even if justice was administered by his master's reeve it was administered in the presence and with the assent of his fellow-townsmen. The bell which swung out from the town tower gathered the burgesses to a common meeting, where they could exercise rights of free speech and free deliberation on their own affairs. Their merchant-gild over its ale-feast regulated trade, distributed the sums due from the town among the different burgesses, looked to the due repairs of gate and wall, and acted, in fact, pretty much the same part as a town-council of to-day. Not only, too, were these rights secured by custom from the first, but they were constantly widening as time went on. Whenever we get a glimpse of the inner history of an English town, we find the same peaceful revolution in progress, services disappearing through disuse or omission, while privileges and immunities are being purchased in hard cash. The lord of the town, whether he were king, baron, or abbot, was commonly thriftless or poor, and the capture of a noble, or the campaign of a sovereign, or the building of some new minster by a prior, brought about an appeal to the thrifty burghers, who were ready to fill again their master's treasury at the price of the strip of parchment which gave them freedom of trade, of justice, and of government. Sometimes a chance story lights up for us this work of emancipation. At Leicester one of the chief aims of its burgesses was to regain their old English trial by compurgation, the rough predecessor of trial by jury, which had been abolished by the Earls in favour of the foreign trial by battle. "It chanced," says a charter of the place, "that two kinsmen, Nicholas the son of Acon, and Geoffrey the son of Nicholas, waged a duel about a certain piece of land, concerning which a dispute had arisen between them; and they fought from the first to the ninth hour, each conquering by turns. Then one of them fleeing from the other till he came to a certain little pit, as he stood on the brink of the pit, and was about to fall therein, his kinsman said to him 'Take care of the pit, turn back lest thou shouldest fall into it.' Thereat so much clamour and noise was made by the by-standers and those who were sitting around, that the Earl heard these clamours as far off as the castle, and he inquired of some how it was there was such a clamour, and answer was made to him that two kinsmen were fighting about a certain piece of ground, and

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that one had fled till he reached a certain little pit, and that as he stood over the pit and was about to fall into it the other warned him. Then the townsmen being moved with pity made a covenant with the Earl that they should give him threepence yearly for each house in the High Street that had a gable, on condition that he should grant to them that the twenty-four jurors who were in Leicester from ancient times should from that time forward discuss and decide all pleas they might have among themselves." For the most part the liberties of our towns were bought in this way, by

TRIAL BY BATTLE.
Assize Roll, temp. Hen. III., in Public Record Office.

sheer hard bargaining. The earliest English charters, save that of London, date from the years when the treasury of Henry the First was drained by his Norman wars; and grants of municipal liberty made professedly by the Angevins are probably the result of their costly employment of mercenary troops. At the close, however, of the thirteenth century, this struggle for emancipation was nearly over. The larger towns had secured the administration of justice in their own borough-courts, the privilege of self-government, and the control of their own trade, and their liberties and charters served as models and incentives to the smaller communities which were struggling into life.

The Frith-Gilds

During the progress of this outer revolution, the inner life of the English town was in the same quiet and hardly conscious way developing itself from the common form of the life around it into a

form especially its own. Within as without the ditch or stockade which formed the earliest boundary of the borough, land was from the first the test of freedom, and the possession of land was what constituted the townsman. We may take, perhaps, a foreign instance to illustrate this fundamental point in our municipal history. When Duke Berthold of Zahringen resolved to found Freiburg, his "free town," in the Brisgau, the mode he adopted was to gather a group of traders together, and to give each man a plot of ground for his freehold round what was destined to be the market-place of the new community. In England the landless man who dwelled in a borough had no share in its corporate life; for purposes of government or property the town was simply an association of the landed proprietors within its bounds; nor was there anything in this association, as it originally existed, which could be considered peculiar or exceptional. The constitution of the English town, however different its form may have afterwards become, was at first simply that of the people at large. We have seen that among the German races society rested on the basis of the family, that it was the family who fought and settled side by side, and the kinsfolk who were bound together in ties of mutual responsibility to each other and to the law. As society became more complex and less stationary it necessarily outgrew these simple ties of blood, and in England this dissolution of the family bond seems to have taken place at the very time when Danish incursions and the growth of a feudal temper among the nobles rendered an isolated existence most perilous for the freeman. His only resource was to seek protection among his fellow-freemen, and to replace the older brotherhood of the kinsfolk by a voluntary association of his neighbours for the same purposes of order and self-defence. The tendency to unite in such 'frith-gilds' or peace-clubs became general throughout Europe during the ninth and tenth centuries, but on the Continent it was roughly met and repressed. The successors of Charles the Great enacted penalties of scourging, nose-slitting, and banishment against voluntary unions, and even a league of the poor peasants of Gaul against the inroads of the northmen was suppressed by the swords of the Frankish nobles. In England the attitude of the Kings was utterly different. The system known at a later time as 'frank-pledge,' or free

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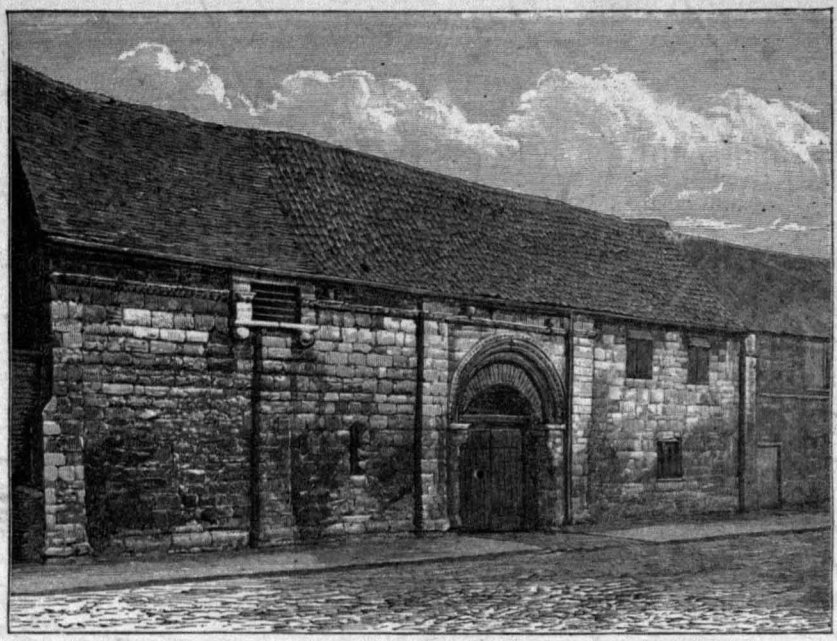
engagement of neighbour for neighbour, was accepted after the Danish wars as the base of social order. Ælfred recognized the common responsibility of the members of the 'frith-gild' side by side with that of the kinsfolk, and Æthelstan accepted 'frith-gilds' as a constituent element of borough life in the Dooms of London.

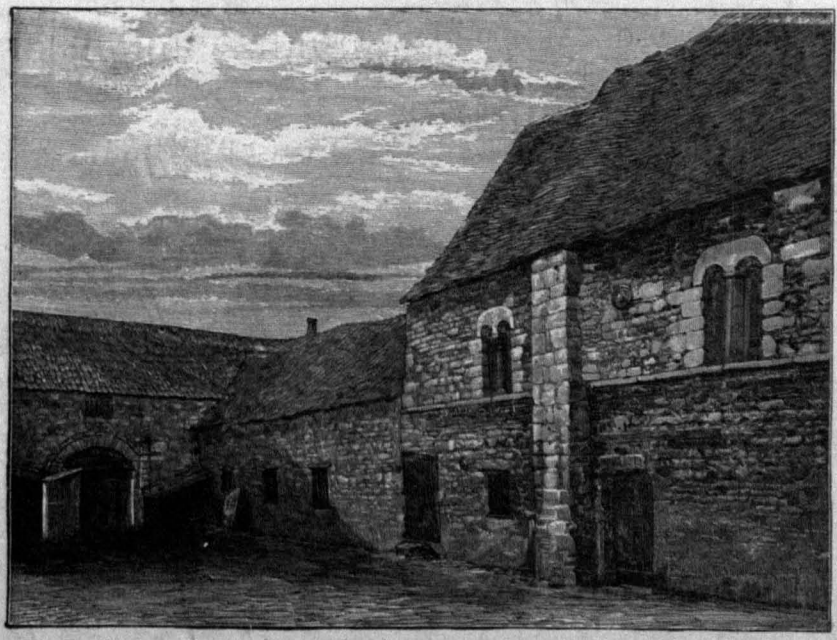
The Merchant Gilds

The frith-gild, then, in the earlier English town, was precisely similar to the frith-gilds which formed the basis of social order in the country at large. An oath of mutual fidelity among its members was substituted for the tie of blood, while the gild-feast, held once a month in the common hall, replaced the gathering of the kinsfolk round their family hearth. But within this new family the aim of the frith-gild was to establish a mutual responsibility as close as that of the old. "Let all share the same lot," ran its law; "if any misdo, let all bear it." A member could look for aid from his gild-brothers in atoning for any guilt incurred by mishap. He could call on them for assistance in case of violence or wrong: if falsely accused, they appeared in court as his compurgators; if poor they supported, and when dead they buried him. On the other hand, he was responsible to them, as they were to the State, for order and obedience to the laws. A wrong of brother against brother was also a wrong against the general body of the gild, and was punished by fine, or in the last resort by expulsion, which left the offender a 'lawless' man and an outcast. The one difference between these gilds in country and town was, that in the latter case, from their close local neighbourhood, they tended inevitably to coalesce. Under Æthelstan the London gilds united into

SEAL OF EXETER, c. 1170.
Giving view of Guildhall.
Collection of Society of Antiquaries.



HALL OF S. MARY'S GILD, LINCOLN (FRONT).



HALL OF S. MARY'S GILD, LINCOLN (SIDE).
Twelfth Century.

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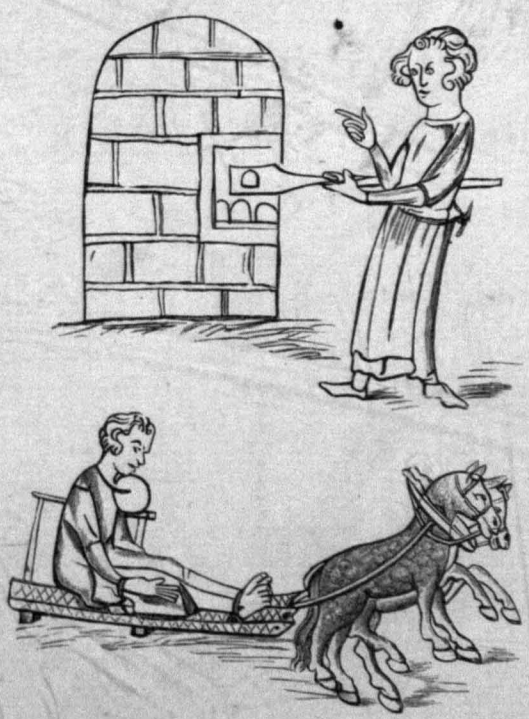
one for the purpose of carrying out more effectually their common aims, and at a later time we find the gilds of Berwick enacting "that where many bodies are found side by side in one place they may become one, and have one will, and in the dealings of one with another have a strong and hearty love." The process was probably a long and difficult one, for the brotherhoods naturally differed much in social rank, and even after the union was effected we see traces of the separate existence to a certain extent of some one or more of the wealthier or more aristocratic gilds. In London, for instance, the Cnihten-gild, which seems to have stood at the head of its fellows, retained for a long time its separate property, while its Alderman—as the chief officer of each gild was called—became the Alderman of the united gild of the whole city. In Canterbury we find a similar gild of thegns, from which the chief officers of the town seem commonly to have been selected. Imperfect, however, as the union might be, when once it was effected the town passed from a mere collection of brotherhoods into a powerful and organized community, whose character was inevitably determined by the circumstances of its origin. In their beginnings our boroughs seem to have been mainly gatherings of persons engaged in agricultural pursuits; the first Dooms of London provide especially for the recovery of cattle belonging to the citizens. But as the increasing security of the country invited the farmer or the squire to settle apart in his own fields, and the growth of estate and trade told on the towns themselves, the difference between town and country became more sharply defined. London, of course, took the lead in this new developement of civic life. Even in Æthelstan's day every

SEAL OF GILD MERCHANT, GLOUCESTER, c. 1200.
Engraving lent by Mr. W. H. St. John Hope.

London merchant who had made three long voyages on his own account ranked as a thegn. Its 'lithsmen,' or shipmen's-gild, were of sufficient importance under Harthacnut to figure in the election of a king, and its principal street still tells of the rapid growth of trade, in the name of 'Cheap-side,' or the bargaining place. But at the Norman Conquest the commercial tendency had become universal. The name given to the united brotherhood is in almost every case no longer that of the 'town-gild,' but of the 'merchant-gild.'

The Craft Gilds

This social change in the character of the townsmen produced important results in the character of their municipal institutions.



A BAKER AT HIS OVEN-DOOR, AND A BAKER DRAWN TO THE PILLORY WITH A SHORT-WEIGHT LOAF TIED TO HIS NECK.
Assisa Panis, 51 *Ed. I.* (*Corporation of London*).

In becoming a merchant-gild the body of citizens who formed the 'town' enlarged their powers of civic legislation by applying them

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to the control of their internal trade. It became their special business to obtain from the Crown, or from their lords, wider commercial privileges, rights of coinage, grants of fairs, and exemption from tolls; while within the town itself they framed regulations

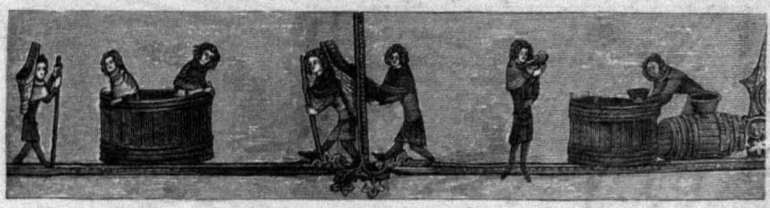
BAKERS AND COOKS, A.D. 1338—1344.
MS. Bodl. Misc. 264.

as to the sale and quality of goods, the control of markets, and the recovery of debts. A yet more important result sprang from the increase of population which the growth of wealth and industry brought with it. The mass of the new settlers, composed as they

TAVERN, A.D. 1338—1344.
MS. Bodl. Misc. 264.

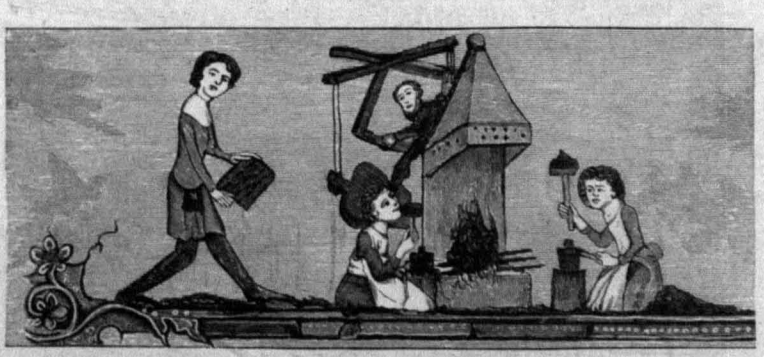
were of escaped serfs, of traders without landed holdings, of families who had lost their original lot in the borough, and generally of the

artisans and the poor, had no part in the actual life of the town. The right of trade and of the regulation of trade, in common with all other forms of jurisdiction, lay wholly in the hands of the landed burghers whom we have described. By a natural process, too, their



VINTNERS, A.D. 1338—1344.
MS. Bodl. Misc. 264.

superiority in wealth produced a fresh division between the 'burghers' of the merchant-gild and the unenfranchised mass around them. The same change which severed at Florence the seven Greater Arts, or trades, from the fourteen Lesser Arts, and which raised the three occupations of banking, the manufacture and the dyeing of cloth, to a position of superiority even within



IRON WORKERS, A.D. 1338—1344.
MS. Bodl. Misc. 264.

the privileged circle of the seven, told, though with less force, on the English boroughs. The burghers of the merchant-gild gradually concentrated themselves on the greater operations of commerce, on trades which required a larger capital, while the meaner employments of general traffic were abandoned to their poorer neighbours.

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This advance in the division of labour is marked by such severances as we note in the thirteenth century of the cloth merchant from the tailor, or the leather merchant from the butcher. But the result of this severance was all-important in its influence on the

ARMOURERS, A.D. 1338–1344.
MS. Bodl. Misc 264.

constitution of our towns. The members of the trades thus abandoned by the wealthier burghers formed themselves into Craft-gilds, which soon rose into dangerous rivalry with the original Merchant-gild of the town. A seven years' apprenticeship formed the necessary prelude to full membership of any trade-gild. Their regulations were of the minutest character; the quality and value of work was rigidly prescribed, the hours of toil fixed "from day-break to curfew," and strict provision made against competition in labour. At each meeting of these gilds their members gathered

WEIGHING AND LADING, A.D. 1338—1344.
MS. Bodl. Misc. 264.

round the Craft-box, which contained the rules of their society, and stood with bared heads as it was opened. The warden and a quorum of gild-brothers formed a court which enforced the ordinances of the gild, inspected all work done by its members, confiscated unlawful tools or unworthy goods; and disobedience to their

orders was punished by fines, or in the last resort by expulsion which involved the loss of right to trade. A common fund was raised by contributions among the members, which not only provided for the trade objects of the gild, but sufficed to found chantries and masses, and set up painted windows in the church of their patron saint. Even at the present day the arms of the craft-gild may often be seen blazoned in cathedrals side by side with those of prelates and of kings. But it was only by slow degrees that they rose to such a height as this. The first steps in their existence were the most difficult, for to enable a trade-gild to carry out its objects with any success, it was first necessary that the whole body of craftsmen belonging to the trade should be compelled to belong to it, and secondly, that a legal control over the trade itself should be secured to it. A royal charter was indispensable for these purposes, and over the grant of these charters took place the first struggle with the merchant-gild, which had till then solely exercised jurisdiction over trade within the boroughs. The weavers, who were the first trade-gild to secure royal sanction in the reign of Henry the First, were still engaged in the contest for existence as late as the reign of John, when the citizens of London bought for a time the suppression of their gild. Even under the house of Lancaster, Exeter was engaged in resisting the establishment of a tailors' gild. From the eleventh century, however, the spread of these societies went steadily on, and the control of trade passed from the merchant-gilds to the craft-gilds.

WINDLASS.
Early Fourteenth Century.
MS. Roy. 10 *E. iv.*

It is this struggle, to use the technical terms of the time, of the "greater folk" against the "lesser folk," or of the "commune," the

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The Greater and Lesser Folk

general mass of the inhabitants, against the "prudhommes," or "wiser" few, which brought about, as it passed from the regulation of trade to the general government of the town, the great civic revolution of the thirteenth and fourteenth centuries. On the Continent, and especially along the Rhine, the struggle was as fierce as the supremacy of the older burghers had been complete. In Köln the craftsmen had been reduced to all but serfage, and the merchant of Brussels might box at his will the ears of "the man without heart or honour who lives by his toil." Such social tyranny of class over class brought a century of bloodshed to the cities of Germany; but in England the tyranny of class over class had been restrained by the general tenor of the law, and the revolution took for the most part a milder form. The longest and bitterest strife of all was naturally at London. Nowhere had the territorial constitution struck root so deeply, and nowhere had the landed oligarchy risen to such a height of wealth and influence. The city was divided into wards, each of which was governed by an alderman drawn from the ruling class. In some, indeed, the office seems to have become hereditary. The "magnates," or "barons," of the merchant-gild advised alone on all matters of civic government or trade regulation, and distributed or assessed at their will the revenues or burthens of the town. Such a position afforded an opening for corruption and oppression of the most galling kind; and it seems to have been the general impression of the unfair assessment levied on the poor, and the undue burthens which were thrown on the unenfranchised classes, which provoked

1196 the first serious discontent. William of the Long Beard, himself one of the governing body, placed himself at the head of a conspiracy which numbered, in the terrified fancy of the burghers, fifty thousand of the craftsmen. His eloquence, his bold defiance

MONEY-BOX OF CORDWAINERS OF OXFORD.
Archæological Journal.

of the aldermen in the town-mote, gained him at any rate a wide popularity, and the crowds who surrounded him hailed him as "the saviour of the poor." One of his addresses is luckily preserved to us by a hearer of the time. In mediæval fashion he began with a text from the Vulgate, "Ye shall draw water with joy from the fountain of the Saviour." "I," he began, "am the saviour of the poor. Ye poor men who have felt the weight of rich men's hands, draw from my fountain waters of wholesome instruction and that with joy, for the time of your visitation is at hand. For I will divide the waters from the waters. It is the people who are the waters, and I will divide the lowly and faithful folk from the proud and faithless folk; I will part the chosen from the reprobate as light from darkness." But it was in vain that by appeals to the King he strove to win royal favour for the popular cause. The support of the moneyed classes was essential to Richard in the costly wars with Philip of France, and the Justiciar, Archbishop Hubert, after a moment of hesitation, issued orders for his arrest. William felled with an axe the first soldier who advanced to seize him, and taking refuge with a few followers in the tower of St. Mary-le-Bow, summoned his adherents to rise. Hubert, however, who had already flooded the city with troops, with bold contempt of the right of sanctuary, set fire to the tower and forced William to surrender. A burgher's son, whose father he had slain, stabbed him as he came forth, and with his death the quarrel slumbered for more than fifty years.

The Commune

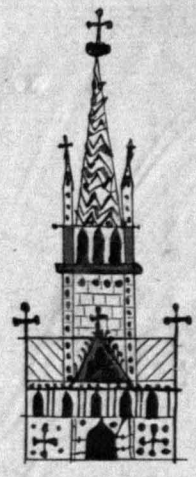
No further movement, in fact, took place till the outbreak of the Barons' war, but the city had all through the interval been seething with discontent; the unenfranchised craftsmen, under pretext of preserving the peace, had united in secret frith-gilds of their own, and mobs rose from time to time to sack the houses of foreigners and the wealthier burghers. But it was not till the civil war began that the open contest recommenced. The craftsmen forced their way into the town-mote, and setting aside the aldermen and magnates, chose Thomas Fitz-Thomas for their mayor. Although dissension still raged during the reign of the second Edward, we may regard this election as marking the final victory of the craft-gilds. Under his successor all contest seems to have ceased: charters had been granted to every trade, their ordinances formally

1261

ENTRANCE TO CHOIR OF OLD S. PAUL'S.

CHURCH OF S. FAITH UNDER S. PAUL'S.
Engravings by W. Hollar, 1657.

recognized and enrolled in the mayor's court, and distinctive liveries assumed to which they owed the name of "Livery Companies" which they still retain. The wealthier citizens, who found their old power broken, regained influence by enrolling themselves as members of the trade-gilds, and Edward the Third himself humoured the current of civic feeling by becoming a member of the gild of Armourers. This event marks the time when the government of our towns had become more really popular than it ever again became till the Municipal Reform Act of our own days. It had passed from the hands of an oligarchy into those of the middle classes, and there was nothing as yet to foretell the reactionary revolution by which the trade-gilds themselves became an oligarchy as narrow as that which they had deposed.



WEST FRONT OF S. PAUL'S, Early Fourteenth Century. *MS. Lambeth*, 1106.

Section V.—The King and the Baronage, 1290—1327

[*Authorities.*—For Edward I. as before. For Edward II. we have three important contemporaries: on the King's side, Thomas de la More (in Camden, "Anglica, Brittanica, etc."); on that of the Barons, Trokelowe's Annals (published by the Master of the Rolls), and the Life by a monk of Malmesbury, printed by Hearne. The short Chronicle by Murimuth is also contemporary in date. Hallam ("Middle Ages") has illustrated the constitutional aspect of the time.]

England under Edward I

If we turn again to the constitutional history of England from the accession of Edward the First we find a progress not less real but chequered with darker vicissitudes than the progress of our towns. A great transfer of power had been brought about by the long struggle for the Charter, by the reforms of Earl Simon, and by the earlier legislation of Edward himself. His conception of kingship indeed was that of a just and religious Henry the Second, but his England was as different from the England of Henry as

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The King and the Baronage 1290 to 1327

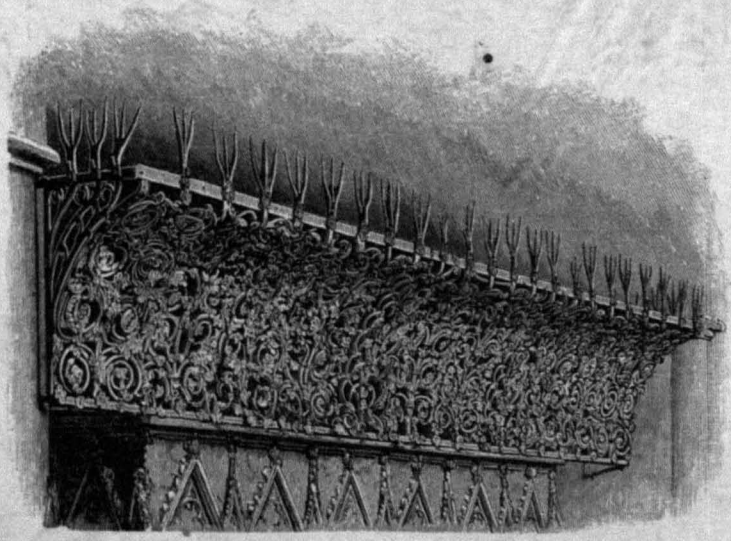
the Parliament of the one was different from the Great Council of the other. In the rough rimes of Robert of Gloucester we read the simple political creed of the people at large.

> "When the land through God's grace to good peace was brought
> For to have the old laws the high men turned their thought:
> For to have, as we said erst, the good old Law,
> The King made his charter and granted it with sawe."

OPENING OF THE CONFESSOR'S TOMB.
MS. Camb. Univ. Libr. Ee. iii. 59. c. 1245.

But the power which the Charter had wrested from the Crown fell not to the people but to the Baronage. The farmer and the artisan, though they could fight in some great crisis for freedom, had as yet no wish to interfere in the common task of government. The vast industrial change in both town and country, which had begun during the reign of Henry the Third, and which continued with increasing force during that of his son, absorbed the energy

and attention of the trading classes. In agriculture, the inclosure of common lands and the introduction of the system of leases on the part of the great proprietors, coupled with the subdivision of estates which was facilitated by Edward's legislation, was gradually creating out of the masses of rural bondsmen a new class of tenant farmers, whose whole energy was absorbed in their own great rise to social freedom. The very causes which rendered the growth of municipal liberty so difficult, increased the wealth of the towns. To the trade with Norway and the Hanse towns of North Germany, the wool trade with Flanders, and the wine trade with



IRON SCREEN ON TOMB OF ELEANOR OF CASTILE, IN WESTMINSTER ABBEY.
Wrought by Thomas of Leighton, A.D. 1293.

Gascony, was now added a fast increasing commerce with Italy and Spain. The great Venetian merchant galleys appeared on the English coast, Florentine traders settled in the southern ports, the bankers of Florence and Lucca followed those of Cahors, who had already dealt a death-blow to the usury of the Jews. But the wealth and industrial energy of the country was shown, not only in the rise of a capitalist class, but in a crowd of civil and ecclesiastical buildings which distinguished this period. Christian architecture reached its highest beauty in the opening of Edward's reign, a period marked by the completion of the abbey church of West-

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minster and the exquisite cathedral church at Salisbury. An English noble was proud to be styled "an incomparable builder," while some traces of the art which was rising across the Alps perhaps flowed in with the Italian ecclesiastics whom the Papacy was forcing on the English Church. In the abbey of Westminster the shrine of the Confessor, the mosaic pavement, and the paintings on the walls of minster and chapter-house, remind us of the schools which were springing up under Giotto and the Pisans.

BRIDGE OVER THE ESK AT DANBY IN CLEVELAND.
Late in the Fourteenth Century.

The Baronage and its Rule

But even had this industrial distraction been wanting the trading classes had no mind to claim any direct part in the actual work of government. It was a work which, in default of the Crown, fell naturally, according to the ideas of the time, to the Baronage. Constitutionally the position of the English nobles had now become established. A King could no longer make laws or levy taxes or even make war without their assent. And in the Baronage the nation reposed an unwavering trust. The nobles of England were no more the brutal foreigners from whose violence

the strong hand of a Norman ruler had been needed to protect his subjects; they were as English as the peasant or the trader. They had won English liberty by their swords, and the tradition of their order bound them to look on themselves as its natural guardians. At the close of the Barons' war, the problem which had so long troubled the realm, the problem of how to ensure its government in accordance with the Charter, was solved by the transfer of the business of administration into the hands of a standing committee of the greater prelates and barons, acting as chief officers of state in conjunction with specially appointed ministers of the Crown. The body thus composed was known as the Continual Council; and the quiet government of the kingdom by the Council in the long interval between the death of Henry the Third and his son's return shows how effective this rule of the nobles was. It is significant of the new relation which they were to strive to establish between themselves and the Crown that in the brief which announced Edward's accession the Council asserted that the new monarch mounted his throne "by the will of the peers." The very form indeed of the new Parliament, in which the barons were backed by the knights of the shire, elected for the most part under their influence, and by the representatives of the towns, still true to the traditions of the Barons' war; the increased frequency of these Parliamentary assemblies which gave opportunity for counsel, for party organization, and a distinct political base of action; above all, the new financial power which their control over taxation enabled them to exert on the throne, ultimately placed the rule of the nobles on a basis too strong to be shaken by the utmost efforts of even Edward himself.

Law and the Baronage

From the first the King struggled fruitlessly against this overpowering influence; and his sympathies must have been stirred by the revolution on the other side of the Channel, where the French kings were crushing the power of the feudal baronage, and erecting a royal despotism on its ruins. Edward watched jealously over the ground which the Crown had already gained against the nobles. Following the policy of Henry II., at the very outset of his reign he instituted a commission of enquiry into the judicial franchises still existing, and on its report itinerant justices were sent to discover by what right these franchises were held. The

1278

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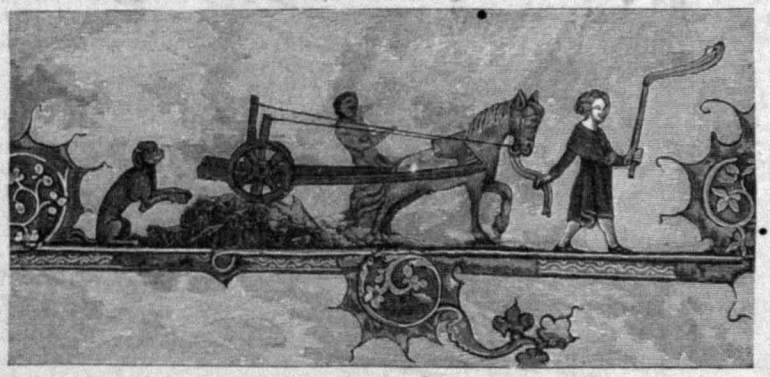
writs of "quo warranto" were roughly met here and there. Earl Warenne bared a rusty sword, and flung it on the justices' table. "This, sirs," he said, "is my warrant. By the sword our fathers won their lands when they came over with the Conqueror, and by the sword we will keep them." But the King was far from limiting himself to the plans of Henry II.; he aimed further at neutralizing the power of the nobles by raising the whole body of land-owners to the same level; and a royal writ ordered all freeholders
1278 who held land of the value of twenty pounds to receive knighthood at the King's hands. While the political influence of the baronage as a leading element in the nation mounted, in fact, the personal and purely feudal power of each individual on his estates as

CART, A.D. 1338—1344.
MS. Bodl. Misc. 264.

steadily fell. The hold which the Crown had gained on every noble family by its rights of wardship and marriage, the circuits of the royal judges, the ever narrowing bounds within which baronial justice was circumscribed, the blow dealt by scutage at their military power, the prompt intervention of the Council in their feuds, lowered the nobles more and more to the level of their fellow subjects. Much yet remained to be done. Different as the English baronage, taken as a whole, was from a feudal *noblesse* like that of Germany or France, there is in every military class a natural drift towards violence and lawlessness, which even the stern justice of Edward found it difficult to repress. Throughout his reign his strong hand was needed to enforce order on warring nobles. Great earls, such as those of Gloucester and Hereford, carried on

private war; in Shropshire the Earl of Arundel waged his feud with Fulk Fitz Warine. To the lesser and poorer nobles the wealth of the trader, the long wain of goods as it passed along the highway, was a tempting prey. Once, under cover of a mock tournament of monks against canons, a band of country gentlemen succeeded in introducing themselves into the great merchant fair at Boston; at nightfall every booth was on fire, the merchants robbed and slaughtered, and the booty carried off to ships which lay ready at the quay. Streams of gold and silver, ran the tale of popular horror, flowed melted down the gutters to the sea; "all the money in England could hardly make good the loss." Even at the close of Edward's reign lawless bands of "trail-bastons," or



CART, A.D. 1338—1344.
MS. Bodl. Misc. 264.

club-men, maintained themselves by general outrage, aided the country nobles in their feuds, and wrested money and goods by threats from the great tradesmen. The King was strong enough to fine and imprison the Earls, to hang the chief of the Boston marauders, and to suppress the outlaws by rigorous commissions. During Edward's absence of three years from the realm, 1286–1289
the judges, who were themselves drawn from the lesser baronage, were charged with violence and corruption. After a careful investigation the judicial abuses were recognized and amended; two of the chief justices were banished from the country, and their colleagues imprisoned and fined.

Edward and the Jews

The next year saw a step which remains the great blot upon Edward's reign. Under the Angevins the popular hatred of the

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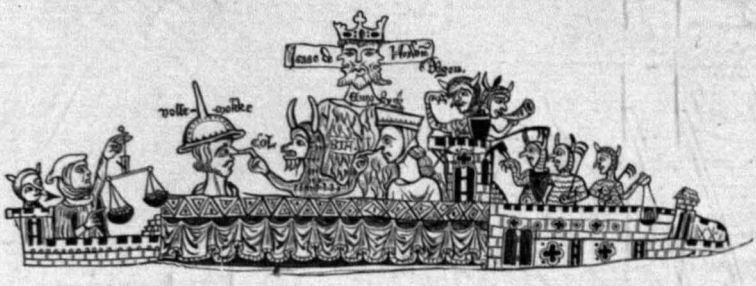
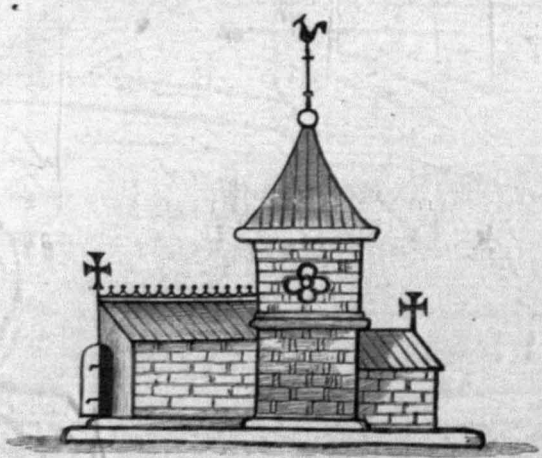
Jews had grown rapidly in intensity. But the royal protection had never wavered. Henry the Second had granted them the right of burial outside of every city where they dwelt. Richard had punished heavily a massacre of the Jews at York, and organized a



SATIRE ON THE JEWS OF NORWICH.
Jews' Roll, 17 Hen. III., Public Record Office.

mixed court of Jews and Christians for the registration of their contracts. John suffered none to plunder them save himself, though he once wrested from them a sum equal to a year's revenue of his realm. The troubles of the next reign brought in a harvest greater than even the royal greed could reap; the Jews grew wealthy enough to acquire estates, and only a burst of popular feeling prevented a legal decision which would have enabled them to own freeholds. Their pride and contempt of the superstitions around them broke out in the taunts they levelled at processions as they passed their Jewries, sometimes as at Oxford in actual attacks upon them. Wild stories floated about



CHURCH IN LONDON FOR CONVERTED JEWS.
Built by Henry III. Drawn by Matthew Paris.
MS. Roy. 14 C. vii.

among the people of children carried off to Jewish houses, to be circumcised or crucified, and a boy of Lincoln who was found slain in a Jewish house was canonized by popular reverence as "St. Hugh." The first work of the Friars was to settle in the Hebrew quarters and attempt their conversion, but the tide of popular fury rose too fast for these gentler means of reconciliation. When the Franciscans saved seventy Jews from death by their prayers to Henry the Third the populace angrily refused the brethren alms. The sack of Jewry after Jewry was the sign of popular hatred during the Barons' war. With its close, fell on the Jews the more terrible persecution of the law. Statute after statute hemmed them in. They were forbidden to hold real property, to employ Christian servants, to move through the streets without the two white tablets of wool on their breasts which distinguished their race. They were prohibited from building new synagogues, or eating with Christians, or acting as physicians to them. Their trade, already crippled by the rivalry of the bankers of Cahors, was annihilated by a royal order, which bade them renounce usury under pain of death. At last persecution could do no more, and on the eve of his struggle with Scotland, Edward, eager at the moment to find supplies for his treasury, and himself swayed by the fanaticism of his subjects, bought the grant of a fifteenth from clergy and laity by consenting to drive the Jews from his realm. Of the sixteen thousand who preferred exile to apostasy few reached the shores of France. Many were wrecked, others robbed and flung overboard. One shipmaster turned out a crew of wealthy merchants on to a sandbank, and bade them call a new Moses to save them from the sea. From the time of Edward to that of Cromwell no Jew touched English ground.

AARON OF COLCHESTER.
Forest Roll, Essex, 5 Ed. I. Public Record Office.

1290

No share in the enormities which accompanied the expulsion of the Jews can fall upon Edward, for he not only suffered the

Edward and the Baronage

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fugitives to take their wealth with them, but punished with the halter those who plundered them at sea. But the expulsion was none the less cruel, and the grant of a fifteenth made by the grateful Parliament proved but a poor substitute for the loss which the royal treasury had sustained. The Scotch war more than exhausted the aids granted by the Parliament. The treasury was utterly drained; the costly fight with the French in Gascony called for supplies, while the King was planning a yet costlier attack on northern France with the aid of Flanders. It was sheer want which drove Edward to tyrannous extortion. His first blow fell
1294 on the Church; he had already demanded half their annual income from the clergy, and so terrible was his wrath at their resistance, that the Dean of St. Paul's, who had stood forth to remonstrate, dropped dead of sheer terror at his feet. "If any oppose the King's demand," said a royal envoy, in the midst of the Convocation, "let him stand up that he may be noted as an enemy to the King's peace." The outraged churchmen fell back on an untenable plea that their aid was due solely to Rome, and pleaded a bull of exemption, issued by Pope Boniface VIII., as a ground for refusing to comply with further taxation. Edward met their refusal
1297 by a general outlawry of the whole order. The King's courts were closed, and all justice denied to those who refused the King aid. By their actual plea the clergy had put themselves formally in the wrong, and the outlawry soon forced them to submission, but their aid did little to recruit the exhausted treasury, while the pressure of the war steadily increased. Far wider measures of arbitrary taxation were needful to equip an expedition which Edward prepared to lead in person to Flanders. The country gentlemen were compelled to take up knighthood, or to compound for exemption from the burthensome honour. Forced contributions of cattle and corn were demanded from the counties, and the export duty on wool—now the staple produce of the country—was raised to six times its former amount. Though he infringed no positive charter or statute, the work of the Great Charter and the Barons' war seemed suddenly to have been undone. But the blow had no sooner been struck than Edward found himself powerless within his realm. The baronage roused itself to resistance, and the
1297 two greatest of the English nobles, Bohun, Earl of Hereford, and

Bigod, Earl of Norfolk, placed themselves at the head of the opposition. Their protest against the war and the financial measures by which it was carried on, took the practical form of a refusal to lead a force to Gascony as Edward's lieutenants, while he himself sailed for Flanders. They availed themselves of the plea that they were not bound to foreign service save in attendance on the King. "By God, Sir Earl," swore the King to Bigod, "you shall either go or hang!" "By God, Sir King," was the cool reply, "I will neither go nor hang!" Ere the Parliament he had convened could meet, Edward had discovered his own powerlessness, and, with one of those sudden revulsions of feeling of which his nature was capable, he stood before his people in Westminster Hall and owned, with a burst of tears, that he had taken their substance without due warrant of law. His passionate appeal to their loyalty wrested a reluctant assent to the prosecution of the war, but the crisis had taught the need of further securities against the royal power. While Edward was still struggling in Flanders, the Primate, Winchelsey, joined the two Earls and the citizens of London in forbidding any further levy of supplies till Edward at 1297
Ghent solemnly confirmed the Charter with the new clauses added to it prohibiting the King from raising taxes save by general consent of the realm. At the demand of the Barons he renewed the Confirmation in 1299, when his attempt to add an evasive clause saving the rights of the Crown proved the justice of their distrust. Two years later a fresh gathering of the Barons in arms wrested 1301
from him the full execution of the Charter of Forests. The bitterness of his humiliation preyed on him; he evaded his pledge to levy no new taxes on merchandize by the sale to merchants of certain privileges of trading; and a formal absolution from his promises which he obtained from the Pope showed his intention of 1305
reopening the questions he had yielded. His hand was stayed, however, by the fatal struggle with Scotland which revived in the 1307
rising of Robert Bruce, and the King's death bequeathed the contest to his worthless son.

Edward the Second 1307–1327

Worthless, however, as Edward the Second morally might be, he was far from being destitute of the intellectual power which seemed hereditary in the Plantagenets. It was his settled purpose to fling off the yoke of the baronage, and the means by which he

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designed accomplishing his purpose was the choice of a minister wholly dependent on the Crown. We have already noticed the change by which the "clerks of the king's chapel," who had been the ministers of arbitrary government under the Normans and

MUSICIANS (SHAWM AND PORTATIVE) AND AUDIENCE, A.D. 1338—1344.
MS. Bodl. Misc. 264.

Angevins, had been quietly superseded by the prelates and lords of the Continual Council. At the close of his father's reign, a direct demand on the part of the Barons to nominate the great officers of state had been curtly rejected; but the royal choice had been practically limited in the selection of its ministers to the class of prelates and nobles, and, however closely connected with royalty, such officers always to a great extent shared the feelings and opinions of their order. It seems to have been the aim of the young King to undo the change which had been silently brought about, and to imitate the policy of the contemporary sovereigns of France by choosing as his ministers men of an inferior position, wholly dependent on the Crown for their power, and representatives of nothing but the policy and interests of their master.

VIOL AND HARP, A.D. 1338—1344.
MS. Bodl. Misc. 264.

Piers Gaveston, a foreigner sprung from a family of Guienne, had been his friend and companion during his father's reign, at the close of which he had been banished from the realm for his share in intrigues which had divided Edward from his son. At the new

HORN-PLAYER, A.D. 1338—1344.

CITTERN-PLAYER, A.D. 1338—1344.

MS. Bodl. Misc. 264.

King's accession he was at once recalled, created Earl of Cornwall, and placed at the head of the administration. Gay, genial, thriftless, Gaveston showed in his first acts the quickness and audacity of Southern Gaul; the older ministers were dismissed, all claims of precedence or inheritance set aside in the distribution of offices at the coronation, while taunts and defiances 1307 goaded the proud baronage to fury. The favourite was a fine soldier, and his lance unhorsed his opponents in tourney after tourney. His reckless wit flung nicknames about the Court; the Earl of Lancaster was "the Actor," Pembroke "the Jew," Warwick "the Black Dog." But taunt and defiance broke helplessly against the iron mass of the 1308 baronage. After a few months of power the demand of the

DRUMMER, A.D. 1338—1344.

MS. Bodl. Misc. 264.

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1309

Parliament for his dismissal could not be resisted, and he was formally banished from the realm. In the following year it was only by conceding the rights which his father had sought to establish of imposing import duties on the merchants by their own assent, that Edward procured a subsidy for the Scotch war. The firmness of the baronage sprang from their having found a head in the Earl of Lancaster, son of Edmund Crouchback. His weight proved irresistible. When Edward at the close of the Parliament recalled Gaveston, Lancaster withdrew from the royal Council, and a Parliament which met in 1310 resolved that the affairs of the realm should be entrusted for a year to a body of twenty-one "Ordainers."

BAGPIPER, A.D. 1338—1344.
MS. Bodl. Misc. 264.

The Lords Ordainers 1311

A formidable list of "Ordinances" drawn up by the twenty-one met Edward on his return from a fruitless warfare with the Scots. By this long and important statute Gaveston was banished, other advisers were driven from the Council, and the Florentine bankers whose loans had enabled Edward to hold the baronage at bay sent out of the realm. The customs duties imposed by Edward the First were declared to be illegal. Parliaments were to be called every year, and in these assemblies the King's servants were to be brought, if need were, to justice. The great officers of state were to be appointed with the counsel and consent of the baronage, and to be sworn in Parliament. The same consent of the Barons in Parliament was to be needful ere the King could declare war or absent himself from the realm. As the Ordinances show, the baronage still looked on Parliament rather as a political organiza-

DAVID PLAYING ON BELLS.
Early Fourteenth Century.
MS. Roy. 2 B. vii.

tion of the nobles than as a gathering of the three Estates of the realm. The lower clergy pass unnoticed; the Commons are regarded as mere tax-payers whose part was still confined to the presentation of petitions of grievances and the grant of money. But even in this imperfect fashion the Parliament was a real

MORRIS-DANCE, A.D. 1338—1344.
MS. Bod. Misc. 264.

representation of the country, and Edward was forced to assent to the Ordinances after a long and obstinate struggle. The exile of Gaveston was the sign of the Barons' triumph; his recall a few months later renewed a strife which was only ended by his capture in Scarborough. The "Black Dog" of Warwick had sworn that

CHILDREN CATCHING BUTTERFLIES, A.D. 1338—1344.
MS. Bodl. Misc. 264.

the favourite should feel his teeth; and Gaveston, who flung himself in vain at the feet of the Earl of Lancaster, praying for pity "from his gentle lord," was beheaded in defiance of the terms of his capitulation on Blacklow Hill. The King's burst of grief was as fruitless as his threats of vengeance; a feigned submission of the conquerors completed the royal humiliation, and the barons 1312

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knelt before Edward in Westminster Hall to receive a pardon which seemed the deathblow of the royal power. But if Edward was powerless to conquer the baronage he could still, by evading the observance of the Ordinances, throw the whole realm into confusion. The six years that follow Gaveston's death are among the darkest in our history. A terrible succession of famines intensified the suffering which sprang from the utter absence of all rule during the dissension between the Barons and the King. The overthrow of Bannockburn, and the ravages of the Scots in the North, brought shame on England such as it had never known.

1318 At last the capture of Berwick by Robert Bruce forced Edward to

LADY AND YOUTH PLAYING DRAUGHTS.
Early Fourteenth Century.
MS. Roy. 2 B. vii.

give way, the Ordinances were formally accepted, an amnesty granted, and a small number of peers belonging to the Barons' party added to the great officers of state.

The Despensers

The Earl of Lancaster, by the union of the four earldoms of Lincoln, Leicester, Derby, and Lancaster, as well as by his royal blood (for like the King he was a grandson of Henry the Third), stood at the head of the English baronage, and the issue of the long struggle with Edward raised him for the moment to supreme power in the realm. But his character seems to have fallen far beneath the greatness of his position. Incapable of governing, he could do little but regard with jealousy the new advisers on whom the King now leaned, the older and the younger Hugh Le Despenser. The rise of the younger, on whom the King bestowed

the county of Glamorgan with the hand of its heiress, was rapid enough to excite general jealousy, and Lancaster found little difficulty in extorting by force of arms his exile from the kingdom. But the tide of popular sympathy, already wavering, was turned to the royal cause by an insult offered to the Queen, against whom Lady Badlesmere had closed the doors of Ledes Castle, and the unexpected energy shown by Edward in avenging the insult gave fresh strength to his cause. He found himself strong enough to recall Despenser, and when Lancaster convoked the baronage to force him again into exile, the weakness of their party was shown by the treasonable negotiations into which the Earl entered with the Scots, and by his precipitate retreat to the north on the advance of the royal army. At Boroughbridge his forces were arrested and dispersed, and the Earl himself, brought captive before Edward at Pontefract, was tried and condemned to death as a traitor. "Have mercy on me, King of Heaven," cried Lancaster, as mounted on a grey pony without a bridle he was hurried to execution, "for my earthly King has forsaken me." His death was followed by that of a number of his adherents and by the captivity of others; while a Parliament at York annulled the proceedings against the Despensers, and repealed the Ordinances. It is to this Parliament however, and perhaps to the victorious confidence of the royalists, that we owe the famous provision which reveals the policy of the Despensers, the provision that all laws concerning "the estate of the Crown, or of the realm and people, shall be treated, accorded, and established in Parliaments by our Lord the King and by the consent of the prelates, earls, barons, and commonalty of the realm, according as hath been hitherto accustomed." It would seem from the tenor of this remarkable enactment that much of the sudden revulsion of popular feeling had been owing to the assumption of all legislative action by the baronage alone. But the arrogance of the Despensers, the utter failure of a fresh campaign against Scotland, and the humiliating truce for thirteen years which Edward was forced to conclude with Robert Bruce, soon robbed the Crown of its temporary popularity, and led the way to the sudden catastrophe which closed this disastrous reign. It had been arranged that the Queen, a sister of the King of France, should revisit her home to conclude a treaty between the two countries

Fall of Lancaster 1322

1323

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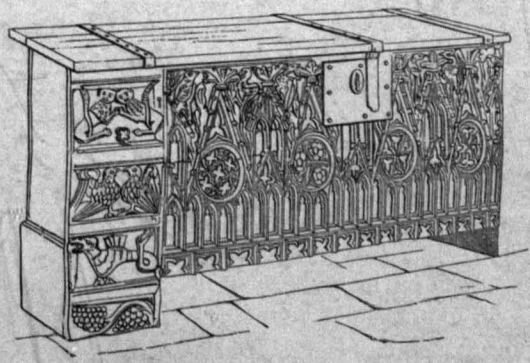
whose quarrel was again verging upon war; and her son, a boy of twelve years old, followed her to do homage in his father's stead for the duchies of Gascony and Aquitaine. Neither threats nor prayers, however, could induce either wife or child to return to his court; and the Queen's connexion with a secret conspiracy of the baronage was revealed when the primate and nobles hurried to her
1326 standard on her landing at Orwell. Deserted by all, and repulsed by the citizens of London whose aid he implored, the King fled hastily to the west and embarked with the Despensers for Lundy Isle; but contrary winds flung the fugitives again on the Welsh

BED AND CRADLE.
Early Fourteenth Century.
MS. Roy. 2 B. vii.

coast, where they fell into the hands of the new Earl of Lancaster. The younger Despenser was at once hanged on a gibbet fifty feet high, and the King placed in ward at Kenilworth till his fate
1327 could be decided by a Parliament summoned for that purpose at
Deposition of Edward Westminster. The Peers who assembled fearlessly revived the constitutional usage of the earlier English freedom, and asserted their right to depose a king who had proved himself unworthy to rule. Not a voice was raised in Edward's behalf, and only four prelates protested when the young Prince was proclaimed King by acclamation, and presented as their sovereign to the multitudes

without. The revolution soon took legal form in a bill which charged the captive monarch with indolence, incapacity, the loss of Scotland, the violation of his coronation oath, and oppression of the Church and baronage; and on the approval of this it was resolved that the reign of Edward of Caernarvon had ceased and that the crown had passed to his son, Edward of Windsor. A deputation of the Parliament proceeded to Kenilworth to procure the assent of the discrowned King to his own deposition, and Edward, "clad in a plain black gown," submitted quietly to his fate. Sir William Trussel at once addressed him in words which better than any other mark the true nature of the step which the Parliament had taken. "I, William Trussel, proctor of the earls, barons, and others, having for this full and sufficient power, do render and give back to you, Edward, once King of England, the homage and fealty of the persons named in my procuracy; and acquit and discharge them thereof in the best manner that law and custom will give. And I now make protestation in their name that they will no longer be in your fealty and allegiance, nor claim to hold anything of you as king, but will account you hereafter as a private person, without any manner of royal dignity." A significant act followed these emphatic words. Sir Thomas Blount, the steward of the household, broke his staff of office, a ceremony only used at a king's death, and declared that all persons engaged in the royal service were discharged. In the following September the King was murdered in Berkeley Castle.



CARVED CHEST, CHEVINGTON CHURCH, SUFFOLK.
Temp. Edward II. or III.
Gage, "*History of Suffolk*."

SEC. VI

THE SCOTCH WAR OF INDEPENDENCE 1306 TO 1342

Section VI.—The Scotch War of Independence, 1306—1342

[*Authorities.*—Mainly the contemporary English Chroniclers and state documents for the reigns of the three Edwards. John Barbour's "Bruce," the great legendary storehouse for his hero's adventures, is historically worthless. Mr. Burton's is throughout the best modern account of the time.]

The Scotch Revolt

To obtain a clear view of the constitutional struggle between the kings and the baronage, we have deferred to its close an account of the great contest which raged throughout the whole period in the north.

1305 With the Convocation of Perth the conquest and settlement of Scotland seemed complete. Edward I., in fact, was preparing for a joint Parliament of the two nations at Carlisle, when the conquered country suddenly sprang again to arms under Robert Bruce, the grandson of one of the original claimants of the crown. The Norman house of Bruce formed a part of the Yorkshire baronage, but it had acquired through intermarriages the Earldom of Carrick and the Lordship of Annandale. Both the claimant and his son had been pretty steadily on the English side in the contest with Balliol and Wallace, and Robert had himself been trained in the English court, and stood high in the King's favour. But the withdrawal of Balliol gave a new force to his claims upon the crown, and the discovery of an intrigue which he had set on foot with the Bishop of St. Andrews so roused Edward's jealousy that Bruce fled for his

1306 life across the border. In the church of the Grey Friars at Dumfries he met Comyn, the Lord of Badenoch, to whose treachery he attributed the disclosure of his plans, and after the interchange of a few hot words struck him with his dagger to the ground. It was an outrage that admitted of no forgiveness, and Bruce for very safety was forced to assume the crown six weeks after in the Abbey of Scone. The news roused Scotland again to arms, and summoned Edward to a fresh contest with his unconquerable foe. But the murder of Comyn had changed the King's mood to a terrible pitilessness; he threatened death against all concerned in the outrage, and exposed the

Countess of Buchan, who had set the crown on Bruce's head, in a cage or open chamber built for the purpose in one of the towers of Berwick. At the solemn feast which celebrated his son's knighthood Edward vowed on the swan, which formed the chief dish at the banquet, to devote the rest of his days

SEAL OF ROBERT BRUCE, KING OF SCOTS.

to exact vengeance from the murderer himself. But even at the moment of the vow, Bruce was already flying for his life to the western islands. "Henceforth," he had said to his wife at their coronation, "thou art queen of Scotland and I king." "I fear," replied Mary Bruce, "we are only playing at royalty,

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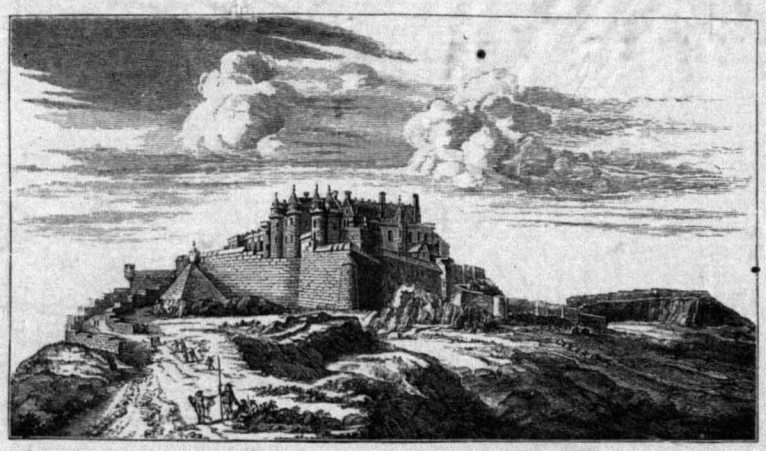
like children in their games." The play was soon turned into bitter earnest. A small English force under Aymer de Valence sufficed to rout the disorderly levies which gathered round the new monarch, and the flight of Bruce left his followers at Edward's mercy. Noble after noble was hurried to the block. The Earl of Athole pleaded kindred with royalty; "His only privilege," burst forth the King, "shall be that of being hanged on a higher gallows than the rest." Knights and priests were strung up side by side by the English justiciars; while the wife and daughter of Robert Bruce were flung into prison. Bruce himself had offered to capitulate to Prince Edward, but the offer only roused the old king to fury. "Who is so bold," he cried, "as to treat with our traitors without our knowledge?" and rising from his sick-bed he led his army northwards to complete the conquest. But the hand of death was upon him, and in the very sight of Scotland the old man breathed his last at Burgh-upon-Sands.

1307

Robert Bruce

The death of Edward arrested only for a moment the advance of his army to the north. The Earl of Pembroke led it across the border, and found himself master of the country without a blow. Bruce's career became that of a desperate adventurer, for even the Highland chiefs in whose fastnesses he found shelter were bitterly hostile to one who claimed to be King of their foes in the Lowlands. It was this adversity that transformed the murderer of Comyn into the noble leader of a nation's cause. Strong and of commanding presence, brave and genial in temper, Bruce bore the hardships of his career with a courage and hopefulness which never failed. In the legends which clustered round his name we see him listening in Highland glens to the bay of the bloodhounds on his track, or holding single-handed a pass against a crowd of savage clansmen. Sometimes the little band which clung to him were forced to support themselves by hunting or fishing, sometimes to break up for safety as their enemies tracked them to the lair. Bruce himself had more than once to fling off his shirt of mail and scramble barefoot for very life up the crags. Little by little, however, the dark sky cleared. The English pressure relaxed, as the struggle between Edward and his barons grew fiercer.

James Douglas, the darling of Scotch story, was the first of the Lowland barons to rally again to the Bruce, and his daring gave heart to the King's cause. Once he surprised his own house, which had been given to an Englishman, ate the dinner which had been prepared for its new owner, slew his captives, and tossed their bodies on to a pile of wood gathered at the castle gate. Then he staved in the wine-vats that the wine might mingle with their blood, and set house and woodpile on fire. A terrible ferocity mingled with heroism in the work of freedom, but the revival of the country went steadily on.



STIRLING CASTLE.
Slezer, "Theatrum Scotiæ," 1693.

Bruce's "harrying of Buchan" after the defeat of its Earl, who had joined the English army, at last fairly turned the tide of success. Edinburgh, Roxburgh, Perth, and most of the Scotch fortresses fell one by one into King Robert's hands. The clergy met in council and owned him as their lawful lord. Gradually the Scotch barons who still held to the English cause were coerced into submission, and Bruce found himself strong enough to invest 1313
Stirling, the last and the most important of the Scotch fortresses which held out for Edward.

Stirling was in fact the key of Scotland, and its danger roused England out of its civil strife to a vast effort for the

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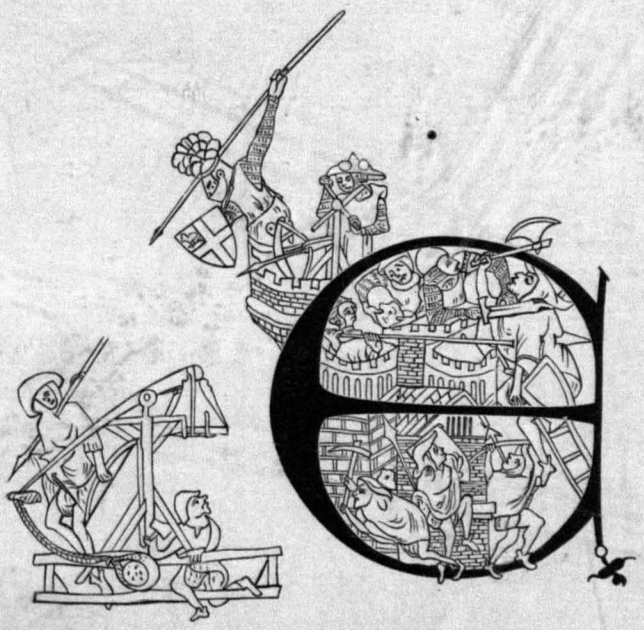
recovery of its prey. Thirty thousand horsemen formed the fighting part of the great army which followed Edward to the north, and a host of wild marauders had been summoned from Ireland and Wales to its support. The army which Bruce had gathered to oppose the inroad was formed almost wholly of footmen, and was stationed to the south of Stirling on a rising ground flanked by a little brook, the Bannock burn which gave its name to the engagement. Again two systems of warfare were brought face to face as they had been brought at Falkirk, for Robert, like Wallace, drew up his force in solid squares or circles of spearmen. The English were dispirited at the very outset by the failure of an attempt to relieve Stirling, and by the issue of a single combat between Bruce and Henry de Bohun, a knight who bore down upon him as he was riding peacefully along the front of his army. Robert was mounted on a small hackney and held only a light battle-axe in his hand, but, warding off his opponent's spear, he cleft his skull with so terrible a blow that the handle of the axe was shattered in his grasp. At the opening of the battle the English archers were thrown forward to rake the Scottish squares, but they were without support and were easily dispersed by a handful of horse whom Bruce had held in reserve for the purpose. The body of men-at-arms next flung themselves on the Scottish front, but their charge was embarrassed by the narrow space along which the line was forced to move, and the steady resistance of the squares soon threw the knighthood into disorder. "The horses that were stickit," says an exulting Scotch writer, "rushed and reeled right rudely." In the moment of failure the sight of a body of camp-followers, whom they mistook for reinforcements to the enemy, spread panic through the English host. It broke in a headlong rout. Its thousands of brilliant horsemen were soon floundering in pits which had guarded the level ground to Bruce's left, or riding in wild haste for the border. Few however were fortunate enough to reach it. Edward himself, with a body of five hundred knights, succeeded in escaping to Dunbar and the sea. But the flower of his knighthood fell into the hands of the victors, while the Irishry and the footmen were ruthlessly cut down by the country

Bannock burn *June* 24, 1314

folk as they fled. For centuries after, the rich plunder of the English camp left its traces on the treasure and vestment rolls of castle and abbey throughout the Lowlands.

Terrible as was the blow England could not humble herself to relinquish her claim on the Scottish crown. With equal pertinacity Bruce refused all negotiation while the royal title was refused to him, and steadily pushed on the recovery of his southern dominions. Berwick was at last forced to surrender,



SIEGE OF CARLISLE BY THE SCOTS, A.D. 1315.
Initial letter of Edward II.'s charter to Carlisle, 1316.
Archæological Journal.

and held against a desperate attempt at its recapture; while barbarous forays of the borderers under Douglas wasted Northumberland. Again the strife between the Crown and the baronage was suspended to allow the march of a great English army to the north; but Bruce declined an engagement till the wasted Lowlands starved the invaders into a ruinous retreat. The failure forced England to stoop to a truce for thirteen years, in the negotiation of which Bruce was suffered to take the

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THE SCOTCH WAR OF INDEPENDENCE 1306 TO 1342

royal title. But the truce ceased legally with Edward's deposition. Troops gathered on either side, and Edward Balliol, a son of the former king John, was solemnly received as a vassal-king of Scotland at the English court. Robert was disabled by leprosy from taking the field in person, but the insult roused him to hurl his marauders again over the border under Douglas and Randolph. An eye-witness has painted for us the Scotch army, as it appeared in this campaign: "It consisted of four thousand men-at-arms, knights and esquires, well mounted, besides twenty thousand men bold and hardy, armed after the manner of their country, and mounted upon little hackneys that are never tied up or dressed, but turned immediately after the day's march to pasture on the heath or in the fields. . . . They bring no carriages with them on account of the mountains they have to pass in Northumberland, neither do they carry with them any provisions of bread and wine, for their habits of sobriety are such in time of war, that they will live for a long time on flesh half-sodden without bread, and drink the river water without wine. They have therefore no occasion for pots or pans, for they dress the flesh of the cattle in their skins after they have flayed them, and being sure to find plenty of them in the country which they invade, they carry none with them. Under the flaps of his saddle each man carries a broad piece of metal, behind him a little bag of oatmeal: when they have eaten too much of the sodden flesh and their stomach appears weak and empty, they set this plate over the fire, knead the meal with water, and when the plate is hot put a little of the paste upon it in a thin cake like a biscuit which they eat to warm their stomachs. It is therefore no wonder that they perform a longer day's march than other soldiers." Against such a foe the English troops who marched under their boy-king to protect the border were utterly helpless. At one time the army lost its way in the vast border waste; at another all traces of the enemy had disappeared, and an offer of knighthood and a hundred marks was made to any who could tell where the Scots were encamped. But when found their position behind the Wear proved unassailable, and after a bold sally on the English camp Douglas foiled an attempt

at intercepting him by a clever retreat. The English levies broke hopelessly up, and a fresh foray on Northumberland forced the English court to submit to peace. By the Treaty of Northampton the independence of Scotland was formally recognized, and Bruce acknowledged as its king.

The pride of England, however, had been too much aroused by the struggle to bear easily its defeat. The first result of the treaty was the overthrow of the government which concluded it, a result

WEST DOOR OF ELGIN CATHEDRAL.
Early Fourteenth Century.

hastened by the pride of its head, Roger Mortimer, and by his exclusion of the rest of the nobles from all share in the administration of the realm. The first efforts to shake Roger's power were unsuccessful: a league headed by the Earl of Lancaster broke up without result; and the King's uncle, the Earl of Kent, was actually brought to the block, before the young King himself interfered in the struggle. Entering the Council chamber in Nottingham Castle, with a force which he had introduced through a secret passage in the rock on which it stands, Edward arrested Mortimer 1330

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with his own hands, hurried him to execution, and assumed the control of affairs. His first care was to restore good order throughout the country, which under the late government had fallen into ruin, and to free his hands by a peace with France for further enterprises in the north. Fortune, indeed, seemed at last to have veered to the English side; the death of Bruce only a year after the Treaty of Northampton left the Scottish throne to a child of but eight years old, and the internal difficulties of the realm broke out in civil strife. To the great barons on either side the border the late peace involved serious losses, for many of the Scotch houses held large estates in England, as many of the English lords held large estates in Scotland; and although the treaty had provided for their claims, they had in each case been practically set aside. It is this discontent of the barons at the new settlement which explains the sudden success of Edward Balliol in his snatch at the Scottish throne. In spite of King Edward's prohibition, he sailed from England at the head of a body of nobles who claimed estates in the north, landed on the shores of Fife, and, after repulsing with immense loss an army which attacked him near Perth, was

1332 crowned at Scone, while David Bruce fled helplessly to France. Edward had given no open aid to the enterprise, but the crisis tempted his ambition, and he demanded and obtained from Balliol an acknowledgement of the English suzerainty. The acknowledgement, however, was fatal to Balliol himself. He was at once driven from his realm, and Berwick, which he had agreed to surrender to Edward, was strongly garrisoned against an English attack. The town was soon besieged, but a Scotch army under

1333 the regent Douglas, brother to the famous Sir James, advanced to its relief, and attacked a covering force, which was encamped on the strong position of Halidon Hill. The English bowmen, however, vindicated the fame they had first won at Falkirk, and were soon to crown in the victory of Crécy; and the Scotch only struggled through the marsh which covered the English front to be riddled with a storm of arrows, and to break in utter rout. The battle decided the fate of Berwick, and from that time the town remained the one part of Edward's conquests which was preserved by the English crown. Fragment as it was, it was always viewed legally as representing the realm of which it had once formed a

part. As Scotland, it had its chancellor, chamberlain, and other officers of State; and the peculiar heading of Acts of Parliament enacted for England "and the town of Berwick-upon-Tweed" still preserves the memory of its peculiar position. Balliol was restored to his throne by the conquerors, and his formal cession of the Lowlands to England rewarded their aid. During the next three years Edward persisted in the line of policy he had adopted, retaining his hold over Southern Scotland, and aiding his sub-king Balliol in campaign after campaign against the despairing efforts of the nobles who still adhered to the house of Bruce. His

BERWICK-UPON-TWEED.
After J. M. W. Turner.

perseverance was all but crowned with success, when the outbreak of war with France saved Scotland by drawing the strength of England across the Channel. The patriot party drew again together. Balliol found himself at last without an adherent and withdrew to the Court of Edward, while David returned to his kingdom, and won back the chief fastnesses of the Lowlands. The freedom of Scotland was, in fact, secured. From a war of conquest and patriotic resistance the struggle died into a petty strife between two angry neighbours, which became a mere episode in the larger contest between England and France.

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CHAPTER V

THE HUNDRED YEARS' WAR

1336—1431

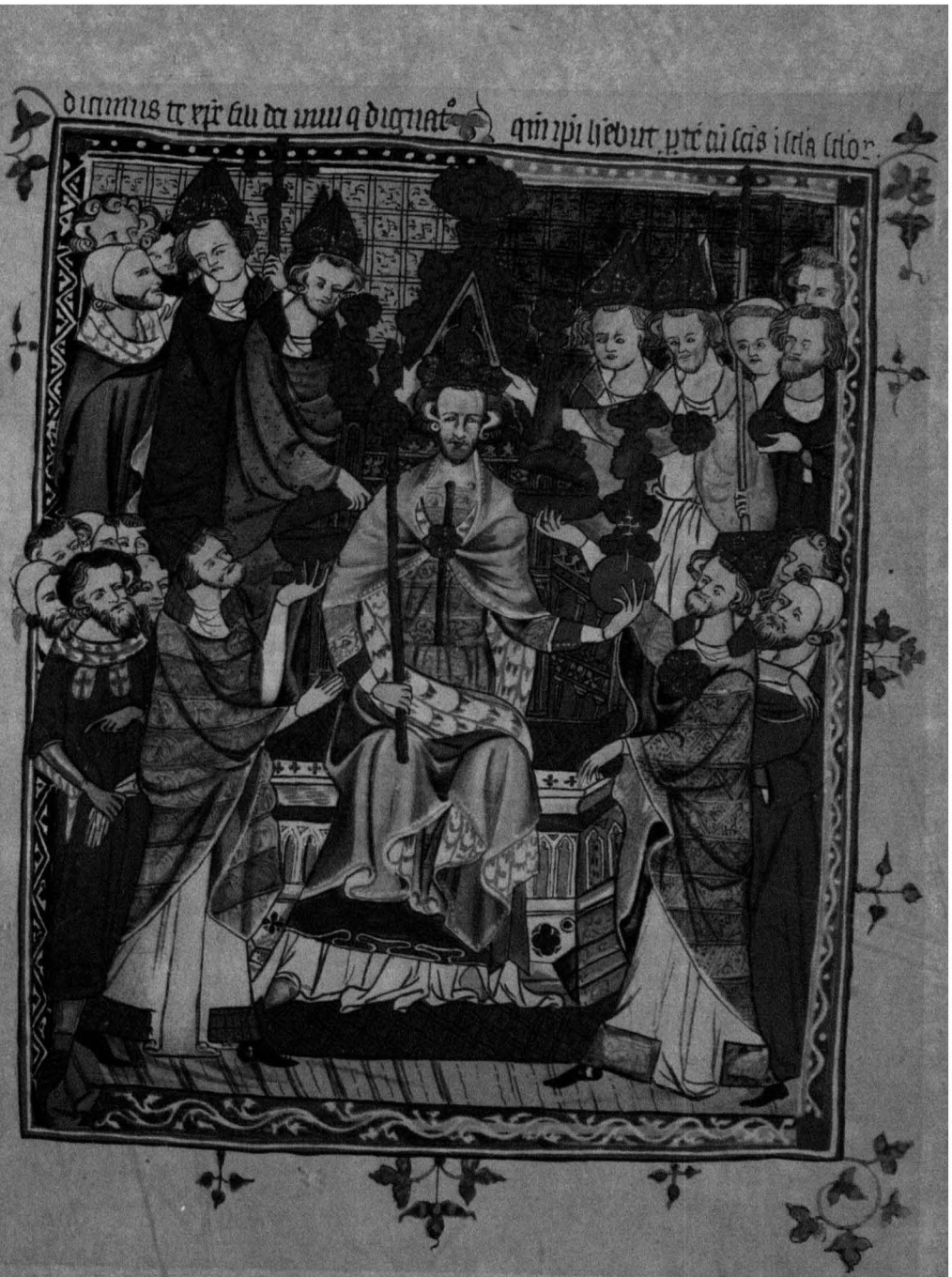
Section I.—Edward the Third, 1336—1360

[*Authorities.*—The concluding part of the chronicle of Walter of Heminburgh or Hemingford seems to have been jotted down as news of the passing events reached its author; it ends at the battle of Crécy. Hearne has published another contemporary account by Robert of Avesbury, which closes in 1356. A third account by Knyghton, a canon of Leicester, will be found in the collection of Twysden. At the end of this century and the beginning of the next the annals that had been carried on in the Abbey of St. Albans were thrown together by Walsingham in the "Historia Anglicana" which bears his name, a compilation whose history is given in the prefaces to the "Chronica Monasterii S. Albani" (Rolls Series). Rymer's "Fœdera" is rich in documents for this period, and from this time we have a storehouse of political and social information in the Parliamentary Rolls. For the French war itself our primary authority is the Chronicle of Jehan le Bel, a canon of S. Lambert of Liége, who had himself served in Edward's campaign against the Scots, and spent the rest of his life at the court of John of Hainault. Up to the Treaty of Brétigny, where it closes, Froissart has done little more than copy this work, making however large additions from his own inquiries, especially in the Flemish and Breton campaigns and the account of Crécy. A Hainaulter of Valenciennes, Froissart held a post in Queen Philippa's household from 1361 to 1369; and under this influence produced in 1373 the first edition of his well-known Chronicle. A later edition is far less English in tone, and a third version, begun by him in his old age after long absence from England, is distinctly French in its sympathies. Froissart's vivacity and picturesqueness blind us to the inaccuracy of his details; as an historical authority he is of little value. The incidental mention of Crécy and the later English expeditions by Villani in his great Florentine Chronicle are important. The best modern account of this period is that by Mr. W. Longman, "History of Edward III." Mr. Morley ("English Writers") has treated in great detail of Chaucer.]

[Dr. Stubbs' "Constitutional History" (vol. ii.), published since this chapter was written, deals with the whole period.—*Ed.*]

England under Edward III.

IN the middle of the fourteenth century the great movement towards national unity which had begun under the last of the Norman Kings seemed to have reached its end, and the perfect fusion



CORONATION OF A KING

MS. Corpus Christi College, Cambridge xx

EARLY FOURTEENTH CENTURY

of conquered and conquerors into an English people was marked by the disuse, even amongst the nobler classes, of the French tongue. In spite of the efforts of the grammar schools, and of the strength of fashion, English was winning its way throughout the reign of Edward the Third to its final triumph in that of his grandson. "Children in school," says a writer of the earlier reign, "against the usage and manner of all other nations, be compelled for to leave their own language, and for to construe their lessons and their things in French, and so they have since Normans first came into England. Also gentlemen's children be taught to speak French from the time that they be rocked in their cradle, and

SCHOOL, A.D. 1338—1344.
MS. Bodl. Misc. 264.

know how to speak and play with a child's toy; and uplandish (or country) men will liken themselves to gentlemen, and strive with great busyness to speak French for to be more told of." "This manner," adds a translator of Richard's time, "was much used before the first murrain (the plague of 1349), and is since somewhat changed; for John Cornwal, a master of grammar, changed the lore in grammar school and construing of French into English; and Richard Pencrych learned this manner of teaching of him, as others did of Pencrych. So that now, the year of our Lord, 1385, and of the second King Richard after the Conquest nine, in all the grammar schools of England children leaveth French, and construeth and learneth in English." A more formal note of the change is found when English was ordered to be used in courts of law in 1362 "because the French tongue is much unknown;" and

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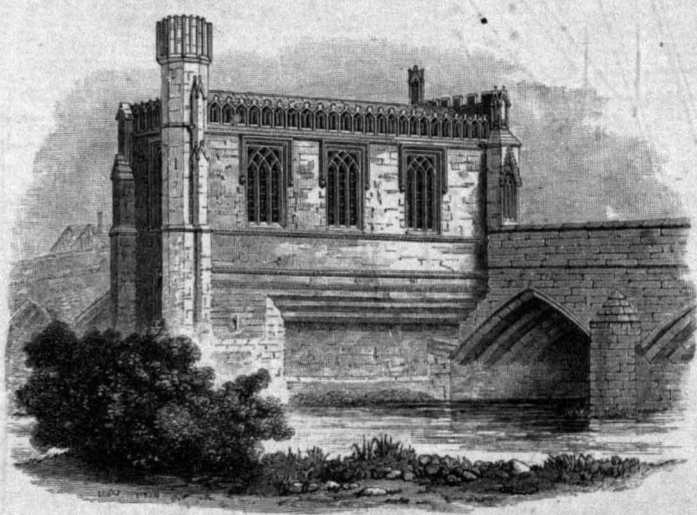
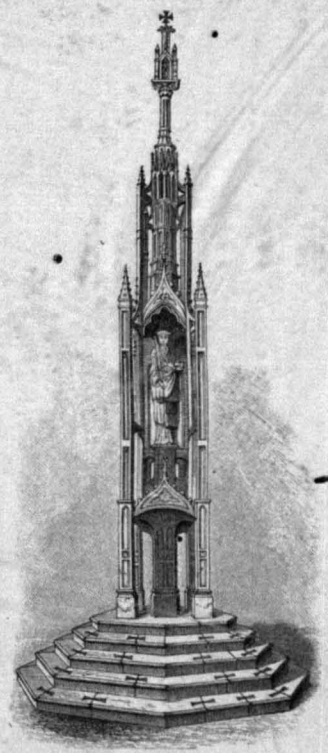
in the following year it was employed by the Chancellor in opening Parliament. Bishops began to preach in English, and the English tracts of Wyclif made it once more a literary tongue. This drift towards a general use of the national tongue told powerfully on literature. The influence of the French romances everywhere tended to make French the one literary language at the opening of the fourteenth century, and in England this influence had been backed by the French tone of the court of Henry the Third and the three Edwards. But at the close of the reign of



CHAPEL ON WAKEFIELD BRIDGE.
Early Fourteenth Century.
Archæological Journal.

Edward the Third the long French romances needed to be translated even for knightly hearers. "Let clerks indite in Latin," says the author of the "Testament of Love," "and let Frenchmen in their French also indite their quaint terms, for it is kindly to their mouths; and let us show our fantasies in such wordes as we learned of our mother's tongue." But the new national life afforded nobler material than "fantasies" now for English literature. With the completion of the work of national unity had come the completion of the work of national freedom. Under the first Edward the Parliament had vindicated its right to the control of

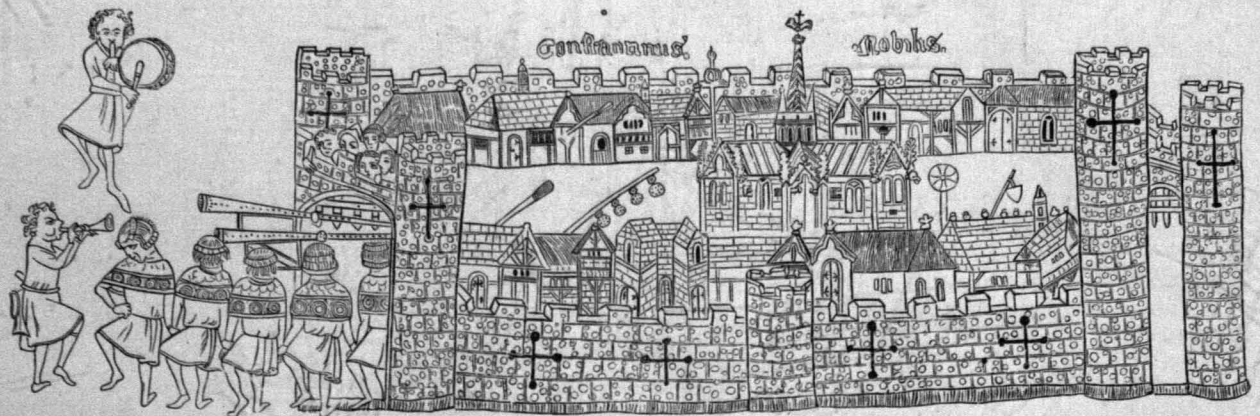
taxation, under the second it had advanced from the removal of ministers to the deposition of a King, under the third it gave its voice on questions of peace and war, controlled expenditure, and regulated the course of civil administration. The vigour of English life showed itself socially in the wide extension of commerce, in the rapid growth of the woollen trade, and the increase of manufactures after the settlement of Flemish weavers on the eastern coast; in the progress of the towns, fresh as they were from the victory of the craft-gilds; and in the developement of agriculture through the division of lands, and the rise of the tenant farmer and the freeholder. It gave nobler signs of its activity in the spirit of national independence and moral earnestness which awoke at the call of Wyclif. New forces of thought and feeling, which were destined to tell on every age of our later history, broke their way through the crust of feudalism in the socialist revolt of the Lollards, and a sudden burst of military glory threw its glamour over the age of Crécy and Poitiers.



WINCHESTER MARKET CROSS.
Built temp. Edward III.

It is this new gladness of a great people which utters itself in the verse of Geoffrey Chaucer. Chaucer was born about 1340, the son of a London vintner who lived in Thames Street; and it was in London that the bulk of his life was spent. His family, though not noble, seems to have been of some importance, for from the opening of his career we find Chaucer in close connexion with the Court. At sixteen he was made page to the wife of Lionel of Clarence; at nineteen he first bore arms in the

Chaucer 1340–1400



CONSTANTINOPLE.
Loutrell Psalter, c. 1340.