note form in order to save space. They are not intended to be exhaustive, but merely to indicate the retainers' period of service with Lancaster, the earl's activities in which they participated, the part which they played in local administration, and the rough extent of their landed holdings. To avoid the repetition of unnecessary footnotes, references to certain items of information which are common to many of the retainers are given below.

With Lancaster on campaign prior to 1315.
- Holmes, op.cit., pp.140-1.

1306-7, served Lancaster in Scotland.
- C.67/16.

1309, in Lancaster's retinue at Dunstable tournament.
- Collectanea Topographica et Genealogica, iv (1836), pp.67-8.

1313, pardoned as Lancastrian adherent.
- Parl.Writs, II, ii, pp.66-70.

1316, pardoned as Lancastrian adherent.
- Ibid., pp.126-32.

1318-19, received letters from Lancaster.
- Wardrobe Account, 1318-19, mm.1-3.

1319, served with Lancaster on Berwick campaign.
- Manchester Reference Library MS. 76, ff.58-61.

1321, present at Sherburn assembly.
- Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers, 1321', p.28.

1321, forbidden to attend Doncaster meeting.
- Foedera, II, p.459.

1322, fought/captured at Boroughbridge,
- Parl.Writs, II, ii, pp.196-201.

and made fine to save his life.
- Ibid., pp.202-12.

1324, returned by sheriff of.....to attend Great Council
- Ibid., II, i, pp.637-57.

1325, summoned to serve in Gascony.
- Ibid., pp.691-2, 701-2.

Philip de Barrington

Born about 1265. M.P. for Staffs. in parliaments of Feb., 1305, and Feb., 1324;[1a] Sept., 1305, witnessed one of Lancaster's charters;[2a] 1306-7, served him in Scotland; 1309, served in his retinue at Dunstable tournament; 1313-14, 1322, constable of Tutbury;[3a] 1321, took part in devastation of Despenser lands;[4a] 1322, surrendered Tutbury to king[5a] and afterwards ordered to arrest certain of the earl's adherents.[6a] Died Sept., 1326.

Lands: manor of Creighton, Staffs.[7a]

John Bek

Born 1278. Probably eldest son of Walter Bek of Luceby, Lincs., and brother of Anthony Bek, bishop of Norwich, and Thomas Bek, bishop of Lincoln.[1] Frequent witness to Henry Lacy's charters;[2] June, 1311, witnessed one of Lancaster's charters;[3] June, 1318, witness to Hornginglow agreement,[4] and later pardoned as Lancastrian adherent; 1319, received letters from Lancaster, granted custody of Lincoln Castle and prison by him,[5] and served him on Berwick campaign; 1321, acted as his spokesman at Sherburn assembly;[6] 1322, captured at Boroughbridge and pardoned.[7] Possibly died 1324.[8]

Lands: 1301, manor of Skidbrook and demesne lands in Saltfleetby, Somercotes, and Tathwell, Lincs.;[9] 1302, knights' fees in Fulstow, Fulletby, Oxcombe, and Friskney, Lincs.;[10] 1316, joint lord of Banham, Norfolk.[11]

John de Clavering

Born about 1270.[12] March, 1286, witness to Lacy charter;[13] receiving 100 mark annuity from Lancaster's manors of Basingwold and Goathland, Yorks., for services;[14] with him on campaign prior to 1315; 1314, captured at Bannockburn;[15] 1315, serving in marches;[16] 1318, pardoned as Lancastrian adherent; probably earl's representative on the standing council;[16a] 1319, received letters from Lancaster. Deserted earl in 1321: Jan., 1321, commissioned by king to discuss peace with Scots;[17] Feb., acting as king's informant on Lancaster's activities in north;[18] Feb., 1322, summoned to appear at Coventry to proceed against Lancaster.[19] Died 1332.[20]

Lands: 1310, inherited castle and borough of Warkworth, Northumbs., with nine other Northumberland manors and single manors in Essex, Bucks., Norfolk, and Suffolk;[21] 1311, surrendered most of his lands in return for a life tenancy, with remainder to king and heirs, and £400 worth of lands in Norfolk, Suffolk, and Northants.[22] His estate passed to Henry Percy on his death.[23]

John de Clif

Received 20 mark annuity from Lancaster's manor of Scalby, Yorks., for services;[24] 1306-7, served him in Scotland; 1318, pardoned as his adherent; 1319, received letters from him; 1321, present at Sherburn assembly; 1322, captured at Boroughbridge and made fine to save his life; 1325, summoned from Yorks. to serve in Gascony.

Lands: 1308, probably held Thornton, E. Riding Yorks.;[25] 1311, gained lands in Drax, E. Riding, with reversion of others;[26] 1322, held some land around Pickering.[27]

John de Creting

Born about 1275; eldest son of Adam de Creting; 1300, inherited father's lands.[28] Served Lancaster on campaign prior to 1315; 1313-14, receiving £40 annuity from earl's manor of Godmanchester, Hunts.;[29] 1319, received letters from him and served him on Berwick campaign; 1320, deserted him;[30] 1325, summoned to serve in Gascony; 1322, summoned to parliament.[31]

Lands: 1300, manors of Rumford, Essex, Great Staughton, Hunts., Barrow, Suffolk, and other minor holdings in Suffolk and Shropshire.[32]

Hugh de Cuilly

For family connections, see supra, p.122. 1305, joint auditor of Lancaster's accounts;[33] 1306-7, served him in Scotland; 1313, pardoned as his adherent; 1313-14, receiving £10 annuity from earl's receiver at Higham;[34] M.P. for Warwickshire in parliaments of Sept., 1314, and Jan., 1315;[35] 1318-19, received letters from Lancaster; March, 1322, constable of Kenilworth; imprisoned, and died shortly afterwards.[36]

Lands: 1311, manor of Dunton, Warw. Lord of Radcliffe, Leics.,[37] and other minor holdings in same county in right of his wife.[38]

John de Eure

Born about 1278.[39] M.P. for Northumberland in parliament of Oct., 1307;[40] March, 1310-March, 1311, sheriff of Yorks.;[41] Feb., 1313-Feb., 1315, escheator north of Trent;[42] 1313, royal household knight;[43] 1314, commissioner of array in Yorks.;[44] 1310-17, frequently acted as justice of oyer and terminer;[45] for his part in the Middleton revolt, see supra, pp. 323-24; Dec., 1317, indentured to serve Lancaster for life;[46] 1318, pardoned as earl's adherent and received letters from him; 1321, present at Sherburn assembly; 12 March, 1322, licence issued for his arrest,[47] and he

was executed soon afterwards.[48] A jury later returned that he was killed by malefactors while within the king's peace.[49]

Lands: 1322, manors of Kirkley, Thropple, Bradley, and Newton Underwood, Northumbs., with other holdings in same county, and manor of Stokesley, Yorks., with its members; also held jointly with wife manors of Hopiland(?) and Redford, Co.Durham.[50]

Adam de Everingham of Birkin

Received £20 annuity from Lancaster's manors of Cowick and Snaith, Yorks., for services;[51] 1310-11, military tenant of the earl, holding a bovate of land from him in Knottingley, W. Riding Yorks;[52] served him on campaign prior to 1315; 1318-19, received letters from him and served him on Berwick campaign; 1321, present at Sherburn assembly; 1322, captured at Boroughbridge, and made fine to save his life; 1324, returned by sheriff of Yorks. to attend Great Council; 1325, summoned from Yorks. to serve in Gascony.

Lands: 1316, lord of Birkin, W. Riding Yorks.;[53] possibly held other land in Lincs.[54]

Robert Fitzneel

Served Edward I in Wales, 1281-2, and in Gascony, 1297.[55] 1303, pardoned for entering without licence land valued at £20 p.a. in Hinckley, Leics., the gift of Lancaster;[56] 1303, 1306-7, served earl in Scotland;[57] 1309, in his retinue at Dunstable tournament; served him on campaign prior to 1315; 1313, justice of oyer and terminer;[58] 1314, sent as earl's envoy to king in negotiations over Thorp Waterville;[59] 1318-19, received letters from him and served him on Berwick campaign; 1322, returned for Bucks. as knight fit for service, though over sixty years old;[60] 1324, returned by sheriffs of Berks. and Bucks. to attend Great Council; 1326, chief inspector of array for Bucks. and Beds.[61] Died about 1331.[62]

Lands: 1314, held two bovates from Henry Percy at Nafferton, E. Riding Yorks;[63] 1331, manors of Iffley, Oxon., Salden, Bucks. (with lands in nine other places in same county), and lands and houses at Luton and Leighton Buzzard, Beds., and Ewell, Surrey.[64]

Fulk Fitzwarin

Born before 1285.[65] Oct., 1309, about to go to Gascony with John de Hastings;[66] March, 1311, received two year protection for service overseas;[67] served Lancaster on campaign prior to 1315; 1318, pardoned as his adherent; 1318-19, received letters from him, served him on Berwick campaign, and took 200 marks for his yearly fee;[68]

1322, constable of royal army on Boroughbridge campaign;[69] 1324, returned by sheriffs of Berks. and Glouces. to attend Great Council; 1324-5, summoned to serve in Gascony;[69a] 1330, accused of adhering to the earl of Kent. Died 1336.[70]

Lands: 1316, lord of hundred of Wantage and Gangfield, Berks., and joint lord of townships of Wantage and Grove;[71] lord of Whittington, Shropshire.[72]

John de Haverington

Born about 1281; eldest son of Robert de Haverington of Harrington, Cumbs.[73] Received 20 mark annuity from Lancaster's manors of Preston and Rigby, Lancs., for services;[74] 1306-7, served earl in Scotland; 1313, 1318, pardoned as his adherent; 1315, played conspicuous part in suppression of Banaster rising;[75] 1316, commissioner of array in Cumberland and Westmoreland;[76] 1318-19, received letters from Lancaster and served him on Berwick campaign; 1321, present at Sherburn assembly and forbidden to attend Doncaster meeting; Feb., 1322, summoned by king to appear at Coventry to go against Lancaster;[77] [78] June, 1322, received protection for his stay with Harclay in marches; 1323, involved in Harclay's treason, for which he was outlawed and then pardoned;[79] active in northern affairs until his death in 1347.

Lands: 1347, manors of Witherslack and Hutton Roof, Westm., and Thirnum, Aldingham, and other lands in Lancs.;[80] also held Austwick, Yorks.,[81] part of Drigg, Cumbs.,[82] and Allithwaite, Lancs.[83]

Adam de Huddleston

1292, 1294, witness to Lacy's charters;[84] Aug., 1311, witnessed one of Lancaster's charters;[85] received annuity of £20. 2. 8 from earl's manor of Tealby, Lincs., for services;[86] 1313, pardoned as his adherent; 1315, took part in suppression of Banaster rising;[87] 1318-19, received letters from Lancaster and served him on Berwick campaign; 1321, present at Sherburn assembly; Feb., 1322, sheriffs of Lancs. and Lincs. ordered to seize his goods and lands;[88] fought at Boroughbridge. Dead by April, 1322.[89]

Lands: moiety of Billington, Lancs., by grant from Lacy; 1311, held Clayton, Lancs., from Lacy; had other lands in Norfolk, Suffolk,[90] and on the marches.[91]

William Latimer

Born about 1277.[92] March, 1308-Aug., 1309, custodian of Rockingham Castle;[93] 1309, served in Warwick's retinue at Dunstable tournament;[94] Jan., 1312, appointed custodian of Scarborough Castle;[95] fought and was captured at Bannockburn;[96] April, 1318, witnessed charter in which Lancaster appears as grantee;[97] June, 1318, witnessed Horninglow agreement,[98] and later pardoned as earl's adherent; 1319, received letters from him; May, 1319, indentured to serve him for life,[99] and afterwards served him on Berwick campaign; 1321, present at Sherburn assembly and forbidden to attend Doncaster meeting; Feb., 1322, summoned by king to appear at Coventry to go against Lancaster;[99a] March, 1322, one of leaders of royalist forces at Boroughbridge;[100] Jan., 1323, appointed keeper of York.[101] Died 1327.[102]

Lands: manors of Scampston, Thornton, Sinnington, Terrington, Scotton, and Danby, Yorks., with reversion of three others; additional lands in Cumbs., Westm., Beds., Surrey, Kent,[103] and Northants.[104]

Fulk Lestrange

Born about 1267.[105] 1298-9, served in Gascony and Scotland;[106] 1309, justice of oyer and terminer;[107] June, 1311, witnessed one of Lancaster's charters;[108] 1313, 1318, pardoned as his adherent; June, 1318, witnessed Horninglow agreement;[109] 1319, received letters from him and served him on Berwick campaign; 1321, present at Sherburn assembly and forbidden to attend Doncaster meeting; Dec., 1321, witnessed Lancastrian charter;[110] May, 1322, appointed seneschal of Aquitaine.[111] Married Eleanor, daughter of John Giffard of Brimpsfield.[112] Died 1324.[113]

Lands: 1324, Whitchurch, Shropshire (July, 1322, obtained licence to crenellate there),[114] Wrockwardine, Sutton, and Cortham in same county, Chawton, Hants., and land in Thorney, Notts.;[115] 1316, lord of Clanfield, Blenchworth, and Catherington, Hants.[116]

Nicholas de Longford

1313, had livery of father's lands,[117] and was pardoned as Lancaster's adherent; received eight mark annuity from mills of Newcastle-under-Lyme for services to Lancaster in war;[118] held manor of Withington, Lancs., from earl by knight-service;[119] 1318-19, received letters from him and served him on Berwick campaign;

1321, present at Sherburn assembly and took part in devastation of Despenser lands;[120] 1322, captured at Boroughbridge and made fine to save his life; M.P. for Derbs. in parliament of Feb., 1324;[121] returned by sheriffs of Derbs., Staffs., and Lancs. to attend Great Council; 1325, summoned from Lancs. to serve in Gascony; 1328-9, retained for life by king for £40 annuity;[122] 1344, sheriff of Notts. and Derbs.[123] Died 1356.

Lands: 1356, manor of Longford, with parts of Killamarsh, Hathersage, Barlborough, and Thurvaston, Derb., and Ellaston, Stanton, Charnes, and Quixhill, Staffs.[124]

Thomas de Longvillers

Born 1279; 1297, succeeded to family estates.[125] Received £10 annuity from Lancaster's manors of Waddington and Alkborough, Lincs.;[126] 1318, pardoned as earl's adherent; 1318-19, received letters from him; M.P. for Notts. in parliament of May, 1319,[127] and afterwards served Lancaster on Berwick campaign; 1321, present at Sherburn assembly; 1322, fought at Boroughbridge, but probably not for Lancaster; 1324, returned by sheriff of Notts. to attend Great Council. Active in Nottinghamshire administration until his death in 1349.[128] Probably married Maud, daughter of Adam de Creting.

Lands: 1300, manors of Tuxford and Laxton, Notts., other smaller holdings in same county, and manor of Clusburn, Yorks.[129]

Peter de Lymesey

Eldest son of Richard de Lymesey.[130] 1306-7, served Lancaster in Scotland; 1310-11, sent on Scottish campaign by him as part of his knight-service;[131] 1313-14, received £10, half his annuity, from earl's receiver of Tutbury;[132] M.P. for Warw. in parliaments of Jan., 1316, and Oct., 1320;[133] March, 1316, commissioner of array in Warw.;[134] Nov., 1316, acting as sheriff of Warw. and Leics.;[135] May, 1317, entered king's household as a simple knight;[136] March-May, 1318, sheriff of Shropshire and Staffs.;[137] July-Sept., 1318, royal custodian of various lands;[138] 1321, apparently returned to Lancaster - took part in devastation of Despenser lands;[139] Jan., 1322, sheriff of Warw. and Leics. ordered to seise his lands;[140] captured at Boroughbridge. Died 1325.

Lands: 1325, manor of Arley, Warw.,[141] various other holdings in same county,[142] and hamlet of Croft, Heref., held from him by Hugh de Cuilly.[143]

Richard Marmaduke

Son of John Marmaduke, leader of lay tenantry of see of Durham in their struggle against Antony Bek.[144] 1309, witnessed several of Bek's grants;[145] Oct., 1311, appointed to council of Bishop Kellawe for annuity of 20 marks;[146] received £20 annuity from Lancaster's manor of Rushden, Northants.;[147] served him on campaign prior to 1315; 1313, pardoned as his adherent; April, 1314, granted reversion of his manors of Horden and Carlbury, co.Durham, to Lancaster in return for life grant of lands and rents in Higham and Raunds, Northants.;[148] Dec., 1314, appointed steward of bishopric of Durham;[149] active in organising collection and payment of tribute money to Scots;[150] 1318, murdered by Robert Neville at Durham.[151]

Lands: manors of Horden, Carlbury, Silkesworth, and Ulnby, co.Durham. On Marmaduke's death Lancaster granted these to Holand.[152]

Hugh de Meynill

1309, served in Lancaster's retinue at Dunstable tournament; 1313, pardoned as his adherent; 1315, witnessed quit-claim from John Hotot to earl;[153] July, 1317, indentured to serve him for life;[154] 1318, commissioner of array in Derbs.;[155] 1322, assessor of lay subsidies in Derbs.;[156] 1323, justice of oyer and terminer;[157] M.P. for Derbs. in parliament of Feb., 1324,[158] and later returned by sheriffs of Derbs., Leics., Staffs., and Warw. to attend Great Council; 1325, summoned to serve in Gascony. Died about 1333.[159]

Lands: 1307, received parts of manors of Newhall, Derbs., and Melton Mowbray, Burton Overy, and Upton, Leics., as wife's share in estate of her father;[160] 1316, lord of Hints, Staffs.;[161] 1333, holding manor of Langley Meynill, Derbs., and parts of Newton Regis and Kingswood, Warw.[162]

Edmund de Neville

Fourth son of Sir Geoffrey de Neville, lord of Hornby, Lancs.[163] 1315, appointed deputy sheriff of Lancashire by Lancaster;[164] prominent in suppression of Banaster rising;[165] received 20 mark annuity from town of Lancaster for services to earl;[166] M.P. for Lancs. in parliaments of Oct., 1318, May, 1322, Feb., 1324, Jan., 1327, Feb., 1328, Feb., 1334, May, 1335, Sept., 1337;[167] 1318, pardoned as Lancastrian adherent; 1318-19, received letters from earl and served him on Berwick campaign; 1318-24, active on commissions of gaol delivery,[168] array,[169] and oyer and terminer.[170] 1321, present at

Sherburn assembly; Feb., 1322, commissioned by earl to raise troops in Lancashire;[171] 1323, took part in Harclay's negotiations with the Scots.[172] Married Isolda de Liversedge, daughter of Robert de Flamborough, thus gaining manor of Liversedge, Yorks.[173] Died 1346.

Lands: 1346, extensive holdings in Ulverston and Middleton, Lancs.[175]

Griffin de la Pole

Nov., 1312, witnessed one of Lancaster's charters;[176] 1313, 1318, pardoned as earl's adherent; received from him all the lands in Claxby and Saxby, Lincs. which had fallen to Lancaster through disinheriting of the Templars;[177] 1316, pardoned at earl's request for trespasses against John Charlton;[178] 1319, served him on Berwick campaign. Does not appear in Lancaster's service after this date.

Lands: held mainly in Mechain Iscoed in western Montgomeryshire.[179]

Robert de Reygate

Dec., 1317, indentured to serve Lancaster for £10 annuity from Beaghall, near Pontefract;[180] 1318-19, received letters from him and served him on Berwick campaign; 1321, present at Sherburn assembly; 1322, captured at Boroughbridge and made fine to save his life; Oct., 1327, collector of the subsidy in W. Riding;[181] 1328, justice of oyer and terminer.[182]

Lands: 1316, joint lord of Fairburn, near Pontefract;[183] lord of Stutton, near Tadcaster.[184]

William de Roos of Ingmanthorp

1310, succeeded to family estates on his father's death.[185] May, 1315, summoned to council at Doncaster by Lancaster and archbishop of York;[186] received £40 annuity from castle and bailiwick of Lincoln for services to Lancaster;[187] 1318, pardoned as his adherent; 1318-19, received letters from him; 1322, made fine to save his life after Boroughbridge. Dead by Nov., 1334.[188]

Lands: 1316, lord of Great and Little Deighton, Yorks.;[189] afterwards granted South Deighton and Ingmanthorp to Isabella de Vescy for her life. 1311, conveyed manors of Scaggletherpe and Steeton to Margaret de Roos for £100; there were reconveyed to Roos in 1316 and then alienated again to Nicholas de Fleming for life with remainders to Roos's sons. He appears to have been in continuous financial difficulties.[190]

Nicholas Segrave

For family connections of both Nicholas and Stephen, see supra, p.123. 1306-7, served Lancaster in Scotland; served him on another campaign prior to 1315; March, 1308, appointed as Marshal;[191] 1308-15, royal custodian of Northampton Castle and town of Orford, Suffolk;[192] 1309, served in Lancaster's retinue at Dunstable tournament; Sept., 1317, granted protection as one of his followers;[193] Jan., 1318, constable of Conisborough ordered by Lancaster to supply him with timber;[194] later pardoned as earl's adherent; 1318-19, received letters from him; Oct., 1320, acted as his proctor in parliament;[195] 1321, forbidden to attend Doncaster assembly. Died Nov., 1321.

Lands: Barton Segrave[196] (1310, obtained licence to crenellate there),[197] Stowe, Kislingbury, and other lands in Northants; Burley and Alesthorp, Rutland;[198] three manors in Essex and one in Suffolk; also 72 bovates of land around Dinnington, Yorks.[199]

Stephen Segrave

June, 1307, witnessed one of Lancaster's charters;[200] March, 1308, judicial fine imposed upon him but remitted at earl's instance;[201] 1309, served in his retinue at Dunstable tournament; received 100 mark annuity from Gunthorpe, Notts., and Godmanchester, Hunts., for services to earl,[202] and was granted by him lands in Belshford, Lincs., and Ashbourne, Offcote, Underwood, and Green, Derbs.;[203] June, 1318, acted as his representative at Horninglow,[204] and later pardoned as his adherent; Nov., 1318, granted hundred of Stottesden, Shropshire, for life by king;[204a] 1319, received letters from Lancaster; 1321, present at Sherburn assembly and forbidden to attend Doncaster meeting; 1322, probably deserted Lancaster - March, granted royal protection in lands which he had acquired from earl;[205] 1322-3, commissioner of array in Leics;[206] Feb., 1323, appointed constable of the Tower, but replaced after Mortimer's escape;[207] 1324, served in Gascony.[208] Dead by Dec., 1325.[209]

Lands: it is not known how large his holdings were at the time of his service with Lancaster, since his father then retained the family lands. The Segrave estates were concentrated in Leics.

Adam de Swillington

Younger brother of William de Swillington of North Bierley, Yorks., whose lands he inherited before 1316.[210] June, 1317, indentured to serve Lancaster for life;[211] 1318, pardoned as his adherent; 1318-19, received letters from him and served him on Berwick campaign; 1321, present at Sherburn assembly; 1322, captured at Boroughbridge and made

fine to save his life; 1324, returned by sheriffs of Lincs., Suffolk, and Yorks. to attend Great Council; 1325, summoned to serve in Gascony. Died about 1328.[212]

Lands: 1303, manors of Kingerby and Owersby, Lincs., probably gained through his marriage with Joan Dyve;[213] 1316, lord of Swillington and North Bierley, and joint lord of Thorpe Pirrow and Snape, Yorks., and of four Suffolk manors.[214]

Roger de Swinnerton

Jan., 1309, witnessed grant from Holand to Lancaster;[215] 1310-11, he and his brother John sent by earl on Scottish campaign as part of earl's knight-service;[216] 1313, pardoned as Lancastrian adherent; 1313-14, took £20 annuity from receiver of Newcastle-under-Lyme;[217] Aug., 1317, entered royal household as a simple knight;[218] Nov., 1317-May, 1318, royal custodian of Stafford;[219] 1320, went to France with king;[220] Aug., 1321-Feb., 1323, constable of the Tower;[221] 1327, given custody of Staffs. and Cheshire lands of elder Despenser.[222] Died about 1338.[223]

Lands: 1338, manor of Swinnerton (1315, obtained licence to crenellate there),[224] and other lands in Usehall, Isewall, and Sugnall, Staffs.[225]

William Tuchet

Born about 1275; 1311, inherited father's lands.[226] Feb., 1313, royal household knight;[227] June, 1313, granted manor of Burreth and advowson of Tupholme Abbey, Lincs., to Lancaster, and was later re-granted Burreth to hold in fee;[228] 1313, 1318, pardoned as Lancastrian adherent; for his part in the Thorp Waterville dispute, see supra, pp.238-41; 1312-16, accused of various robberies and assaults;[229] 1316, given royal protection as one of Lancaster's knights;[230] 1319, received letters from Lancaster and served him on Berwick campaign; 1321, forbidden to attend Doncaster meeting; 1322, captured at Boroughbridge and hanged at York.[231]

Lands: 1311, holdings in Hainton and Southrey, Lincs.;[232] 1311-12, gained from Badlesmere for life manors of Oxenton, Gloucs., Firmere, Oxon., Preston and Cowley, Bucks., and Lyonshall, Heref.;[233] also held Ludgershall, Bucks.,[234] and other lands in Lincs., Essex, and Herts.[235]

John de Twyford

Jan., 1309, witnessed grant from Holand to Lancaster;[236] served in his retinue at Dunstable tournament; 1310-11, sent by earl on Scottish campaign as part of his knight-service;[237] 1313-14, took £13. 6. 8, half his annuity, from receiver of Tutbury;[238] also had £20 annuity from mills of Tutbury, Rolleston, and Uttoxeter for services to earl;[239] M.P. for Derbs. in parliaments of Jan., 1315, Oct., 1318, May, 1319, and Aug., 1321;[240] 1318, pardoned as Lancastrian adherent; 1319, received letters from earl, served him on Berwick campaign, and acted as commissioner of array in Notts. and Derbs.;[241] 1321, took part in devastation of Despenser lands;[242] 1322, captured at Boroughbridge and made fine to save his life; mainpernor for Edmund Trussell, another Lancastrian retainer;[243] 1325, summoned to serve in Gascony;[244] 1328, involved in Henry of Lancaster's rebellion; 1330-2, received £33. 6. 8 annuity from him.[245]

Lands: 1301, gained manor of Stretton Baskerville, Warw., and probably resided there;[246] 1316, lord of Kirk Langley, Derbs.[247]

Thomas Wither

1318, pardoned as earl's adherent; 1318-19, received letters from him and served him on Berwick campaign; 1321, present at Sherburn assembly; 1322, captured at Boroughbridge and made fine to save his life; mainpernor for his brother William;[248] 1324, returned by sheriff of Hereford to attend Great Council; 1328, involved in Henry of Lancaster's rebellion,[249] and received £10 from him as fee for Michaelmas term.[250] Dead by Sept., 1329.[251]

Lands: 1323-4, acquired manor of Kimbolton, Heref., and smaller holdings in Staffs.[252]

Appendix 4: Footnotes

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41. PRO List of Sheriffs,p.161.
42. Cal.Fine Rolls,1307-19,pp.138,201.
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44. Parl.Writs,II,i,p.425.
45. Cal.Pat.Rolls,1307-13,pp.308,309,472,603; ibid.,1313-17,p.237; ibid.,1317-21,p.83.
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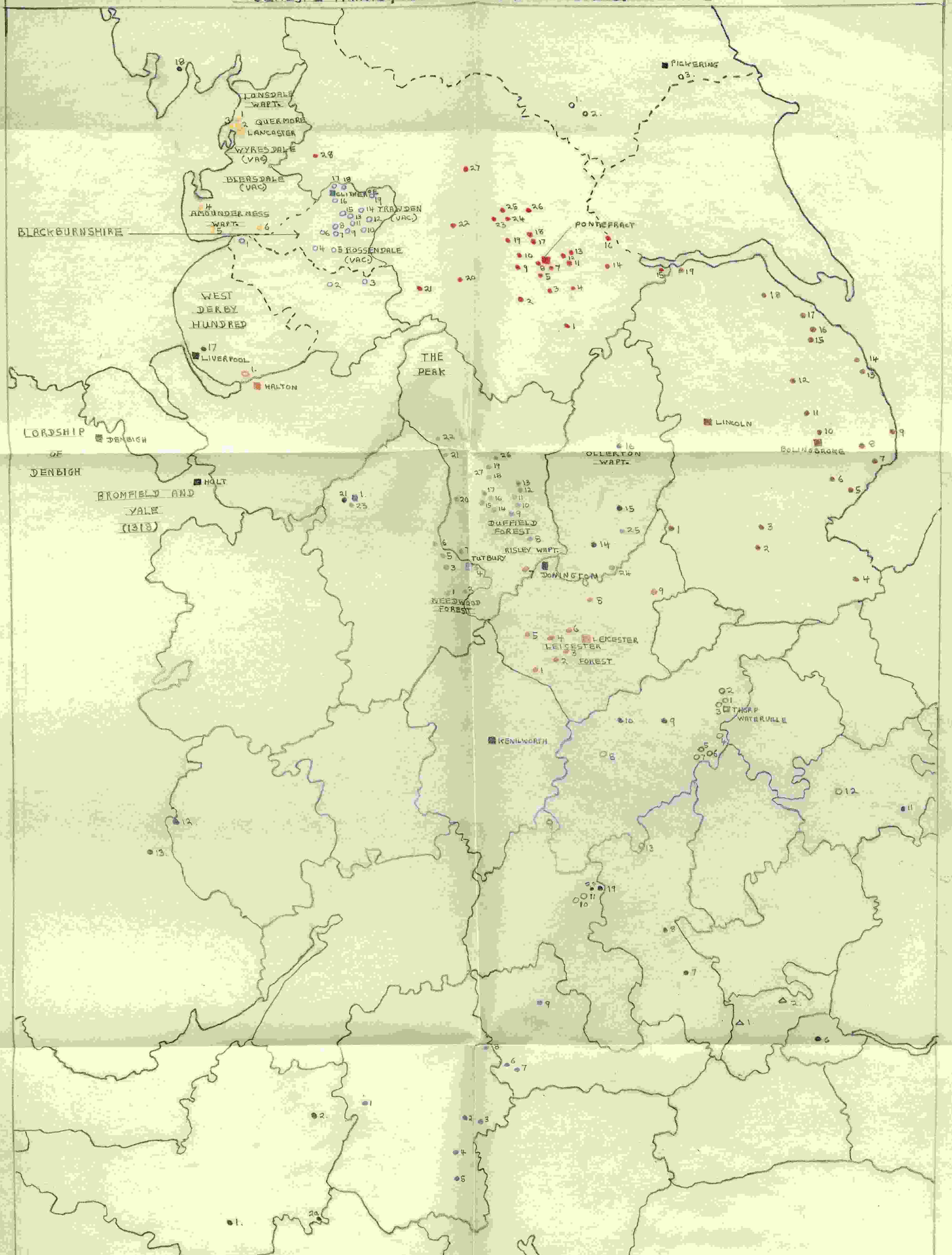
LANCASTER'S ESTATES, circa 1315:
DEMESNE MANORS, RECEIVERSHIPS, AND CASTLES.



PONTEFRACT : Castles marked thus
VAC = Vaccary
WAPT. = Wapentake

Berks and Wilts Receivership
1. Trowbridge
2. Eversley
3. Collingbourne
4. Amesbury
5. Winterbourne Earls
6. Hungerford
7. Avington
8. Aldbourne
9. Ardington

London Receivership
1. Cotham
2. Edgeware

Newcastle-under-Lyme Receivership
1. Newcastle

Higham Ferrers Receivership
1. Achurch
2. Wadenhoe
3. Aldwinkle
4. Raunds
5. Higham
6. Pilsbrook
7. Ironchester
8. Buckley
9. Warkington
10. Middleton Stoney
11. Bicester
12. Barton
13. Passenham.

Halton Receivership
1. Widnes

Leicester Receivership
1. Hinckley
2. Swilton
3. Heathley
4. Defford
5. Carleton
6. Glenfield
7. Melbourne
8. Sileby
9. Stapleford

Bolingbroke Receivership
1. Sedgebrook
2. Billingborough
3. Swaton
4. Sutton-in-Holand
5. Wrangle
6. Sibsey
7. Wainfleet
8. Stapping
9. Ingoldmells
10. Greetham
11. Belesford
12. Donington-on-Bain.
13. Theddlethorpe
14. Saltfleetby
15. Tinneasley
16. Waithe
17. Scartho
18. Brocklesby
19. All boroughs

Tutbury Receivership
1. Yoxall
2. Barton
3. Agardsley
4. Rolleston
5. Marchington
6. Uttoxeter
7. Scropton
8. Spondon
9. Duffield
10. Holbrook
11. Belper
12. Addernsley
13. Heage
14. Ireton
15. Holland
16. Idridgehay
17. Newbiggin
18. Wirksworth and Wapt.
19. Bonsall
20. Ashbourne and Wapt.
21. Hartington
22. Crowdecote
23. Keele
24. Broughton
25. Croxwell
26. Matlock
27. Brassington

Pontefract Receivership
1. Sprotborough
2. Carlton
3. Edmsall
4. Campsall
5. Ackworth
7. Darrington
8. Tanshelf
9. Warmfield
10. Altofts
11. Cridling
12. Knottingley
13. Beaghall
14. Cowick
15. Wrighyt
16. Badsworth
17. Allerton
18. Kippax
19. Rothwell
20. Almondbury
21. Marsden
22. Bradford
23. Leeds
24. Seacroft
25. Roundhay
26. Barwick-in-Elmet
27. Scales
28. Sladburn

Lancaster Receivership
1. Slyne and Bolton-le-Sands.
2. Skerton
3. Torrisholme
4. Singleton
5. Pilsley
6. Preston

Clitheroe Receivership
1. Penwortham
2. Tottington
3. Rochdale
4. Hoddlesden
5. Haslingden
6. Church
7. Accrington
8. Huncoat
9. Habergham
10. Climiger
11. Burnley
12. Briercliffe
13. Ightenhill
14. Marsden
15. Padiham
16. Standen
17. Chatburn
18. Downham
19. Colne

Pickering Receivership
1. Easingwold
2. Helby
3. Lockton

Receivership Unknown (Mainly former Lacy lands)
1. Kingsbury (Som)
2. Charlton (")
2a. Henstridge (")
3. Shapwick (Dor.)
4. Comford (")
5. Hindon (Hants)
6. Holborn and New Temple lands (London).
7. Holmer (Bucks)
8. Broughton (")
9. Lodington (Northants)
10. Naseby (")
11. Balsham (Cambs)
12. Clifford (Heref.)
13. Glasbury (Brecon)
14. Plumtree (Notts)
15. Gunthorpe (")
16. Kneesall (")
17. West Derby (Lancs)
18. Ulverstone (")
19. Goldington (Oxon)
20. Stratton Audley (")
21. Knutton (Staffs.)

N.B. The Northumberland and East Anglian lands are not shown here.

SCARGILL (Wm. Scargill)

MULGRAVE (Pet. Mauley)

SINNINGTON (Will. Latimer)

PICKERING

ALDINGHAM (John Haverington)

LANCASTER

INGMANTHORP (Will. Reos)

CLITHEROE

RITHER (Robt. Rither)

CLAYTON (Adam Huddleston)

STUTTON (Robt. Reigate)

SWILLINGTON (Adam Swillington)

BIRKIN (Adam Everingham)

LAXTON (Hen. Sothill)

PONTEFRACT

UP HOLLAND (Robt. Holland)

PILKINGTON (Roq. Pilkington)

LIVERPOOL

HALTON

BICKERING (Thos. Beckering)

LINCOLN

DENBIGH

BOLINGBROKE

HOLT

TEMPLE BRUER (David, earl of Athol)

LONGFORD (Rich. Longford)

WHITCHURCH (Fulk Lestrange)

SWINNERTON (Roq. Swinnerton)

CREIGHTON (Phil. Barrington)

LANGLEY MEYNILL (Hugh Meynill)

KIRK LANGLEY (John Twyford)

WHITTINGTON (Fulk Fitzwarin)

TUTBURY

ERETBY (John Segrave)

SEGRAVE (John Segrave)

LEICESTER

DUNTON (Hugh Cyll'd)

STRETTON BASKERVILLE (John Twyford)

GREAT PEATLING (Will. Trussell)

HARLEY (Pet. Lymesey)

THORP WATERVILLE

BARTON SEGRAVE (Nich. Segrave)

KENILWORTH

GREAT (STAUGHTON (John Creeing)

FLOORE (Will. Trussell)

STOWE (Nich. Segrave)

SALDEN (Rolf. Fitznee(

THE HOMES OF SOME LANCASTRIAN RETAINERS

Lancaster's castles marked thus: ● PONTEFRACT

This map is not intended to show the landed holdings of the retainers, but only the manors on which they seem to have resided. The information is mostly derived from licences to crenellate, from the Nomina Villarum of 1316, and from the addresses to which Lancaster sent letters to his men.