

Rapin's History of England



Book Nine

The Reigns Of Edward I. And
Edward II Comprising
A Period Of Thirty-Five Years

**The History
of
England
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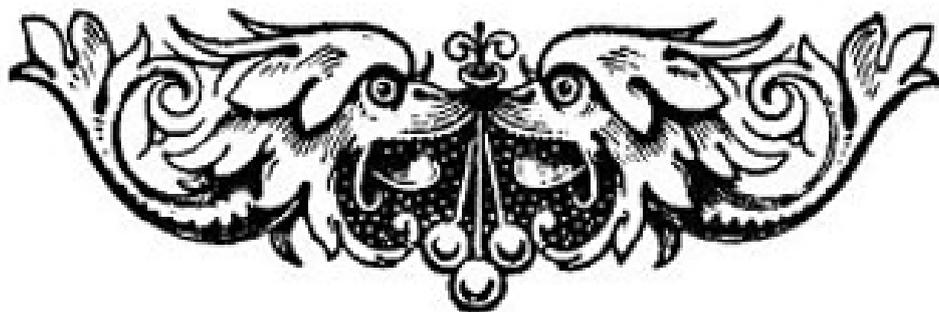
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Book Nine

Edward I and III



**King Edward I removing The Stone of Destiny from
Scone Abbey to take to London**





EDWARD I Sirnamed Long-Shanks





**King Edward The Second
Surnamed Caernarvon**



BOOK IX

THE REIGNS OF EDWARD I. AND EDWARD II

COMPRISING A PERIOD OF THIRTY-FIVE YEARS.

Chapter I

EDWARD I.[1] Sirnamed Long-Shanks

A. D. 1272



THE death of Henry III. happening during the absence of his son Edward, who was to succeed him, seemed to offer the malcontents a favourable opportunity to raise new troubles. However, it was not attended with any ill consequence. Leicester's party was so humbled, that they were no longer able to look up. And though some restless persons had made use of this juncture, to disturb the peace of the kingdom, the nation's good opinion of Edward, would have rendered their projects impracticable.

This prince shined with great lustre, during the latter part of his father's reign. The victory of Evesham, the reduction of the Ely rebels, and his clemency to them when reduced, were still fresh in the memory of the English, and filled them with esteem and admiration for his rare qualities. They did not doubt but he would employ all his talents, to restore peace and tranquillity to the kingdom, which had received such violent shocks in the two foregoing reigns. So that, far from being inclined to favour the malcontents, they shewed an extreme impatience to see their new sovereign, building on him alone all the hopes of their future happiness.

Though Edward was absent, and not even heard of, all the barons with one accord swore fealty to him. At the same time they wrote him a very respectful letter, inviting him to come with all speed, and take possession of the throne of his ancestors. Meanwhile, they assembled at London, to commit the regency of the kingdom to such as should be deemed the most capable. The choice falling upon the archbishop of York, and the earls of Cornwall and Chester, the Parliament, which met quickly after[2], confirmed all the measures taken for the preservation of the peace of the kingdom.

Edward pursuing his voyage without knowing what passed in England, safely arrived in Sicily; where he was received by Charles of Anjou with all the respect due to his rank and merit. At Messina it was that he heard of his father's death, for whom he appeared more; concerned than for his eldest son John, the news of whose death was brought at the same time[3].

From Sicily he went to Rome, where he stayed some days, to visit the new Pope, who was his particular friend, and had accompanied him to Palestine, in quality of legate[4]. After this, he took the road to France, and passed through Burgundy. As he had the reputation of being a prince

of great valour and bravery, the earl of Chalon, who valued himself upon the same qualities, desired his presence at a tournament which was to be in his country, and even sent him a sort of a challenge, though a king of England might honourably decline entering the lists with an earl of Chalon, Edward accepted his challenge without hesitation.

He was apprehensive, no doubt, of injuring his reputation, in case he refused it. Neither could the Pope's letter, which his holiness sent him to divert him from his purpose, prevail with him. Some historians pretend, the Burgundians did not use all the fair play requisite on such occasions. They tell us the tournament was turned into a real fight, where the English had the advantage, and which was called, the little battle of Chalon.

Passing through France, Edward took Paris in his way, to pay a visit to King Philip, who gave him a very handsome reception, and received his homage for Guienne. After that, Edward came to Bourdeaux, where the vassals of that duchy did him homage.

A. D. 1274] As soon as Edward had settled his affairs in Guienne, he came into England, where he was received with all possible demonstrations of affection and respect. A few days after his arrival[5] he was crowned, with Eleanor his queen, in presence of Alexander III. king of Scotland, the duke of Bretagne, and all the Peers of the realm. On this occasion, five hundred horses were let loose about the field, which were liberally given to such as could catch them.

The new king's first care, after his coronation, was to make strict inquiry into the affairs of the kingdom[6]. This step produced a wonderful effect among the people. It was plain, the king intended to govern in a very different manner from his father and grandfather, and every one expected with assurance the happy fruits of the maxims he was following, to procure himself a peaceable reign.

It was absolutely necessary for Edward, to make himself esteemed and feared by his subjects, that no intestine troubles might obstruct the grand designs he was meditating. The first, and that which chiefly possessed his thought, was the chastising Llewellyn prince of Wales. This prince had plainly discovered, during the late troubles in England, how dangerous a neighbour he was, since he was ever ready to countenance the English malcontents. Had it not been for him, the earl of Leicester would never have risen to that height of power; neither would the earl of Gloucester have become so formidable.

Immediately after the death of Henry III. and before the return of Edward, Llewellyn was summoned to appear and do homage to the absent king, but he regarded not the summons. The new king, presently after his arrival, ordered him to be summoned a second time, to do him homage, and assist at his coronation as vassal.

Llewellyn found reasons to be excused. He pretended, the English had not kept the late treaty of peace, and had committed on his frontiers several outrages, for which he demanded satisfaction. To remove this pretence, the king nominated commissioners to adjust all things, and withal summoned him again to appear and do homage. This third summons was no more regarded than the former. Meanwhile, Llewellyn, being informed that the archbishop of Canterbury was going to excommunicate him and put his territories under an interdict, wrote to the Pope, to try to divert this blow.

The means he used to gain the court of Rome, were so effectual, that the Pope forbade the archbishop to act against him, as long as he offered to do homage in his own country. Edward, not satisfied with these cavils, sent him a peremptory summons, which the Welsh prince thought fit to obey. He still insisted however upon the place, pretending he was obliged to do homage only to the king in person, and on the borders of the two kingdoms. Edward readily consented to this. But a sudden illness seizing him as he was going to Shrewsbury, caused the homage to be deferred to another time. Afterwards Llewellyn repented of the advances he had made; and

from thenceforward nothing could prevail with him to trust himself in the hands of a monarch whom he looked upon as his sworn enemy. The king found at length, that a more effectual method must be taken. However, as he was willing to settle the affairs of the kingdom, before he made war upon his neighbours, he was contented with citing Llewellyn before the Parliament[7], which was to meet the beginning of the next year.

The Welsh prince appeared not. He alleged in excuse for his refusal, that the king having shewn on several occasions an extreme animosity to him, he could not trust his person with his declared enemy. Nevertheless, he protested, he was ready to do him homage in his own country, if the king would send commissioners thither to receive it, or else in some third place, where he might be without danger. He offered moreover to come into the king's territories, provided he would give him the prince his eldest son in hostage, with the earl of Gloucester, and the high-chancellor.

So arrogant an answer served only to confirm Edward in his resolution: He dissembled however, that he might not interrupt the sessions of the Parliament, which was employed in affairs of great importance; namely, in enacting excellent laws, for securing the peace and liberties of the people, as well as the immunities of the church, and privileges of the clergy. They were called, the statutes of Westminster[8].

A. D. 1276] When the Parliament broke up, the king seriously thought of the war, which he was resolved to carry into Wales, to punish the disobedience of Llewellyn. Whilst he was making preparations, some Bristol men happened to take a vessel, in which was one of the daughters of the late earl of Leicester, who was going to Llewellyn, to whom she was contracted.

The prince demanded his wife, and the king refusing to send her, he perceived he was to expect a war. And indeed as soon as Edward had taken all his measures, he convened the peers of the realm, who passed judgment upon Llewellyn, declaring him guilty of felony; upon which the war was proclaimed. Llewellyn was then sorry he had pushed matters so far.

To divert the impending storm, he humbly sued for peace, and withal, entreated the king to restore his wife. Both his requests were denied, unless he would bind himself, to repair all the damages done to the borders of England, during the late Wars; a condition, which he would not accept. The war therefore was begun, but was not very vigorously pursued at the first campaign.

A. D. 1277] In the beginning of the next spring; Edward assembling a great number of forces, put himself at the head of his army, and marched into the enemy's country. He caused there a very large way to be cut through a vast forest, opening by that means a passage to the very centre of Wales. Before he proceeded, he built the castles of Flint and Rhuthlan[9] which secured him an entrance at all times, and a retreat in case of necessity. As the Welsh were not able to withstand him, he advanced farther, and drove them to the mountain of Snowdon, their usual refuge; when pursued by the English. At the same time his fleet attacked the Isle of Anglesey, which made but a faint resistance.

Llewellyn finding himself unable to oppose so formidable an enemy, was obliged humbly to sue for peace, which was granted, but on very hard terms. He was forced to promise to pay fifty thousand pounds sterling, for the expenses of the war. Moreover, Edward restoring to him the Isle of Anglesey, it was agreed, that, for the future, he should hold it of the crown of England, paying yearly a thousand marks, He promised likewise to give entire satisfaction to his brother David, who had fled for refuge to the king, and delivered hostages for the performance of his word.

The haughtiness of the prince of Wales being tamed by so mortifying a treaty, Edward was contented for once with the honour of the victory. He generously restored the hostages[10], and forgave him the sums he was bound to pay. However, he caused a grant of the Isle of Anglesey to be made to him, which nevertheless he was not to enjoy, unless Llewellyn died without heirs. Then he delivered up the betrothed lady, and did him the honour to assist at his nuptials. He

created also David, brother of Llewellyn, earl of Denbigh, and to attach him to the interests of England, gave him to wife a rich English heiress[11].

A. D. 1279] The happy issue of the war with Wales was immediately followed by Edward's acquisition in France, of the earldom of Ponthieu and Montreuil, fallen to his queen, by the death of her mother, queen of Castile, who was in possession. But to obtain of the king of France the investiture of that fief, he was obliged to confirm the king his father's treaty, made whilst a captive to the earl of Leicester, and to renounce, like him, all claim to Anjou and Normandy. He reserved, however, the yearly rent of thirty pounds out of the revenues of Normandy, apparently as an acknowledgment that it once belonged to his ancestors.

This affair being ended, Edward seriously set about rectifying the coin, which was very much altered and adulterated, during the troubles of the late reign. **Upon information that the Jews were the chief authors of this mischief, he caused all that were in the kingdom to be seized in one day, that the guilty might not escape. Then, after a strict examination, two hundred and eighty, of both sexes (in London alone) convicted of clipping and coining, or putting off false money, received sentence of death, and were executed without mercy.**

An affair of another nature, but of no less importance to the public, furnished the king with a fresh opportunity to shew his resolution, to reform the abuses introduced into the kingdom. The prodigious increase of the riches of the clergy and monasteries, had been long a subject of complaint, without any one being able hitherto to find an effectual remedy, to put a stop to a thing so prejudicial to the state. The barons, who had exacted from king John the charter so often mentioned,

had taken care to insert a clause, expressly forbidding all persons to alienate their lands to the church. But this prohibition, as well as several others, had not been well observed. The complaints upon this head were renewed in the beginning of this reign, wherein every one thought he had reason to hope all grievances would be redressed. It was demonstrated to the king, that in process of time, all the lands would be in the hands of the clergy, if people were still suffered to alienate their estates to the church. And indeed, the church never dying, always acquiring and never alienating, it could not be but that her riches should increase immensely, and in the end all the lands of the kingdom would be in her hands.

Edward having maturely considered this affair, summoned the Parliament, and proposed the making a law to reform this abuse. The proposal was received with joy, and a statute was made, whereby all persons were forbidden to dispose of their estates to societies which never die, without the king's express consent. This statute was called the statute of Mortmain, because it was intended to prevent estates from falling into dead hands; that is, hands of no service to the king and the public, without hopes of their ever changing their owners.

A. D. 1280] The Parliament which met the next year, being desirous to redress another abuse, unadvisedly gave birth to a greater. During the troubles of the two late reigns, several persons appropriated to themselves lands, which belonged not to them. The crown itself was a sufferer by this disorder. To remedy this evil, and give every one his own, the Parliament passed an act, in itself very just. It imported, that all who were in possession of the contested estates, should be obliged to shew how they acquired them, and produce their title before the judges, in order to be examined.

This statute from the English word Warrant, was stiled *Quo Warranto* as much as to say, an act which serves for foundation of security of the possession. So that the *Quo Warranto*, is properly a right to demand of any person, by what Warrant or title, he holds the estate in dispute. This regulation was just and necessary: but the king, misled by ill advice, and a desire of amassing money, made use, of it, contrary to the design of the Parliament, to oppress his subjects. As he was sensible, that among the great numbers, who held their lands of the crown, it could not be

but that many had lost their titles, he was resolved to take advantage of their misfortune, under colour of putting the statute of *Quo Warranto* in execution.

To that end, he published a proclamation, enjoining all persons that held lands of the crown, to lay their titles before the judges of the realm. This proclamation was looked upon as the source of a very great grievance. And indeed, those that were first attacked, and could not produce their original titles, though they proved a long possession, were forced to pay large sums to the king, to preserve their estates. This grievance would have gone much farther, had not a stop been put to it by the courage of the Earl of Warren. The earl appearing before the judges, was required to shew the fundamental title, by virtue whereof he held his lands. He answered, by drawing an old rusty sword out of the scabbard, and saying to the judges, "My ancestors coming in with William the Bastard, won these lands by the sword, and by the sword will I defend them against any that will take them away; for that king did not conquer for himself alone, neither did my ancestors assist him for that end."

So bold an answer seemed likely to involve the earl in trouble; but it had a quite contrary effect. The king saw plainly, there were still among the barons, persons as ready to hazard all in defence of their rights and properties, as those in the time of John and Henry III. This consideration inducing him to revoke his proclamation, the people expressed their joy in such a manner, as plainly shewed how much they resented this oppression.

A. D. 1281] These domestic employments were interrupted by the revolt of Llewellyn. This prince, bearing with extreme impatience the yoke of the English, made a fresh attempt to free himself. Three things especially engaged him in this enterprise. The first was, the restless temper of his brother David. What care soever Edward had taken to gain his affection by several favours, this prince never ceased to excite his brother to take arms, in order to free himself from subjection. He thought it his own concern, because, as Llewellyn had no children, he was his presumptive successor.

The second thing that inclined Llewellyn to war, was a certain prophecy of the famous Merlin. The Welsh fancied to see in this prediction, that Llewellyn was destined to wear the crown of Brutus, the first king, as it was pretended, of the whole island of Albion. This notion had taken such deep root in their minds, that they built upon it, as on a sure foundation. The third and only thing alleged by Llewellyn, was certain grievances, a list whereof he delivered to the archbishop of Canterbury, who was come to persuade him to peace. Edward refused to hearken to his complaints. Llewellyn took up arms, therefore, to shake off this galling yoke; and, surprising the Lord Clifford, the king's general, on the frontiers, he slew several of his men, and took him prisoner. Then, penetrating farther into the English territories, he committed great ravages, and defeated the Earl of Surrey, who had been sent into those parts to stop his progress.

Edward, in hopes of being more fortunate himself, drew together a numerous army, to go once more and tame the fierceness of Llewellyn. He entered Wales without any opposition, Llewellyn being retired to the mountain of Snowdon, in a post that could not be attacked. Not discouraged by this obstacle, Edward resolved to invest his enemy, by securing all the avenues, through which he might make his escape. After fortifying all the posts, he caused a bridge of boats to be made over the river Menay, opposite to Bangor, in order to send some troops likewise into the Isle of Anglesey[12].

After that, foreseeing the blockade would hold long, he left it to the management of Roger Mortimer, and waited the issue in the castle of Rhudhlan. Posted as Llewellyn was, he would doubtless have tired the patience of his enemies, if an unexpected accident had not induced him to deprive himself of that advantage. Some of the English that were in Anglesey, passing the bridge abovementioned, in order to view the country, were attacked by the Welsh, and so closely pursued, that the greatest part were slain or drowned in endeavouring to regain the island. This small advantage made Llewellyn imagine heaven began to declare in his favour, and Merlin's

prophecy was going to be accomplished. Full of this flattering idea, he descended into the plain, to fight the English, not considering the inequality of his forces. But he quickly found how groundless his expectations were, since in the battle wherein he rashly engaged, he was slain on the spot, after seeing his army entirely routed. In his pocket were found some letters in cipher, by which it appeared, that he had great friends in England; but Edward did not think fit to make a strict inquisition. However, to strike a terror into those that were engaged with this prince, he commanded his head, crowned with ivy, to be exposed to view on the walls of the Tower of London.

Such was the end of Llewellyn, descended from Rhoderick the Great, and from one of the most ancient royal families in Europe. With him expired the liberty of his nation. The Welsh, discouraged by their prince's death and defeat, being no longer able to resist, Edward easily became master of their whole country; which he distributed, for the most part, amongst his officers and courtiers, reserving to himself only the sovereignty and fortified places.

Some time after, David, brother of Llewellyn, roving still up and down the country, had the misfortune to be taken by the English, and sent to Rhudhlan, where the king still remained; In vain did he earnestly beg the favour of casting himself at his feet to implore his mercy. As he was the last of his family, Edward was willing to secure his conquest by the death of that prince. Pursuant to this resolution, he ordered him to be conducted to Shrewsbury, where by the advice of the Parliament, called upon that occasion, he was condemned to die the death of a traitor. This rigorous sentence was executed, with all the circumstances attending that infamous punishment. His head was fixed near that of the prince his brother, and his four quarters were sent to York, Bristol, Northampton, and Winchester[13].

After thus securing the possession of the principality of Wales, Edward sought means to prevent all accidents, that might occasion its loss. The annexing that country to the crown of England, was what seemed most proper to that end. Accordingly, he summoned a parliament, where it was resolved, that Wales should be inseparably united to the crown. Thus the Welsh, those small remains of the ancient Britons, lost at length their liberty, after preserving it in that little corner of the island, above eight hundred years[14].

A. D. 1284] The satisfaction which Edward received from the conquest of Wales, was immediately followed (August 19) by a great affliction, the death of Alphonus his son. He was a prince of great hopes, and being now twelve years of age, was to marry the only daughter of Florence Earl of Holland. This was the third son Edward lost within the space of three years.

It is related, that, with the view of conciliating the affections of the Welsh, some of whom are said to have declared, that they would never be governed but by a prince of their own nation, Edward caused his queen to lie in at Caernarvon; where, in consequence, his son, Prince Edward, was born, and was invested with the principality of Wales. This statement, however, is entitled to but little credit, as it was not till the year 1301 that young Edward was so invested.

In the year 1285, the king took away the charter of London, and turned out the mayor, because he suffered himself to be bribed by the bakers[15]. But quickly after, the city found means to recover their charter, by making the king a present. This year the king called a Parliament, which made some additions to the ancient statutes, by the name of the second statute of Westminster[16].

In 1286, Edward ordered all the Jews in the kingdom-to be seized[17]. The Commons granted him a subsidy of the fifteenth part of their moveables, to expel from the kingdom all such foreigners as were a burden to the nation. He promised it; but, after obtaining the subsidy, he granted them a delay, which was dearly purchased[18].

About the middle of the same year, three important affairs called Edward into France, where he continued above three years. The first was his demand of the provinces taken from the Kings, John, and Henry III; concerning which, there was a long negotiation. The second related to the homage he was to do to Philip the Fair, king of France, who had lately succeeded Philip the Hardy, his father. The third was the agreement, which he undertook to procure between the houses of Arragon and Anjou, concerning the kingdom of Sicily.

The king left the regency to the Earl of Pembroke, and embarked for France. He spent the best part of a year in soliciting the restitution of the provinces, taken from the crown of England, by the predecessors of Philip the Fair; but all his pains upon that account were ineffectual. The court of France being then in a flourishing condition, and in no danger from England, was deaf to all his proposals. All the benefit he could reap from this negotiation, was a pension of ten thousand pounds, in lieu of his claim to certain lands situated beyond the Charente, of which Philip kept possession, contrary to the tenure of the ancient treaties.

The two monarchs signed a new treaty; after which, Edward did homage to Philip, in the subjoined forms: "On Wednesday in Whitsun week, in the fourteenth year of the reign of Edward, and in the first of Philip, at Paris, in a room of the Royal Palace, King Edward did homage to King Philip, in the following terms, spoken by the bishop of Bath and Wells.

"Sire, King of France, King Henry, father of my Lord the King of England here present, made certain demands upon Lewis King of France; your grandfather, whereon a treaty of peace was concluded between them. Pursuant to that treaty, Henry did homage to your said grandfather, for the lands he actually held on this side the water, and for such, as the said Lewis had obliged himself to put into his hands, by the above-mentioned treaty of peace. My Lord King Edward here present, after the death of his father, did homage to the king your father, for these lands, and according to the tenour of the said peace. And though my said lord might with justice, as several of his council are of opinion, refuse to do the same homage, because the said peace has not been observed, and because, to his great prejudice, several attempts have been made upon the lands which he holds; nevertheless, he is unwilling at present to enter into a dispute upon that score, provided you will cause the said peace to be kept, and the damages he has sustained to be repaired.

"I become your man for the lands I hold of you, on this side the water, according to the tenour of the peace made with your ancestors."

In this homage, it will be perceived, Edward took care of expressions, not to promise too much. Besides his protestations by the mouth of the bishop, he would do homage only in general terms, for the lands he held, without specifying any thing, reserving to himself the explanation at some other time. Philip, however, granted him, a few days after, letters patent, whereby he consented, that the lands possessed by Edward in France, should not be liable to forfeiture, either for unjust judgment, or denial of justice. Moreover, he promised to send back the appellants to the seneschal of Guienne, and promised to allow him three months, to maintain or rectify the judgments. But this concession was to take place only during the life of Edward, after which things were to return to their former state.

These two affairs kept Edward at the court of France about a year. But the reconciliation he undertook to mediate between the Kings of Sicily and Arragon, employed him much longer, and proved a very troublesome affair.—The difference between these two princes had arisen about the kingdom of Sicily, which the Pope, after his hopes from England had failed, had bestowed on Charles, brother to St. Lewis, and which was claimed on other titles by Peter King of Arragon, father to Alphonso. Edward, who was invested with powers from both princes to settle the terms of peace, at length succeeded in the arduous undertaking. Farther than this, however, the subject is no ways, connected with the History of England.

After staying above three years beyond sea, Edward returned into England in August 1289. His first care, was to reform several abuses introduced in his absence, particularly in the administration of justice. Upon complaints from all hands, that the judges suffered themselves to be corrupted with bribes, he strictly examined into their conduct, and severely punished the guilty. Of this number was Sir Thomas Weyland the Chief judiciary, or first judge, who was banished the realm, and his estate confiscated[19]. These misdemeanours, which were but too frequent, gave the king occasion to oblige the judges to swear, that for the future they would take neither money nor present of any kind, except only a breakfast, which they might accept, provided there was no excess. The king is said to have got above a hundred thousand marks by the confiscation of the estates of those that had been faulty.

In the beginning of the year 1290, Edward convened a Parliament, where the statutes of Westminster, the third time were enacted, and the banishment[20] of the Jews was absolutely resolved. The nation had long desired it, but the Jews still found means to divert the blow, by presents to the king and his ministers. They would fain have used the same method now, but could not prevail the king being unable to protect them any longer without disobliging the Parliament. Their immoveable goods were confiscated, but they had leave to carry away the rest with them.

We are now come to the grand affair of the reign of Edward I. the conquest of Scotland; respecting which it is extremely difficult, not to say impossible, to reconcile the English and Scotch historians. The English consider Edward I. as a great prince, employing his arms only in maintaining the justice of his cause.

The Scots speak of him as a tyrant, vowing the destruction of their nation; and, contrary to all manner of right, intent upon satisfying his ambition, in uniting all the people of Great Britain under his dominion.

Alexander III. King of Scotland, married Margaret daughter of Henry III. King of England, and sister of Edward. He had by her three children, Alexander, David, and Margaret; David died an infant, and Margaret was married to Eric King of Norway, in 1281. It was agreed in the marriage contract, that if Prince Alexander died without heirs, and the King his father left no issue-male, Margaret should succeed to the crown of Scotland, and her children enjoy the same right, in case she died before the King her father. Shortly after, Alexander losing his only son of the same name, and the Queen of Norway his daughter being likewise dead, after bringing into the world a daughter called Margaret, that Prince resolved to perform the agreement above mentioned.

For that purpose he obliged the Scotch barons to swear; that in case he died without male heirs, they would acknowledge the young Princess of Norway, for their Queen. Alexander lived but about two years after having thus settled the succession, his-death, occasioned by a fall from his horse, happening in the year 1285.

When the Scots lost their king, they chose six Regents to govern the kingdom, until the Princess of Norway, who was at most but three years old, should be capable of holding the reins of the government. We do not find why the Scots were three or four years before they demanded their Queen, or why Eric her father neglected to send her over.

It was not however until 1289, after Edward's return into England, that Eric sent ambassadors for that purpose. Edward being Margaret's great-uncle, Eric thought he could not do better than ask his advice and assistance, to place the young Princess on the throne of Scotland. Immediately after this embassy, Edward wrote to the Regents of Scotland, strenuously recommending the interests of young Margaret, and acquainting them withal, that he designed to send ambassadors to settle certain affairs relating to the welfare and tranquillity of Scotland. But the Regents thought it more proper, to send themselves plenipotentiaries into England, to adjust with the ambassadors of Norway, in the presence of Edward, whatever concerned the interests of Scotland.

It was at length agreed, the young queen should be sent into England, free from any marriage engagement. Edward, promised on his part to take care of her education, until Scotland should be in perfect tranquillity, and in a condition to receive her. Moreover he gave his word, not to suffer her to be contracted in marriage, provided the Scots would not take any step to that end, without his and the King of Norway's consent. It was not without reason that Edward caused this last article inserted in the agreement.

Since the death of the King of Scotland, he had been forming the project of uniting the two kingdoms of Great Britain, by his son's marriage with Margaret. He had even already demanded and obtained a dispensation from the court of Rome, though he had not thought proper to discover so early his intention. But after taking the aforementioned measures, he caused the marriage to be proposed to the Regents.

This proposal being examined, in a council consisting of all the great men of the kingdom, it was unanimously resolved to agree to it, upon certain terms, which they were to lay before the first Parliament assembled in England. The commissioners of the two nations meeting at Bingham, agreed upon several articles, the chief whereof, were as follows:

I. The plenipotentiaries of Edward promised in his name, that he would inviolably keep the laws, liberties and customs of the kingdom of Scotland, in all things and in all times, throughout the whole realm, with all its marches.

II. That in case either Edward the son, or Margaret his future spouse, should happen to die, without any children by their marriage, and in all cases or events, whereby the kingdom of Scotland should fall to the next heir, it should be restored to the people of Scotland, free, independent, and without any subjection, saving however the rights of the King of England to the crown of Scotland, in case it devolved to him, or his heirs, by a lawful succession.

III. That the kingdom of Scotland should remain separated, divided, and free in itself, without any subjection to, or dependence on, England; saving to the King of England, and his successors, his right to certain lands on the frontiers, or elsewhere, before the time of this agreement, or any right he should lawfully acquire hereafter.

IV. No person holding lands in fee of the king of Scotland, should be obliged to prosecute any suit out of the kingdom, according to the custom hitherto observed.

V. That all the subjects of the crown of Scotland should enjoy the same privilege, according to ancient custom.

VI. That all records, Charters, and privileges, or other memorials concerning the royal dignity, and the kingdom of Scotland, should be deposited in a place of safety, and not carried out of the realm, under the seals of certain Lords, till the Queen should come into the kingdom, and have children.

VII. That there should be made no subjection, alienation, or obligation, of any thing relating to the kingdom of Scotland, till the Queen should be there in person, and have children alive.

VIII. That no Parliament should be held out of the kingdom.

These and several other articles, being approved and ratified, the marriage was concluded and resolved, to the general satisfaction of both nations. Edward began from thenceforward to take as it were possession of Scotland for the Prince his son, by sending thither, the Bishop of Durham, who jointly with the six Regents, was entrusted with the administration of affairs, in the name

of young Edward and Margaret. No one questioned but the two kingdoms of Great-Britain were going to be united by means of this marriage, when suddenly and unexpectedly; all hopes of an union vanished. Edward received a letter from the Bishop of St. Andrew's, acquainting him with the report of Queen Margaret's death; and that some Scotch Lords upon the news, began to stir in the prosecution of their pretended rights to the crown.

The Bishop entreated him withal, to advance towards the frontiers, to prevent by his presence the commotions, which the Queen's death, if found true, would cause in the kingdom. The report, spread of her death, was but too well grounded. The Princess, whom the King her father promised to send into England before the month of October, sailed accordingly from Norway, and, falling sick, was landed in one of the Orkney islands, where she died.

As soon as the news reached Scotland, it occasioned extraordinary commotions. The late King, who took care to cause the great men to swear to acknowledge Margaret of Norway for Queen, had neglected to settle the succession, in case that Princess died without heirs. The choice of a successor was therefore very perplexing, and became more so every day, by reason of the factions formed in favour of the pretenders to the crown.

Among the pretenders to the crown, John Baliol and Robert Bruce divided almost all the suffrages of the kingdom. The first held large possessions in France, in the province of Normandy. The other had a considerable estate in England, and both were very powerful in Scotland, where their alliances procured them great credit.

David King of Scotland had but one son named Henry; who dying before him, left three sons, viz. Malcolm IV. who ascended the throne after his grandfather, and died without heirs: William, who succeeded his elder brother; and David who was Earl of Huntingdon in England. The race of William being extinct by the death of Margaret of Norway, there was a necessity of going back to that of David Earl of Huntingdon, third son of Prince Henry.

David died without issue male; but left three daughters, Margaret married to Alan of Galloway, Isabella wife of Robert Bruce; and Ada wife of Henry Hastings an English Lord. Margaret, the eldest of the three sisters, left only two daughters, Deverguld, called by some Dormgilla and Marjory: Deverguld married John Baliol, by whom she had a son of the same name, one of the two candidates for the crown. Marjory, wife of John Comyn, died without issue. Isabella, second daughter of David, had by Robert Bruce, a son named Robert from his father; the other candidate Ada, third daughter of David, left a son called John Hastings, who likewise pretended to the crown.

At the time of Margaret of Norway's death, the three daughters of David Earl of Huntingdon were not alive. But Deverguld, daughter of the eldest; was still living, and resigned her title to John Baliol her son, who, as descended from the eldest of David's daughters, claimed a right to be preferred before all the other candidates. On the other hand, Robert Bruce, son of the younger daughter, alleged for himself, that he was one degree nearer than Baliol, since he was grandson to David; whereas his rival was but grandson to the daughter of the Same Prince.

It was objected, that Deverguld being in the same degree with him; ought to succeed, since she was daughter to the eldest, whereas he was only son to a younger daughter of David. But he replied, that where the degree is the same; the males ought to be preferred to the females; and that it was the constant law and custom of all states; for which he produced several precedents, from the histories of foreign countries. Thus stood the case; which could not be decided without displeasing one half of the kingdoms.

Here it is that we begin to find disagreement between the English and Scotch historians. The latter affirm things were in such a State; that it was impossible to find in Scotland impartial judges. They add, that supposing such could have been found, it would have been very difficult

to execute their sentence, by reason of the equality of credit and power in both parties. Baliol was Lord of the county of Galloway, one of the most considerable of the kingdom. He was likewise supported by the Comyns, a family of great power and interest.

Robert Bruce held in England, the earldom of Cleveland, and in Scotland, those of Anandale and Garlock. Moreover, by means of his son. Robert, who had with his wife the earldom of Garrick, he was allied to the most powerful families in Scotland. So that; continue they, to avoid a civil war, which could not fail to be kindled, both parties agreed to refer the decision of this important affair to the King of England.

It was believed, that all good office's might be expected from him, as well because of the good understanding which had long subsisted between the two nations, as in return for their ready consent to the marriage of the Prince his son, with their late queen. He was entreated therefore, say they, to be judge of this dispute, and to assist the person he should think proper to place on the throne. They add, that Edward accepted the mediation, and came to Norham, where he summoned the states of Scotland, protesting, he assembled them not as sovereign, but as a friend, that desired them to meet the arbitrator chosen by themselves.

But this is a fact denied by the English. They affirm, that Edward summoned the states of Scotland to Norham, not as friend and umpire, but by virtue of his right of sovereignty over Scotland. They add, the bare consideration of the situation of Norham, a town in England, plainly enough shows, that Edward exercised an act of sovereignty, in assembling the states of Scotland in his own kingdom. The Scots reply, this proof cannot take place, since upon this occasion Edward granted them letters patent, which entirely destroy it.

His words are these:

"That he. did not intend that the coming of the Scots on this side the Tweed, should be any prejudice to them, or that for the future, upon any account whatever, they should be obliged to come and treat with him on this side the river. So express a declaration, which seems to prove, that Edward pretended not to the sovereignty of Scotland, is indeed only an evidence of his policy or dissimulation; since he certainly designed then to establish the right of sovereignty."

Accordingly, when "it was Once established, he stiled his letters patent, a pure concession; which might be, and was actually, revoked: In the view this monarch had of causing his sovereignty to be acknowledged by the states of Scotland, as wilt be seen hereafter, it was by no means proper to alarm the Scot by an act of absolute authority, before the states were assembled. Such a step might have led them to take measures destructive of his designs.

It was much more natural and more advantageous for him, to convene the states first, and lead them by degrees to the acknowledgment he wanted to extort from them. So that, probably; when he summoned the states to Norham, he made use of ambiguous and cautious expressions, proper to hide his real intention. It was not his interest then to discover it, though he intended to use this same assembly to strengthen his right.

Buchanan pretends, that, immediately after the young Queen's death, the better to accomplish his designs, he persuaded eight other persons besides the two above named, to claim the crown. His intent was, according to this historian, so to perplex the affair, that the two chief candidates might see, he should not want means to render their titles dubious, in case they were not pliant to his will.

This affair contains two things, really distinct from each other; namely, the right of succession to the crown of Scotland, and the right of sovereignty over the same kingdom, claimed by Edward. The former appears at first sight to be the most important, and the latter seems only to be an

incidental question arising upon the other. But we shall find, it became the main point, by its fatal consequences. It must be farther observed, that the particulars which we are about to relate, are taken from a journal, or verbal process, inserted in "*the Collection of the Public Acts,*" made by Mr. John de Cadam, one of Edward's clerks or notaries. This observation should induce us to read with some caution, what appears to be too much in favour of the King of England, with regard to his claim to the sovereignty of Scotland.

The states of Scotland being met at Norham, May 10, 1290, Roger le Brabason Chief Justiciary of England, speaking by order, and in the name of the King his master, who was present, told them, that the King of England, considering the unsettled state of Scotland, had required the states to assemble in that place, to lay before them certain matters, tending to the preservation of the peace and tranquillity of the kingdom: that he had no design to usurp the rights of any person, to stop the course of justice, or to infringe the liberties of the people of Scotland; But, as sovereign Lord of Scotland, he was come to do justice to all: and that this might be done with more ease, though what he claimed could not be justly disputed, he demanded, as a superabundant right, the states' assent to, and recognition of his superiority and direct dominion: that then he would make use of their counsels to do what justice and reason required.

The states, extremely surprised at this proposal, required time to consult with the absent Bishops and Barons, to the end they might return an uniform answer in an affair of such importance. Edward, in his turn, showed some surprise, that the states should require time to give in their answer. He said, he had reason to believe they were come prepared for this matter, since they were not ignorant of his intention; and therefore he gave them only the rest of that day to consider of his demand.

On the morrow, the states insisting upon a longer time, the King granted them three weeks, reckoning from the 10th of May. During that time they were to prepare whatever they had to object to his pretensions, and all the acts and monuments whereby they might think to invalidate his demand.—At the expiration of that time, the Bishop of Bath and Wells, who was spokesman for the King, recited what had been done in the two former assemblies; adding, that as they had not produced or alleged any thing to invalidate his right, his intention was, to act by virtue of his acknowledged sovereignty over the kingdom of Scotland, and as sovereign, to do justice to the candidates.

The High-Chancellor having thus taken his master's right for granted, addressed himself first to Robert Bruce, and demanded of him, whether he would acknowledge the King of England for sovereign of Scotland, and receive justice from him, as such. The Journal adds, Robert Bruce answered openly and expressly, that he owned the king of England for Sovereign Lord of the realm of Scotland, and consented to receive from him as such, the judgment that Prince should think fit to pronounce.

The same question being put to Florence Earl of Holland, and the Lord John Hastings, (lord of Abergavenny) they both made the same answer. After that, Patric of Dunbar Earl of March, William de Ros, Walter de Huntercumbe; William Vescy by Proctor, Robert de Pynkeny, and Nicholas de Soules, appeared, and demanded to be admitted separately, to prove that the crown of Scotland was devolved to them by right of succession.

The same question was put to them, as to the three first, concerning Edward's right; to which having returned the same answer, their petition was received. John Baliol being absent, his gentleman of horse stood up, and alleging some excuse for his master's absence, demanded, in his name, that he might be heard the next day, which was granted him.

On the morrow, after the Chancellor's recapitulation of what had passed to that time, Baliol, who was present, was asked the same question as the rest of the candidates, and made the like answer. Then, the Chancellor protested aloud in the King's name, "That although the King of England

acted on this occasion as Sovereign Lord of Scotland, he did not intend thereby to depart from the hereditary right, he might have to the crown of that kingdom; or to exclude himself as to the property.

That he expressly reserved to himself the liberty to prosecute his right, as the rest of the candidates, when and how he pleased. As soon as the Chancellor had done speaking, the King repeated word for word, the same protestation with his own mouth. Then John Comyn Lord of Badenoch rose up, and demanded leave to prove his lawful right to the crown. His request was granted, after recognising, like the rest, the King of England's Sovereignty.

What concerned Edward being thus settled, the candidates drew up a writing, whereby they acknowledged him Sovereign Lord of Scotland. This writing was signed and sealed by all, and particularly by Robert Bruce, and John Baliol. As for the silence of the states on this occasion, Edward, without giving himself any farther trouble, took it for an assent, and became possessed of the Sovereignty.

This step being made, the King represented to the competitors, it would be in vain to give sentence in favour of one of them, if it was not in his power to put it in execution. Upon this foundation, he demanded the possession of the kingdom; that he might be able to deliver it to the person that should be declared King. To this the candidates consented, and signed an instrument according to his desire. In this writing, they own the King of England, for Sovereign Lord of Scotland, and as such, for judge of the process concerning the succession.

They promised to hold for good and valid, the judgment he should pronounce. They agreed, he should be put in possession of all the castles, and the whole kingdom, in order to restore it to him, for whom it should be adjudged. They added however this condition, that he should be obliged to restore it within two months after judgment given, in the same state he received it, saving to him the homage of the new King.

Whatever had been hitherto done in favour of Edward, were only the acts of private persons; but among them were Bruce and Baliol, who divided all Scotland between them, and consequently their approbation drew after it that of the whole kingdom. In those days of anarchy, the Regents had no great authority, neither did they dare to do any thing displeasing to the King, or the two chief candidates, one of whom was to be their master. As to the states, after Edward perceived they were disinclined to favour his pretensions, he consulted them no more. As they were assembled out of Scotland, and in the power of the King, they were not free to take such measures as they should have desired.

So the King met with little opposition from the governors of the castles, when he came to take possession of the kingdom. William de Umfraville, who had the custody of the castles of Dundee and Forfar, was the only person that made any resistance. He considered the acts above mentioned as very irregular; and could not resolve, upon such a warrant, to deliver up the places committed to his trust, neither by the King of England, nor by the candidates. It was necessary that the competitors, Regents, and the King himself, should bind themselves by an express act, to indemnify him, in case he should one day come to be called to an account.

Whatever Edward's pretensions were, it is certain the sovereignty of the crown of England, had never been acknowledged in Scotland. Accordingly the Scots in general, could not but look upon the proceedings of the candidates, and the Regents themselves, as a manifest prevarication. And yet, it was very difficult to act. otherwise. All the great men were gained either by Edward's promises, or awed by his threats. The troops he had ordered to march to Norham, under colour of guarding the states of Scotland, did not a little help to inspire them with terror. So that almost whatever he pleased was forced to be done. It was necessary however, for the Regents to give the people some satisfaction, in showing them they took care of their interests.

To that end, they demanded of Edward letters patent, declaring that the judgment of the process should be given in the kingdom of Scotland. Edward considering this step, as a sort of approbation of his Sovereignty, because the demand was so expressed as not to offend him; readily condescended to their petition, and ordered the desired letters to be dispatched.

The affair of the Sovereignty being thus ended, though without the intervention of the states, the examination of the titles of the several competitors for the crown came on, that the King might know the ground of their respective pretensions. To this purpose, it was agreed among them, that Baliol and Comyn, as well for themselves as for all the candidates, should nominate forty persons, and Robert Bruce, in like manner; should chose forty others, to hear and discuss the rights of the competitors. That to these fourscore, the King should add about twenty four more, and these commissioners, after a mature examination, should make their report to the King.

In the assembly of the 5th of June, nothing more was done, than giving in the names of the examiners that were chosen.

The next day, the King ordered the examiners to appoint the time and place of meeting, for their examination. All agreed upon Berwick, a town in Scotland, situated on the Tweed, for the place. But as they could not agree upon the day, the King fixed it to the 2nd of August following.

There was another assembly at Norham, where the Regents of Scotland resigned their patents to the King, and the governors of the castles their commissions, to be disposed of at his pleasure. Edward received, but returned them again, with the necessary alterations to show that they governed in his name. The same day he made the Bishop of Caithness Chancellor of Scotland, and joined with him Walter de Hamondesham, an Englishman, one of his clerks, as an associate.

On the 12th of June, Edward issued orders to all that held any office in the kingdom of Scotland, to come and swear fealty to him, which was done that day by all that were present. The competitors took the same oath; after which, the assembly broke up till the day appointed for the meeting at Berwick.

Though it was still a good while to that day, Edward came quickly after, and on the 3rd of July made the following protestation:

"That although he had granted, that the affair of the succession should be tried in the kingdom of Scotland, he did not intend to bind himself to the same condescension, if the same case should happen again, or on any other occasion."

Probably the assembly before whom he had made this declaration, was neither full, nor authorized to receive it, since the examiners were not to meet at Berwick till the 3rd of August, that is, a month after.

The day being come, the examining commissioners met at Berwick, in the presence of the King, and received the petitions of the candidates, in the following order. Florence Earl of Holland, showed, he was descended from Ada, daughter of Prince Henry, and sister of the Kings Malcolm IV. and William.

Patric de Dunbar, Earl of March, founded his claim upon his descent from Ilda, daughter of King William, and Sister of Alexander II.

William de Vescy asserted, he was issue of Margaret, daughter of King William.

Robert de Pynkeny affirmed, he came from Margaret, daughter of Prince Henry, and sister of the Kings Malcolm and William.

Nicholas de Soules said, that being grandson of Alexander II. by Marjory, second daughter of that King; and the race of Margaret, eldest sister of his mother, being extinct, the crown was devolved to him as next.

Patric Galythly founded his claim on his being grandson to King William, by Henry son of that Prince. Probably Henry, father of Patric; was a bastard, since, had he been legitimate, his son's title would have been indisputable: Roger de Mandeville claimed the crown as son of Alfrica, daughter of King William.

John Hastings maintained; that the kingdom of Scotland being divisible, ought to be parted among the descendants of the three daughters of David Earl of Huntingdon, the youngest of whom was his mother.

Robert de Ros called himself issue of Isabella, eldest daughter of King William, and sister of Alexander II.

John Comyn derived his claim higher, namely from Donal, formerly King of Scotland.

John Baliol set forth; that he was son of Deverguld, eldest daughter of Margaret, the eldest of the daughters of David Earl of Huntingdon; and the race of King William being extinct, he was the next heir to the late Queen. It must be observed, he took it for granted in his petition, that Marjory and Isabella, eldest daughters of Alexander II. died without issue, though Nicholas de Soules called himself son of the first.

After that; passing over in silence, Henry, Isabella, Ilda, Margaret, and Alfrica children of King William, from whom Galythly, Ros, Dunbar; Vescy, and Mandeville, professed themselves descendants; he proceeded to the family of David, younger brother to King William. His silence leaves room to presume, either these competitors had falsely set forth their genealogies, or those from whom they derived their descent were bastards, otherwise their issue would have had more right to the crown than David's.

Accordingly we shall see in the sequel; that their pretensions were not regarded at all. It may be farther observed, this favours what is said by Buchanan, that Edward engaged eight candidates, besides Baliol and Bruce, to demand the crown; on purpose to puzzle the cause. And indeed it is easy to see, that of all the above-named, Baliol excepted, there was not one that had the least title to the succession, supposing, as is very likely, that they were descended from bastards, and that Nicholas de Soules, had not truly set forth his genealogy.

Robert Bruce alledged, that he was by one degree nearer than Baliol, since he was grandson of David, whereas his rival was only grandson of his daughter. That indeed Deverguld was in the same degree with himself, but could not claim the crown, because it was the custom to prefer the males before the females, in the same degree of consanguinity. To strengthen his title, he added, that Alexander II. declared him his heir, in case he died without issue, and offered to prove it by living witnesses. Moreover, he maintained that Alexander III. always looked upon him as his presumptive heir, and declared it to such as were familiar with him.

All these petitions being read, the King, says the journal, willing to give the commissioners time to examine them, appointed the second of June of the ensuing year 1292, for another assembly, where the candidates might more fully urge their respective rights.

We shall make use of this interval to examine as briefly as possible, the grounds on which Edward built his right of Sovereignty over Scotland. We find them at large in a memorial drawn by that Prince's order. And because this memorial is frequently alleged by the English authors, as containing the justifying proofs of the right of the Sovereignty enjoyed immemorially by England,

over Scotland, it will not be amiss to give an abstract thereof, to the end the reader may be perfectly informed concerning this matter.

Notes to Chapter 1

1.) This was in reality the fourth king of this name, there having been three Edwards in the time of the Saxons. For this reason, in speaking of this, and the two following Edwards, by the name of Edward I. II. III. it was usual to add Post Conquestum, after the Conquest, but by degrees that addition was omitted.

2.) According to the Annals of Waverly, this Parliament consisted of the archbishops, bishops, earls, and barons, abbots, and priors, four knights from every shire, and four representatives from each city.

3.) The answer which Edward made to the king of Sicily, who expressed surprise at this difference of sentiment, deserves to be mentioned, for the good sense by which it was distinguished. The death of a son, he said, was a loss which he might hope to repair; but the death of a father was a loss irreparable.

4.) AD 1273

5.) He and his queen. landed in England, July 25, and were crowned August 19.

6.) He issued out writs of Enquiry by the oaths of twelve legal men, to two commissioners in every county, to enquire, what his royalties, and the liberties and prerogatives of his crown were, who were his tenants in Capite, and military service, and how many, and what fees they held of him: of his tenants in ancient demesne, how they had behaved themselves, and in what condition their farms were of sheriffs, coroners, escheators, bailiffs, and their clerks, whether they had extorted money from any man, by reason of their office, had wronged any one, or received bribes for neglecting or being remiss in their offices &c. The whole enquiry contained thirty-four articles,

7.) Which was held at Westminster, in the beginning of May.

8.) See them in Coke's 2nd institute, p. 156, &c. This same year, about October 6, another Parliament was held at Westminster, in which statutes were made for restraining the excessive usury exacted by the Jews; and it was also enacted, that they should wear a badge :upon their clothes, in the shape of the two tables of Moses's law.—About the 18th of the same month, another Parliament met, which granted the king a fifteenth upon the laity, by the common consent of the archbishops, bishops, earls, and barons.

9.) This castle was built by Robert de Rhuthlan, nephew of Hugh Earl of Chester. The castle therefore was not built, but repaired by Edward I.

10.) A. D. 1278.

11.) Eleanor, daughter of Robert de Ferrars, Earl of Derby.

12.) A. D. 1282,

13.) This is the first example of this manner of execution done upon traitors.

14.) Hume, and other historians, relate, that Edward, sensible that nothing kept alive the ideas of military valour and of ancient glory so much as the traditional poetry of the people, which, assisted by The power of music and the jollity of festivals, made deep impression on the minds of the youth, gathered together all The Welsh bards, and, from a barbarous though not absurd

policy, ordered them to be put to death. Fortunately for the credit of Edward, it appears, by the Welsh Triads, which have recently been translated into English, that the pretended massacre of the bards is a mere fiction; no such event having ever occurred.

15.) George Brooksby, the mayor, was turned out for taking bribes from the bakers, to connive at their selling bread six or seven ounces too light in the pound loaf. But Tyrrel observes, that notwithstanding this seizure, the politic body, or corporation of the city, was not dissolved; but they enjoyed all privileges of holding courts, &c. (the choice of a mayor only excepted) as they had done before the said seizure.

16.) This Parliament was held at Westminster, after Easter. Another Parliament was held at Winchester, in the beginning of October, wherein some statutes were made about robbers. **The abbey-church of Westminster having been sixty-six years in building, was finished this year. Also about this time, we find merchant strangers were first permitted to rent houses, and to buy and sell their own commodities themselves,** without any interruption from the citizens; for before this, they hired lodgings, and their landlords were the brokers, who sold all their goods and merchandize for them.

17.) The 2nd of May. They were forced to pay the king twelve thousand pounds of silver.

18.) This year Eleanor, King Edward's mother, was veiled in the monastery of Ambresbury; but obtained a licence from the Pope to keep her jointure. And the same year, Mary, King Edward's daughter, was veiled a nun in the same monastery.

19.) **The king punished thus severely, not only the justices of the King's Bench, but also the Justices of the Jews, and of the forests, the, foresters, sheriffs, stewards of manors, and all other delinquents.**

20.) Sir Edward Coke says, they were not banished; but their usury was banished by the *statute de Judaismo*, enacted in this Parliament; and that, was the cause that they banished themselves into foreign countries, where they might live by their usury; and because they were very odious to the nation, that they might pass out of the realm in safety, they made petition to the king, that a certain day might be prefixed to them to depart the realm, that they might have the King's writ to his sheriffs, for their safe conduct. But Tyrrel observes, that though this account is very probable, there is no good authority for it. Many of the Jews took shipping in the River Thames, in a vessel belonging to one of the Cinque-Ports, and were by the wicked master and seamen, not only plundered of all they had left, but were also cruelly thrown overboard, which; when the King heard, he caused many of those inhuman mariners to be hanged.



Sir Edward Coke

The End of Chapter 1





Chapter II

PROOFS ALLEGED BY EDWARD I TO ESTABLISH THE RIGHT OF SOVEREIGNTY OF THE KINGS OF ENGLAND OVER SCOTLAND



N the year 901 Edward the Elder, King of England, subjected to his dominion the King of the Scots, Humbrians, and Welsh, as appears in the histories of Marianus Scotus, Roger de Hoveden, and William of Malmsbury. In the year 921, the King of Scotland, Reginald King of the Danes, the English of Northumberland, the King of Wales and his subjects, chose Edward the Elder for their father and Lord, and made a strict alliance with him. Marianus Scotus, Roger de Hoveden.

In the year 924, the same Edward reigned over all the inhabitants of Great-Britain, English, Scots, Cumbrians, Danes, and Britons. Marianus Scotus, Roger de Hoveden.

In the year 926, King Athelstan, son of Edward, vanquished Constantine King of Scotland, together with the King of the Wenti, and compelled them to fly. After the victory they took an oath to him, and concluded an alliance with him at Emothe, July the 4th. Marianus Scotus, Roger de Hoveden.

We find in the histories of William of Malmsbury, Henry of Huntingdon, and Ralph de Diceto, that Athelstan forced Constantine King of Scotland, to quit his crown; and afterwards gave him leave to resume it, on condition he should hold it of the Kings of England; saying, "It was more glorious to make Kings, than to be one."

In 934, the same Athelstan vanquished Constantine, who had revolted, and ravaged Scotland as far as Dun-fend. Constantine gave him his son in hostage, with great presents, and a peace was concluded between them. Marianus Scotus, Roger de Hoveden, Henry de Huntingdon, Ralph de Diceto.

In the year 937, Engenius King of Cumberland, and Constantine King of Scotland, met Athelstan at Dacor, and submitted to his mercy. Athelstan, commanding Constantine to cause his son to be baptized, stood godfather himself. William of Malmsbury.

In 940, Athelstan was succeeded by Edmund, who reigned four years, during which the Scots revolted not.

In 947 Edred, brother and successor of Edmund, having vanquished the Northumbrians, carried his arms into Scotland. The Scots, seized with fear, submitted without resistance, and swore the fealty, that was due to him. Edred set over the Scots a King, Yric. Marianus Scotus, William of Malmsbury, Henry of Huntingdon, In the year 955, Edwy was King of England after Edred, and reigned four years, without any revolt of the Scots.

In 997, Edgar King of England, having summoned to his court, Keneth King of Scotland, Malcolm of Cumberland, and six other Kings, made them row in his barge, which he himself steered, said upon that occasion, as it is affirmed, that his successors might now boast of being really Kings of England, since they enjoyed so great a prerogative.

Another time the same Edgar being informed, that Keneth had spoken ill of him, sent for him to his court, and walking with him into the fields, offered him the choice of two swords, to fight with him. Keneth refused it, and casting himself at Edgar's feet, begged his pardon, and obtained it. Marianus Scotus, Roger of Hoveden, William of Malmsbury, Henry of Huntingdon, Ralph de Diceto.

During the reigns of Edward the Martyr, Ethelred II. and Edmund Ironside, the Scots did not revolt. In 1017, Canute the Great, at his return from Rome, in the 15th year of his reign, subdued Scotland with ease, which had revolted, and King Malcolm was subject to him. Canute was King of England, Denmark, Norway, And Scotland. Marianus Scotus, William of Malmsbury, Henry of Huntingdon, Ralph de Diceto.

It does not appear, that the Scots revolted, during reigns of Harold II. and Hardicanute.

In the reign of Edward the Confessor; Siward Earl of Northumberland, vanquished Macbeth King of Scotland, and slew him. After which, by the command of King Edward, he placed Malcolm, son of the King of Cumberland, on the throne of Scotland: *ibid*.

There are likewise these words in the history of William of Malmsbury, "King Edward gave the kingdom of Scotland to Malcolm, son of the King of Cumberland, to hold it of the crown of England.

There is nothing concerning the Scots, whilst Harold II. was on the throne of England.

William the Bastard, having marched into Scotland in the sixth year of his reign, Malcolm met him at Abernethy, where he did him homage, or became his man; Chron. of St. Albans. In the same chronicle it is said, that William returned into England, after receiving the homage of Malcolm, and hostages.

In the third year of William Rufus, Malcolm revolting, and ravaging Northumberland, William, accompanied by Robert his brother, led his army into Scotland, and made peace with Malcolm, on condition that Malcolm should obey him, as he obeyed William his father; M. Scotus, Roger de Hoveden.

Henry of Huntingdon says, Malcolm, seized with fear; became King William's man[1].

The same king dethroned David of Scotland, and placed Edgar son of Malcolm in his room.

Edgar King of Scotland dying, Alexander I. his brother, succeeded him, by the consent of Henry L King of England. H. of Huntingdon.

Stephen King of England, having demanded homage of David King of Scotland, and upon his refusing it, because he had taken an oath to Matilda, Henry his son did homage to King Stephen. M. Scotus, H of Huntingdon Roger de Hoveden. William Huntingdon of Scotland, David Earl of Huntingdon his brother, the earl, and barons of Scotland, did homage to Henry King of England, and swore fealty to him.

In the year 1174, William-King of Scotland ravaging England, was taken prisoner and delivered to King Henry II who set him at liberty, on condition he should do him homage for the kingdom of Scotland, As the treaty between these two kings has been Spoken of elsewhere, it is needless

to repeat it here. It suffices to say in a word, that William, to obtain his liberty, was forced to promise to do full homage to Henry II for the kingdom of Scotland and performed his words. This is the best proof in favour of Edward, and accordingly he chiefly insists upon it in the memorial; entering into a long detail, which amounts to what is above related.-

In the reign of Richard, the Scots are not found to revolt. On the contrary, William came to Canterbury to do homage to Richard. Edward wisely passes over here in silence the letters patent of Richard I. whereby he relinquished the sovereignty of the kingdom of Scotland.

The same William came and did homage to King John at Lincoln, and swore fealty to him upon the cross of Hubert archbishop of Canterbury. Roger de Hoveden. The same King John would have made war upon William, for having, without his consent, married his daughter to the Earl of Boulogne. This is extant in the Chronicle of the monastery of Bridlington. It is said also in the Chronicle of the abbey of Kyngeswode, that William gave his two daughters in hostage to King John.

Henry III. in the 35th year of his reign, came to York, to marry his daughter to Alexander King of Scotland, and the latter did there homage to the King of England. The guardianship of the young king, and the regency of the kingdom, were conferred on Roberta de Ros and John Baliol, by the advice of the great men of both kingdoms. Chronicle of St. Albans.

To strengthen all these proofs, Edward heaped together, some passages, extracted from divers charters and several bulls, and from a book intituled, the life of St. John of Beverley.

In a charter of Edgar King of Scotland, granted to the church of Durham, that prince acknowledges, he holds the land of Londoney, and the whole kingdom of Scotland, by the grant of William King of England his lord.

In another charter, William King of Scotland, grants to King John of England his dear lord, the power of Marrying Alexander his son, prince of Scotland, to whom he pleased. Moreover he promises King John, that, whatever happens, he and prince Alexander his son, will be true to Henry son of John as their sovereign lord.

In a brief of Gregory IX, that Pope ordered the barons of Scotland to join with the King of England against their own prince, in case the latter should break the treaty made with Henry II.

The same Pope in another brief commanded the archbishop of York, and the bishop of Carlisle, to persuade the King of Scotland to keep the treaty.

In another directed to the King of Scotland, the same Pope told him, that since he was liege-man of the King of England, and had sworn fealty to him, he ought not to attempt any thing against him.

Pope Clement writing to Henry King of England in behalf of the bishop of St. Andrews, dispossessed of his see by the King of Scotland, requires him among other things, to warn, exhort, and if necessary, to force that prince by the power committed unto him, to restore the bishop.

The proof taken from the life of St. John of Beverley, the author whereof is unknown, consists of this narrative. King Athelstan carrying his arms into Scotland, meets by the way certain people, who were just cured of blindness and lameness, by the intercession of St. John of Beverley, whereupon, he resolves to go and perform his devotions, in the church where the body of this saint lay. After saying his prayers, he left his dagger on the altar, as a pledge of what he had promised the saint, in case he succeeded in his undertaking.

Then entering Scotland, St. John appears to him and assures him of his assistance. Upon this assurance Athelstan attacks the Scots, and gains a signal victory. After that, he subdued the whole kingdom of Scotland, and stayed there three years. In his return to England, a great rock stood in his way, and he besought God, through the mediation of St. John of Beverley, to give him some sign, whereby the spectators might know, the Scots were justly subdued by the English, and the conquered kingdom ought for ever to pay tribute to his successors.

Then drawing his sword, he struck the rock, which yielded like butter, and made a hole in it an ell deep. Whereupon the author adds, that this is an evident sign Scotland was subjected by the English.

Edward produced some other testimonies, but without naming his authors, to shew, that the lords of Galloway had done homage to the King of England.

In 1185, Roland Lord of Galloway submitted to the King of England, fearing, as it is presumed, says the author, the power of that monarch, who was advancing with a great army to make war upon him.

Henry II. King of England, having received homage of Alan of Galloway, and of David brother of King William, returned into his dominions.

In the 22nd year of Henry II. Gilbert son of Fergus Lord of Galloway came with the King of Scotland into England; where he became liege man of Henry the father, and swore fealty to him. Which done, in order to gain his good will, he gave him a thousand marks of silver, and his son Duncan in hostage.

These are the proofs used by Edward to justify his right of sovereignty over Scotland. The following are amongst the objections which the Scots might have alleged against the proofs, if powerful motives had not induced them to keep silence, and what they actually did object, in more favourable circumstances.

1) In the first place, they might have said, it was necessary to distinguish two things, which Edward affected to confound in this memorial; namely, the superiority of the forces of the Kings of England, and their frequent advantages over the Scots, from the pretended acknowledgment made by the Kings of Scotland, that they held their crown of the Kings of England. The latter was the main point in dispute, and yet the proofs alleged in the memorial chiefly relate to the former.

2) The business was not to prove in general, that the Kings of Scotland were frequently constrained to make disadvantageous treaties, and afterwards swear to them: the acts themselves should have been produced, and shewn to contain an express acknowledgment of the, sovereignty of the Kings of England over Scotland. It was farther necessary to prove the continuation of this acknowledgment by the homages of the Kings of Scotland upon every new accession to the thrones of both kingdoms, according to the constant custom practised by vassals for many ages since. But this was not done by Edward.

3) When Edgar King of Scotland, owned in his charter to the church of Durham, that he held his kingdom of William Rufus; that acknowledgment did not import a confession that the crown of Scotland depended on that of England. It was only a declaration, that by the assistance of the King of England he had mounted the throne of Scotland, seized by an usurper, as appears in the history.

4) This same charter, one of Edward's principal proofs, is affirmed to be a forgery by the Scotch writers, and opposed with such strong chronological arguments, as seem to demand our assent.

5) As to what passed between Henry II and William King of Scotland, it is very true, William did full homage for his whole kingdom. But it is no less certain, it was in consequence of a treaty, where that homage was expressly stipulated for the captive king's liberty. And therefore it is evident, he was not subject to it before, since there was need of binding him to by a treaty. And this is what would never have been thought of, unless the war had been undertaken on account of that homage, which is not fact. Besides, this homage, which was only a consequence of William's captivity, was not continued by his successors; since Richard, son of Henry, entirely renounced it, as we have seen in the reign of that prince.

6) As for the rest of the proofs, which are much weaker, they are not only taken from English writers, or subjects of England, who for the most part lived long after the events they relate; but are founded on uncertain expressions, which do not necessarily bear the sense contended for by Edward.

7) Had Edward no other proofs to allege, but the testimonies of some partial historians? Why did he not produce the homages of the ancient Kings of Scotland, as he did that of William to Henry II? If the thing had been only to prove the homage for the earldom of Huntingdon, he would have had no occasion to rummage the historians; his own records would have supplied him with proofs. What is the reason then, that it was more difficult to preserve the homages for the kingdom of Scotland? If the King of France could have proved his sovereignty over Guienne, and the earldom of Ponthieu, only by passages taken from French authors, there is room to question, whether Edward would have submitted to do him homage for these two provinces.

8) The Scots might have alleged, that when Henry III demanded the King of Scotland's assistance against the earl of Leicester, he owned in express terms, that the assistance was given him out of friendship, and not out of duty.

9) The same Henry would have had Alexander III, his son-in-law, do homage for the kingdom of Scotland; but Alexander refused it, and would only do it for the lands he held in England.

10) Edward himself being desirous, that the same Alexander III. his brother-in-law, should assist at his coronation, gave him letters patent; acknowledging, that the presence of that prince was not of duty, and that he assisted at the solemnity only out of friendship, and to do him honour, without being any ways obliged thereto.

11) When the same Alexander did homage to Edward, he made an authentic declaration, that he did not mean to do homage for the kingdom of Scotland, but only for the lands he held in England, and his homage was received with that limitation.

12) The Scots might have said farther, that the homage done for the lands in England, though paid by a Scottish king, had no manner of relation to the kingdom of Scotland. In like manner, the King of England, in doing homage to the Kings of France, did not intend to make the kingdom of England dependant on the crown of France, but only to acknowledge the dependency of the lands they held in that kingdom.

13) Lastly, homage was frequently paid for pensions; for instance, the Earls of Flanders did it to the Kings of England upon that account, as did the Earl of Savoy

for a pension of two hundred marks. So that barely to shew that the Kings of Scotland did homage to the Kings of England, was no proof of the point in question. It should have been proved, that these homages were for the kingdom of Scotland, either by letters patent of the Kings of Scotland themselves, or by the instrument of the homages well attested, according to the usual custom. But Edward produced no other act, but that of William's forced homage, renounced by King Richard.

As to the passages extracted from the papal bulls, they could amount to no proof, since the Scots did not deny that their kings were vassals to England for the earldom of Huntingdon, and other lands, on the frontiers. But they denied them to be so for the kingdom of Scotland, which the bulls did not affirm.

These answers are not arguments made for the Scots. The greatest part are these which Boniface VIII. used in his letter to Edward, to dissuade him from any attempt upon Scotland, as will be seen hereafter. Let us return now to the decision of the affair of the succession[3].

A. D. 1292] The day appointed by Edward being come, all the candidates, with the fourscore examiners, repaired to Berwick, where Edward was present. At the first meeting, the King of Norway's ambassadors appeared, and demanded the crown for the king their master, father of the late queen. Their petition being received after a recognition of the King of England's direct dominion over Scotland, those of the other competitors were read, each in its turn, and the commissioners began to examine them. But Edward, says the journal, considering this examination would be very tedious, and consequently prejudicial to Scotland, took another course. He moved, and his motion was approved, that the rights and titles of John Baliol and Robert Bruce should be first examined, without prejudice of the others, which should be afterwards discussed.

The first question which was put, was, by what laws and customs judgment was to be given? And upon this Edward would have the previous advice of the examining commissioners. It was not possible for them to agree in deciding this point. After long debates, they told the king, they could not give him their advice, without further deliberation, and desired him to add to them, the four and twenty English, according to the agreement. This expedient did not promote the decision. The English commissioners reported to the king, that the Scots were so divided in opinion, concerning their own laws, that it was very difficult to settle so disputable a point. Adding, they durst not themselves, for that reason, give him any advice upon so nice a question. These difficulties determined Edward to give a longer time, and appoint the 14th of October following for the day of the first assembly.

The commissioners being met at the time appointed, Edward asked them these three questions.

1. By what laws and customs judgment was to be given?
2. How he was to proceed, in case the customs of England and Scotland should be uncertain, Or opposite?
3. Whether judgment was to be given concerning the kingdom of Scotland, otherwise than concerning earldoms, baronies, and other fees of the crown of England?

The delay granted by Edward, had given the examiners new light. They who could not agree upon the first question in August, were- unanimous in October. To the first they made answer ; that in case there were any certain laws or customs in the king's dominions, by them he ought to proceed. To the second, that if in his territories there was no certain law, he might establish a new one. To the third, that the kingdom of Scotland was to be judged in the same manner as other indivisible fees.

Edward, upon these decisions, ordered Bruce and Baliol to be called, and asked, whether they had any thing to say, to strengthen the reasons alleged in their petitions. They replied, they desired to add something further by word of mouth, and Bruce began first. His reasons were confined to these four:—

1. That the succession of a crown, ought to be settled by the natural right by which kings reign, and not by the laws common to subjects, and, according to natural right, the nearest ought to succeed.
2. That for the same reason, though private inheritances were divisible, and the eldest had some privilege by the laws observed among subjects, it was not so with regard to a kingdom, to which the next heir ought to succeed without any division.
3. He maintained, that in Scotland, the crown had been adjudged for the collateral branch, preferably to the direct, and the succession, in the family of the eldest, was not so established, as to be justly prejudicial to him, since in that very kingdom, brothers had several times been preferred to sons.
4. He took it for granted, that though he was in the same degree as Devergul, he ought however to succeed, because he was the next male heir.

John Baliol answering in his turn, founded his right on the genealogy of the royal family, and spewed he was descended from the eldest of the daughters of David Earl of Huntingdon, whereas Bruce sprung only from the second. He replied to the reasons of his competitor, and maintained, that the custom, as well of England and Scotland, was, that the descendant of the eldest daughter, though more remote, was preferable to the nearer coming from the younger.

As to what Bruce alleged, concerning natural right, and the right of kings, he answered, it belonged to the King of England to decide that, as immemorial sovereign, and direct Lord of Scotland.

As for the instances, produced by Robert, of brothers preferred to sons, he affirmed, it was never done in Scotland, but by way of usurpation and violence. That, when such, a thing happened, the Kings of England, as sovereigns, rectified it, by placing the son on the throne. To prove his assertion, he alleged the example of Edgar, whom William Rufus put in possession of the crown, usurped by Donald. Lastly, he maintained, that supposing what Robert advanced was incontestable, it could be no advantage to him. Indeed, it appeared from thence, that sometimes the nearer was excluded, to make room for the more remote, a brother being undeniably farther removed than a son.

This affair being thus cleared, and the reasons of the two candidates examined, the king put the question in this manner: Whether the more remote by one degree in succession, coming from the eldest sister, ought, according to the laws and customs of both kingdoms, to exclude the nearer, by a degree coming from the second sister.

The commissioners unanimously answered, that, according to the laws and customs of both kingdoms, the descendants of the eldest daughter were to be preferred. It might be justly demanded, to what purpose then was the discussion of the preliminary questions, since the laws of both kingdoms were so express in favour of the principal, if it had not been already remarked, that they were subservient to the private interests of Edward. Notwithstanding the formal decision of the commissioners, the king, affecting to shew that he acted without passion and partiality; caused the same question to be again long debated in his presence, and appointed the 6th of November following, to pronounce the final sentence.

On that day, Edward solemnly pronounced, that Robert Bruce's pretensions were ill grounded, and the laws allowed him no right to the crown of Scotland. But as the exclusion of Bruce did not necessarily import the admission of Baliol, since there were other competitors, the king ordered the examiners to hear the rest of the parties. Robert Bruce finding himself excluded by this sentence, declared, he had another right which he would prosecute, and justify, in another form, his pretensions to part of the kingdom. Then he presented his petition, which was admitted.

The affair between Baliol and Bruce being ended, John Hastings stood up and maintained, that Scotland being a fee of England, had no more privileges than other fees, which were all inferred from thence, that the kingdom of Scotland ought to be divided among the descendants of the daughters of David Earl of Huntingdon, the youngest of whom was his Mother. He was immediately seconded by Robert Bruce, who appeared again, and said, he claimed a third part of the kingdom, as son and heir to David's second daughter.

Whereupon Edward put these two questions:—

- 1) Whether, the kingdom of Scotland was partible fee?
- 2) Or whether, not being so, the escheats and acquisitions, made by the kings of Scotland, were to follow the law of common inheritances.

The unanimous advice of the king's council, and the commissioners was, that the kingdom of Scotland was an indivisible fee, and that the king's acquisitions in the kingdom itself, ceased to be partible, the Moment they came into his hands. After this decision, Edward appointed the 17th of November, to pass sentence.

The commissioners being met, in full Parliament, on the day appointed, the king ordered all the candidates to be asked, what they had to say in defence of their rights. The ambassadors of Norway, Florence Earl, of Holland, William de Vescy, Patric de Dunbar, de Ros, Robert de Pynkeny, Nicholas de Soules, and Patric Galythly, declared they did not intend any further to prosecute their claims, and withdrew their petitions. Upon this declaration the king pronounced, they had no pretensions to the crown of Scotland.

John Comyn, and Roger de Mandeville, not appearing to Maintain their claims, they Were likewise rejected. After which he pronounced, that John Hastings, and Robert Bruce, had no right to the third part claimed by each, because the kingdom of Scotland could not be divided.

None remained but who being without a competitor, since the others were rejected, was acknowledged: as the only person that had a right to pretend to the crown. Accordingly, Edward adjudged, that he should he put in possession of the kingdom, saving however to himself and successors the right of prosecuting their pretensions to the same kingdom, when ever they thought proper.

The process being thus ended, Edward dispatched all necessary orders to put Baliol in possession of the kingdom and the new king swore fealty to him on the 20th of November. In the oath he acknowledged the sovereignty of the King of England over Scotland in very express and submissive terms, and caused an authentic act of the same to be drawn up. His installation was performed at Scone with the usual formalities, and all the Scotch lords took the oath to him, except Robert Bruce, who was absent.

Which done, he came to Newcastle upon Tyne, where he did homage to the king, in such expressions as it was not possible to add any thing to denote more fully his dependence. The Scots pretend, that Edward acted very unjustly in the whole course of this affair, and that his conduct throughout was a continued series of artifices, corruption, and violence: that indeed he had before some pretension to the sovereignty of Scotland, but it was so ill grounded, that he

would never have thought of prosecuting it, if the state of the kingdom had not furnished him with an opportunity: that being chosen judge, or rather umpire of the difference between the two candidates, he abused that trust to serve his own interests, at the expense of the liberty of the Scots.

They agree to the facts related in the journal; but affirm, that by promises and threats, he privately engaged the commissioners blindly to follow his directions. They said, that his chief aim being to make the person who should be declared King of Scotland, vassal of the crown of England, he intimated to the two competitors, that they had nothing to hope for, unless they would first own him for sovereign of the kingdom. To engage them, say they, to this acknowledgment, he himself raised up all the other candidates, who entirely depended upon him, on purpose to breed difficulties, which might convince Bruce and Baliol, how much they needed his favour.

It is not to be thought strange that the competitors should be ready to do whatever he desired. The two principal were afraid, their opposition would deprive them of the crown, and the rest put in their claims only in obedience to his orders, or for his pleasure. It is further affirmed, that before the pretensions of the parties came to be examined, Edward had resolved to give the crown to Baliol, who was of an inferior genius to Bruce, and of less credit in the kingdom.

Buchanan says upon this occasion, that Edward offered the crown first to Bruce, if he would promise to do him homage; and upon his refusing it on that condition, Edward turned to Baliol, who immediately accepted his offer. And to the invincible argument, which the English pretend to infer from Robert's consent and hand, to the acts and declarations made by the candidates before they presented their petitions, the Scots reply, it was not impossible, but Robert might at first refuse the crown on the Condition required, and afterwards perceiving how detrimental his refusal might be to him, was induced to comply.

It is true, he did not much promote his cause by that means, since his refusal made a deeper impression on Edward, than his compliance could afterwards do. They add, it is impossible to avoid seeing, in the journal itself made by Edward's order, that, notwithstanding the great show of impartiality throughout, that prince favoured the cause of Baliol.

In the first place, the arguments of Robert Bruce are very much abridged, and may be said to be disadvantageously set forth. In the next place, immediately after Robert's exclusion all the rest of the competitors, except Baliol, relinquished their pretensions, even to the ambassadors of Norway, who, very likely, had private orders to act as directed by Edward.

This plainly discovers the reason, why Edward would have the examiners begin with discussing the right of Bruce and Baliol; because, when that business should be decided, he had no farther need of the others. The affected absence of Baliol is likewise observed, on the day that the other competitors acknowledged the sovereignty of the King of England, that he might not be afterwards reproached, when he should be on the throne, for being the first to introduce that innovation, intending to create a belief, that he only followed those who went before him.

The sole end of all Edward's proceedings, say they, was to establish a right which he could never have supported at any other juncture, and which belonged not to him. It may be mentioned here, in favour of the Scots, that the collection of the public acts affords a strong proof; that the Kings of Scotland never did homage for the whole kingdom, if we except that of William to Henry.

We find in the collection, that Edward's high-chamberlain demanding of Baliol, the fees due from the vassals when they did homage, there was no precedent to be found. So that Edward was forced to fix them himself to twenty pounds sterling, which was double the sum paid by an earl on the like occasion.

A. D. 1293] Before Edward left Newcastle, an opportunity offered to exercise his new right, which he failed not to embrace. A townsman of Berwick complaining to him of an injury done him, as he pretended, by some English commissioners sent into Scotland, Edward ordered the affair to be tried in England, by his judges.

The council of Scotland, looking upon this proceeding as a breach of the King of England's promises, sent some of their members to represent to him, that he had engaged, that the pleas of things done in the kingdom should not be drawn out of it. Edward thought this remonstrance very unreasonable. He replied, that the affair was of such a nature, that he could not permit it to be tried any where but in his own courts, since it belonged not to vassals, to punish the misdemeanours of those that represented the person of the sovereign.

To prevent the like complaints for the future, he sent to the council of Scotland the following declaration: that if, during the vacancy of the throne, he had made the Scots any such temporary promises, he had punctually observed them; but did not intend to be restrained by such promises now there was a King in Scotland; and would admit and hear all complaints, and all business concerning that kingdom, where and when he pleased.

He repeated his declarations, some days after, in his own chamber, before Baliol, and a great number of lords of both nations: adding, he would call the King of Scotland himself to appear in England, whenever he thought convenient. The warmth wherewith he spoke, stopped the mouth of Baliol, who, being in his power, thought it not proper to make any answer. Two days after, he was forced to renounce, by letters patent, for himself and successors, all the promises, concessions, and ratifications made by the King of England, during the vacancy of the throne of Scotland; and to approve whatever Edward had done during that time.

In return for this renunciation, Edward gave him a writing, whereby he acknowledged, he had no other right to the kingdom of Scotland but that of homage. Moreover he promised, for himself and successors, not to claim the wardship and marriage of young nobles.

This first step of Edward was sufficient to convince the Scots, of his resolution to stretch his prerogative to the utmost. But it was not long before he gave them more substantial proofs. A merchant of Gascoigne presented a petition to him, setting forth, that Alexander III. late King of Scotland, was indebted to him in a certain sum, (£2197, 8s. sterling) still due to him, notwithstanding all his solicitations to the new king for payment: that therefore he applied to him, as sovereign of the King of Scotland, for justice. Edward eagerly embracing this opportunity of exercising his right, summoned the King of Scotland to appear at Westminster the morrow after Ascension day, to answer in person the complaints brought against him by the merchant. This first summons bears date the 8th of March, about two months after Edward's departure from Newcastle.

Eight days after, he sent a second summons to Baliol, upon the following occasion. Whilst he was still at Berwick he had ordered the regents of Scotland to put Macduff Earl of Fife, in possession of certain lands claimed by that earl. These orders had been executed before Baliol's coronation, whilst Edward was still master of Scotland. In the first Parliament held by the new king at Scone, the Earl of Fife was accused of unjustly taking possession of these lands, the custody whereof belonged to the king.

This was properly accusing him of an affected over hastiness, in applying to the King of England, and of not staying till there was a king on the throne of Scotland. Upon this charge, the Parliament ordered him to be imprisoned. Some time after, the earl being released, carried his complaints to Edward; and thereupon the King of Scotland was again summoned to appear before Edward, wherever he should be, the day after Trinity Sunday.

The 15th of June following, the king took a fresh occasion to summon Baliol. Whilst he was at Newcastle, he had ordered Walter de Huntercombe, governor of the Isle of Man, to put Baliol in possession of the isle, which was accordingly done. Shortly after, a lady named Austrica, claiming that isle, demanded it of the King of Scotland; and her demand being rejected, she complained to Edward. Upon her complaint, Baliol was again summoned to appear in person, fifteen days after Michaelmas, in whatever place the king should then be. Moreover, Edward ordered the sheriff of Northumberland to notify this summons to the King of Scotland himself, before witness.

A few months after Baliol received another summons. David King of Scotland had formerly granted to the monastery of Reading, in England, a certain priory, held of the bishopric of St. Andrew's. Afterwards the priory was alienated by the abbot of Reading, to the bishop of St. Andrew's. The successor of this abbot, willing to recover the priory, pretended the alienation was made against the consent of the majority of the monks, and thereupon presented a petition to the king. The bishop being informed of it, appealed to the Pope; and his appeal was admitted by the court of Scotland. Upon the complaints made to Edward by the abbot of Reading, about admitting the appeal, Baliol was again summoned to appear in person, fifteen days after the feast of St. Martin.

A year after, Edward took occasion to treat this prince in the same haughty manner, by commanding him to appear before him to answer for himself, for denying justice to the bishop of Durham, in an affair concerning his diocese.

So many different summons, upon such slight occasions, and upon the bare complaints of private persons; made the new King of Scotland perceive, that he was become rather the slave than vassal of the King of England. However, as he had taken no measures to throw off the yoke, he durst not but appear, to answer to these several accusations. Buchanan pretends, it was by accident that Baliol happened to be present in the Parliament of England[4], when the Earl of Fife brought his complaints against him: but others affirm, it was in obedience to the summons. Be this as it will, he was accused before the Parliament, of denying justice to and imprisoning the Earl of Fife[5].

He would have answered by a proctor, but was not permitted, and so was obliged to stand at the bar like a private person. This was a great mortification for a crowned head; but Edward was bent upon humbling him, and making the Scots feel the whole weight of their dependence being thus constrained to answer in person, alleged; as the accusation entered against him concerned his crown, he could not answer to it, without first advising with his subjects. His excuse not being deemed valid, the Parliament ordered, that three of his principal castles should be seized into the king's hands, till he gave full satisfaction.

The English authors affirm, that before this sentence was pronounced, Baliol presented a petition, acknowledging the sovereignty of the King of England over Scotland, and praying Edward to allow him time to consult his Parliament. As soon as he had stooped so low as to petition, his demand was granted, and a certain day was assigned him to appear. He withdrew, incensed to the last degree at the affront he had received, and bent upon trying all means to free himself from so intolerable a yoke[6].

A. D. 1295] The war which broke out, at the same time, between France and England, put Baliol in hopes of a favourable juncture to free himself from the subjection he was under. A private quarrel between some English and French mariners, was the occasion of this rupture. At the same time, it gave the King of France a pretence to summon Edward before the court of Peers, and an opportunity to seize Guienne by a stratagem, the particulars whereof will be seen hereafter.

Before the war was proclaimed, Edward endeavoured, by way of negotiation, to recover that dutchy from the King of France. But Philip, who was not ignorant of the King of Scotland's

designs, prolonged matters till that prince declared his intentions. During the negotiation, Baliol sent ambassadors to France, on pretence of renewing the ancient alliance between the two nations: but his real design was to enter into a strict union with Philip, by the marriage of his son Edward with a daughter of the Earl of Valois, brother to that monarch. How privately soever this negotiation was carried on, Edward had intelligence that some plot was contriving against him at Paris. Accordingly, to prevent the King of Scotland's designs, he demanded of him the castles of Berwick, Jedburgh, and Roxborough, promising to restore them as soon as matters were adjusted with France.

But without rejecting entirely this demand, Baliol found means to gain time[7], whilst he continued to take measures to throw off the yoke of the English. When his ambassadors had concluded with France the proposed league, he thought it time to declare. He was strongly solicited to it by Philip, who, knowing Edward was preparing for war, was desirous to raise him troubles at home that might hinder him from thinking on means to recover Guienne. Baliol had been long in suspense, on account of his oath to the King of England. But to remove this scruple, Philip procured him the Pope's dispensation.

So, finding himself secure from the church's censures, which were then very formidable, and having no further uneasiness on account of his oath, he thought nothing should any longer retard him. Edward, surprised at this resolution, which quickly came to his knowledge, formed the design of relinquishing his affairs in France, and employing his preparations against Scotland.

He considered that Baliol's revolt gave him a plausible pretence to make himself master of that kingdom, the conquest whereof would be of much greater importance than Guienne. Instead therefore of embarking his army for France, as he had intended, he marched directly (March 1,) for Scotland. Mean time Baliol, who. depended upon the assistance promised by the King of France, sent to the King of England the superior of the Cordeliers of Roxborough, to deliver a letter into his own hand.

In the letter he complained of the frequent injuries received from him; of the many summons issued upon very slight occasions, and upon the bare petitions of private persons; and in conclusion, declared, he would be no longer his vassal. This letter served only to exasperate Edward still more, who, confirming his march towards Scotland, and seeing his affairs in France in a very ill situation, resolved to make a conquest of that kingdom.

A. D. 1296] Edward was advanced as far as Newcastle, with intent to besiege Berwick, which was, as it were the key of the two kingdoms, and for that reason of all places most liable to the sieges and surprises of both nations. For this purpose; he had sent a fleet to sea, with strict orders to prevent any thing approaching the town he intended to besiege. But the fleet was surprised by the Scots, who burnt and sunk eighteen ships. At the same time, they gained another advantage over some English troops, who being advanced to seize a certain post, were cut in pieces, with the loss of above a thousand men.

These successes; which encouraged the King of Scotland; served only to stir up Edward to revenge, and oblige him to exert his utmost to subdue a people who appeared so resolute to shake off his yoke. Edward, well knowing, that Bruce's faction had submitted only by force to the judgment pronounced in favour of Baliol, believed it might be of great service, could he persuade Bruce to join with him. To that end, he offered. him the crown, provided he declared against Baliol. Robert accepted the offer with joy, and strengthened Edward's party with a great number of friends, who had only out of fear, taken the oath to Baliol.

After taking these measures, Edward entered Scotland, and laid siege to Berwick. As this place was very strong and well garrisoned, he was apprehensive of meeting a resistance which would give Baliol time to prepare, and the Scots in general an opportunity of uniting together, to free themselves from a danger that equally threatened them all. So nothing could be more to his

advantage, than speedily to become master of Berwick, in order to advance into the heart of the kingdom, and break the measures of the Scots. This made him resolve to use stratagem, to compass his designs in less time. To that end, after assaulting the town several days; he suddenly raised the siege. At the same time, by means of some soldiers, who, pretending to desert, threw themselves into the town, he caused a rumour to be spread, that the King of Scotland's approach to their relief, obliged him to retire. This rumour was quickly followed by the false news of Baliol being but a league off, ready to enter the town.

Upon this intelligence, the soldiers and townsmen sallied out in crowds to meet him, imagining Edward was now at a distance. This headless multitude, falling into an ambush, and endeavouring to retreat with precipitation, were so briskly pursued, that the English entered pell-mell into the town, and made a great slaughter. It is said above seven thousand Scots perished on this occasion. Edward being thus master of Berwick, marched (in April) to Dunbar with design to besiege it. He had scarcely arrived before the town, when he heard of Baliol's approach at the head of a numerous army.

Though he did not expect the Scots could be ready so soon, he gladly received the news, in hopes of obtaining a victory that would render him master of the whole kingdom. Baliol advanced on his part with equal ardour, bent upon deciding by one battle, whether he should be free or a slave. The two armies engaging, fought a considerable time with great bravery, though not with the same fortune. The Scots were at length forced to give ground, after losing the best part of their troops. Their loss in this action is said to have amounted to above twenty thousand men, a loss so great and astonishing, that they were not able for a long while to oppose the progress of the conquerors.

After this great victory, Edward immediately returned to Dunbar, whose gates were opened to him. Then, without giving his enemy time to breathe, he marched to Roxborough, of which he became master with the same ease. Presently after he approached Edinburgh, the castle whereof was surrendered in eight days. From thence he went and seized Stirling, Perth, and all the considerable places in general. In a word, before the end of the campaign, he was so much master of all Scotland, that Baliol and the whole nation had no other remedy but to submit to his mercy. And upon that condition he granted them peace.

The King of Scotland came to him at Kincardin (July 2^{dn}) and appearing before him with a white rod in his hand, resigned his kingdom to him, to be disposed of according to his pleasure. This resignation was drawn up in form, and signed by Baliol, and the greatest part of the barons of Scotland, and sealed with the Great Seal of the kingdom.

To confirm this new acquisition, Edward ordered the states of Scotland to assemble at Berwick, where all the nobility, and officers of the kingdom, swore fealty to him; and delivered up all the castles and places they were still in possession of. Among the Scotch nobles, William Douglas was the only person, that could never resolve to swear to a prince, who had no right to Scotland, but what force gave him. This refusal drew on him the indignation of Edward, who commanded him to be conducted to England, and kept him in close confinement, where he ended his days, without his misfortunes being ever able to bring him to acknowledge Edward for his Sovereign. Baliol was likewise sent into England, and confined at first in the Tower of London;

but was afterwards removed to Oxford. Other Scotch lords, whom Edward judged necessary to secure, were shut up in several prisons in England; and if he left some their liberty, it was on condition they should keep in the southern parts, without ever passing the Trent, on pain of death. He might easily have been crowned King of Scotland; but his intention was not, that the two kingdoms should remain any longer divided. He had a mind to unite Scotland to England, as he had done Wales; and make but one kingdom of the whole island of Britain. This evidently appeared from his removing into England the crown and sceptre of Scotland, with all the rest of

the Regalia, and every thing that showed the least sign of the liberty hitherto enjoyed by the Scots. But it was not so easy to blot out of their minds, the remembrance of their dear liberty.

He did not forget to cause the famous stone, on which the inauguration of their kings was performed, to be conveyed from Scone. The people of Scotland had all along placed in that stone a kind of fatality. They fancied, that whilst it remained in the country, their state would be unshaken; but the moment it should be elsewhere removed, great revolutions would ensue. For this reason, Edward carried it away, to create in the Scots a belief, that the time of the dissolution of their monarchy was come, and to lessen the hopes of recovering their liberty[8]. But how much soever they were attached to this fatal stone, they had a greater loss on this occasion.

The burning of their records, by Edward's order, was to them and their posterity an irretrievable loss. Besides these precautions, Edward took care to secure his conquest, by placing English garrisons and governors in all the castles; and, leaving John Warren, Earl of Surrey and Sussex, to command in Scotland, returned in triumph to England.

After seeing the first war with Scotland ended, it is time to consider what was doing in France. Since the treaty between St. Lewis and Henry III. the two nations had lived in a good understanding, when a quarrel between two persons of little consideration, gave occasion to the two monarchs to take arms. A Norman pilot, and an English mariner, quarrelling in a port in Guienne, the pilot chanced to be killed. Whether the magistrates of the pilot neglected to bring the murderer to justice, or he was not in their power; the Normans finding, that the murderer of their countryman was left unpunished, resolved to be revenged.

To that end, surprising an English vessel, they hanged up the pilot at the yard-arm. These reprisals occasioned others on both sides, so that the English and Normans made fierce war upon each other, wherever they met, even to the plundering each other's ships, when it was in their power. For some time, it was only a private war, in which the two kings were not concerned. But some English ships happening to meet a Norman fleet, laden with wine, carried them to England.

The owners complaining to the king of France, he demanded restitution of the ships and goods, and immediate satisfaction for the outrage, Edward not returning speedy answer, Philip the Fair, who was of an extreme haughty temper, summoned him to appear in person before the court of peers, to answer to the complaints brought against him. This summons was issued in 1294, about the same time that Edward cited the King of Scotland, for very trilling matters, Edward, not thinking proper to appear in person, sent Prince Edmund his brother to Paris, to answer for him; With orders to avoid as much as possible, engaging him in a war with France.

Accordingly, the prince was fully empowered, to give the King of France all the satisfaction he could reasonably desire. Edmund found the French monarch extremely incensed, and full of threats. After several attempts to enter into treaty, his negotiation seeming to him entirely fruitless, he resolved to return home. As he was ready to depart, the two Queens, Mary of Brabant, widow of Philip the Hardy, and Joanna: of Navarre, wife of the present king, entreated him to renew the negotiation with them.

The great desire they expressed of procuring a firm peace between the two kings, and Edmund's instructions from the king his brother, easily induced him to consent to the proposal. The two queens represented to him, that Philip was extremely offended at the affronts received from Edward's subjects; and particularly from certain persons of Guienne, against whom he was incensed to the last degree: that therefore it was impossible to come to a good agreement; unless a reasonable satisfaction, was given him. They added, as the king's honour was concerned in the affair, there was no other way to appease him, but by Edward's making him a public reparation, to show the world, that he disclaimed what was done by his subjects. To that end, they proposed that Xaintes, Talmont, Turenne, Puymirol, Penne, and Monflauguin, together with the persons complained of, should be delivered to Philip. But as the satisfaction seemed unreasonable, they

intimated to Edmund, that it was only for form's sake; and Philip would engage to restore the towns and persons, upon their own request. Moreover they promised, that as soon as the king's honour was safe by this reparation, he should revoke the summons, and give Edward a safe-conduct to come to him at Amiens, where he would receive his homage. Edmund consented to all these proposals, provided the two queens would sign them in writing, and promise with an oath, that the particulars agreed upon, should be punctually performed.

This treaty, which was signed by the two queens, and for the King of France's honour was to be kept secret, was sent to Edward, who seemed well satisfied. He was chiefly intent upon what concerned Scotland, and in all probability his many summons to Baliol on trifling occasions, were intended only to cause him, to rebel, in order to have an opportunity to punish him. Besides, whilst this affair was negotiating at Paris, he made himself master of Scotland, so that, as a war with France, at such a juncture, could not but greatly embarrass him, he was very glad to give Philip a seeming reparation, which in the main was no prejudice to him.

Finding therefore, the French King was contented with an appearance of reparation, he resolved to give it him more fully than was even desired, in order to be more sure of a peace with France, so necessary for him. To that end, he gave Edmund power to deliver to the King of France all Guienne, with its metropolis, and sent positive orders to the Seneschal to obey the prince's command, without an exception.

Edmund acquainting the King of France with the orders he had received, declared he was ready to execute them; but on condition that, in the presence of creditable witnesses, the king would promise with his own mouth, to perform the articles signed by the two queens. Philip was very willing to give him that satisfaction, and going into a certain room attended by the Duke of Burgundy, gave his royal word, before the same duke, the two queens, Blanch of Navarre, wife of Edmund, and the English ambassadors, to perform that treaty.

At the same time, he revoked with his own mouth Edward's summons, and ordered the revocation to be published in open hall, by the Bishop of Orleans. Edmund thinking himself secure on that side, ordered the Seneschal of Guienne, to deliver the dukedom to the person that should be empowered by the King of France. Ralph de Nesle, constable of France, was commissioned to take possession of Guienne in Philip's name. The seneschal would have proceeded with caution, and not delivered up the province, but on the terms of the treaty, of which Edmund had informed him. But the constable refused to be tied to any conditions, alleging he knew nothing of the treaties between the two kings, and was ordered only to take possession of Guienne in his master's name. Then he demanded the persons agreed upon, and sent them to Paris.

All the articles being more than performed on the part of England. Edmund demanded the restitution of Guienne, and the persons, stipulated in the secret treaty. To which it was answered, that his demand should be examined in the king's council. At the same time Philip sent him word, not to be surprised, if he gave him a harsh answer before the council, on account of some members who were not in the secret; but as soon as they should be gone, he would give him entire satisfaction. Edmund relying upon his word, appeared before the council, where Philip was present, and demanded the restitution of Guienne, to which that monarch roughly replied, "he would not restore it."

This answer not surprising the Prince, who expected it, he withdrew into the next room, waiting for the performance of the king's promise, and was left there some time, without any other answer. At length the Bishops of Orleans and Tournay, came and told him, it was in vain to wait any longer, for the King would, not be solicited any more upon that affair. Some days after, Philip came to the Parliament, without acquainting Edmund, and ordered the King of England to be publicly cited, to appear and answer to the articles exhibited in the summons. Edmund not being then in the palace, Hugh de Vere, and John de Lacy, Edward's ambassadors, entered, and said, it was not then expected that this affair would be decided in court, but according to the treaty,

especially as the summons was revoked. This excuse not being admitted, they were dismissed; and though they desired only till the next day, to consult with the king's brother, they could not obtain that delay. So the court decreed the confiscation of Guienne to the King of France.

How great soever Edward's vexation might be, to see himself thus cheated by Philip, he chose rather to leave Guienne in the hands of that prince, than relinquish the war with Scotland, which to him seemed of greater importance. Besides, he was sensible, before he engaged in a war with France, it would be necessary to prevent the diversion the Scots might make on the frontiers of the north. For this reason he was contented with sending his brother Edmund into Guienne, with few troops, his sole aim being to keep Philip employed in those parts, for fear of his assisting the Scots. The superiority of the Earl of Valois's forces, obliged Edmund to shut himself up in Bayonne, where he died in 1296. The Earl of Lincoln, (Henry de Lacy,) who took the command of the English troops, besieging Dacs, was forced to make a hasty retreat, upon the approach of the Earl of Artois, who was advancing to raise the siege.

It was not in Gascogne that Edward intended to exert his utmost against France. He perceived it very difficult to recover a province so remote from England, and where he had no other place but Bayonne. His design was to attack Philip in Flanders, where the situation of affairs seemed to promise him better success. The Earl of Flanders's circumstances obliged him to seek for protection against France; and he could find none so near or so ready as that of the King of England, who burned with desire to be revenged.

The occasion of the earl's difference with Philip was this. In the year 1284, Guy Earl of Flanders quarrelled with the men of Ghent, on account of the government of their city, which they pretended he had nothing to do with. In the reign of Philip the Hardy, this affair was brought before the Parliament of Paris, who passed sentence in favour of the earl; and fined the Magistrates.

Guy took this occasion to be as troublesome as possible to the inhabitants of that city, which they highly resented. When Philip the Fair ascended the throne, things had another face. Philip, perceiving the quarrel between the earl of Flanders and the people of Ghent offered him a favourable opportunity to make an advantage of their discord, was unwilling to neglect it. Wherefore, he privately sent word to the magistrates of Ghent, that if they would renew their process against the earl, he was ready to do them justice

The affair being once more brought before the Parliament of Paris, the authority of the thirty-nine magistrates or governors, abolished by the former decree, was re-established in Ghent. The earl, though extremely offended, durst not immediately show his resentment; but resolved to take measures to strengthen himself against Philip, regarding him as an enemy, whose designs he ought to prevent. Some time after, he set Robert de Bethun his son to work, who, by secret insinuations, persuaded the cities of Flanders to fortify certain places, contrary to the tenor of the treaties with France; assuring them, they would meet with no opposition from the earl his father.

Guy's aim was to set the cities at variance with France, lest Philip should excite them against him. Philip was informed of the share the earl had in this affair; but, as he was then otherwise employed, he did not think proper to discover the resentment, either against the cities which had violated the treaties, or against their adviser. Meanwhile, his very silence made the earl sensible, he was to expect an attack some other time. Things continued thus for some years. Philip dissembled his anger, and Guy continually thought of means to prevent its effects.

During these transactions, the rupture between France and England happened to break out. Though Edward used all possible means to avoid war, by the negotiation at Paris, he believed that whatever fell out, he ought to secure the assistance of the earl of Flanders, whose discontent was no secret to him. With that view, he demanded his eldest daughter in marriage for Prince

Edward his son. This negotiation, though secret, came to Philip's knowledge and gave him great uneasiness. But he concealed it, lest by showing it he should deprive himself of the means to prevent an alliance so prejudicial to France.

To compass his ends, he, upon some pretence, drew Guy and his countess to Paris, and kept them prisoners. It was a sort of favour that he gave them their liberty, on condition they delivered their daughter in hostage, and promised to break their alliance with Edward, on pain, of excommunication. Guy was no sooner in his dominions but he attempted all means to recover his daughter from Philip. But it was not possible to succeed. Philip was too apprehensive of the earl's union with England, voluntarily to let go the pledge he had in his power.

A. D. 1297] Whilst these things passed, the affairs of Scotland, which wholly employed Edward, afforded him neither leisure nor opportunity to think of his projected war against Philip. But as soon as matters were as he wished them, he turned all his thoughts to revenge. He sought means to form beyond sea a strong league against France, and though it seemed a difficult matter, failed not to accomplish it. Besides the Earl of Flanders, Adolphus of Nassau, newly elected emperor, Albert Duke. of Austria, the Archbishop of Cologne, and several other Princes of Germany, the Duke of Brabant, the Earls of Holland, Julius, and Luxemburgh were engaged in the league, by the great sums Edward was to furnish them with.

All these princes, proud of their number and strength, sent cartels of defiance to Philip. Whilst Philip was preparing to repulse this attack; Edward was using all possible endeavours to procure the money he wanted extremely, on account of his engagement with the confederate princes. To that end he assembled the Parliament at St. Edmundsbury, and obtained. an aid of the eighth part of the moveables of the cities and boroughs, and a twelfth of the rest of the laity.

This example could not influence the clergy. They pretended they were exempted from giving aid to the king, by virtue of a bull sent the last year by Boniface VIII. to the Archbishop of Canterbury, which he had kept without making it public. By this bull all ecclesiastics were expressly forbidden to pay any tax to the secular princes without the consent of the Holy See. The clergy's refusal extremely provoked the king. Nevertheless before he proceeded to violent methods, he caused it to be represented to the principal members, that since they possessed fees in the kingdom; and enjoyed the protection of the laws, as well as the rest of his subjects, it was but reasonable they should, contribute to the public expenses.

But these remonstrances were ineffectual. When he found he could not prevail, he commanded all the lay-fees possessed by the clergy to be seized, and their whole body to be thrown out of the protection of the laws; expressly forbidding his Judges to do them justice, in any case whatever[9]. So bold a step astonished the clergy.

If Edward had been like his father or grandfather, perhaps that powerful body would have found, in the people's discontent, a means to make the king repent of his boldness. But as they perceived it would be difficult to stir up the people, they did not think proper to exert their endeavours, which probably would be to no purpose. So that some speedily compounding with the king for the fifth part of their goods, their example drew in the rest, the Archbishop of Canterbury was treated more severely, as he was not only the first adviser of the clergy's refusal, but persisted in it more obstinately than the others. The king ordered all his estates to be seized, with the revenues of the monasteries of his diocese, and committed the management of them to officers, who left the monks no more than was absolutely necessary for their subsistence.

In all appearance, this was to punish them, for too warmly adhering to their archbishop. The king's resolution at length made that prelate stoop, who to recover his sovereign's favour, gave him a fourth part of his goods. Shortly after, on much the same occasion, the lay lords showed more steadiness than the prelates, though against the same Prince. To execute this grand project, he assembled the nobility at Salisbury, on purpose to see exactly what troops each baron could

furnish him with[10] His intention was to make a powerful diversion in Guienne, whilst he pressed the enemy on the side of Flanders.

But it was difficult to find lords that would serve, but where he commanded in person. Every one desired to be excused serving in Guienne, though they were willing to furnish the troops. Edward, not satisfied with their excuses, threatened to give their lands to such as would be more obedient. These menaces raised great commotions among the nobles. They were far from thinking their lands at the king's disposal. Humphrey Bohun high-constable, and Hugh Bigod Earl of Norfolk and marshal of England, more bold than the rest, plainly told the king, they were ready to follow him where he commanded in person, and not otherwise.

The marshal added, he was willing to lead the van-guard under the king, as his office obliged him, but would not serve under any other, to which none had a right to compel him: The king answered in a great passion he would make him go. To which the other replied, he should not. "By the eternal God, Sir Earl," said the king then in great rage, "you shall either go or hang." "By the eternal God, Sir King," replied the earl, "I will neither go nor hang;" and immediately withdrew without returning.

Edward had seen, in the king his father's reign, frequent and fatal instances of the insolence of the barons. He knew too well their great union in the defence of their privileges, to hazard his reputation and quiet in a war against them. A quarrel of that nature must have been very prejudicial to him:, as well as to the whole kingdom. The least inconvenience that could happen, was, losing tire opportunity of being revenged of the King of France. As the barons stood disposed, it was scarcely to be doubted, but they would have all joined against him, if he had undertaken openly to chastise the insolence of those that dared to Withstand him to his face.

He had still farther reason to be confirmed in this belief, when he heard that, dreading his resentment, they began to raise troops in their defence, in case he designed to attack them. However, it was not long before he found a favourable juncture to correct the boldness of the two earls, by turning them out of their posts, because they refused to do something belonging to their offices, for fear of falling into his hands.

Just as he was going to embark for Flanders, he received from the bishops, earls, barons, and commons of the realm, a long remonstrance, containing a list of the grievances of the nation, and several violations of the Great Charter. This proceeding made him sensible that he must act with deliberation, for fear of provoking a nation, which seemed ready to take fire upon the first occasion. He returned therefore a very gracious answer to the remonstrance, and promised upon his honour, to redress, at his return, all the abuses complained of.

He desired the nobles to be quiet during his absence, assuring them, he would give them entire satisfaction. As it was not less necessary to appease the people, exasperated by the secret practices of the two earls, he published a proclamation to justify his conduct, and show his reason for turning out these two great officers. He expressed likewise great sorrow for having put his subjects to vast expenses for the maintenance of his wars. He desired his people to excuse what necessity had constrained him to do, and promised to observe the Great Charter punctually for the future, which he shortly after performed.

The prince his son, whom he left regent, assembling. the Parliament, and obtaining a large subsidy, confirmed King John's two charters, by an authentic act, signed. in Flanders by the king himself, and sealed with the Great Seal which -he had carried with him. Whilst Edward was employed at home in making preparations to support the league formed against France, Philip was no less careful to provide against the impending assault. He strengthened himself by alliance with the Kings of Castile and Arragon, and raised a powerful army, whilst Joan Queen of Navarre his wife, assembled her own forces to assist him. Champagne, which belonged to that princess, was first attacked, by the Earl of Bar, one of Edward's allies, who ravaged that province from

one end to the other. But the sequel of this undertaking was as fatal to the earl, as the beginning was prosperous. Upon the queen's approach, who was advancing to defend her country, the earl, seized with fear, and unable to fight, or retreat, was forced to surrender to that princess, who sent him prisoner to Paris.

Meanwhile, the confederate princes made no haste to send their troops into Flanders. Adolphus of Nassau, detained by troubles which Philip had raised him in Germany, or as some affirm, by presents, could not, or would not perform what he had promised. The Duke of Austria was bribed by the same means, and the Dukes of Brabant and Luxemburgh, the Earls of Guelders and Beaumont, followed their example.

Philip improving this advantage, entered Flanders at the head of threescore thousand men, and immediately sat down before Lisle. Guy, who impatiently waited for the English supplies, was not able to withstand the King of France, not having half the forces he was made to expect. All he could do was to try to break Philip's measures by a diversion, under the conduct of the Duke of Juliers.

When the king of France heard, that this general had taken the field, he detached the Earl of Artois, who meeting him near Flumes, gave him battle; and put his army to rout. The Duke of Juliers was slain in the fight, and the Earl of Artois lost his eldest son. This defeat caused Guy not to stir from Ghent and Bruges, where he expected Edward. Besides he was in great perplexity by reason of the divisions in his country. There were two parties in Flanders; one called Portelys, was in the interest of France, and the other in that of the earl.

Edward arrived at last^[11], after having been long expected, but with forces little proportioned to the great undertaking, because he depended upon the allies. At his entry into Bruges, he found the whole city in confusion, by reason of the animosity of the two fore-mentioned factions. It was with difficulty, that he at length appeased the commotions of the city, by granting the inhabitants certain privileges, concerning the commerce with England. After that he came to Ghent, where he found the same divisions. So that, as on his part, he brought not with him all the forces he had promised, he himself saw with vexation how little able the Earl of Flanders was, to supply the troops he had been made to expect.

The Flemings were divided concerning the war. Some approved it, while others maintained it to be destructive to their country, and undertaken by their prince for his own, or the King of England's, interests. Whilst Edward was employed in opposing these differences, so prejudicial to his affairs, Philip, after a three months siege, made himself Master of Lisle.

When he was in possession of this place, he easily reduced Douay, Courtray, and some other towns in the neighbourhood. Then he marched to Bruges, which surrendered without resistance. He had formed the project of burning the English fleet, which lay at anchor at Dam. But the Earl of Valois, who had taken this expedition upon him, not being secret enough in his preparations, found the English ships sailed.

All Edward's measures were broken, by the treachery of his chief allies, who forsook him after taking his money. The supplies he could expect from the Earl of Flinders, were uncertain and inconsiderable, by reason of the Portelys faction, which opposed all resolves any way detrimental to France. His own troops were too few to enable him to withstand his enemy's forces. Besides, fresh commotions in Scotland rendered his presence necessary at home, where too he was not without fear, that his absence might occasion some troubles. All these considerations together, induced him seek some expedient to get off, Without being obliged to abandon the Earl of Flanders, whom he had engaged in his quarrel. He found no better than to desire a truce, which was granted him solely upon the account of the King of Sicily, and the Earl of Savoy; who used their interest for him. By this truce, (which was to last but till the Epiphany for Guienne, and till St. Andrew's day only for Flanders,) Philip continued in possession of the places he had taken.

Probably, this condition served to prolong the truce for two years; Philip being very well pleased peaceably to enjoy his conquests.

How hasty soever Edward might be to settle matters in Scotland, he spent the rest of the winter at Ghent, to try to unite the inhabitants of that powerful city. He hoped by that means to have a considerable assistance from thence, when the truce was expired. During his stay, he was in danger of his life, by a sedition of the citizens, who were resolved to murder all the English. It is said he owed his life to the generosity of a Flemish knight, of the Portelys faction, who by his pains and entreaties stopped the fury of the mutinous people. His danger giving him reason to dread some fresh insult, he relinquished his undertaking and returned to England.

Such was the success of Edward's expedition into Flanders; The powerful league; which seemed, ready to swallow up France; served only to drain the treasure of the projector; and to convince him how difficult it would be to recover by force the country lost by his imprudence; To be disappointed in his projects, was not much: that is a misfortune to which the greatest men are sometimes liable. But here was more he could not extricate himself out of the difficulties he had run into, without greatly injuring his honour. Notwithstanding his promise to protect the Earl of Flanders to the end, he deserted him.

Though Edward had conquered Scotland, he had not subdued the hearts of the Scots, who bore with patience the yoke imposed upon them by force. When they saw Edward employed in Flanders, they took that opportunity to rise under the conduct of William Wallace, a man of no illustrious family, and of a still meaner fortune; but of great genius. This generous Scot; though of little authority among his countrymen, took upon him to raise his country out of the gulph of misery wherein it was plunged; whilst the persons of the highest rank, divided by factions, or adhering to the conqueror, were striving who should most perpetuate its slavery.

The Scotch writers give this famous man a character, which equals him to the greatest heroes; and are at a loss for words lofty enough to express his merit. Wallace then, though scarcely known in Scotland, resolving to retrieve the liberty of his country, assembled a small number of troops for that purpose. How inconsiderable soever this body was, of which he had the command, he made so wonderful a progress; that we know not which to admire most, the boldness or the first success of his enterprise. All that longed for liberty, finding there was a man hardy enough to head them, listed in crowds under his banner, and quickly formed a considerable army.

With this aid, Wallace attacked the places possessed by the English, and whose garrisons were weak, because Edward had wanted his troops in Flanders. By his severity to those that fell into his hands, he struck such terror into the rest, that scarcely any place held out to extremity, for fear of being liable to the same treatment. By this means he recovered in a short space, all the towns taken by the English, and left them only the single town of Berwick[12]. These successes bred in his army such admiration of his bravery, that, without standing upon the usual formalities, he was declared regent of the kingdom. Edward, who was then in Flanders, hearing of Wallace's progress, hastened the conclusion of the treaty above mentioned, and returned into England, bent upon severely punishing the revolt of the Scots.

Before he undertook this expedition, it was absolutely necessary to settle two affairs of equal importance.. The first was, to find some way to make peace with France, lest Philip should assist the Scots. The second, to give some satisfaction to the people, as he had promised to do- after his return. He found no better method to accomplish his first aim, than by getting Philip to agree to refer their difference to Boniface VIII. who was not yet at variance with that prince. Philip closing with this proposal, the two monarchs left their contests to the Pope's arbitration, not as Head of the Church, but as a private person under the name of Benedict Cajetan.

This affair being likely to succeed, the second was to be thought of, In order to gain the affection of his subjects, Edward called a Parliament[13], and, of his own accord, confirmed the Great

Charter[14]. It is true, he insisted very much upon having this clause inserted in this confirmation, saving the prerogatives of the crown. But finding the Parliament opposed it with great warmth, he chose to desist.

A. D. 1298] Edward being thus freed from the uneasiness these two affairs gave him, put himself at the head of a powerful army, and advancing into the middle of Scotland, met his enemies at Falkirk. The two armies were encamped so near together, that the English hearing a great shout in the enemies' camp, ran to their arms in the utmost hurry, believing they were going to be attacked. The king also would mount his horse: but as he was putting his foot in the stirrup, the horse, frightened by the noise that was made, threw him on the ground, and by a kick broke two of his ribs. This accident hindered him not from being in the battle, which quickly ensued, and commanding with the same presence of mind as if he had been unhurt. The battle proved bloody, and withal very fatal to the Scots; who, according to some writers, lost threescore thousand men.

Wallace, with the remains of his army, retired behind the northern fens, where it was not possible to follow him. Mean time, Edward improving his victory, retook all the places of strength. He may thus be said to have conquered Scotland a second time. After necessary orders for the preservation of the kingdom, he marched back into England.

Wallace was not then in a condition to take advantage of Edward's absence. He had not only lost his army, but he plainly perceived that the jealousy of the Scotch lords was one of the principal causes of his defeat. His virtues, instead of filling them with emulation, made them apprehensive of his aspiring to the crown. In this belief, they chose rather, that their country should groan under perpetual bondage, than see themselves reduced to do homage to one of so inferior a birth.

These suspicions must needs have been spread among the nobility, since Robert Bruce Earl of Carrick, son of the candidate to the crown, upbraided Wallace upon that score. This earl, who served in Edward's army, being, on the day of the battle of Falkirk, in pursuit of Wallace, who was retreating, and stopped by a little river, which the Scots had just passed, sent to desire him to come and speak with him on the opposite bank. Wallace consenting to it, Robert represented to him:—

"That he was ruining himself by his ambition. That there was no likelihood of his resisting the forces of the King of England; and though he might flatter himself with such hopes, the great men of the kingdom would never be brought to own him for king."

Wallace replied,

That in taking up arms, he was not in the least swayed by ambition: that he acknowledged himself too unworthy of the throne, to dare to look so high; but that his only aim was to free his country, which the great men of the realm suffered to perish by their cowardice. It is said this reply made such an impression on Bruce's mind, that he burst into tears. It is further added, that he resolved from that very moment, to use his utmost endeavours to free Scotland from the slavery she groaned under.

Meantime, Wallace, knowing how much the great men's jealousy of him, was prejudicial to the interests of the kingdom, acted only as a private person. He ceased not however, to the utmost of his power, and upon all occasions, to endeavour to set his country free. Some time after Edward left Scotland, they who had any remains of affection for their country, chose Comyn for regent. But this regency was of little consequence, since it gave him authority only over a small part of the kingdom, and a few confused troops, escaped from the late battle. Upon Edward's return into England[15], he used his utmost endeavours to promote the negotiation, now in the hands of the Pope, for the restitution of Guienne: Since he despaired of regaining that province by arms, the

alliance of the Earl of Flanders was a burden to him; the protection he had promised him, being a perpetual obstacle to the conclusion of the peace. He resolved therefore to abandon his ally, and from thence forward all difficulties began to vanish.

The unfortunate earl, forsaken by the King of England, and on the other side, pressed by the Earl of Valois, who commanded, the French army in Flanders, knew not which way to turn himself. In this wretched situation, he was persuaded at length to deliver himself up to that prince, who promised to conduct him to Paris, that he might treat in person with the king, and, in case he could not within a twelvemonth obtain a peace, to permit him to be at liberty to return into his dominions. But Philip not thinking himself bound by his brother's word, kept the earl prisoner[16].

A. D. 1299] The two years' truce between France and England being about to expire, the ambassadors of the two kings met at Montreuil upon the sea, where the Pope sent them his sentence of arbitration, the substance whereof was as follows: that Edward should again take possession of Guienne, and, to restore union between the two kings, should marry Margaret sister of Philip[17], and that Isabella daughter of the same Philip, should be given to the Prince of Wales, son of Edward. It was said also in the sentence, that John Baliol, formerly King of Scotland, should be delivered into the hands of the Pope's nuncio, to be kept where he should think proper.

The plenipotentiaries of the two crowns signed this sentence: but as there were several things to be adjusted in order to put it in execution, they agreed upon a truce, which afterwards was frequently prolonged before the treaty of peace was signed. Meanwhile Baliol was delivered to the bishop of Vincentia, the Pope's nuncio, who committed him to the custody of some French bishops. When the new regent of Scotland heard that a treaty was negotiating at Montreuil between France and England, he sent deputies to Philip to entreat him to cause Scotland to be included. The juncture appeared favourable.

Edward earnestly wished to recover Guienne by a treaty, not thinking himself in condition to regain it any other way. Probably, therefore, he would, upon that consideration, grant Scotland tolerable terms, if the King of France would seriously endeavour to obtain them. And indeed, Philip tried at first to persuade Edward to leave Scotland in quiet. But the moment he proposed it, he found it impossible. Edward was in possession of Scotland, where he scarcely met with any farther opposition.

So that, to propose his granting a peace to that kingdom, was in effect to desire him to relinquish his conquest. On the other hand, he could not grant a separate peace to the regent and his adherents, without leaving in Scotland a power independent of his own. All therefore that Philip could obtain was a seven months' truce. If we believe the Scotch historians, this truce was ill kept by England. But it may be this is only to justify Comyn's resolution to break it. However that be, the regent assembled the lords whom he knew to be well affected to their country, and represented to them the 'sad' condition it was reduced to. He told them, if they gave Edward time to secure his conquest, he would take such measures, as would render ineffectual all future endeavours of the recovery of their liberty.

That as soon as the few remains of the Scots which still resisted, were subdued, he would entirely reduce the miserable kingdom to a perfect slavery. That this design would now have been executed, had it not been retarded by the truces procured them by France: That there was therefore no time to lose, and it was necessary speedily to resolve to make a generous effort for the-recovery of their liberty, or to leave their country in perpetual slavery. Then he sheaved them with what ease they might free themselves from the yoke, whilst Edward depended on their weakness; and the winter season offered them advantages, which they could never more expect when once it was passed. These remonstrances produced the effect he promised himself. The lords, fond of liberty and impatient of their servitude, resolved with one accord to rise in arms, and every one laboured to inspire the people with the same resolution.

It was not difficult to succeed, for the meaner sort were still more exasperated against the English than the nobles, because they were worse treated. In a short time, the whole kingdom rose, and it was not possible for the English garrisons to put a stop to so general a revolt. All the inhabitants of the towns as well as of the country taking arms the same day and hour, the garrisons found themselves attacked all at once, both within and without, with such rage and fury, that there was no possibility of resisting. In a word, they were reduced to the necessity of desiring leave to depart the kingdom, otherwise they could not avoid being cut in pieces.

A. D. 1300] Edward, enraged, raised an army with all possible speed, and as soon as the season would permit, entered a third time, sword in hand, that unfortunate kingdom. The Scotch army, which consisted, only of ill armed and undisciplined militia, not being able to stand against Edward, would have retired upon his approach. But he followed them so briskly, that being at length overtaken and obliged to engage, they were entirely routed. Historians affirm, that the fate of Scotland would have been determined that day, if the English could have pursued their enemies through the fens which were known to the natives, but which the conquerors durst not venture to pass[18].

The Scots upon this defeat, despairing of making any farther resistance; had recourse to intreaties and - submissions. They humbly desired the king to give them leave to redeem their lands with money, and to restore their king, on what conditions he pleased. But he refused both these requests. This cruelty caused them to seek means to ease their misery, by putting themselves under the Pope's protection, to whom they sent ambassadors with an offer of the sovereignty of their country. Boniface VIII. immediately accepted the offer.

He had been used to proceed very haughtily with Christian princes, imagining they were implicitly to submit to his will, and that his authority reached to temporals as well as spirituals. In this belief, his bare letter was sufficient to cause Edward to quit all his pretensions to Scotland. In the beginning of this brief; which was as follows, the Pope took for granted a thing that had never been heard of—that the kingdom of Scotland had, at all times, belonged to the church of Rome. The brief also continued most of the objections before-mentioned, against the pretensions of the Kings of England to the sovereignty of Scotland. In all appearance the Pope had been instructed by the Scotch ambassadors.

The Pope likewise upbraided Edward for all the violence committed in the Scotch war, and particularly for the imprisonment of several bishops. In fine, he made himself judge of the controversy between the English and Scots, and ordered the king to send ambassadors to Rome with all necessary instructions, within six months at farthest, after which he would pronounce a final sentence.

This haughty proceeding was by no means calculated to cause Edward to lay down his arms. He was so offended at it, that, instead of regarding the Pope's pretensions, he swore, if he heard any more of them, he would destroy Scotland from sea to sea, Notwithstanding this expression, however, he durst not refuse the King of France a truce which he demanded in be, half of the Scots.

It was during this truce that Edward invested his. eldest son, now seventeen years old, with the principality of Wales, and the earldom of Chester. The Welsh rejoiced at it, and considered it as .a mark of the king's favour, because the young prince was born in their country.

A. D. 1301] In the beginning of the next year, the king summoned a Parliament at Lincoln, to consult with them concerning the Pope's pretensions to Scotland, and what answer should be returned to his brief. The Parliament being no less exasperated at the Pope's pretensions and haughtiness than the king himself, it was resolved, that a letter should be sent to the Pope on this occasion, signed by all the barons of the realm. In this letter, they plainly tell him the direct contrary to what he asserted in his brief, namely that the crown of England had immemorially

enjoyed the right of sovereignty over Scotland, and it was publicly known, that Scotland, as to temporals, never belonged to the church of Rome.

That therefore the Parliament would never suffer the king's prerogative to be called in question, or ambassadors to be sent to Rome upon that account, though the king himself should be willing to be so condescending to the holy see. Finally, they desired the Pope to leave the King and people of England in the enjoyment of their rights, without giving them any disturbance[19].

This letter was followed, some months after, by another from the King himself, with a memorial, like that drawn up during the assembly at Norham, to justify that the kingdom of Scotland had been always dependent on the crown of England. But whereas, in the first, he carries his claim higher than Edward the Elder, in this, he derives it from Brutus, first fabulous king of the Isle of Albion, tracing it through all the reigns of the fictitious kings mentioned in the history, or rather the romance of Geoffrey of Monmouth ; which he did not venture to do in the memorial drawn up for the Scots; But the King's letter was very respectful, and contained no expressions offensive to his holiness.

The truce with Scotland was no sooner. expired, but Edward returned, and spent the whole winter .in that kingdom. But when he was preparing to renew the war, he was so strongly solicited by the King of France, that he could not refuse the Scots the prolonging of the truce till November. The truce with Scotland being about to expire, Edward sent Segrave[20] into that kingdom to renew the war.

This general marched thither, not so much with design to fight the Scots, whom he thought unable to resist him, as to destroy the country. To that end, he divided his army into three bodies, which marched at some distance from one another, in order to include the more ground. His notion that there was no danger, causing him to march in a careless manner, and without vouchsafing to inform himself of the posture of his enemies, he unexpectedly met them near Rosslin five miles from Edinburgh. As he was too far advanced with the body he commanded, to receive any assistance from the. others,[21] the Scotch army commanded by Comyn and Frazer, attacked him without loss of time, and immediately put him to rout.

The nearest of the two other bodies hearing the general was attacked, hastened to his relief, but not being able to come time enough, were likewise defeated. Though the Scots were victorious in these two engagements, it was not without difficulty and loss. Their wounded being many, and their troops much harassed, they were willing to take some rest, when they saw the third body of the army advancing to attack them. This sight put them into such disorder; that they would have taken to flight, if the exhortations of their generals had not revived their courage.

This last battle was the sharpest of the three[22] The English, animated with a desire of revenging their countrymen, and the Scots, encouraged by their two victories, fought a considerable time with equal animosity; but the Scots had the advantage at last, and routed their. enemies. The English historians slightly pass over these three battles, and the Scots, on. the contrary, take care to extol this triple victory[23] This loss, however, appeared of great consequence to Edward, since it made him resolve to enter Scotland once more, with a greater army than ever. It was not in his power however, to execute his design till the next year, because he could not help including the Scots in a truce made with France till June.

Before the truce was expired, the peace between the two crowns was concluded at Paris, on the 20th of May 1303. Philip restored Guienne to Edward, who promised on his part to do him full .homage, and without limitations, in the city of Amiens. As for the allies of the two kings, there was no mention of them in the treaty. On the contrary, each monarch obliged himself by oath not to assist the other's enemies. Thus the Scots and the earl of Flanders were equally abandoned. Baliol, from whom this treaty had taken all hopes of being ever restored, lived upon his estate in Normandy, and spent the residue of his days as a private person[24].

The unexpected contests between Pope Boniface and Philip the Fair, had long delayed the conclusion of this peace. The Pope, who had projected to turn the arms of the Christians against the infidels, pretended arbitrarily to command all the princes of Europe, to end their differences according to his caprice, and prepare to send or lead in person their forces to the Holy Land. The haughtiness wherewith he would have treated the King of France, occasioned such disputes between them, as grew at length to an open rupture. For this cause, Philip, looking upon the Pope as his enemy, rejected his arbitration, and concluded a peace with Edward, without the intervention of him whom they had chosen for umpire[25]

Edward having nothing more to fear from France, carried his arms a fourth time into Scotland[26] with so numerous an army, that he met with no resistance. He penetrated even to the utmost bounds of the island, ravaging the country on all hands; the Scots being unable to oppose so formidable a power. Wallace alone kept close to him with some troops, in order to harass him, and revenge the Scots upon the English soldiers, that ventured to stir .from the body of the. army. How great soever Edward's advantages were, he was not so severe to those who voluntarily submitted, as he was in his former expedition. He had found, that by driving them to despair, he had himself induced them to revolt. For this reason he treated favourably such as surrendered, and permitted them to redeem _their lands, which he had before refused them. This gentleness produced so good an effect, that all the great men of the kingdom, seeing no other remedy; were I willing to embrace it[27].

Before he quitted the kingdom, Edward ordered Stirling castle to be assaulted, which held out the whole winter. The vigorous defence of the besieged[28], obliged the king to be there in person as soon as the weather permitted; and yet it was July before he brought them to capitulate. Buchanan says, that, contrary to the articles of the capitulation, he committed to prison the governor and officers of the garrison.

The taking of Stirling finished Edward's fourth expedition and third conquest[29]. But though Scotland may justly be said to be conquered on .this .occasion, there were still in the country, out of the reach of the English arms, certain impenetrable places, which afforded a retreat and sanctuary to those who could not live in slavery, and who greatly promoted the restoration of the whole kingdom to its ancient liberty. This is what Edward himself in the midst of his successes could not forbear dreading. The rigour wherewith he treated the brave Wallace, who was basely betrayed into his hand[30], is a clear evidence, he did not think the Scots subdued, though he was master of Scotland.

To deter them by the punishment of this great man, whom he looked upon as the sole author of their revolt, he caused him to be tried, condemned, and executed as guilty of high-treason[31], and ordered his four quarters to be hung up in four of the principal towns in Scotland. This sentence was pronounced by English judges, though Wallace was a Scotchman, and one that never owned the jurisdiction of Edward. To excuse in some measure, so extraordinary a severity, there are historians who endeavour to defame Wallace, and charge him with having committed excessive cruelties. But neither these accusations, nor the manner of his death, have been able to hinder posterity from doing him the justice he deserved; and unprejudiced-people from still deeming him. a hero worthy of a better fate.

A. D. 1305] Edward having nothing more to do in Scotland, returned into England, where he immediately applied himself to cause his authority to be respected, for which some among the Barons showed but little regard. Sir Nicholas de Segrave was first attacked on this account, to serve for example to the rest. This lord being accused of treason, by Sir John de Crumbwell, in defence of his innocence challenged his accuser to a duel, according to the custom of those days. But the King not thinking fit to consent to it, Segrave passed the sea, in order to fight out of the kingdom. Though his disobedience was in some measure softened by his regard for the King, in forbearing to fight. in his territories, Edward considered it as being of too great consequence to be left unpunished. As soon as, Segrave came back, he was taken into custody, and brought to

his trial. The judges were at a loss to pass sentence upon this affair, concerning which there was apparently no law to direct them. However, after three days consultation, they declared him worthy of death, adding in their sentence, that it should be in the king's power to pardon him.

Edward was extremely offended at the boldness of the judges, who seemed to set bounds to his prerogative, as if he could not exercise his clemency without their permission, and gave them a severe reprimand. Nevertheless he pardoned Segrave, upon the intercession of certain lords, who offered to become sureties for his good behaviour[32].

But this was not the only instance of severity given by Edward after his return. He was informed that justice was administered, throughout the whole kingdom, with great negligence and partiality; that the magistrates suffered themselves to be bribed with presents, and the rich were screened from the rigour of the laws, whilst the poor were exposed to the oppression and tyranny of the great. So great a disorder calling for a speedy and effectual redress, he gave an extraordinary commission to judges nominated by himself, to go into all the counties and strictly inquire concerning all malefactors of what rank soever they might be, and empowered them to execute their sentences upon the spot.

This severity was a check to those that thought to screen themselves from justice by their credit and riches, and served at the same time to fill the king's coffers with the mulcts and fines of the guilty. To these two instances of severity he added a third, very proper to shew his intention that the laws should be observed, without regard to birth or dignity. Prince Edward his son being persuaded by Piers Gaveston, one of his favourites, to commit some outrage against the bishop of Chester[33], he ordered him to be publicly imprisoned, not suffering his rank to exempt him from justice.

This proceeding would doubtless have been more agreeable to the English, if what he did shortly after, had shewn the same moderation and the same regard for the people. Clement V. native of Bourdeaux, succeeding Boniface VIII. Edward improved his interest with the new pope, and obtained a dispensation from the oath he had taken with regard to the two charters of liberties. Edward is said to have purchased this dispensation by a present of gold plate to the pope. Clement V. also granted him a tenth upon the clergy for three years, reserving one half to himself for the occasions of the holy see[34].

The Parliament not being able to bear this shameful trade, which tended to impoverish the clergy without any necessity, and to drain the kingdom of money, strenuously opposed it, and forbade the collectors to levy the tenth. Edward, regardless of the Parliament, removed the prohibition by his own authority, and permitted the collectors to go on. This arbitrary act, coining immediately after the above mentioned dispensation, made the English apprehensive, that the king had formed a design upon their liberties. But if Edward had any such intent, the troubles which suddenly broke out afresh in Scotland, prevented the execution, and rendered the pope's favour ineffectual.

A. D. 1306] The Scotch, though so often vanquished, and as often constrained to swear fealty to Edward, could not inure themselves to his yoke. Robert Bruce, Earl of Carrick, was one of those who thought they had most reason to complain. Not only his father Robert was excluded from the crown, but moreover, Edward had now broken his word with him. He had promised to place him on the throne, in the room of Baliol; but made not the least step towards the performance of his promises. Nevertheless, Robert constantly served him faithfully, both before and after his father's death.

But his discourse with Wallace, on the day of the battle of Falkirk, and the king's whole behaviour, convinced him that Edward had only his own ends in view, he entertained the generous design of exerting his endeavours, to free his country from the servitude to which it was reduced. At the same time, he thought of procuring the crown of Scotland for himself, to which he pretended to have a lawful title, notwithstanding the sentence given against the earl his father:

John Comyn, surnamed the Red, another Scotch lord of great distinction in Scotland, but of less credit than Bruce, was, or seemed to be, in the same sentiments.

This conformity caused these two lords to communicate their thoughts to each other; and at length their conferences ended in an agreement containing these two articles.

I. That they should act in common to promote Robert Bruce to the crown of Scotland.

II. That in consideration of Comyn's services, Bruce should make over to him all his private patrimony, and appoint him his lieutenant-general.

These measures being taken, Robert came to Edward's court, where it was necessary to gain certain Scotch lords, who were in the interests of that prince.

Whether Comyn repented of what he had done, or as some affirm, had contrived this plot on purpose to ensnare Robert, he speedily discovered the whole prospect to the king. The king immediately designed to apprehend Robert, but fearing thereby to miss his accomplices, was contented with narrowly watching him. He hoped to make some fresh discoveries by means of Comyn, to whom Robert communicated by letters whatever he did at court. The king's design could not be so secret, but it was perceived by the Earl of Gower, an old friend of the family of Bruce, then at London.

This earl knowing Robert was narrowly-watched, and not daring verbally to discover so important a secret, sent him a pair of spurs, with some pieces of gold, as though he had borrowed them of him. Robert immediately perceived that there was some mystery in this pretended restitution of his friend; and he concluded, that he meant by it to advise him to make his escape. In this belief, he immediately came to a resolution, and executed it with such address and diligence, that it was impossible to prevent, or to overtake him. As he had communicated his thoughts only to Comyn, he did not doubt but he was betrayed by that treacherous friend.

Accordingly, as soon as he came into Scotland, he repaired to Dumfries, where Comyn then was, and meeting him in the church of the Cordeliers, little expecting his coming, he stabbed him with his own hand[35]. This bold stroke, added to the plot he had laid, exposing him to the king's resentment, he saw himself under a necessity of openly declaring himself, well knowing there was no safety for him but in the success of his designs: Whereupon, such numbers flocked to him, that he was quickly in condition to go well attended to Scone, where (March 25) he was solemnly crowned. After which, all the people in general sided with him.

It was with extreme vexation that Edward perceived he was mistaken, in imagining he had nothing more to do in Scotland. He would not however give over his first design. But to secure for the future the possession of that kingdom, he resolved to reduce it to such a state, that there should be no more danger of a revolt. Pursuant to this resolution, he sent Audemar of Valence, Earl of Pembroke, with an army to prepare the way, whilst he assembled all his forces at Carlisle. To render his expedition the more signal, he knighted three hundred young gentlemen, who attended the prince his son, whom he was willing on this occasion, to initiate in the art of war. Mean time, Robert made great progress in Scotland, and took several places. He would have carried his conquests farther, if the Earl of Pembroke had not stopped his career. The earl entering Scotland, marched directly to Robert, who, not thinking proper to retreat, on this first occasion, went himself to meet him.

The two armies coming to an engagement, Robert's was put to the rout[36]. But as his loss was not great, he was willing to venture a second battle[37], where he had no better success. These successive defeats obliging him to quit the country, he withdrew to one of the Hebrides, where he lay concealed at a relation's house in expectation of a more favourable juncture. Shortly

after, Edward entering the kingdom with a numerous army, found the Scots in consternation, and their troops dispersed.

So having no enemies to encounter, he sent out detachments on all sides to seize Bruce's adherents. Great numbers were taken, who all felt that prince's severity. Three brothers of the new king lost their heads on a scaffold. His queen herself being sent into England, was kept in close confinement. Edward's rage and vexation, to see himself so often obliged to begin anew, rendered him so inexorable, that he hardly pardoned any one person.

The bishops of Glasgow and St. Andrew's, who were taken with their coats of mail over their habits, would have fallen a sacrifice to his vengeance, had not his fear of disobligeing the pope saved their lives. They were however sent into and thrown into prison. The Earl of Athol, allied to Edward and the royal family of Scotland, was distinguished from the rest, only by the height of the gallows on which he was hanged. The Countess of Buchan, who assisted at Robert's coronation[38], was put into a wooden cage, and placed as a ridiculous sight to the people on the walls of Berwick castle. Mary her sister underwent the same fate at Roxborough.

A. D. 1307] After Edward had thus taken vengeance on Robert's adherents, who were so unfortunate as to fall into his hands, he spent the winter at Carlisle, where he summoned the last Parliament of his reign. The first business of this assembly, was about means to secure the possession of Scotland, by uniting that kingdom to England. Edward was resolved to spare nothing to keep the Scots in awe, and even to use, for that purpose, the most rigorous methods. But the face of affairs was much altered in that country, before any fixed resolution was taken.

At this time it was, that the Bishop of Lichfield, high treasurer, causing the king to observe the ascendant, which Piers Gaveston, a young man of a very debauched life, had over the prince his son, and the pernicious consequences that might spring from so great a familiarity, Edward resolved to apply an immediate remedy. To that end, with the advice of the Parliament still assembled, Gaveston was banished the realm, as a corrupter of the young prince.

Moreover the king was pleased, that his son should promise with an oath, never to recall him, and that Gaveston should swear likewise never more to set foot in England. Upon that condition he allowed him a pension of a hundred marks, to be paid out of the revenue of Guienne[39]. Notwithstanding Edward's resolution to disable Scotland from ever recovering, the time of that kingdom's deliverance was at hand. Edward leaving Scotland, Robert Bruce sallied out of his retreat, and effectually made use of the king's absence, and the sharpness of the winter, which hindered the English troops from acting.

He assembled the remains of his dispersed army, and reinforced, them with fresh supplies, which the Scotch lords, exasperated at Edward's severity, brought him from all quarters. With these troops he attacked the Earl of Pembroke, who commanded in Scotland; and obtained over him a signal victory, wherein the English general was made prisoner. Then he marched against the Earl of Gloucester, who was at the head of another body, and obliged him to retreat to the castle of Aire, which he besieged, though with out success. As he was master of the field, and had none to oppose him, he easily took several places, and caused them to be dismantled; as well not to be obliged to leave garrisons, as to prevent the English from fortifying them hereafter.

Edward, surprised at this unexpected revolution, and implacably exasperated against the Scots resolved to be signally revenged of that nation. To that end he summoned all the vassals of the crown without exception, to meet him at Carlisle about the middle of the summer, on pain of forfeiting their fees. His intention was to march into the heart of Scotland, and I will destroy that kingdom from sea to sea, as he had often threatened. But God permitted him not to execute so barbarous a purpose. He had hardly arrived at Carlisle, where he had drawn together the finest army England had ever seen, when he was seized by a distemper, which put an end to his days, and to all his projects.

As soon as he found himself ill, he knew that he should die; and whilst his mind was sound, he sent for Prince Edward his eldest son[40], and earnestly recommended to him three things: the first was, vigorously to prosecute the war with Scotland, till he had entirely subdued the Scots. For that purpose, he advised him, to carry along with him his bones at the head of the army, presuming that object would daunt the courage of the enemies he had so often vanquished.

The second was, to send his heart to the Holy Land, with thirty-two thousand pounds sterling, which he had provided for the support of the Holy Sepulchre. The third was, never to recall Gaveston. After these his last orders to his son, he caused himself to be, carried by easy journeys into Scotland, being desirous to die in a country which he had thrice conquered. In this manner he advanced as far as the little town of Burgh[41], where his sickness being increased by a dysentery, which came upon him, he resigned his last breath on the 7th of July 1307, in the sixty-eighth year of his age, having reigned thirty-four years, seven months, and twenty days. His corpse was carried to Waltham, and from thence to Westminster Abbey, where it was done over with wax, and laid by that of Henry his father[42].

Thus lived and died Edward, the first of that name since the Norman Conquest, and the fourth since Egbert. This Prince had, doubtless, very noble qualities, and particularly great valour and prudence. He knew how to master his passions, and to return to the right way when he had strayed from it; a quality never to be sufficiently commended in a sovereign. When we compare him with his father, his grandfather and his own son, his successor, we find that he far excelled them all. This comparison, which one can hardly help making, has been so much to his advantage, that the English historians have used the strongest expressions in his encomium, and would have him pass for the greatest Prince of his age.

A famous writer has not scrupled to say, that God had pitched his tabernacle in the breast of that Monarch. But his whole conduct, with regard to Scotland, does not give of him so advantageous an idea. However, without examining too closely the expressions used by the historians in his praise, it may be said, he was a great King, and that England received considerable advantages from his administration. The kingdom, weakened by the ill management of the two preceding Kings, was restored to its former splendour, by the abilities of this Prince, who knew how to make himself beloved and respected by his subjects, as well as dreaded by his neighbours.

The conquest of Wales, in vain attempted by his predecessors, added great lustre to his reign, and was very beneficial to his kingdom, That of Scotland would no doubt have gained him more honour, had it been entirely finished, since the Scotch historians would have spoken of him in different terms from what they have done, if at the time of their writing they had been fellow subjects of the English.

He was very personable, and taller than the generality of men by the head. His hair was black, and curled naturally, and his eyes, of the same colour, sparkled with uncommon vivacity. He would have been perfectly well shaped, if his legs, which were rather too long, had been in proportion to the rest of his body. Hence he had the surname of Long-shanks. He joined to his bodily perfections a solid judgment, great penetration, and a prudent conduct, which very rarely suffered him to make a false step. Besides this he had principles of justice, honour and honesty; which restrained him from countenancing vice, not only in his most intimate courtiers, but even in his own son.

Moreover he was of an exemplary chastity. All these noble qualities bred in the hearts of his subjects, a love and esteem, which did not a little contribute to the rendering his reign peaceable at home, whilst his arms were employed abroad. As for the affair of Scotland, it may be said to have procured more honour than real advantages to England; since after torrents of blood spilt in that quarrel, the English were constrained in the end to relinquish their project.

Edward had, by Eleanor of Castile, his first wife, four sons and nine daughters[43]. Edward II. his successor was the only son that survived him. Eleanor his eldest daughter. was contracted to Alphonsus King of Arragon; but that Prince dying before consummation, she was given to Henry Duke of Bar. Joanna, surnamed of Acres, the place of her nativity, was betrothed to Hartman, son of the emperor Rodolphus I. but the death of the young Prince preventing their union, she married Gilbert de Clare, Earl of Gloucester, and after his death, Ralph de Monthermer[44] Margaret was wife of John Duke of Brabant: Elizabeth of John Earl of Holland, and afterwards of Humphry Bosun Earl of Berford[45]. Berenguella, Alice, Blanche, and Beatrix, died young, or unmarried.

Edward had two sons and one daughter by Margaret of France his second wife, whom he married in the sixtieth year of his age, though she was but eighteen years old Thomas de Brotherton the eldest, was Earl of Norfolk, and Marshal of England. Edmund bore the title of Earl of Kent. Eleanor the daughter was to marry Otho Earl of Burgundy, but she died in her childhood.

We have an uninterrupted series of the Parliaments held in England, from the 22nd year of this reign. The constitution of these assemblies, such as it is at this day, was so well settled in this reign, that there was an additional law made to the great charter, whereby it was enacted, that no tax should be levied upon the people without the consent of the commons;

It may be further observed, that in this reign the title of Baron, which was common to all that held lands of the crown, was confined to those whom the King summoned to Parliament Edward I. is supposed to be the first of our kings that perfectly fixed the standard of our coin. In the third year of his reign, says at old ledger-book of the abbey of St. Edmundsbury, **the matter was thus ordered by Gregory Rockley, then Mayor of London, and mint-master:** that in a pound of money there should be **eleven ounces two-pence farthing, pure leaf silver**, and only seventeen-pence half-penny farthing alloy; and this pound was to weigh twenty shillings and three pence in account, each ounce, twenty-pence, and every penny, twenty-four grains and a half.

In 28 Edward I. An indented tryal-piece of the goodness of old sterling was lodged in the Exchequer, and every pound weight Troy of such silver was to be shorn at twenty shillings and three-pence, according to which the value of the silver in the coin was, one shilling eight-pence farthing an ounce. This King sent for foreign mint-masters, (namely, William de Furnemire and others from Marseilles, and one Frescobald, and his companions from Florence,) in the eighteenth year of his reign, to inform him of the manner of making and forging money. For the coining this money, the mint-masters had thirty furnaces. at London, eight at Canterbury, (besides three the archbishop had there) twelve at Bristol, twelve at York, and more in other great towns, in all which places the same hammered money of silver, supplied by the King's changers, who according to certain rates prescribed them, took in the clipped, rounded, and counterfeited moneys to be re-coined, and bought gold and silver of the merchants to be fabricated into new monies.

This hammered money continued through all the reigns of succeeding kings and queens, till about the year 1663. There are no indentures with the mint-masters, by which one can certainly judge of the proportion of the fineness and alloy, to be observed are the fabrication of the monies till the reign of Edward III. as will be seen hereafter. The size of the coin was not, probably, altered by Edward I. the penny being supposed to have been the only current money of England.

This Prince was the first that used Dominus Hiberniæ constantly upon this money, which was never wanting in his, nor in Edward II's nor in is there any more mention of Ireland upon the silver Edward III.'s coins, but was afterwards left out, nor money till Henry VIII. He likewise left out the sceptre, which appears no more upon the small money till Henry VIII. nor upon the large till Queen Elizabeth's crown and-half crown, and the name of the mint-master on the reverse, instead of which he put the place of mintage.

He was likewise the first that forbid the use of broken money. But it is difficult to distinguish the money of this King from Edward II. because the face, style, weight, and reverse, are alike. But a learned antiquary, (the Archbishop of York) ascribes those with the three first letters, E D W. to Edward I. because of the plenty thereof, for Edward I. is known to have coined much more money than his son, and also from the mintage at Dublin, set up by this Edward, which has always EDW. Whence it is to be concluded, that all belong to him that have this inscription: E DW. R. ANG. DNS. HYR. The King full faced, and crowned, with an open crown of three Fleurs-de-lis, with two rays, or lesser flowers, not raised so high; the cross composed of a single line, pretty broad, and continued to the outer rim three pellets in each quarter, circumscribed with the place of coinage, viz. London, Canterbury, (see fig. 1.) Villa. KINGESTON, Durham, Newcastle, Berwick, Lincoln, Exeter, and Bristol, VILLA SCI. EDMUNDI. Likewise his Irish money, the head in a triangle, CIVITAS, DUBLINIE (see fig. 2.) Also Waterford and Cork, which shows there was more than one mint in Ireland.

He is reported, (but says Nicolson, falsely,) to have ordered the minting of Groats. J. Speed pretends to give a cutt of one, but he is supposed to be mistaken. The most remarkable corruptions of the coin are found in ancient records to be in this reign, when there was imported a sort of light money, with a mitre, another with an Iron, a third of copper blanchéd, to resemble the money of England, a fourth like that of King Edward, a fifth plated, known by the names of Crocards, Pollards, Staldings, Eagles, Leonines, and Steepings. And the merchants, to avoid the search at Dover and Sandwich, concealed the parcels in bales of cloth, and brought them in by other ports.



fig. 1



fig. 2

Notes to Chapter 2

1.) That is, did him homage, the form of which appears in the second statute 17 Edw. II. When a freeman shall do homage, he shall hold his hands together between the hands of his lord, and shall say thus on his knees: "I become your man from this day forth, for life; for member, and for worldly honour, and shall owe you my faith for the land I hold of you, saving the faith I owe to our Sovereign Lord the King, and to my other lords." The ecclesiastical say, instead of "I became your man, I do you homage, and to you shall be faithful and loyal."

2.) Fealty, from the Latin Fidelitas: the form of it see in Anno. 14. Edw. I. Stat. 2. When a freeman shall do fealty, he shall hold his right hand over the book, and say "Hear you, my lord, that A. B. shall be to you faithful and true, and shall owe my fealty to you, for the land that I hold of you, and truly shall do you the custom and services, that I ought to do you at the terms assigned, so help me God, and all the Saints." He that holdeth land by this oath only, holdeth in the freest manner, that any man in England, under the King may hold.

3.) This year died Eleanor, King Edward's mother, in the nunnery of Ambresbury ; and was buried, September 8, in the church belonging to the said nunnery. Whilst Edward was in France, in 1287 he made a vow to go to the Holy Land and accordingly received the cross, from the hands of the Pope's legate at Bourdeaux. In consequence of this, Pope Nicholas IV. granted him this year, by a bull, dated at Orvieto, March 18, 1291, the tenths of Scotland, Wales, and Ireland, for six years,

4.) In a Parliament held this year at Westminster, after Whitsuntide, a resolution was taken to recover Guienne by force of arms; and John Baliol, King of Scotland, granted King Edward the revenue of his paternal estate in England, for three years, towards defraying the charges of that war. The earls and great men of England promised also to contribute liberally towards the same. This year also in July, King Edward caused all the monasteries to be searched, and ordered the money that had been collected and deposited there, for the holy wars, to be seized, and applied to the war in Guienne. In the mean time, his fleet lay at Portsmouth, and was detained there by contrary winds, from June 24, till September 14. The king not thinking his army large enough, ordered all the prisoners to be set at liberty, and to be listed in his service; but most of them gave him the slip. The contrary winds having put a stop to King Edward's voyage, he called a Parliament on September 21, at Westminster; wherein the clergy granted him the half of all their goods, the laity a tenth; and merchants in cities and towns, the sixth penny of all they possessed.

5.) A. D. 1294.

6.) This year, about the latter end of September, one Madoc caused an insurrection in Wales; on occasion of the subsidy for the war in France, that was levied in that country; whereupon the king with his brother Edmund, Earl of Cornwall, and Henry de Lacy, Earl of Lincoln, went and reduced him to obedience. And King Edward rebuilt the town and castle of Beaumaris.

7.) They were actually delivered.

8.) **Keneth II. King of the Scots** having made a general slaughter of the Picts, near the monastery of Scone, placed a stone there, which vulgar tradition reported to be the same as served Jacob for a pillow, and enclosed it in a wooden chair, for the inauguration of the kings. It had been brought out of Spain into Ireland by Simon Breccus, afterwards out of Ireland into Argyle, and King Edward caused it to be conveyed to Westminster. On it was engraved a Latin distich, of which the following is a translation:—

**Or fates deceived, and heaven decrees in vain;
Or where they find this stone, the Scots shall reign.**

9.) The Judges were ordered to do justice against them, for all men; but, for them, against no man.

10.) He ordered. those that held by knight's service, and all those that were worth above twenty pounds a year in land, to be ready at London, by August 1, with horses and arms, to go over with him into Guienne.—And also raised the custom upon wool, from twenty to forty shillings per bag.

11.) He sailed from Winchelsea, August 92, and landed the 27th near Sluys.

12.) And soon after the Scots became also masters of it; namely, after the battle of Stirling, wherein the English were defeated, and Hugh de Cressingham the treasurer slain; whom the Scots hated so, that they flayed him, and cut his skin in pieces.

13.) At York. And because the confirmation of the two charters had been done beyond sea, the earls of Hereford and Norfolk desired, that the said confirmation should be now renewed: the Earls of Surrey, Warwick, and Ralph de Mont-hermer, promised, in the king's name, that it should be done, at his return from Scotland; which was accordingly performed, in a Parliament holden at London, in Lent, 1300.

14.) He appointed also commissioners in each county; to enquire into the grievances. The laity granted him a ninth, and the clergy a tenth.

15.) After the battle of Falkirk, King Edward intended to march further into Scotland, but was forced to alter his resolution, because the country being utterly wasted, and his fleet not arriving with provisions, as was expected, a great scarcity was thereby occasioned in his camp. He retired therefore through the forest of Selkirk towards England, taking by the way the castles of Ayr and Loughmahen in Anandale: and from thence came to Carlisle, and afterwards to Durham, where he held a great council in the beginning of September, and bestowed on several, great men of England and Scotland, the estate's of such Scottish noblemen as had of late revolted against him. From thence he removed to Tinmouth, and then to Cotingham near Beverley, where he kept his Christmas.

16.) This year died Humphrey de Bohun, Earl of Hereford and Essex, high-constable of England; and Guy de Beauchamp, Earl of Warwick.

17.) Eleanor, wife of Edward, died November 28, in 1291, of a fever, at Grantham, in Lincolnshire, (or, according to Walsingham, at Herdeby, in the same county). In memory of her, the king erected a cross wherever her corpse rested, in the way from Lincolnshire to Westminster. As at Waltham, St. Albans, Dunstable, &c. and particularly Charing-Cross. Margaret was to have from the king her father for her dower fifteen thousand pounds de Tornois petit, which dower King Edward granted her. Margaret landed at Dover, Sept. 8, and King Edward and she were married at Canterbury, Sept. 10.

18.) King Edward having kept his Christmas at Berwick, and delivered the government of Scotland to John de St. John, and others joined in commission with him, returned into England about Candlemas; and coming to Winchester, he sent for the citizens of London, and restored their liberties, after they had been kept twelve years in his hands. But before he left Scotland, he issued out his writs, dated at Berwick, December 29, for the calling a Parliament to meet him at Westminster, the second Sunday in Lent; in which the Great Charter, and that of Forests, were renewed and confirmed; and a new statute was made for the better explaining them, called *Articuli super Chartas*, which see in Coke's 2nd institute, p. 537.

19.) This remonstrance is subscribed by a hundred Earls and Barons, who declare besides, that they had authority to represent the whole community of the kingdom. Dr. Howel has given the names of them, and calls it a list of those worthy patriots who withstood papal usurpation. The list and names of them are in Rymer's Foed.

20.) John de Segrave; about the beginning of November, constituting him governor of Berwick, and guardian of the kingdom of Scotland. immediately

21.) A. D. 1302.

22.) These three battles were fought on February 24, 1302.

23.) The Scotch historians ascribe all the glory to Comyn and Frazer, without mentioning Wallace: whereas the English attribute all to the brave Wallace.

24.) He was delivered by "Robert de Borongst, constable of Dover castle, to Reginald Bishop of Vicenza, the Pope's nuncio, at Witsant, in 1299, as appeals by the King's warrant to him, dated at Canterbury, July 14. King Edward in 1306, granted his lands and estate in England, to John de Bretagne, his nephew.

25.) This year the said Pope died, on October 12, after he had been accused by the King of France of heresy, simony, and murder, imprisoned, and plundered of all his goods. This year also the King's Exchequer at Westminster was broke open, and robbed of about one hundred thousand pounds; for which several of the monks of Westminster, abbeys were imprisoned.

26.) About Whitsuntide

27.) The terms were, that their lives, limbs, and members should be saved and they were to be free from imprisonment, and not to be disinherited; nor pay anything except for their ransom and time, and the amends for their faults only committed against the King, &c.

28.) A. D. 1304.

29.) After which he returned to England, leaving Scotland under the care of John de Segrave; and when he came to York, removed the courts, King's Bench and Exchequer, which had been there seven years, to their old place in London.

30.) About August 15, by Sir John Menteith, his pretended friend, who was bribed by the English.

31.) He was dragged at a horse's tail, August 23, and his head set upon London bridge.

32.) Thirty of his Peers, girt with swords, offering to be bound, body and goods, that he should be forth coming, whensoever the King should require, he was set at liberty, and restored to his possessions.

33.) There was no Bishop of Chester till 1540, when that see was erected by King Henry VIII. The person here meant, was Walter de Langton, Bishop of Lichfield and Coventry. For Petrus, one of the bishops of this see, removing it to Chester in 1075, it hence came to pass, that his successors were many times called Bishops of Chester. The outrage committed by the Prince against the Bishop, was, that he, together with Gaveston, and other ill companions, had broken down the fence of the Bishop's Park, and killed his deer.

34.) The Pope granted the King a tenth out of all ecclesiastical benefices in England, for two years, towards the relief of the Holy Land, though it was diverted by the King for his own private occasions. The Pope also reserved to himself the first fruits of all the benefices, which continued down to the reign of Henry VIII. who first annexed them to the crown. But (says M. Westminster) the Pope was induced to this through the covetousness of the Bishops, who submitted to this innovation, on condition they might enjoy one year's profits of all vacant benefices in their gift.

35.) The Battle of Falkirk, and the king's whole behaviour, convincing him that Edward had only his own ends in view, he entertained the generous design of exerting his endeavours, to free his country from the servitude to which it was reduced. At the same time, he thought of procuring the crown of Scotland for himself, to which he pretended to have a lawful title, notwithstanding the sentence given against the earl his father: John Comyn.

36.) At Methuen-near Perth, July 20.

37.) At Dalrce.

38.) This Countess was sister to the Earl of Fife, (then absent in England) whose office it was to crown the Kings of Scotland for which reason she, being of a brave and manlike spirit, stole from her husband with all his horse, and came and set the diadem upon Bruces head at the abbey, Scone, on Palm Sunday, March 25.

39.) This year the King settled upon his son Thomas ten thousand marks; and upon his son Edmund seven thousand marks; in lands and rent. And to his daughter Eleanor, he gave for her portion ten thousand marks and five thousand marks for clothes to be paid in seven years.

40.) Whom he had sent into England, in order to go over and Consummate his marriage with Isabella of France.

41.) Upon the sands in Cumberland, to distinguish it from Burgh upon Stanmore in Westmorland.

42.) And buried October 18. On the North side of the shrine, of St. Edward. His Sepulchre is composed of five grey marble slabs; two on the sides, two at the ends, and a fifth covers it, upon the North side whereof are penciled these words: EDWARDUS PRIMUS SCOTORUM MALLEUS HIC EST. 1308 PACTUM SERVA.

43.) Queen Eleanor died, as is related in a preceding note, the 28th of November 1291, at Richard de Weston's house at Hardeby. At the places where her body rested, were erected to her memory goodly crosses, namely. at Lincoln, Grantham, Stanford, Geddington, Northampton, Stony Stratford, Dunstable, St. Alban's, Waltham, Charing. Her bowels were buried in the Cathedral at Lincoln, where the King erected a Cenotaph for her, on which is placed her figure, of gilt copper, with an inscription. Her body lies in Westminster abbey, at the feet of Henry III under a tomb of marble, having on the North side the arms of England and Leon and then with her figure as large as in life. it is Observable, that Queen Eleanor bore quarterly, Gules, a Castle Or: and Argent a Lion rampant purple, which were the arms of Ferdinand III. King of Castile and Leon her father, and quartered by him, and were the First two coats that were borne quarterly in one shield which our King Edward III, next imitated, when he quartered France and England. These arms, with those of Ponthien, viz. Or, three Bentslets Azure, within border, Gules, are carved in Stone in several places on the cross erected to her memory near Northampton.

44.) He was a servant of her first husband. The marriage being done; (in 1296,) without the knowledge of her father, this Ralph was committed to prison, and all those lands and castles formerly made over to Earl Gilbert, and Countess Joanna, seized into the King's hands. But by the mediation of Anthony Bec Bishop of Durham, peace was made between the king and his daughter, and her new husband, and his lands restored. Not long after, Ralph was summoned to Parliament by the title of Earl of Gloucester and Hereford, which he enjoyed till his son-in-law, Gilbert de Clare, came of age. Afterwards in all Parliaments he was summoned as Lord Monthermer. By the said Joanna he had two sons, Thomas and Edward. Sir Thomas de Monthermer had an only daughter Magaret, wife of John Montague, by whom she had John Montague Earl of Salisbury, from whom the Duke of Montague, the Earls of Manchester and. Sandwich, and the Baron of Halifax derive their original.

45.) Mary was a nun at Ambresbury.



The Stone of Destiny





Chapter III

EDWARD II SURNAMED OF CAERNARVON

A. D. 1307



THE reign of Edward I. had been a glorious and triumphant reign for England. The principality of Wales was united to the crown. Scotland, thrice subdued, was upon the point of being conquered a fourth time, the English army having now entered the frontiers. There were no more factions in the kingdom. Discord was banished, and harmony was happily established between the sovereign and the people.

All this seemed to make ample amends for the losses sustained by the crown beyond sea, in the reigns of John and Henry III not so much by the weakness of the English as the pusillanimity of those two Princes. Edward of Caernarvon's age, who when he mounted the throne, was in his twenty-third year, his noble stature, good mien, majestic presence, joined to the advantage of being born of a father so universally esteemed, gave the English fresh hopes. As never Prince came to the crown under more favourable circumstances, so never was Prince received with more general joy and greater applause. It even seemed, that the extraordinary satisfaction shewn by the people on this occasion, was somewhat injurious to the glory of the deceased King[1].

This prince's first step, a few days after the death of his father, blasted all these agreeable hopes, and turned the nation's joy into mourning. He had not yet done the last offices to the great prince to whom he owed his birth, when forgetting his oath concerning Gaveston, he recalled that favourite. He did not so much as stay for his return, to make him in an instant the richest man in the kingdom.

Almost his first act, was to create him Earl of Cornwall, and to give him the lands fallen to the crown by the death of the late earl, son of Richard. King of the Romans. Immediately after his return, he also presented him with the Isle of Man. His impatience to load with favours a man who had been just driven from him, as the corrupter of youth, plainly discovered to what a height his passion had grown, and how much the consequences were to be feared. But this was not the only or chief cause of the discontent of the English lords. They could not see, without extreme grief, such a one as Gaveston dispose at pleasure of all the offices of the kingdom, and become absolute master of the administration of affairs, which the King wholly left to his management.

It seemed that Edward desired to be King, only to have it in his power to shower down his favours on Gaveston. Wholly intent upon pleasing him, as a lover his mistress, he concerned. The new King on the first of August began his march towards Scotland, having summoned the nobility of that kingdom to meet him at Dumfries, and do their homage, which several of them did. He himself with nothing, but to devise every day new ways to procure him satisfaction. In short, giving himself up entirely to his guidance, he let him act as had a woman been thus enamoured of Gaveston, it would not have been thought strange, since he wanted no qualification to

recommend him to the favour of the fair sex. He had a beautiful face; his shape fine and easy, his air noble and grand; and, in all the exercises of the body, he was distinguished for his extraordinary address.

It was impossible not to admire his wit, and those sharp and quick repartees, peculiar to the Gascons, among whom he was born. To all this he added an uncommon valour. Had he been less beloved by the King, he would have had a more lasting, though not so considerable a fortune: but the affection of his prince inspired him with a pride which proved his destruction. He would govern the state with an absolute sway, without sharing his power with any person whatever; hardly vouchsafing so much as to use the King's name.

His external accomplishments, which shone with great lustre, rendered him so proud and insolent, that he thought himself above all the great men; though by his vices and debaucheries he degraded himself below the meanest. The chief means he used to gain Edward's affection, was a blind condescension to his desires, without examining whether they were virtuous or vicious: When once he came to have an absolute influence over him, his only care was to indulge him in his pleasures, to which that Prince was too much addicted. What then could be expected from the strict union of two such persons, but a scandalous licentiousness at court, and an entire decay of the public affairs.

Gaveston's return was immediately followed by the disgrace of Langton, Bishop of Lichfield and High Treasurer. Edward hated that prelate mortally, for having been the principal promoter of Gaveston's punishment. As soon as he came to the crown, he confined him in Wallingford Castle, and would not suffer any person to speak in his favour. It was only upon the pressing instances or rather threats of the Pope, that he set him at liberty again after a long confinement. To this violence he added the removal of all his father's officers and domestics, without vouchsafing to advise with his council.

A. D. 1308] The beginnings of this reign being very unpromising-, the chief Lords thought betimes of means to stop the impetuosity of their Prince, and curb his capricious temper. But these thoughts were interrupted by the celebration of his nuptials. The King his father had contracted him to Isabella of France, daughter of Philip the Fair, and had strongly charged him when dying, to consummate the marriage as soon its possible.

This was the only thing wherein he made haste to obey him. Neglecting therefore the war with Scotland, which was no less necessary, he repaired to Boulogne where the King of France stayed for him, to deliver his daughter into his hands. Never was wedding more magnificent. There were present four Kings and four Queens, besides a great number of Princes and Princesses, Lords and Ladies[2].

Though Edward's voyage was very short, it failed not to produce its effects. Upon leaving England, he was so weak as to appoint his favourite guardian of the realm, with power to dispose of all vacant places and benefices, wardships of young nobles, and in short, to act in all things with an unlimited authority. So many favours added to the great presents he had made him before his departure into Guienne his country[3], roused the jealousy of the Barons. They carried their resentment so far, that they combined together to hinder the King's coronation, the day whereof was, now fixed. Edward not being able to break so powerful a league, where almost all the Lords of the realm were concerned, chose to prevent the consequences by fair means.

He gave his word to the Barons, that in the next Parliament he would grant whatever they could reasonably desire. This promise satisfied them. But they were extremely troubled to see Gaveston commissioned to carry the crown of St. Edward, with which the King was to be crowned; an honour that, by ancient custom, belonged to the Princes of the blood. This preference provoked the Lords to the last degree against the favourite, and withal filled them with indignation against the King, who seemed to glory in his fondness for a man odious to the whole nation. The

coronation however was solemnized^[4] without opposition; the Bishop of Winchester performing this ceremony, by order of the Archbishop of Canterbury, who was out of the kingdom.

The solemnity was no sooner over, but Edward forgot his promise to the Lords. He still continued his favour to Gaveston, and left him as before, absolute master of his own and the kingdom's affairs. Gaveston for his part, far from endeavouring to allay the impending storm, affected to govern with an arbitrary power, without vouchsafing to ask any man's advice. He used his influence over his master, to divert him from the thoughts of prosecuting the war with Scotland, which the King his father had so earnestly enjoined him, and whereof his subjects impatiently waited the issue, in order to be eased of the burden.

Instead of inspiring the King with the love of glory and virtue, he filled the court with libertines, buffoons, and parasites, and the like pernicious instruments, proper to corrupt his inclinations, though they had been naturally as good as they were bad. To this he added the ridiculous vanity of affecting to wear the King's jewels, and the crown itself, which Edward freely permitted. The King's weakness grew to that height, that he was heard to say, if his power was equal to his affection, he would set the crown on Gaveston's head. As that was not practicable, he would at least raise him as near the throne as possible, by giving him his niece^[5] sister of the Earl of Gloucester, in marriage.

Every fresh favour granted to Gaveston by the King, increased the hatred of the Lords. Hardly would an Englishman, raised to so high a station, have been endured, much less a private Gascon gentleman, in whom they discovered no other Merit, than a handsome face, an easy shape; and a quick wit very agreeable in conversation, but little proper to govern a state. They plainly saw, it was in vain to press the King to part with this favourite, and that he would never Consent to their request, unless he was forced. In this belief; instead of amusing themselves with persuading Edward by reasons, which would have been ineffectual, they laboured to draw into their league; the members of the Parliament which was to meet, and accordingly did meet in May 1308.

By the management of the Lords, Gaveston's banishment became the chief, or rather the sole business of the session. The two Houses being united in the same design, demanded of the King; in so strong and positive a manner, that Gaveston should be banished, that he durst not oppose it. He was afraid his refusal would deprive him of the aids he expected, for the continuation of the war with Scotland, and perhaps dreaded something worse. Therefore, without any fruitless disputes, he ordered letters patent to be drawn up, promising to cause Gaveston to depart his realm before St. John's Baptist's day next ensuing.

Meantime, instead of acting so as to give room to believe he de- signed-to perform his promise, he every day heaped up new favours on Gaveston. Fifteen days after his engagement, he made him a grant of three thousand marks a year in land. This proceeding clearly showing, he was by no means resolved to part with his favourite, the Archbishop of Canterbury, who had entered into the barons' league, though he lay under great obligations to the King, excommunicated Gaveston, in case he did not leave the realm by the time prescribed him.

Edward little regarding this censure, only entreated the Pope to annul it. At the same time he wrote to the King of France his brother-in-law, to desire him to procure an agreement between him and the Barons, and so to manage, as he might keep his favourite.

These Measures; were neither just nor early enough, The Lords finding the appointed time for Gaveston's departure drew nigh were so urgent with the King to oblige him to keep his word, that he durst not but do it, However, in performing his promise, he found means to give his favourite a fresh mark of his affection, by making him Governor of Ireland, with a very extensive authority; This removal, however honourable it was, failed not to give some satisfaction to the Lords, who hoped to take advantage of his absence to ruin him. But he himself was not at all pleased. Besides, that this change of England for Ireland, appeared to him very disadvantageous,

he was sensible his absence from court could not but prove fatal to him, as he was absolute Master of the King, hardly was he arrived in Ireland, when he caused himself to be recalled, under pretence of assisting at a tournament to be held at Wallingford.

The magnificence wherewith he appeared on this occasion, and the great number of foreigners that attended him, and served him for guards, greatly increased the jealousy of the Lords, who saw themselves thus braved. To this kind of insult he added the indiscretion of passing bitter jests on the Earls of Lancaster, Warwick, Warren, and Hereford, which would have induced them to be revenged, even though they had no other reason to complain. He called the Earl of Lancaster, stage-player; the Earl of Pembroke, Joseph the Jew, the Earl of Warwick, the wild boar of Ardenne; and in like manner gave every one of his private enemies nick-names, to make them ridiculous, or discover their faults.

A. D. 1310] The Lords seeing themselves insulted by the favourite, and deceived by the King, met together to concert means to oblige Edward to keep his word. Quickly after, they presented a petition to him setting forth, that the state and his own household were managed, that it was absolutely necessary to find means to prevent the consequences of this disorder. They added, the only proper method, as, they thought, was, for the King to leave to certain Lords appointed by the Parliament, the care of making a regulation for the well governing the kingdom and his own domestic affairs.

Edward had already shewn great signs of weakness, in his regard for their former demands. He had thereby made them sensible, that if, for the future, they showed any resolution, he would not have the courage to resist them. They were not mistaken in their conjectures.

This Prince, as timorous on certain occasions, as he was proud and haughty on others, was incapable of discerning when he should give way, and when to stand his ground. Accordingly, he did precisely the contrary to what he should have done. Instead of complying with the Barons, when they first, petitioned for Gaveston's removal, he obstinately persisted in retaining him, against all the rules of policy.

Afterwards, far from opposing to the utmost of his power, the motion of planting the government in other hands than his own, and instead of running all hazards, rather than give his consent, he believed it expedient to yield to their importunity. Without considering the consequence of condescension so pernicious to his authority and quit the permitting of Parliament to chuse seven Bishops, eight Earls, and Barons, to make the proposed regulation.

In consequence of the King's consent, the Lords having furnished the regulation, presented the plan, to the King, who approved it, and gave them power to cause it to be observed for one year. It contained but six articles, whereof the two principal were: "That the King should not dispose of any part of his revenues; which should for the future be expended in paying his debts, and maintaining his household, that he might live on his own income, without taking any thing from others: that the Great Charter should be punctually kept; and in case any article should be obscure or doubtful, it should belong to the Lords elected (who were stiled ordainers) to explain it.

A. D. 1311] There was nothing inserted concerning Gaveston's banishment. Probably, the Barons were of opinion, there was no danger from that favourite, so long as the government was in their hands. Nevertheless, when they afterwards saw the King heap, favours on him, and, without asking their advice, had made him governor of Nottingham, and forests warden of the forests on this side the Trent, they drew up one and forty new articles, to which the King was forced to assent. By one of these articles, Gaveston was expressly sentenced to perpetual banishment.

Edward having thus suffered himself to be bound with fetters which he could not shake off, resolved, though with extreme regret, to part with Gaveston. However, to save him the shame of being banished, he gave him an imaginary commission to levy, troops in Guienne, for the

assistance of the Earl of Foix, who had been at variance with the court of France, but the dispute was now at an end.

A. D. 1312] Gaveston's banishment was of no long continuance. Edward, who could not live without him, disregarding the articles he had lately signed, recalled him without acquainting the Ordainers. Shortly after he sent circular letters to the Sheriffs, to give them notice thereof, and to justify what he had done. He told them, that being bound by his coronation oath, to see the laws of the realm put in execution, there was no authority that could absolve him therefrom: that Gaveston being banished by a notorious violence, and without a legal sentence, he could not deprive him of the benefit of the law, to which all his subjects were entitled: that therefore, he had caused him to return into the kingdom, not with design to screen him from justice, but that he might be tried according to the usual form: that in the mean time, he considered him as a good subject and ordered them to publish this declaration their respective jurisdictions.

The Lords were not much displeas'd, that the King by this proceeding, had furnish'd them with a pretence to complete the ruin of a favourite who could not be torn from him without violence. In order to open a way to their end, they endeavour'd to gain the people by exclaiming against the King's conduct: They said publicly, there was no depending upon what was enacted by the Parliament, since the King disregarded it.

That it was easy to see, the King was, aiming at an arbitrary power, and the whole nation was equally concern'd to oppose the growth of a despotic power, which tended to render the subjects so many slaves. These discourses, being supported by their emissaries among the people, began to create an universal discontent, of which the King had both much reason to dread the consequences. He imagin'd, he should be able to prevent them by publishing a proclamation, protesting it was his intention to observe the one and forty articles. But as he had violated one of the principal in recalling his favourite, his protestation produced no effect.

Meantime, Gaveston, still more indiscreet than his master, instead of appeasing his enemies by his modest behaviour, daily grew more proud and arrogant. He acted as if he had nothing to fear, or was ignorant of the Barons' designs. He had even the boldness to speak insolently to the queen; who not being able to obtain any satisfaction, complain'd bitterly to the King her father. She told him that. Gaveston was the sole cause of her misfortunes, and the King her husband's fondness for that unworthy favourite, alienated his affections from her, and made him an entire stranger to her bed.

Meanwhile the Barons kept their first design always in view. There were among them persons of great abilities, who knew how dangerous it is, on these occasions, to act by halves; and that if such sort of enterprises are not brought to an issue, they seldom fail'd to ruin the authors. The Earl of Lincoln was one of the most considerable of the party, as well for his birth and high offices, as for his age and experience. As he was confin'd to his bed by a fit of sickness, which in all appearance would lay him in his grave, he was apprehensive, that after his death the Confederates would give way, and was willing to endeavour to prevent that accident, which would have occasion'd their ruin.

To that end, having sent for his son-in-law the Earl of Lancaster, grandson of Henry III. he conjur'd him. in the strongest and most moving terms, not to abandon the church and people of England to the mercy of the Popes and Kings. He. told him; his birth oblig'd him to endeavour to free the kingdom from the oppressions it unfortunately labour'd under. He charg'd. him to have always a great regard for the King. But withal, he added, that his regard ought not to hinder him from doing all that lay in his power, to remove from the King's person the foreign ministers and favourites.

That honour, conscience, the public good, call'd upon him to procure the observance of the Great Charter, the only basis of the welfare and. peace of the kingdom. In conclusion, he advis'd him

to join heartily with the Earl of Warwick, who among all. the confederates Lords was best able to carry on the important undertaking.

It was not before the effects of this advice were seen. The Earl of Lancaster entering into a strict confederacy with the Earls, of Warwick, Pembroke, Arundel, Hereford, Warren, the Archbishop of Canterbury,. And several other -Bishops and. Barons, they unanimously resolved to take arms, under the usual pretence of defending the rights of the church and state.

The Earl of Lancaster was chosen General of the intended army, an honour which could not be refused to his merit, though no regard had been had to his quality. Immediately after this resolution was taken, all the confederate Barons, dispersing themselves into. the several counties, publicly levied troops. They used such expedition, that in a short time their forces were assembled at the appointed rendezvous. It was impossible for Edward to be ignorant of these preparations. And yet, as if he was unconcerned, he took no notice of them, instead of thinking of means to satisfy the incensed Barons, or defend himself against their insults, he minded nothing but his diversions at York, where he then was with Gaveston.

At the very time that he saw the Barons in arms, to compel him to observe the one and forty articles, he wilfully violated one of the principal, in making the Bishop of Lichfield High Treasurer without the consent of the Ordainers.

After drawing all their forces together, the Barons marched directly for York, thinking to surprise the King, whose supineness gave them room to hope every thing. But upon the first notice of their approach, he retired to Newcastle, where they followed him without loss of time. That town not seeming strong enough he left it and shut himself up in Scarborough Castle, which he deemed his best fortress in. the North. He began then to see his error in deferring so long to prepare for his defence.

However, in spite of the improbability of succeeding, he resolved to go into Warwickshire; where he expected to raise an army, upon the vain hope that the people would flock in crowds to list under his banner. But as he was under greater concern for Gaveston than himself, he left him behind at Scarborough, recommending him to the care of the Governor as a precious trust, and a sure pledge of the confidence he placed in him.

Whilst Edward was taking his too late measures, the Barons, who entered Newcastle the very day he departed, seized whatever was left there by the King and his favourite, their haste not permitting them to carry away any thing. In Gaveston's baggage were found many jewels, belonging to the crown, and of which an exact inventory was taken, that an account might be given of them hereafter. And as soon as the Earl of Lancaster was informed of the King's departure from Scarborough, and his leaving Gavaston there, he sent the Earls of Pembroke and Warren to besiege that castle.

At the same time he marched himself with the rest of the army towards the centre of the kingdom, in order to have it more in his power to oppose the designs of the King. The two detached Earls advancing towards Scarborough without any opposition, formed the siege, and carried it on with great vigour. Though the place was one of the strongest in the kingdom, it was so ill provided with necessaries for its defence, that in a few days Gaveston was under a necessity to deliver himself into the hands of his enemies[6]. He obtained however, a sort of capitulation, whereby it was promised him that he should speak with the King, and be tried by his Peers according to the usual form.

As soon as Edward heard of his favourite's being thus taken, he earnestly solicited his liberty, or that at least, he might see and speak with him according to promise. Above all, he conjured the confederate Lords to spare the prisoner's life, assuring them, on that condition, he would give them entire satisfaction concerning their grievances. Most of the Barons were against carrying

Gaveston to the King, well knowing that his request tended only to get him out of their hands. But they consented at last, upon the Earl of Pembroke's representing, that having given his word in the name of all the Confederates, they were obliged to perform it: that if they would trust him with conducting him, he would undertake to convey him to the King, and to restore him to them at a day and place appointed.

Pembroke designed to conduct his prisoner to Wallingford Castle, where the King was to come and speak with him. Accordingly, taking the road to Oxfordshire, he came to Deddington[7], where he left Gaveston under a guard, whilst he went and lodged in a neighbouring castle[8]. He did not think it necessary to use greater precaution in a place where the King had no troops, and where consequently there was no danger from him: but he found he had taken his measures very ill.

The Earl of Warwick; who was violently against this interview of the King and Gaveston, hearing how they quartered, came that night to the house where Gaveston lay, carried him away by force, and conducted him to Warwick. On the morrow, the same Earl with some others the most violent of the party, after a quick trial, ordered his head to be cut off;[9]. A mad and sanguinary action, which, in violating a capitulation, trampled upon the laws of the land, and the respect due at all times from subjects to their sovereign.

Though Edward was extremely incensed at the boldness of these Lords, it was not in his power to be revenged; and the Barons took no care to give him any satisfaction for this outrage. On the contrary, not content with being thus rid of the object of their hatred, they demanded more haughtily than ever, the performance of the forty articles, and a speedy redress of the grievances of the state: at the same time, they marched to London, where the King was retired, bent upon obtaining by force, what they plainly saw he would never voluntarily grant them.

Meanwhile, the King not daring to trust the Londoners, was gone to Canterbury, where he was not much safer. In this extremity, he had recourse to the mediation of the Pope's Nuncio, and of Lewis Earl of Evreux the Queen's uncle, then in England, and of the Earl of Gloucester, his nephew, who had stood neuter. By means of these three mediators, who laboured heartily in the affair, certain articles were agreed upon, with which every one seemed satisfied.

The Lords promised to restore whatever was taken at Newcastle publicly to ask the King's pardon and declare that without any design against his person, their sole aim had been to redress what was amiss in the government. The King promised on his part, to grant a general pardon to them and all their adherents, reserving a power to grant the like to those that favoured Gaveston's return.

A. D. 1313] The Barons punctually performed their word in restoring whatever was seized in Newcastle: but Edward was not so sincere. He delayed publishing the general pardon above a year, and during that space used all means to draw the Earl of Lancaster to court. But what safe conducts soever he offered him, it was not possible to persuade the Earl to put himself in his power, before the pardon was proclaimed.

At length, the Barons, weary of all the evasions used by the King, began to take arms again, when the King of France sent to the Earl of Evreux his brother, accompanied with Enguerrand de Marigny, to try to adjust these differences. The Queen likewise did all that lay in her power. It was very difficult to accomplish it, because the King still deferring to publish the promised pardon, the Barons believed they had still reason to fear he never designed it. During the negotiation, the King went and conferred with his father-in-law, and left orders that the Parliament should meet whilst he was absent. The Earl of Lancaster and the Barons of his party, made no scruple to be present, being encouraged by the King's absence. But hearing he was returned and landed at Sandwich, they immediately withdrew, not caring to trust to the safe conducts sent them from the place of his landing. Their retreat obliged the Parliament to break up. Affairs being

in such a posture as a fresh rupture was every moment to be feared, the mediators were so urgent with the King to give the Barons satisfaction, that he could no longer defer it. He ordered therefore the two general pardons to be drawn up, which were confirmed shortly after by the Parliament.

Whilst this negotiation was in hand, the Queen brought into the world, (November 1313), a Prince, christened Edward.

The publishing of the general pardons, as well for the confederate Barons as for Gaveston's friends, having at length restored peace in the kingdom, the Parliament granted the King a considerable subsidy towards a vigorous prosecution of the war with Scotland. Before the Parliament broke up, the Barons publicly begged the King's pardon in Westminster Hall, before all the people. This was done in a very solemn manner. The Barons speaking to the King, made use of the most humble and submissive terms, as if the pardon he had granted them were the pure effect of his clemency. After this, they returned to their homes, satisfied in appearance, but however without ceasing to distrust the King. They had too highly offended him, to hope he would ever forget it. The death of the Earl of Warwick, which happened very soon after, increased their mistrust, every one then believing that he was poisoned.

Whilst England endured violent shocks by the weakness and little genius of the governor, Scotland daily grew stronger, by the prudent conduct of a courageous and vigilant King, who wisely improved the repose procured to them by the death of Edward I. Robert Bruce, who may be justly called the restorer of the Scotch monarchy, wisely suppressed the factions which divided his subjects, and united them all in the design of shaking off the yoke of servitude. By this happy union, he was in a condition not only to recover the best part of his country, but also to carry his arms into England.

Edward I. resolved utterly to destroy Scotland, and probably would have reduced the kingdom to a wretched condition, if death had not snatched him out of the world very opportunely for the Scots. Robert Bruce was preparing to take advantage of the consternation of the English, occasioned by the loss of Edward: but a fit of sickness seizing him at the same time, hindered his entering upon action.

Meanwhile, the Scots, who knew not yet the character of Edward II. were in great perplexity, their forces being much inferior to those of their enemies. Edward II's sudden resolution to return into England, after advancing as far as Dumfries, and striking terror into the whole kingdom, gave room to entertain better hopes. His impatience to meet Gaveston, to marry the Princess designed for him, and to be crowned, expelled all thoughts of war, to which he had no inclination. So, leaving his army under the conduct of John Comyn, a Scotch Lord, he returned into England. His abrupt departure caused great murmurs in the army and kingdom. People could not behold him without astonishment, relinquishing the conquest of Scotland, at a time when the number and ardour of his troops, and King Robert's illness, seemed to warrant him a glorious campaign.

His chusing Comyn to command the army was no less disliked. This General was a Scot, and though of the opposite party to Robert, and his particular enemy, his being a foreigner was alone sufficient to offend the English, who thought themselves dishonoured by this preference. What happened quickly after, shewed that their complaints were not groundless. Comyn, willing to take advantage of Robert's illness, whom he thought incapable of heading his troops, advanced in order to attack the Scots. Though Robert still found himself extremely weak, he believed he ought not to decline fighting.

At such a juncture, a retreat might have disheartened his subjects, and occasioned the loss of his whole kingdom. In this resolution, having mounted his horse, supported by two Esquires, he drew up his army, and expected the enemy, with a steadiness that produced a wonderful effect. The English imagined, this little army would never dare to stand before theirs. But when by the good posture of the Scots, they found themselves disappointed, their courage began so to cool,

that hardly could they be brought to begin the fight. So weak an attack, and so ill seconded, inspiring the Scots with fresh courage, they fell with great fury upon their enemies, and put them entirely to the rout. This defeat was the more dishonourable to the English, as, besides their being superior in number, they were the same troops that had so frequently vanquished the Scots, and now suffered themselves to be beaten by an army levied in haste, and consisting of undisciplined soldiers.

Comyn retiring into England after his defeat, Robert entered the country of Argyle, which still belonged to the English, and ravaged it all over. Shortly after, Edward Bruce his brother, gave the English another defeat, in the county of Galloway. These two victories gave the Scots such a superiority, that they began from thenceforward to despise the English, and forget their past losses. How little inclination soever Edward had for war, he could not avoid endeavouring to stop the progress of the King of Scotland.

In 1308, that is, in the second year of his reign, he led in person a powerful army into that kingdom. But as he had taken no care for provisions, depending upon what he expected to find in the enemy's country, he was obliged to march back his army into England for want of subsistence. Robert, more provident than he, had carried away, or destroyed before-hand, whatever might serve to maintain the enemies' troops. Edward's retreat gave the King of Scotland, an opportunity to become master of several places in possession of the English, and to make that year a very prosperous campaign.

The troubles which afterwards happened in England on account of Gaveston, enabled that Prince to make a still greater progress. In 1310 and 1311, he entered England twice, and carried away a great booty. In 1312 he recovered Perth, Lanark, Dumfries, Roxborough; and lastly, Edinburgh Castle, which was taken by storm by the Earl of Murray his General. This year the Isle of Man voluntarily submitted to him.

Whilst Robert continued his conquests, Edward, wholly employed in seeking means to be revenged on the Barons, for putting Gaveston to death, was surprisingly negligent with regard to Scotland. Instead of hastening an agreement with the Lords, in order to unite all his forces, he prolonged the negotiation, by a policy very pernicious to the affairs of the state. Mean time, Robert took advantage of the negligence of the English. After making himself master of all the places Edward I. possessed in Scotland, except Stirling, he sent, in 1313, his brother Edward to besiege that town, the strongest then in Scotland. The siege was carried on very vigorously: but the besieged made as brave a defence.

However, Philip Mowbray, the Governor of the place, finding his master made no preparations to relieve him, thought to do him good service in signing a capitulation, whereby he promised to surrender the town in a year, if it were not relieved by that time. Edward having sufficient time to prepare, and desiring at any rate to prevent the loss of so important a place, summoned all his vassals to meet him with their troops.

The English, Gascons, Irish, and Welsh, were so ready to obey him, that by June 1314, he saw himself at the head of a hundred thousand men. The soldiers already devoured in their imagination, whatever the former ravages of Edward I. had left in Scotland. Only the Earls of Lancaster, Arundel, Hereford, and the new Earl of Warwick, refused, on this occasion, to serve the King, their mistrust of him not permitting them to put themselves in his power.

This numerous army entering Scotland, advanced within view of Stirling. Robert expected them at the head of thirty thousand men, inured to the fatigues of war, and who had frequently worsted the English. He drew up his army on an advantageous ground, where he could not be surrounded. A mountain, full of inaccessible rocks, covered one of his flanks, and the other was secured by a deep morass. How great soever the inequality of the two armies might be, the Scots being determined to conquer or die, received their enemies with such vigour and resolution, that they

soon put this numerous army into disorder and confusion. The English horse being pressed at first with a fury they could not withstand, were the occasion, by their flight, of the defeat of the whole army; a defeat the most terrible that England had endured since the beginning of the monarchy[10]

The Scotch writers account the enemy's loss. to fifty thousand men. They pretend, the number of the prisoners taken on this occasion exceeded that of the conquerors. The Earl of Gloucester, nephew of Edward II, with many other Lords of distinction; and above seven hundred Knights, lay dead on the field of battle. The English reduce the number of the slain to ten thousand. But the consequences of this action discover that their loss was much greater, since from that they ventured no more to take the field.

Edward, with the remains of his army, hastily retreated, without thinking himself out of danger, till he was at York, where the dispersed fugitives came to him[11]. He formed a very considerable body, with which he shewed a desire to reenter the enemy's country, and hazard another battle. But the consternation of his troops was so great, that he could not prevail with them to endeavour to retrieve their honour. This battle, called the Battle of Banockburn, procured the Scots, besides an inestimable booty, a peace which lasted several years. They acquired so great a superiority over the English, that the latter, far from being able to recover what they had lost in Scotland, were long forced to see their borders ravaged, without daring to make the least resistance.

Whilst fortune strove on all occasions to humble Edward, an impostor, one John Deydras, a tanner's son of Exeter, sought to take his crown from him, by maintaining that he was himself Edward, and changed at nurse. So extraordinary and ill-formed a project served only to bring the impostor to the gallows, instead of a throne, which he would fain have mounted. Without doubt he built his hopes upon the little esteem the English had for their King, having probably imagined it would not be difficult, to make them believe he was no son of Edward I who had none but noble and generous inclinations. But it was not this vile instrument, which Providence was pleased to use, to ruin this unhappy Prince, though in some measure this event may be considered as a sort of presage of what was to happen.

A. D. 1315] The loss sustained by the English in Scotland was followed by a dreadful famine which lasted three years, and destroyed an infinite number of people In vain did the Parliament endeavour to help it by settling the price of provisions: they were forced the next year to revoke the act that had been passed on that account[12]. But neither war nor famine, nor the murmurs; of the people, were able to hinder the King from expending a large sum in celebrating the funeral of his favourite, whose body was removed to King's Langley in Hertfortshire.

He would honour the funeral pomp with his presence, attended by the Archbishop of Canterbury and some other Bishops. But the Barons positively refused to assist at the obsequies of a man so odious to them, and whom they deemed unworthy of the honour done to his memory.

A. D. 1316] Mean time the famine raged in so terrible a manner that we can hardly give credit to what historians say of it[13]. They are not content with telling us, that the most loathed animals were used for food, but what is much more horrible, people were obliged to hide their children with all imaginable care, to prevent their being stolen and eaten by thieves. They assure us, that men themselves took precautions to hinder their being murdered in private places, knowing there were but too many instances that some had been served in that manner, to feed such as could find no other subsistence. We are told likewise, that the prisoners in the goals devoured one another in a barbarous manner, the extreme scarcity of provisions not permitting their being allowed necessary food.

The bloody-flux, caused by bad feeding, completed the misery of the English. Such numbers died every day, that hardly could the living suffice to bury the dead. The only remedy that could be found against the famine, but which was not capable of bringing all the necessary relief, was,

to prohibit on pain of death, the brewing any sort of beer, to the end, the corn usually expended that way, might serve to make bread[14].

A. D. 1317] Notwithstanding these calamities, the mutual enmity which the King and Barons had long harboured in their breasts, was seen daily to increase. It was almost impossible, but this violent hatred should in the end produce fatal effects. Edward, unable to forget the injuries he had received, entertained a strong desire of revenge, which put him upon seeking all possible means to gratify it.

He was chiefly exasperated against the Earl of Lancaster, whom he looked upon as the sole author of his disgrace, and his most dangerous enemy. Had the Earl's life been in his power, he would not, probably, have spared it. But as his dissimulation had not been capable of drawing him into any snare, finding he could not reach his person, he attempted to deprive him of his estate and honour. To that purpose, he created him a trouble, which the most immoderate mistrust could, not have prevented.

Whilst the Earl kept at a distance from court, a certain Knight, called Sir Richard St. Martin, a man of a mean look, and dwarfish stature, presented to the judges a petition, claiming the wife of the Earl of Lancaster, heiress of the families of Lincoln and Salisbury. He set forth in his petition, that he had carnally known her, and that she had, made him a promise of marriage, before she was contracted to the Earl.

The countess, dissatisfied with her husband, having, to her eternal shame, confessed the fact, was adjudged, with all her estate, to the unworthy claimant. This affair which would seem to have required a long examination, was so quickly decided, that it was easy to see the judges were gained before hand, and that the King himself had been a promoter of the process. An injury of this nature done to a Prince of the royal blood, exceedingly beloved by the people, raised an extreme indignation against the King. Nothing was heard but murmurings against his government. As he had then no favourite to bear the blame, it was all cast on himself.

There were even some who took the liberty to upbraid him to his face for his ill conduct. Upon a certain holiday, at Whitsuntide, Edward dining in public in Westminster Hall, a woman in a mask came on horseback and delivered him a letter. The King imagining it contained something to divert him, ordered it to be read aloud. But he was very much surprised to hear only outrageous reproaches for his cowardice, tyranny, and all the grievances introduced in his reign.

The woman being apprehended, confessed, she was bribed by a certain Knight to play that part; and the Knight boldly maintained, that believing the King would read the letter in private, he thought it the most proper way to let him know the complaints of his subjects.

A. D. 1318] Whilst England was reduced to extreme desolation, Edward, without troubling himself about the ravages the Scots continued to make on the borders, minded only how to humble the Barons, who began to form new projects; the consequences whereof he had reason to fear. They had lately presented to him a petition, containing a long list of the people's grievances, of which they demanded a speedy redress. Nothing was farther from his thoughts than to reform abuses. However as he durst not openly discover his intentions, he had referred the matter to the Parliament which was to meet at Lincoln.

A Scottish invasion at the same time; afforded him an excuse to prorogue the Parliament several times, and at length to dissolve it. This proceeding so incensed the Barons, that with one consent they resolved to take arms, to obtain by force the satisfaction they required. They would have doubtless extremely dissatisfied this weak Prince, incapable of governing himself at so nice a juncture, if some Lords of more moderation had not joined with the Pope's legate to promote a reconciliation. These mediators obtained of the King, that for the satisfaction of the confederate

Barons he should admit a certain number of them into his council, and promise to do nothing without their advice.

The Earl of Lancaster was to be one: but as he could not trust the King, it was agreed he should nominate a Baron or Knight to supply his place. Moreover Edward promised to grant an absolute pardon, without any restrictions, to the Earl of Lancaster, for all that was passed. This agreement was made and signed at Leek on the 9th of August 1318; and confirmed three days after by the Parliament, called upon the pressing instances of the mediators. After this affair was ended, the King and Earl of Lancaster meeting on a plain near Leicester, embraced and kissed one another in token of perfect reconciliation. Let us now return to the war with Scotland.

After Robert's obtaining near Stirling that signal victory which proved so fatal to the English, he pursued the vanquished into England, where he committed prodigious ravages, whilst Edward durst not stir from York to oppose his enemy. The King of Scotland, not satisfied with this advantage he projected the conquest of Ireland. This Island had long been governed by English officers, who were more careful to enrich themselves, than to promote the public good. Their arbitrary proceedings had bred among the Irish such great and universal discontent, that they wanted only a favourable opportunity to revolt.

The defeat of the English army before Stirling giving them reason to believe the present juncture was very proper to execute their design, they sent word to the King of Scotland, that they were ready to cast off the English yoke, provided he would give them assistance. Robert took care not to lose so fair an opportunity to become master of the Island, or at least to make there a powerful diversion. He, sent thither some troops under the command of his brother Edward, who heading the rebels, conquered the greater part of the Island, and was even acknowledged for King.

Whilst he was carrying on his conquests, Robert amused the King of England with proposals of peace; which he seemed to do with sincerity and earnestness, but artfully raised from time to time difficulties, which hindered matters from being concluded. This proceeding lasted till 1317, without Edward's perceiving his enemy's artifice. His want of penetration would even have made him entirely lose Ireland, had he not been reused by the murmurs of the people. The prejudice which England might receive by the loss of that island was so manifest, and the consequences so plainly laid before him, that at length he resolved to send thither a powerful supply, under the conduct of Mortimer.

With this aid the English that were in Ireland, finding themselves able to take the field, marched to attack the Scotch prince. Meanwhile, the King of Scotland, receiving intelligence how much his brother stood in need of being speedily relieved, went himself into Ireland. But upon his arrival, he heard his brother was defeated and slain in a battle wherein he had rashly engaged[15].

Robert's loss on that occasion breaking all his measures, and disabling him from continuing the war in that country, he thought it more proper to return and improve the advantages, lately gained by his arms in Scotland. In his absence Douglas one of his Generals, defeated the army sent by the King of England into that kingdom, to try to take advantage of Robert's being in Ireland.

This fresh victory, which put it out of the power of the English to Withstand the Scots, inspired Robert with the thoughts of improving it, by laying siege to Berwick, which was still in the hands of the English. In this extremity Edward turned to the Pope, and earnestly entreated him to interpose his authority, in order to procure him a peace, or at least a truce with Scotland. John XXII. who had lately succeeded Clement V. immediately granted Edward's request; not, indeed as Mediator, but as Sovereign arbiter, and by virtue of his apostolic authority.

To that end, he sent. two legates into England, with a power, which showed that he thought himself invested with Sovereign authority over all Kings, even in temporal affairs. Their commission ran, that they were to make peace between the two contending nations, in what

manner they pleased, and compel both princes to accept it, on pain of excommunication, and an interdict upon their dominions. But as he judged such a peace could not be made without some debate, which would take up time, he ordered his legates: to cause a two years' truce to be published in his name, and by his authority; and gave them power to excommunicate those that refused to observe it.

The legates, furnished with such large and extraordinary power, came into England, and immediately caused the truce to be proclaimed. Edward paid an implicit obedience to it, not considering that he thereby sacrificed to the court of Rome the most authentic prerogatives of the crown. It was not the same with Robert. Under pretence, that the Pope and his legates gave him the least title of King, he would never permit the latter to enter Scotland, much less to procure a truce there. He even treated very roughly the superior of the Cordeliers of Berwick, sent to him the legates, and who using surprise, had been so bold as to publish, in some measure the truce, in the presence of several Scots.

A. D. 1319] Instead therefore of obeying the Pope, he besieged and took Berwick. This contempt for the Pope's orders, obliged the legates to excommunicate him, and put his kingdom an interdict. But he did not much regard a censure so manifestly unjust to him, and so very partial to the English. Therefore continuing his progress he advanced on the borders of England, and committed great ravages without meeting any opposition.

Edward found then, that the spiritual weapons of the Pope were but of little service. Accordingly, on a sudden altering his methods, he found means to raise an army, to go and attempt the recovery of Berwick. Whilst he was employed in the siege, the earl of Murray, the King of Scotland's General, made a diversion in England, which proved very fatal to the borderers. In his return from ravaging several counties, he met a body of English militia to the number of ten thousand, with the Archbishop of York at their head.

Though his forces were not near so numerous as those of the enemy's, he courageously charged them, and obtained over these undisciplined troops a victory, which destroyed above half. The Scots called this action, The White Battle, from some English priests being killed in the fight with their surplices on. This accident obliged Edward to raise the siege of Berwick. Shortly after, with much solicitation, he obtained a truce for two years; whereupon he left the north, and returned to London, where he was no less unfortunate.

The truce restored not to England the expected tranquillity. Hardly was it proclaimed, before the kingdom was involved in fresh troubles, much more violent than those caused by Gaveston. The Lord, ever jealous of those about the King's person, had introduced into court a young gentleman, Hugh Spencer, whom they believed entirely devoted to their interests. They had procured him the office of King's chamberlain, with a design to make use of him as a spy, in order to be informed of what passed at court, where they seldom appeared.

But their project turned against themselves. Spencer had a father named Hugh, as well as himself a person of courage and good sense, who gave him quite contrary instructions. He intimated to him, it would be much more easy to make his fortune, by labouring directly for himself, than by serving the Barons; and with a little patience and obsequiousness, he might render himself superior to those whom he looked upon as his protectors. Spencer the son being inclined to follow this advice, found at first great difficulties.

The King could not behold with a favourable eye, a domestic who had already shown too great an inclination for his enemies. Nevertheless, in time, and by the prudent counsels of his father, Spencer removed by degrees, the ill impressions his Master had taken against him. As his design was to govern the King entirely, he scrupled not to become for some time his slave, by showing on all occasions that he was wholly devoted to him. By this blind obsequiousness, and lay a general compliance to whatever was agreeable to him, from, his spy, he became his confident,

and at length supplied in his heart the place formerly possessed by Gaveston. When he saw himself in this great degree of favour, he made an ill use of it, like his predecessor, and by his excessive pride and insatiable avarice, made it soon wished, that Gaveston had not been oppressed. Hugh his father, whom he had caused to be created Earl of Winchester[16], had been till then of a quite different character. Nothing could be laid to his charge unbecoming a man of honour and honesty. In all the posts he had been promoted to, by this and the late King, he had always behaved with great moderation, prudence and impartiality. But he knew not how to preserve the reputation he had acquired.

A blind fondness for his son, and ambition, which had seized him in his old age, threw him into those excesses which rendered both him and his son odious to the nation, and particularly to the nobility; It was not long before an universal discontent became visible. The Earl of Lancaster, a great favourite of the people, and a determined enemy to the King, notwithstanding their outward reconciliation, had improved these junctures to form a party capable of ruining the two favourites[17].

He had demonstrated to his friends, that their ruin and his own were infallible, if means were not found to remove the Spencers from court: that the King, who harboured a secret desire of revenge, was indeed incapable of managing a design, but that every thing was to be feared from that Prince; assisted by his two new Ministers, of much greater abilities than Gaveston. He added, these ministers were no less guilty than the other of divers encroachments on the privileges of the people, and that all the endeavours hitherto used, to reduce the royal authority within due bounds, would be fruitless, if the King was suffered to return to his former courses, and trample upon the liberties of the subject.

These reasons, alleged by a Prince, who passed for a disinterested and zealous asserter of public good, and joined to the envy raised by the advancement of the Spencers, caused so sudden an effect, that the old association was renewed. As the confederate Barons had every thing to fear from the abilities of the ministers, they lost no time in presenting to the King petitions, as they had done concerning Gaveston. Such a conduct would only have given their enemies leisure to prepare. And therefore, without discovering their intentions, they resolved to levy troops with all possible secrecy and expedition, and to surprise the King and his favourites, before they had time to take any measures.

This design was executed with such speed, that in a very short space, they drew together eleven thousand men, with whom they ventured to take the field. The first exploit was to plunder the lands of the Spencers, which was left to the care of Roger Mortimer the younger, so called to distinguish him from his uncle of the same name. He discharged his commission in so violent a manner and with so little regard for the favourites, that he did them in a few days threescore thousand pounds damage. This done, the Barons sent some of their body to present a petition to the King; desiring the removal of the Spencers.

Edward perceiving it was not in his power to curb their boldness, referred the matter to the Parliament. He did not question, but he should have interest enough with the Commons to protect the two ministers. But the Barons' resolution to continue in arms, broke all his measures. Several members of Parliament being at the devotion of the Lords, others awed by the army, and all in general having too little value for the Spencers, to run any hazard for their sake, the two favourites were banished the realm, without the King being able to screen them.

This Parliament was called, The Parliament of the White Bands, on account of certain white marks, by which the adherents of the Barons were to know each other. Whatever endeavours the King used to oppose these violent proceedings, he found himself constrained to give way to a torrent, which he could not Withstand. Spencer, the father; being then out of the realm upon the King's affairs, the son was ignominiously conducted to Dover, where he was shipped off with great threats, if ever he pretended to set foot in the kingdom again.

A. D. 1321] Edward highly resented this affront, and swore to: be revenged. But perhaps means would have been found to appease him, if the Queen, who, on the like occasions, was wont to act the part of a mediatrix between the King and the Barons, had not ceased doing them that good office. Instead of endeavouring to assuage the King's anger, she took care to excite him to vengeance, being exasperated at an affront, lately received from a Baron, and of which she cast the blame upon the whole party.

The occasion of her resentment was this: Whilst Edward was thus incensed against the Barons, Isabella, designing to go in pilgrimage to Canterbury, sent some of her domestics before, to provide lodgings in the castle of Leeds belonging to Bartholomew de Badlesmere, one of the associated Barons. As the whole party were then in extreme distrust of the King, the officer who commanded in the castle, denied the Queen's people admittance. There was even one of them killed. So far was Badlesmere from disclaiming what was done, upon complaint made to him, that he had the boldness to write the Queen a very insolent letter, expressly approving what had passed.

It was very difficult for that Princess, who was naturally haughty and revengeful, not to resent such an affront. As she plainly saw the union of the Barons was the sole cause of Badlesmere's insolence, she thought the readiest way would be to break their association. The Queen, in her resolution of spurring on Edward, persuaded him, that the present juncture was very advantageous to free himself from the power of the Barons; that by immediately punishing the governor of Leeds, as he deserved, he would strike such a terror into the Barons, who did not expect any such thing, that they would not think even of standing upon their defence, when they should see the sword in hand, and able to compel them to return to their allegiance.

Edward approving this advice, gave orders for levying troops. But for fear of any obstacle, and in order to remove the people's apprehensions; who began to be alarmed at these levies, he issued out a proclamation, protesting, he took not arms to make war on his subjects, but only to punish the insolence of a private person. This proclamation producing a good effect among the people, and the Barons not thinking they should engage the kingdom in a civil war for the sake of a single officer, the King raised an army without opposition.

When his troops were ready to march, he went immediately and besieged the castle of Leeds, and taking it, ordered Colpeper, the governor, with some other inferior officers, to be hanged. This good success causing him to forget his protestation, he made use of his to take vengeance on his enemies. To that end, he besieged some other castles belonging to the Barons, and particularly Warwick, which he became master of with the same ease. When he thought himself sufficiently formidable, he recalled Spencer the son, who, since his banishment, had turned pirate, particularly against the English.

Edward continuing his progress, after the return of his favourite, put the associated Barons into the utmost consternation. They would have been glad, on this occasion, of the Queen's assistance: but she was too much incensed against them to stand their friend. In this ill posture they saw themselves exposed to the fury of their enemies, who spared them not.

Mean while, the King, by his sole authority, revoked the sentence of banishment against the Spencers, and recalled the father, as he had already done the son. The King's diligence threw the Barons into so terrible a perplexity, that they knew not what course to take. His army was in the centre of the kingdom, ready to fall upon the boldest. The people, as it usually happens on such occasions, joined with the strongest for fear of being oppressed before the Barons were able to protect them. In this extremity, most of the associated Barons wisely chose to throw themselves upon the King's mercy. As for those who refused to follow their example, many were taken and executed, some fled for refuge beyond sea; and others were shut up in prison. Of the number of these last was Roger Mortimer, junior, whom the Spencers closely confined in the Tower, but

who doubtless would not have met with so favourable a treatment, had not his life been saved by a powerful intercession.

A. D. 1322] The Earl of Lancaster's faction being extremely weakened by the defection, flight, imprisonment, or death of his adherents, the Earl, with what few troops he could assemble, saw himself constrained to retire into the North. He had nothing to depend upon but the protection of the Scots, who promised him succours: but it was necessary to join them. The route he took; and some intercepted letters, discovered his intention to the King.

To prevent it, he ordered Sir Andrew Harcla, governor of Carlisle, to draw together what troops he could, and go out against the Earl to cut off the passes, or at least to keep him at bay, whilst he pursued him in person with his army. However expeditious the Earl of Lancaster was, and whatever care he took to retard the King's march, by destroying; the country behind him, he was obliged, after passing the Trent over Burton bridge, to halt, in order to oppose the passage of the army which pursued him. But Edward retiring, to pass at another place, the Earl resolved to stand the ground. Nevertheless, whether through scruple, or fear of the King's superior forces, he suddenly altered his mind.

freeing himself from these straights he advanced to Burrow bridge, where ran another river, which afforded no other passage but over a bridge defended by Harcla. In this extremity, he was under a necessity either of resolving to fight the King, who closely pursued him, or of attempting to force this pass, before the royal army came up. He chose the latter, and without loss of time, ordered the bridge to be attacked.

The vigorous resistance of the enemy, the death of the Earl of Hereford, slain in the beginning of the fight, and the dread of being surprised by the King who was advancing, so daunted Lancaster's troops that instead of continuing the attack, they took to flight, and dispersed themselves in the country. Harcla, perceiving this disorder, speedily passed the bridge, and pursued the runaways, of whom he took a great number prisoners. The Earl of Lancaster, who endeavoured in vain to rally his men, staying too long in hopes of freeing himself from these straights he advanced to Burrow bridge, where ran another river, which afforded no other passage but over a bridge defended by Harcla.

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This unfortunate Prince saw himself exposed to the insults of the soldiers, who in derision called him King Arthur, from his using that name in some of the intercepted letters. A few days after, the King being come to Pontefract, he ordered him to be arraigned in the hall of the castle, before a small number of Peers who attended him, among whom were the two Spencers.

By this little assembly, was the Earl condemned to be drawn, hanged, and quartered for a traitor. But out of reverence to his birth, the King was pleased to save him the infamy of that punishment, and only ordered him to be beheaded[20]. Nine other lords of his party were sentenced to the same punishment, and executed at York. The Lord Badlesmere, the first cause of the war, and

four other Barons, suffered the like death at London, Windsor, Canterbury, and Gloucester, for a terror to the kingdom. Never, since the Norman Conquest, had the scaffold been drenched with so much English blood, as upon this occasion. These inhuman proceedings were ascribed to the Spencers.

A. D. 1323] Edward imagined, that after this success against his subjects, he could not but be very formidable to the Scots. In this belief, he resolved to march towards Scotland, big with the expectation of surprising Robert, and repairing, by this one expedition, his former losses. Whilst he was in his own territories, he had plenty of provisions, every one striving to supply his army, more out of fear than affection. But preposterously fancying he should find the same conveniences in the enemy's country, he was suddenly in terrible want. So, instead of advancing any further, he was forced to return in haste. But this was not all the dishonour he received from this ill concerted expedition.

Hardly had he begun to return into his own dominions, when Robert closely pursued him even into England, and overtaking him at Blackmore, eased him of his baggage, and had liked to have taken him prisoner. The English army being all dispersed on this occasion, Robert continued his march, ravaging the country with fire and sword to the very walls of York. At last, having burnt the monastery of Rippon and ransacked the abbey of Beverly, he returned home loaded with booty.

What ever reason that Prince had to expect great advantages from the continuance of the war, he entered into negotiation for a truce, which at length was concluded on the 13th of May, 1324, for thirteen years. He consented the more readily to this truce, as he was forced to give some respite to his subjects exhausted by so long a war. Besides, he hoped by that means to be reconciled to the Court of Rome, having received intimation, that his absolution, and the removal of the interdict, depended upon his compliance.

The submission of the English, and the long truce with Scotland, placed Edward precisely in a situation most agreeable to his temper. He had nothing to divert him from his pleasures; enjoyed a peaceable kingdom; and could leave the government to his favourites, without fear of being controlled by his subjects. This was a happiness he could not attain till this year, being the sixteenth of his reign.

However, his satisfaction was sometimes disturbed by the remembrance of things past. The death of the Earl of Lancaster, of which he began to repent, since peaceable state, sometimes stung him with bitter remorse. This manifestly appears, in his answer to certain lords petitioning him to pardon a condemned criminal. Is it possible, cried he, that such a wretch as this should find so many friends to intercede for him, when not one would speak in behalf of my cousin of Lancaster, who, if he had lived, might have been useful both to me and the whole kingdom; therefore, as for this fellow, he shall die as he deserves.

The character of Thomas, Earl of Lancaster, was not much less ambiguous than the Earl of Leicester's, in the reign of Henry III. The King's and the Spencers' adherents called him villain and traitor; one that having taken arms against his sovereign, was justly condemned. But the people in general had his memory in great veneration, considering him as a real martyr for liberty. Immediately after his death, his tomb was flocked to, where many miracles were pretended to be wrought[21].

The King was even obliged, strictly to command the Bishop of London, to put a stop to the superstition of the people of his diocese, who came and said their prayers to the Earl's picture hung in St. Paul's church. Probably, the uncertainty concerning the character of this Prince would have lasted much longer, if two things had not determined people in his favour. The first was the punishment of Harcla, who being made Earl of Carlisle, for taking Lancaster prisoner, incurred the displeasure of the Spencers, and upon a suggestion of a correspondence with

Scotland, was beheaded[22]. The second was, the canonization of Lancaster in 1389, at the request of Edward III son of him who had taken away his life.

The death of this Prince, and of several other lords of the same party, placed the Spencers on the top of the wheel. As there was now no man able to oppose them, these two ministers did, in the King's name, whatever they thought agreeable with their interests. Had they been so wise as to moderate their passion, and deny themselves the pleasure of revenge, they would have doubtless supported themselves in their high station, and caused their master to pass an easy and quiet life. But where are men of this character to be found?

The Spencers, to complete their vengeance, threw the kingdom into greater and more fatal troubles, than what were lately appeased. Not content with putting to death the heads of the opposite party, with depriving others of their estates, and with condemning great numbers to perpetual banishment, they believed themselves yet unsafe, till they were rid of three persons who made them uneasy, and with whom they were extremely incensed; namely, the Bishops of Lincoln and Hereford, and Roger Mortimer the younger. This last, who had done them great damage, was in their power, being actually prisoner in the Tower. The Bishops would have been sacrificed, had it not been for the interference of the church.

Roger Mortimer the younger seemed not to be in very favourable circumstances. Detained in close confinement, and destitute of a character which might screen him from the malice of the favourites, who were extremely incensed against him; he expected to forfeit his head for the damages he had done. And indeed he was condemned to die, but found a powerful intercession with the King; Who, notwithstanding the solicitations of his favourites, changed his sentence to perpetual imprisonment.

However, whether he was afraid the King would, one time or other, be gained by this enemies, or relied upon the same protection that had already saved his life, he entered. into new plots. Though a prisoner, he attempted to make himself master of the Tower, and likewise of Wallingford castle, by the help of his friends. This plot being discovered, one of his accomplices was condemned to be hanged, and himself once more had the sentence of death passed upon him. However, he obtained his pardon again.

When we reflect on the great credit of the Spencers, their revengeful temper, and the reason they had personally to hate Mortimer, it must be evident that the protection. Which screened him from their vengeance, was very powerful. On the other hand, if all the circumstances of this reign be considered, it will not be thought likely, that any other person but the Queen could possibly obtain such a favour from the King, against the interest and solicitation of the ministers.

This conjecture is confirmed by the scandalous manner wherein that Princess afterwards lived with Mortimer, from whence it may be inferred, their good understanding commenced long before it was publicly known. Let us add here, in order not to return to Mortimer till there shall be occasion, that quickly after he found means to escape out of the Tower, and he concealed some time in England, and notwithstanding the diligent search that was made to apprehend him, he had the good fortune to escape into France.

The peace made by Edward I with France still subsisted, notwithstanding certain disputes between the two crowns, in the reigns of Lewis Hutin, and Philip le Long, sons and successors of Philip the Fair. Upon Charles the Fair's ascension to the throne of France; after the death of his brothers, these differences were considerably increased, on account of the jurisdiction claimed by that Prince over Guienne, as sovereign Lord of that duchy. It is probable too that Charles, dissatisfied at ill treatment of his sister Queen Isabella in England, sought occasion to give Edward marks of his resentment. An unexpected accident in Guienne, gave him an opportunity to make himself satisfaction, Hence flowed all those misfortunes which afterwards fell upon the King of England.

At a town in Agenois, called St. Sardos, held of the castle of Moutpezati, some outrage was committed, which Edward's officers in Guienne neglected to redress[24]. Whereupon the parties concerned carried their complaints to the King of France, as sovereign Charles embraced this opportunity to improve his right over Guienne. He caused the court of Peers to sentence the Lord of Montpezat, and other Gascon gentlemen to banishment, and confiscate their castles to the crown of France. By virtue of this sentence, given without summoning the King of England, or his officers.

Charles would have taken possession of the castle of Monpezat but was prevented by the English, who placed a strong garrison there. This opposition occasioned another sentence, declaring the garrison guilty of felony, for opposing the execution of the first. Meanwhile, the king of France ordered troops to be raised in Perigord, and the neighbouring provinces, with design to besiege the castle. To give the better colour to this armament, he complained, that Edward had not done him homage for Guienne and the earldom of Ponthieu, and so had a pretence ready to confiscate these provinces; in case his arms met with the expected success.

Nothing was farther from Edward's thoughts, than a desire of entering into a war with France, and yet he took no method to avoid it. Instead of giving the King his brother in law some satisfaction, by doing justice to the parties concerned in the affair of St. Sardos, and by offering the homage due to him, he still kept his character of neglecting great matters for the sake of trifles. It is true indeed, he sent commissioners into Guienne, with public orders to make inquisition concerning the business of St. Sardos. But by their private instructions, they were to do their utmost to oblige the plaintiffs to desist from their appeal.

As for the homage, though he did not pretend to dispute it, he excused himself from doing it, on pretence he had never been summoned in form. Meantime, he sent his brother, the Earl of Kent, to a command in Guienne, but with so few troops, that the Earl not daring to keep the field, shut himself up in Reole; where he was besieged, and at last forced to capitulate.

Before the Earl of Kent went over to Guienne, he was sent to Paris, to try to adjust the difference between the two crowns. He had even agreed with the court of France upon a treaty, which the King his brother refused to ratify. This was the subject of a long negotiation, which served only to give the Earl of Valois time to pursue his conquests in Guienne.

At length, Edward perceiving the dutchy was in manifest danger, thought fit to make some preparations, which occasioned the court of France to equip a fleet, to oppose that of the English. The Spencers, ever watchful of occasions to vex Isabella, used this to deprive her of the earldom of Cornwall, assigned her for her private expenses. They suggested to the King, that it was dangerous to leave that country in the hands of the Queen, when he was at war with the King her brother. They added, that probably, the fleet the French were fitting out, was designed for an invasion from that quarter. This was sufficient to induce Edward to reassume that earldom in a very disobliging manner to the Queen, without dissembling that he thought her capable of holding a criminal correspondence with the enemies of the state. This indignity, which she highly resented, added to so many other reasons of disgust against the Spencers and the King, in all likelihood, hastened the project, the particulars whereof we are about to relate.

A. D -1326] Though Edward made some preparations for war, it was not by the force of his arms that he expected the restitution of what was taken from him. His chief reliance was on the Pope, who being chosen mediator between the two crowns, put him in hopes of a good issue of this affair. To work this agreement, the Pope sent two nuncios to Paris, whither ambassadors from England also repaired. But the negotiation went on so slowly, that the English could not help shewing some impatience. As they seemed inclined to return home, a person of great note in the court of France took occasion to insinuate to the nuncios, that if the King of England would send his Queen to Paris, she would undoubtedly obtain from the King her brother, much better terms than the ambassadors could expect. The nuncios having made this proposal to the English

plenipotentiaries, it was resolved that one of them, the Bishop of Winchester, should take a journey to London, to persuade their master to follow the method suggested to them. This proposal being debated in the council, any expedient was thought preferable to a war, as matters then stood in England.

Isabella was therefore desired to go to France; to which she seemed to consent only in order to make peace between the two Kings. Immediately after her arrival at Paris, she obtained a short truce, during which she concluded a treaty with the King her brother. By this treaty the duchy of Guienne was to be wholly resigned to the King of France. That afterwards both the Kings should meet at Beauvais, where Charles, at the instance of the Queen his sister, should restore Guienne to Edward, upon his doing homage for it.

A. D. 1334] That in this restitution the country of Agenois lately conquered by France should not be included but that the King of England should be allowed to sue for it in the court of Peers, where justice should be done him. And in case the court should decree that Edward should have possession again, he should be obliged to pay the King of France a certain sum towards the charges of the war: but should pay nothing in case he lost his cause. The day after signing this treaty, the commissioners of France, for reasons they did not explain, deferred fifteen days longer the interview of the two Kings, which had been fixed to the Assumption of the Virgin.

How disadvantageous soever this treaty appeared to Edward, he failed not to ratify it and prepare to do his homage. The Spencers beheld these preparations with great uneasiness, knowing there were in the kingdom great numbers of malcontents who might take advantage of the King's absence, to excite fresh commotions. An expedient suggested in this interval, either in France, or in England, freed them from their trouble. It was insinuated to the King that if he would resign to Prince Edward his son, aged thirteen years, the duchy of Guienne and the earldom of Ponthieu, the King of France would receive the homage of the young Prince, and restore him the places he had promised to give up by the treaty.

In all likelihood this overture came from the court of France, as well as the proposal of the Queen's going to Paris. But it was only hinted to the King like the former, in order to induce him to demand that favour himself. Edward imagined that, out of respect to him, the King of France had devised this expedient, to excuse him from doing what was very disagreeable to him, or the Queen had obtained this favour by her solicitations. Neither himself nor the Spencers perceived the poison that lurked under this seemingly very advantageous proposal. They did not question in the least, but the management of Guienne, would still remain in their hands, in the name of the young Prince, at least during his minority.

Accordingly, this plan, which is generally believed to have originated with the Queen, who wanted to throw off the dependence she was kept in by the Spencers, and free herself from the ill treatment she received, by their instigation, from her husband; was immediately carried into effect. Prince Edward departed for Paris on the 12th of September 1325, after receiving from his father the absolute grant of the duchy of Guienne, and earldom of Ponthieu.

In a few days after his arrival, he did homage to the King his uncle, who actually restored him Guienne, but kept Agenois, of which Edward the father greatly complained. He pretended, that by the late agreement Charles was obliged to restore all Guienne to his son. Charles, on the contrary, maintained, that the restitution he had promised, had relation to the late treaty, whereby he reserved Agenois for himself.

This contest displeased not the Queen, who wanted a pretence to stay at Paris. After the arrival of the Prince her son, all the English, who had fled for refuge into France, or been banished their own country, came to her. Roger Mortimer was of this number, and became her chief counsellor. Thenceforward Edward's ambassadors had but little access to the Queen, and were no longer advised with, concerning the affair of the restitution of Agenois. On the contrary, she held

frequent councils, where none were admitted but the professed enemies of the King her husband, and of the Spencers. Nay she had secret conferences with Mortimer, which occasioned many suspicions. In fine, she used so little discretion in her familiarities with him, that Edward's servants at Paris were extremely offended thereat.

On the other hand, her return to England was deferred from day to day, on divers pretences, notwithstanding the repeated orders of the King her husband to bring home his son. All the historians unanimously affirm, she was in love with Mortimer. Some say, her passion began at Paris: but much more probably, it commenced (as was said) in England before Mortimer's imprisonment. However this be, the Bishop of Exeter, one of Edward's ambassadors, plainly perceiving his master was betrayed, privately withdrew from the court of France, to inform him of what was transacting at Paris.

He acquainted him, not only with the Queen's scandalous behaviour with regard to Mortimer, but assured him also they were contriving some plot against him. This information entirely opening the eyes of Edward, he began to perceive his great error in sending his son to Paris. This made him repeat his instances for their return, and positively command the Queen to bring his son with her, without staying one minute for the reasons she had hitherto alleged. His orders were so urgent, that Isabella was obliged to seek other excuses. She caused the King her brother to send him word, she could not think of returning to England, without being first secured against the ill treatment she was apprehensive of from Spencer the son.

Edward, in his answer to this letter, justified Spencer's behaviour to the Queen, by her own letters to that favourite, full of friendship and confidence, since her being in France. Moreover, he assured the King his brother-in-law, that he would never suffer Spencer or any other person, to be wanting in the respect due to his Queen.

He further represented to him, that if he had not entirely relied on his sincerity, he should never have sent his son into France, and desired him to remember his promise, and send him back with all speed. He wrote in much the same manner to the Queen and Prince: but his letters were all to no purpose. Isabella was determined to pursue her point, and whilst she was taking measures at Paris to accomplish her design, her friends were effectually serving her in England. The heads of her party were Henry of Lancaster, brother of him beheaded at Pontefract, and the Bishops of Lincoln and Hereford. They did not find it very difficult to form a strong party against the King, considering the dispositions of the Barons since the late cruel executions.

A. D. 1336.] Charles the Fair, as the French historians are forced to own, had promised the Queen his sister some assistance, but was unwilling it should appear that he was concerned in her plots. It was necessary therefore for Isabella to find a protector, who would not scruple openly to support her interests. To That end, she applied to the Earl of Hainault, from whom she believed she should be able to procure some troops, to strengthen her party's upon her arrival in England. But as she could not expect to gain that Prince, without making it turn to his advantage, she concluded with him a marriage between her son Edward and his daughter Philippa, as though it had been in her power to dispose of the young Prince.

After trying in vain all the ways he could devise, to oblige his wife and son to return to England, Edward turned his whole fury upon the ambassadors, who assisted the Queen in the negotiation of the fatal treaty, and resolved to make them responsible for the issue. He particularly charged the Bishop of Norwich and Earl of Richmond, with prevaricating in the execution of their orders. To this imprudent proceeding, he added another, no less impolitic, in declaring war against France, without being in any readiness to maintain it; and in giving Charles a plausible pretence openly to support his-sister's interests.

As Isabella's project dethrone the King her husband has something detestable in it, the French historians would fain insinuate that Charles the Fair her brother was no way concerned in it. On

the contrary they affirm, that when he came to know it, he expelled her his dominions, and forbade his knights to give her any assistance. They would have spoken the whole truth, if they had said, he did not do this till Isabella had taken all her measures with the Earl of Hainault, and was upon the point of executing her design.

Isabella leaving the court of France, passed some days at Abbeville, whence she came to Valenciennes. Upon her arrival, she ratified the treaty concluded between her and the Earl of Hainault, and contracted her son Edward to the Princess Philippa. A few days after, she repaired to Dort, where she embarked the troops supplied by the Earl of Hainault, who were all ready there, with ships to transport them. John de Hainault, brother of the Earl, had the command; and the Queen, as a singular favour, gave him leave to stile himself her knight. Some reckon these troops but three thousand men. Others say, they were much more numerous. But she did not rely so much upon these forces, as upon the discontents of the English, and many adherents procured her by her friends in England.

She landed on the 22nd of September, at Ipswich in Suffolk, where she was joined by Henry of Lancaster, and several other Lords. At the same time, the enemies of the Spencers were very busy in levying troops to come to her assistance; and her army soon became so numerous, that she struck terror into those who were desirous to serve the King.

That unfortunate Prince had, as usual, employed himself in seeking ineffectual remedies for the impending evils. Instead of raising an army, and equipping a fleet, which might have quashed the designs of his enemies, he had only written to the Pope and the King of France, letters which were to no manner of purpose. Wherefore, upon the arrival of the foreign troops, he was deserted by all, and unable to withstand his enemies. In vain did he publish a proclamation, commanding his subjects to fall upon the foreigners, and set a price upon Mortimer's head; not a man stirred to obey him.

The Earl of Kent, his own brother, sided with the malcontents, and went over to the Queen. In this extremity he resolved to retire into the west, with the two Spencers, the Earl of Arundel, Chancellor Baldoc, Simon de Reading, and a few other adherents of the favourites.

Mean time, the Queen, whose army daily increased by the troops brought her from all parts, published a manifesto in her own, as well as in the names of Edward her son, and the Earl of Kent, setting forth the reasons of their taking arms. They pretended, their sole aim was to free the church and state, from the oppressions to which they were liable, by the mal-administration of the King, and the tyranny of the Spencers. Adding, these unworthy favourites and their adherents, ought to be deemed enemies of the state, since by their pernicious counsel, and abuse of the royal authority, they unjustly deprived, some of their lives, others of their estates and liberty; without any regard to the laws of the land, or the privileges of the people. This manifesto was published at Wallingford, October the 15th, whilst the Queen was marching in pursuit of the King.

Edward was little able to withstand his enemies. All his endeavours to raise troops had proved ineffectual: no body would expose himself to the Queen's resentment, or hazard his life and fortune for an unhappy Prince, who was now looked upon as lost. In this extremity, finding no remedy in England; he resolved to retire into Ireland, and leave Spencer, the father; in Bristol. He fancied, the siege of that place would so long employ the Queen, that he should have time to take some measures.

Pursuant to this resolution, he went on board a small vessel, and set sail for Ireland. But he was driven by contrary winds on the coast of Wales, where he was forced to land, and he concealed in the abbey of Neath, till the wind became fair, or he could form some other design. Whilst this unhappy Prince could hardly find in his own kingdom a place of safety, the Queen over-ran the counties with a wonderful rapidity. Every one was eager to supply her army with necessaries.

At length she came before Bristol, where Spencer made but a faint resistance. The city surrendering after a few- days' siege, the old gentleman, aged fourscore and ten years, was immediately hanged up in his armour, without trial or any other formality.

The city of London following the example of the rest of the kingdom, declared for the Queen. In vain did Walter de Stapleton, Bishop of Exeter, whom the King had left guardian of the city, endeavour to keep it for his master. His efforts served only to excite against him the fury of the populace who treating him with great indignity, at length cut off his head[25].

The citizens likewise, enraged against the King, became masters of the Tower, and released all the prisoners confined by the Spencers[26].

At Bristol; where the Queen staid some days, she was informed of the King's being embarked. for Ireland. As he had not committed the government to any person, the Lords who attended the Queen used that pretence, to name for guardian, or regent of the kingdom; Prince Edward, who took upon him the administration. This done, the Queen came to Gloucester, where the gates were opened to her. Here she published a proclamation inviting the King to come and resume the government: but herein she acted. not with sincerity. She not only had no intention to reinstate the King, but very well knew he never would venture to place any confidence in her, after being so cruelly treated.

Whilst the Queen was at Gloucester, a report being spread that the King was somewhere concealed in Wales, Henry of Lancaster was detached in quest of His diligence, and a reward of two thousand pounds promised by the Queen, to any person that should take Spencer the younger, soon gained him intelligence of the place, where the unhappy King thought to be concealed[27]

He had with him only Spencer, Chancellor Baldoc, Simon de Reading, and a few domestics, all the rest forsaking him in his misfortunes. As the abbey of Neath was no proper place to keep the prisoners, Henry of Lancaster carried them to Monmouth castle till farther orders. When the Queen heard that the King her husband, and her principal enemies were in her power, she held a council, to know how she was to behave at this juncture.

It was resolved in the council, that the Bishop of Hereford should be sent to demand the great Seal of the King; as well to hinder him from using it against the Queen, as to be able to call a Parliament, without which nothing could be done but what would want a lawful authority. If what had hitherto passed, discovered to the King the designs of his enemies; this last circumstance fully convinced him, he should be no longer regarded, since by taking from him the great seal, he was deprived of the exercise of the royal authority.

He delivered it however, without shewing any reluctance, and gave the Queen and the Prince his son power to use it as they pleased, even in matters of mere grace. This was the last act of authority performed by this Prince, who shortly after was conducted to Kenelworth castle.

When the Queen had the great seal in her possession, she used it to her own advantage, as well to order the payment of her debts; as to call a Parliament in the captive King's name. She had not patience to stay till the meeting of the Parliament, to be revenged upon Spencer and the rest of her enemies. The Earl of Arundel had now lost his head by her orders at Hereford; where she had a mind to sacrifice the others to her vengeance. She marched to that city, ordering the prisoners to be conducted in a most ignominious manner, to expose them all the way to the insults and curses of the people.

As soon as she arrived, she caused Spencer and Simon de Reading to be brought to their trials; of whom the first was hanged on a gibbet fifty feet high, and the other ten feet lower. As for Chancellor Baldoc, as he was in holy orders, and it was not safe to proceed against him in the same manner he was delivered to the Bishop of Hereford, and carried to London. But in entering

the city, the mob fell upon him, and terribly abusing him, threw him into Newgate, where he died of the blows he had received.

The favourites and ministers having thus received the reward of their pride and cruelty, the Queen came to London, to take new measures concerning the Parliament which was to meet. She entered the city triumph, amidst the acclamations of the people, who called her their deliverer, and expressed their thankfulness, for the pretended service she had done the state. The Parliament meeting in January 1327, the first thing taken into consideration, was the deposing of the King, for which every one was now so prepared, that the unfortunate King had not so much as a single advocate to plead for him. It was unanimously, resolved, the King should be deposed, and his son Edward made King in his room.

The heads of the charge exhibited: against him, were digested into the. several following articles, of which some are much aggravated, and others only bare repetitions:—

I. First, for that the person of the King was not sufficient to govern; for in all his time he was led and governed by others, who gave him evil counsel, to the dishonour of himself, and destruction of holy church, and all his people not considering or knowing whether it was good or evil; nor would remedy these things, when he was requested, by the great and wise men of his realm, or suffer them to be amended,

II Also, in all his time he would not give himself to good counsel., nor take it, nor to the good government of his kingdom; but always gave himself to works and employments not convenient, neglecting the business of his realm.

III Also, for want of good. government he lost the kingdom of Scotland, and other lands and dominions in Gascogne and Ireland, which his father left him in peace and amity with the King of France, and, many other great persons.

IV. Also, by his pride and cruelty, he destroyed holy church, and the persons of holy church, putting some in prison, and others in distress; and also put to shameful death, and imprisoned, banished, and, disinherited many great and noble men of the land.

V. Also; whereas he was bound by his oath to do right to all, he would not do it, for his own profit, and the covetousness of him and his evil counsellors which were with him; neither regarded the other points of the oath which he made at his coronation, as he was obliged.

VI. Also, he abandoned his realm, and did, as much as he could to destroy it and his people; and what is worse, by his cruelty, and the default of his person, he found incorrigible, without hopes of amendment. All which things are so notorious, they cannot be gainsaid."

This act passing *nemine contradicente*, young Edward was proclaimed King in Westminster hall, by the name of Edward III. Then the archbishop of Canterbury preached a sermon on these words, "The voice of the people; the voice of God;" wherein he endeavoured to vindicate what the Parliament had done, and exhorted the people to pray to the King of Kings for their new sovereign.

When the news of this rigorous sentence was brought to the Queen, she seemed to be extremely moved, even to the bursting out into tears. But her outward grief little agreed with all her proceedings to dethrone her husband much less with her passion for Mortimer, of which she gave such public marks, that it was impossible to be mistaken. The Prince her son, whose youth made him less suspicious, was perhaps the only person that was affected with her counterfeit tears. Urged by his generous inclinations, he solemnly vowed not to accept the crown during the King his father's life, without his express consent: This vow, somewhat broke the measures of

the Parliament; They were afraid Edward the father would persist in keeping the title of King, though stripped of all his authority.

In this perplexity, it was deemed absolutely necessary, to oblige him to resign his crown to the Prince his son. Pursuant to this resolution, the Bishops of Lincoln and Hereford were sent to prepare him. Then the Parliament nominated twelve commissioners; namely, three Bishops, three Earls, two Barons, two Abbots, and two Judges; to whom was added Judge Trussel, as the nation's particular procurator, to declare to him, that the people of England were no longer bound by their oath of allegiance, and to receive his resignation.

Nothing shewed so much their resentment against the unfortunate King, as their choice of the two first Bishops[28], whom he had all along looked upon as his enemies, and who indeed discharged their commission very rudely. Instead of giving him consolation, they insulted over his misfortunes, in endeavouring to persuade him, he was deposed for his own good, and to ease him of the great weight of the government, that he might live more happily than he had hitherto done. But as their malicious discourse made no great impression upon him, they plainly told him, unless he complied with the Parliament, his condition would be rendered more unfortunate: adding, his obstinacy would be a great prejudice to his family; for, if he refused to resign the crown to his son, the nation was resolved to elect a King, not of the royal family. Upon these words, they withdrew, in order to give him time to consider of his answer to the commissioners, who were coming to receive his resignation.

At the arrival of the commissioners, the unfortunate King came out from his bed-chamber, in a morning gown, with looks demonstrating his inward trouble. As he was acquainted with the occasion of their coming, the sight of that formidable power, which had just despoiled him of royalty, made such an impression upon his mind, that he fell into a swoon. As soon as he came to himself, the commissioners delivered their Message, and represented to him, the ill consequences of his refusal.

Then, the unhappy Prince, with a sadness that could not be seen without pity, answered, that he submitted to whatever was required of him, with the greater resignation, as he acknowledged, his sins were the sole cause of his misfortunes. He added moreover, that he could not behold without extreme grief, the aversion his people had for him; but if his sorrow could admit of any comfort, it was from the consideration of his subjects goodness to his son, for which he returned them thanks.

After this answer, he proceeded to the ceremony of his resignation, by delivering to them the crown, sceptre, and the other ensigns of royalty. Then Sir William Trussel, addressing himself to the King, spoke in this manner, making use of a form of his own, in a case where there was no precedent to follow.

Trussel, procurator of the Prelates, Earls, Barons, and People in my procuracy named, having for this full and sufficient power, do surrender unto you Edward, late King of England, the homage and fealty of the persons aforesaid, and do acquit the same, in the best manner the law and custom can give it; and do make this protestation, in the name of all those that will not be in your fealty or allegiance for the future, nor claim or hold any thing of you as King, but account you as a private person, without any manner of royal dignity.

After these words, the high steward, Sir Thomas Blunt, broke his staff, and declared all the King's officers discharged from his service. Thus ended the reign of Edward II in the forty-third year of his age, having lasted nineteen years, six months and fifteen days. This Prince had a very mean genius, which permitted him not to distinguish what was for his advantage, from what was hurtful to him. He followed his humour, without troubling himself about the consequences, and without being able to remedy the misfortunes he thereby drew on himself. Though he had many failings, most, may be affirmed to be more weak than wicked.

To sum up his character in a few words; he was exceedingly like his grandfather Henry III. Edward his father, a much wiser Prince than he, and taught by the misfortunes of the two Kings his immediate predecessors, ever avoided, as a most dangerous rock, all occasions of quarrel with the nobility; chusing rather to give way a little, than hazard his quest to gratify his resentment. The son had not a sufficient capacity to follow so good an example, or to improve by his instructions.

He gave up himself entirely to his favourites; and chose rather to forfeit the affection of his people; than deny himself the satisfaction of heaping favours on those he loved. His weakness and incapacity drew on him the contempt of his subjects, which was soon changed into hatred, when he was seen to sacrifice all to his passions. He had the misfortune to have a beautiful and amorous wife, who giving way to an infamous passion, completed his ruin, for fear perhaps of being herself prevented.

Certainly, he was treated too severely by his subjects, whose insolence increased in proportion to their sovereign's weakness. It cannot be observed without wonder, that there was not a single person willing to draw his sword in his defence. This is the first instance, in the English history, of a King deposed by his subjects, at least since the Conquest Edward II. is taxed with being given to drink. He founded Oriel-College, and St. Mary Hall in Oxford; and built a monastery for friars on his estate at Langley.

He had by Isabella of France two sons; and two daughters. The eldest of his sons was Edward III, his successor. The youngest called John of Eltham, the place of his birth, died in the flower of his age, in his brother's reign, without issue. Joanna the eldest daughter was married to David King of Scotland. Eleanor, the second, was wife of Reynald Duke of Guelders[29].

We shall close the history of this reign with two events, which we have not had occasion to speak of elsewhere. The first was an earthquake, the most terrible that had ever been felt in Great Britain. The second was the suppression of the order of the Knights Templars, both in England and all other Christian states. This order was first instituted at Jerusalem; in the reign of Baldwin IV.[30] for the defence of the Holy Sepulchre, and protection of the Pilgrims that resorted thither from all parts. Huger de Paganis and Geoffrey de St. Ademar were the founders.

The Knights of this Order were at first called, the Poor of the Holy City. Afterwards they had the name of Templars, because their first house was near the Temple. Hence it is that all their houses were stiled temples. This order was confirmed in the council of Troye, 1127, and its rule composed by St. Bernard.

After the downfall of the kingdom of Jerusalem, about the year 1186, this order was dispersed over all Europe, and increased prodigiously by the liberality of the Christians[30]. Riches soon changed the manners of the Knights. In process of time their scandalous lives, joined to an insupportable pride, caused them to be as odious, as they were esteemed in the beginning of their institution.

Philip the Fair, King of France, being disoblged by those of his kingdom, and not content with punishing the offenders, attempted the ruin of the whole order, by means of Pope Clement V. whom he had artfully gained. In the first place, he ordered all the Templars in France to be seized, as well as the grand master of the order, who resided in the island of Cyprus, and by the Pope's Order, was come to Paris. Then upon a charge exhibited against them, that at their reception into the Order, they denied Jesus Christ, and spit upon a crucifix, he caused fifty seven to be burnt, among whom was the grand master. To this accusation was added others of heresy, sodomy, and other numberless crimes.

To oblige the King of France, Clement V, earnestly pressed Edward II. to follow the example of Philip his father-in-law. After much solicitation; he obtained at length, that all the Templars

in England should be seized (as they were in France) in one day. (January 7, 1308) Edward being prevailed with, in expectation of their estates, which were very considerable, held a national synod at London, where they were condemned. However, they were not treated so rigorously as in France.

They were only dispersed in the monasteries to do penance, with a moderate pension paid out of the revenues of the Order. The severities exercised upon them in France and England, would no doubt have sufficed, if the design had been only to chastise them: but their destruction was determined. Clement V. agreeing in this point with Philip the Fair, caused strict inquiry to be made, and many witnesses to be heard, who accused not some particular Knights only, but the whole order, of the most enormous crimes.

Preparations being made, the Pope called at Vienne, in Dauphine, a general council, where he presided in person; and where Philip was pleased also to be present, to promote the condemnation of the Order. But they did not find the council disposed as they expected. The Bishops could not think of condemning men that were not convicted, or even summoned before the council to answer for themselves.

These proceedings of the Pope, without hearing what the order could allege in their defence, did not appear sufficient to the council, who wished things to be done in a more legal manner. So the Pope was obliged to use the plenitude of his apostolic power, in suspending this Order for ever, by a bull read in the second session. As the council was not prepared for it, no man ventured to oppose the bull; and their silence was taken for an approbation.

By the same bull, the Pope reserved to the Holy See, the disposal of the estates of the Templars; and, shortly after, Clement assigned them to the Hospitallers or Knights of St. John of Jerusalem, called at this day, Knights of Malta. Edward II who had taken possession of the estates of the condemned Order, in vain opposed the Pope's grant to the Hospitallers, and insisted on the prerogatives of his crown, by which all confiscations were adjudged to him.

The troubles in England during his reign, would not permit him to keep possession. Thus the whole order of the Templars were made to suffer the punishment deserved, perhaps, by some of their members, but which, probably, was not due to all.



Edward II's coins (if ever he coined any money, which Nicolson says cannot be certainly affirmed) are in all respects like his father's, and distinguished from them only by name, viz. EDWA. EDWAR. or EDWARD. ANGL. DMS. HYB. On the reverse, the names of several cities in England and Ireland, as CIVITAS LONDON. LINCOL. DUBLIN. WATERFORD, &c. The title of Dominus Hyberniæ is never wanting on his coin. Nicolson observes, neither our histories nor laws afford us any light, as to this King's money.

Notes to Chapter III

1.) The new King on the first of August began his march towards Scotland, having summoned the nobility of that kingdom to meet him at Dumfries, and do their homage, which several of them did, whereupon Edward being contented with these outward formal submissions, appointed Aymeric de Valence, Earl of Pembroke, guardian of Scotland, and went back into England

2.) The marriage was celebrated January 25. There were present the Kings of France, Navarre, Achain, and Sicily, with the Queens Mary of France, Margaret Dowager of England, and Queen of Navarre. Isabella was but between twelve and thirteen years of age.

3.) Walter Hemingford says, the King bestowed upon him all the money hoarded up by the late King, which amounted to a hundred thousand pounds. Besides this, Gravestone had the confidence, through the King's indulgence to take the treasure and jewels of the crown, and send them beyond sea for his own use.

4.) Febr. 24. His queen was crowned with him.

5.) Margaret: Upon this marriage the King bestowed upon him the honours of Tickel, and Berkhamsted, the castles and manors of Skipton in Yorkshire; Hugh Pec, Derbyshire; Cockermouth, Cumberland and Upton, Northamptonshire; Carisbrook, in the Isle Weight, with divers other lands also granted him lands in Guienne, to the value of three thousand marks a year.

6.) He surrendered himself to Henry de Percy.

7.) About four miles from Bambury in Oxfordshire.

8.) He committed the prisoner to the care of his servants, and went and lodged with his lady, at a neighbouring place. Walsing. p. 101.

9.) In the presence of the. Earls of Lancaster, Warwick, and Hereford, on Blacklow Hill, near Warwick, the 19th of June. He was buried first in the church of the predicant friars at Oxford; and afterwards removed to King's Langley in Hertfordshire, in a monastery built by King Edward, to pray for Gaveston's soul.

10.) This battle was fought on the 25th of June 1314, by the river Bariocobourn; It is said that the Scots had digged trenches three feet deep and as many broad; into which, being covered over with hurdles and drove full of sharp stakes, the English horse fell, and by that means were miserably slaughtered.

11.) Here he held a Parliament, which sat from August 15, till Michaelmas. In this it was agreed to exchange the lady of Robert Bruce for Humphrey de Bohun Earl of Hereford; and the Bishop of Glasgow, and Earl of Marr, were exchanged for other noblemen.

12) It was enacted and proclaimed, by order of the Parliament, which met on January the 20th That the best ox not fed with grain should be sold for sixteen shillings and no more, and if he were fed with corn, then for twenty four shillings at most; the best fat live cow for twelve shillings a fat hog of two years old for three shillings and four pence; a fat weather, or mutton unshorn for twenty pence, and shorn for fourteen pence; a fat goose far two pence half penny; a fat capon for two pence; a fat hen. for one penny; two chickens for one penny; and twenty four eggs for one penny; and those that would not sell these things so, were to forfeit them to the King:—This Parliament granted the King a twentieth part of their goods; which when it came to be raised, occasioned disturbances in Staffordshire and Shropshire.

13.) A quarter of wheat, beans. or peas, was sold for twenty shillings; Of malt for thirteen shillings and four pence; and of salt for thirty five shillings.

14.) January 28, a Parliament was held at Lincoln, which granted the King, in aid of his war with Scotland, one stout footman out of every town in the kingdom, except cities and burghs, and the king's demesnes; which footmen were to be armed and furnished with bows, arrows, slings, lances, &c. at the charge of the towns, and their expenses to be paid till they came at the place of rendezvous, and their wages for sixty days after, and no longer, if the King's service required it, at four pence day; the King promising, that this grant should. be no precedent for the future. The same day, the King summoned the militia to be at Newcastle upon Tyne fifteen days after Midsummer. And the Parliament granted the King for this war, a fifteenth part of all the moveables. This year was born at Eltham, August 15. John, the King's second son.

15.) He was taken, and beheaded at Dundalk; and five thousand eight hundred Scots were slain, besides several noblemen. The Archbishop of Dublin was General of the English forces.

16.) He was not created so till 1322.

17.) The occasion of this confederacy against the Spencers, was this; William de Brews, a Baron, proposing to sell part of his estate, called Gowerland; first agreed for it with the Earl of Hereford, who offered to be the purchaser: but Hugh Spencer the Younger, obtained the Kings licence, it being holden of the King in *Capite*, and bought it out of the Earl of Hereford's hands: who being highly provoked at this affront, complained to the Earl of Lancaster, and they two engaging a great number of the Barons to their interests, entered into a confederacy against the Spencers.

18.) In hopes of Humphrey de Bohun, who married Elizabeth daughter of Edward I and widow of the Earl of Holland he is said to have been thrust through the belly by a Welch soldier from under the bridge through a chink.

19.) This battle was fought March 16.

20.) As he accordingly was, upon a hill near Pontefract, on the 25th of March.

21.) He was buried in the church or the priory of Pontefract. The prior and monks giving out that miracles were wrought at his tomb, the report gained ground in such a manner, that the King was forced to order the church to be shut up.

22.) Before his being beheaded he was degraded of the honour of which is the first example of this kind.

23.) Queen Isabella wrote in 1326, the last day of February, to the Pope, extolling the virtues of the late Earl of Lancaster, and desiring his holiness to canonize him, and King Edward III. permitted a chapel to be built over the place where the Earl was beheaded: but canonization was not completed till Richard II reign in 1389.

24.) Hugh Lord of Monpezat had built a castle on some land, which he pretended was within the territories of the King of England, but which the King of France maintained to be his; and therefore he summoned the said Lord before the Parliament of Paris, which adjudged the land to the King of France; and his officer in those parts immediately seized the castle. To recover which the Lord of Montpezat, assembled all his vassals, and received also assistance from the King's seneschal of England in Guienne, by which means he soon became again master of his castle, and put all the Frenchmen that were in it to the sword.

25.) He was a great benefactor to Oxford, founded and endowed Exeter College, and built Hart Hall. The reason of the mob's fury against him that being treasurer of the kingdom, he had

persuaded the King's council to cause the itinerant justices to sit in London, who find that the citizens had offended in many things, deprived them of their liberties; fined some, and inflicted corporal punishments on others.

26.) They also took John Marshall, servant to Hugh le Despenser, junior, cut off his head, and plundered all his goods.

27.) The King was taken November 16

28.) Adam de Orleton, Bishop of Hereford, and Henry Burwasche, Bishop of London. She was married to him with a fifteen thousand pound portion, in 1332, in the sixth year of Edward M. This Earl Reynald, being Vice-General of the Empire, to the Emperor Lewis of Bavaria, he created him the first Duke of Guelders. Eleanor had by him two sons, who both died without issue.

29.) In the year 1118.

30.) They were possessed at their dissolution of sixteen thousand lordships, besides other lands.



DEPOSITION OF EDWARD II., 1327.

The Disposition of Edward II 1327
Piers Gaveston, the favourite of King Edward II,
is taken prisoner by the barons and beheaded
near Warwick Date: 19 June 1312





The End

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Word of the Lord from Jerusalem"
(Isaiah 2:3)."**

