The Career of Aymer de Valence, Earl of Pembroke, with
Special Reference to the Period from 1312 to 1324.

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ABSTRACT

The career of Aymer de Valence, Earl of Pembroke, is here studied with the intention of determining his part in the politics and the administration of the reign of Edward II. In doing so a special emphasis is placed upon study of his activities during the period between the summer of 1312 when the execution of the royal favourite, Gaveston, by the Earls of Lancaster and Warwick caused Pembroke to break with them and their fellow Ordainers and return publically and unequivocally to his previous loyalty to the King, and Pembroke's death in 1324. The early part of Pembroke's career, from 1297 to 1312, is treated only in order to draw attention to the political attitudes and forms of experience which are significant for his later career. The choice of the years 1312 to 1324 for close study provides an opportunity to examine the part played by Pembroke in each of the political crises which punctuate the period and, in particular, to decide whether or not he was responsible for the creation of a "middle party" in the years 1317 and 1318. In the process of doing so existing studies of the reign and of Pembroke's part in it have been
re-examined in the light both of existing evidence and of much new material. The results of this study have been to show that throughout Pembroke's career his actions were usually governed by loyalty to the person of the King and that conversely the attitude of Edward II towards him was one of very close trust and personal friendship. Close examination of the events of 1317 and 1318 has shown that the traditional "middle party" interpretation is unsatisfactory in many respects and is best abandoned, and has also made it possible to modify existing ideas on the nature of the baronial opposition in the reign of Edward II.

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LIST OF ABBREVIATIONS.

B.M. : British Museum.
Bridlington : Gesta Edwardi de Carnarvon of a canon of Bridlington.
The Bruce : The Bruce of John Barbour.
The Brut : The Brut: ed. F. Brie.
C.Ch.R. : Calendar of Charter Rolls.
C.Ch.Warr. : Calendar of Chancery Warrants.
C.Cl.R. : Calendar of Close Rolls.
C.P.R. : Calendar of Patent Rolls.
C.Papal Letters : Calendar of Papal Letters.
C.Treaty Rolls : Calendar of Treaty Rolls.
Cal.I.P.M. : Calendar of Inquisitions Post Mortem.
E.H.R. : English Historical Review.
F. : Foedera.
Flores : Flores Historiarum.
Fordun : J. de Fordun Cronica Gentis Scotorum.
G.R. : Gascon Rolls.
Knighton : Chronicon Henrici Knighton.
Lanercost : Chronicon de Lanercost.
Melsa : Chronicon monasterii de Melsa.
Murimuth : Continuatio Chronicarum of Adam Murimuth.
P.W. : Parliamentary Writs.
Polychronicon : Polychronicon of Ranulph Higden.
P.R.O. : Public Record Office.
Rot.Parl. : Rotuli Parliamentorum.
Scalachronica : Scalachronica of Thomas Gray of Heton.
Trivet(Cont.) : Nicolai Triveti Annalium Continuatio.
Trokelowe : Annales of John Trokelowe.
V.C.H. : Victoria County History.
Vita : Vita Edwardi Secundi.
Vita et Mors : Vita et Mors Edwardi Secundi.
GENEALOGY of DE VALENCE FAMILY

HUGH X, COUNT of LA MARCHE = ISABELLA of ANGOULEME WILLIAM MARSHAL, EARL of PEMBROKE (d. 1219)

JOAN = WARIN de MUNCHENSY

WILLIAM de VALENCE (d. 1296) = JOAN de MUNCHENSY (d. 1307)

JOHN WILLIAM
(d.s.p. 1277) (d.s.p. 1282)

AYMER de VALENCE, EARL of PEMBROKE
(d.s.p. 1324)

= 1. BEATRICE de CLERMONT-NEISLE
(d. 1320)

2. MARIE de St. Pol
(d. 1376)

= JOHN HASTINGS
(d. 1305)

= JOHN COMYN
(d. 1306)

ISABEL = AGNES
(d. 1313)

(d.s.p. 1310)

= 1. MAURICE
FITZGERALD
(d. 1268)

2. HUGH de BALLIOL
(d. 1271)

3. JOHN de AVESNES
(d. 1283)

JOHN HASTINGS
(d. 1325)

JULIANA
(d. 1266)

de LEYBOURNE
(d. 1367)

JOHN HASTINGS,
EARL of PEMBROKE
(d. 1348)

LAURENCE HASTINGS,
EARL of PEMBROKE
(d. 1376)

AYMER
(d. 1314)

ELIZABETH
(d. 1316)

JOAN = DAVID de STRATHBogie,
(d. 1372)

= RICHARD
(d. 1372)

TALEBOT
(d. 1352)

= ATHOL
(d. 1326)
WILLIAM MARSHAL, EARL OF PEMBROKE (d. 1219)

(l) JOAN = WARIN de MUNCHENSEY = (2) DENISE LANGTON
(d. 1255)

WILLIAM de VALENCE = JOAN de MUNCHENSY
(d. 1296) (d. 1307)

AYMER de VALENCE, EARL of PEMBROKE
(d.s.p. 1324)

WILLIAM de MUNCHENSY (d.s.p.m. 1287)

DENISE de MUNCHENSY = HUGH de VERE
(d.s.p. 1313) (d.s.p. 1319)
INTRODUCTION: PEMBROKE’S EARLY CAREER UNTIL THE ST. PAUL’S ASSEMBLY OF MARCH 1312.

The details of the early years of the life of Aymer de Valence, Earl of Pembroke, are unknown, but it is likely that he was born in the mid-1270's. A letter to the Pope on May 24th, 1282 shows that, like his famous namesake under Henry III, Aymer was originally intended for an ecclesiastical career, but the death of his elder brother William in Wales on June 16th, 1282 changed the whole course of his future life. Nothing more is known until early in 1296 when he accompanied his father on an embassy.

1. He did not become Earl till after his mother's death in Sept. 1307 and will therefore be described as Aymer de Valence before that date.

2. The date can be roughly calculated from the I.P.M.'s of the 4 people whose heirs he was: William, Joan, Agnes de Valence, and Denise de Vere.

3. C.Cli.R., 1279-88, p. 188; S.C.1/13/204. These are the first known record references to him.


5. See M.B. Lewis: The English Forces in Flanders in 1297: Essays to Prowse.
to Cambrai. This was the last action in the long career of William de Valence who died on May 16th, the same year at Brabourne in Kent.

Aymer's first independent public action was his participation in Edward I's 1297 Flemish campaign at the head of a retinue of 49, about 30 of these being the men of Thomas de Berkeley, one of William de Valence's former retainers, who had made an indenture of service with Aymer before the campaign began. Aymer was in fact one of the few substantial magnates to go with the King and his retinue was the largest of the non-household contingents, while Berkeley also acted as constable of the army following Hereford's refusal to serve. Too much should not be made of Aymer's support of Edward I in this crisis year as he was still very young and carried no political weight.

1. Archives historiques du Poitou, 58, no. 374.
2. B.L. 4-2/12/f. 57d.; E.101/505/25/m.9. The D.N.B. & G.E.C. are wrong or incomplete on this point.
4. Loc. cit.; C.67/12/m.2-5.
5. E.101/68/1/1.
weight, but his actions give a clue to the nature of his future conduct.

In the event there was little military activity in Flanders, but Aymer was able to serve the King in other ways, including the supervision of the fleet at Sluys. More important was his introduction to diplomacy when, with the Archbishop of Dublin and others, he was appointed to make a truce with the French, agreement being reached at Groslingues on November 23rd.  

The Flemish campaign thus has an important place in forming the pattern of Aymer de Valence's career since it shows his support of the King at a time of political crisis in England. This active support was to continue unbroken during Edward I and II's reigns until Aymer's death in 1324, except for his withdrawal from English affairs between November 1320 and August 1321. It will be suggested that even during the period of the Ordainers, when he was in apparent opposition, he remained basically loyal. His father, William de Valence, had spent fifty years

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1. S.C.1/47/76.
in association with and service of his half-brother Henry III and nephew Edward I so that support of the King came entirely naturally to his son. The 1297 campaign also foreshadows in essence Aymer's future roles as military leader, royal adviser and diplomat, and, taking these factors together with his loyalty to Edward, it seems true to say that he took up his career where his father's had left off.

Aymer's diplomatic experience in 1297 also emphasises the fact that much of his value as a diplomat, now and throughout his career, arose from his French family origins and connections, since the French envoys with whom he treated included Ralph de Clermont, Constable of France, whose daughter Beatrice he had already married, and Guy de Châtillon, Count of St. Pol and Butler of France, whose daughter Mary became his second wife in 1321. Aymer was also himself a French as well as an English magnate through his tenure of Montignac, Champagnac, Bellac and Rancon in Poitou.

During the next ten years much of Aymer's time was spent either on royal embassies to France or in the Scottish wars, but the details of this period of his career lie outside the scope of this
study and only a brief summary is necessary. In May 1299, he was appointed as an envoy to make a French marriage treaty, and for further French negotiations in 1301, 1302, and 1303, while in 1304 he was commissioned to supervise the expenses of Prince Edward's proposed mission to do homage for Aquitaine. Aymer served regularly in the Scottish campaigns, taking part in the Falkirk campaign of 1298 and in the battle itself. He was again in Scotland in 1299, was present at the siege of Caerlaverock in July 1300, and also served in 1301 and 1302. As early as August 1301 his services in Scotland had been such that Edward I gave him the castle and barony of Bothwell assessed at a value of £1,000. In 1303 he acted as

1. Ibid., p. 904.
2. C.P.R., 1292-1301, p. 580; F., vol. 1, p. 940, 942; C.C.L.R., 1302-7, p. 81.
4. See E.101/6/39/m.2, 3.
5. C.67/14/m.11.
7. C.67/15/m.16; Bain: Cal. of Scottish Documents, 2, nos. 1214, 1280.
leader of the host and Lieutenant South of the Forth. And in April 1306, after the murder of his brother-in-law John Comyn, Aymer was appointed Lieutenant and Captain of the North with wide powers to harry the Scots. The following June he routed Bruce at Methven, but was himself defeated by Bruce at Loudoun Hill in May 1307. During the years 1297 to 1307 Aymer had thus built up a very substantial record of valuable and loyal service of the King.

It is impossible to say what contact Aymer had with the young Prince Edward during the Scottish campaigns, but two letters written to him by Edward in July and August 1306, when both men were in Scotland, suggest they were at least on good terms and show that Edward was ready to defer to his cousin's advice on the conduct of military operations. Edward's correspondence of 1304 and 1305 does not however show Aymer

1. C.C.L.R., 1302-7, p. 81; S.C. 1/48/116; ibid./31/33.
4. Ibid., p. 244.
5. S.C. 1/49/2, 3.
as a prominent member of his circle.\(^1\) On his deathbed in July 1307 Edward I charged Aymer, the Earls of Lincoln and Warwick, and Robert de Clifford with the future welfare of his son, which "thai granted him with god wille".\(^2\) This again emphasises the special position of trust Aymer had acquired under Edward I.

Aymer's service of the King continued after Prince Edward's accession on July 7th, 1307. On August 30th, he was appointed Keeper of Scotland,\(^3\) agreeing to stay there until February 2nd, 1308,\(^4\) but on September 13th, he was replaced by the Earl of Richmond\(^5\) and left Scotland by royal licence on October 12th.\(^6\) There is no reason to compare Aymer's case with that of Walter Langton, the former Treasurer, and to suppose that his supercession was the result of a loss of royal favour or, as Davies suggests,

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4. Add.Ms. 35093/f.3d.
that it turned him into a royal opponent. Aymer was removed solely because he was needed for more urgent employment.

On November 6th, Pembroke, as he must now be called, was appointed, with the Bishops of Durham and Norwich, the Earl of Lincoln and others, to negotiate the marriage contract and terms of the dower for Edward II's marriage to Philip IV's daughter Isabella. Pembroke and his colleagues seem to have been in France between late November and the King's arrival at Boulogne in mid-January. If this were the case he probably missed the Wallingford tournament of December 2nd. at which Gaveston antagonised the earls who took part and which may have begun to consolidate the future baronial opposition. It is thus likely that Pembroke

2. His mother, the Countess of Pembroke, died in September. He received his lands on Oct. 27th.: C.F.R., 1307-19, p. 6.
4. Pembroke probably returned to Dover to escort the King to France. See C.53/94/m.8.
escaped this particular strain on his loyalty, but it was also apparent that some kind of reform was urgently needed and it was under these conditions that on January 31st, 1308 at Boulogne there was drawn up a document part of whose significance is to show that the question of the reform of the royal administration could be and was being approached from more than one direction at once.

This document exists in two transcripts among the Dugdale manuscripts, an original copy which was in the Earl of Lancaster's archives in 1322 not apparently having survived. The second of these contains some extra material but is otherwise identical to the first. It was used by Dugdale himself in his Baronage, but is unknown to all modern writers except Denholm-Young. It is drawn up in the form of letters patent of the

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1. Ms. Dugdale 18/f.1d, 80. See full text in Appendix 4.
2. D.L.41/1/37/m.7.
4. Davies, op. cit., p. 34, and B. Wilkinson: Constitutional History of Medieval England, 3, p. 68, mention Dugdale's note but the text was unknown to them.
5. N. Denholm-Young: History & Heraldry, 1254-1310, p. 130-1. A few lines only are quoted.
Bishop of Durham, the Earls of Lincoln, Surrey, Pembroke and Hereford, Robert de Clifford, Payn Tybetot, Henry de Grey, John Botetourt, and John de Berwick. They declared that since they were bound by fealty to preserve the King's honour and the rights of his crown, they had agreed by common assent to do all within their legal power to protect and maintain his honour. They also promised to redress and amend everything that had been done avant ces heurs against the King's honour and rights as well as all oppressions against his people que ont este fait et encore se font de jour en jour. All swore to uphold the agreement and gave the Bishop of Durham powers to excommunicate anyone who broke it.

Denholm-Young suggests the agreement was linked with the new form of Coronation Oath introduced a few weeks later but admits that the connection is not obvious and sees it as a possible reaction to Gaveston's appointment as Regent. In fact its connection with the Oath was probably very indirect and it more likely represents just one of a number of baronial reactions to current problems. The framers of the document probably had in mind the long-standing

1. Loc. cit.
administrative abuses committed by royal officers during both the previous and present reigns, matters which all sections of political opinion could agree needed reform. Who actually inspired this agreement is unknown but the most likely candidates are the Bishop of Durham or the Earl of Lincoln, both of them men of long experience. The tone of the document's references to the King appears friendly and the omission of any mention of Gaveston, though his actions certainly added to the urgency of the situation, may have been meant to spare the King embarrassment. It is implausible to think that the parties to the agreement would have chosen Boulogne to draw up such a document, when the King was present and would know of their actions, if they had been his opponents. The Bishop, Lincoln, Pembroke and John de Berwick had also just negotiated the King's marriage contract; Pembroke was the King's cousin, Surrey and Hereford were related to him by marriage, Clifford was Marshal of the royal household, and Berwick was a royal clerk. Neither is there anything in the earlier careers of Pembroke or any of the other leading parties to suggest that they were likely to be anything but loyal to the King. The Bishop had been one of Edward I's closest advisers and, although
he fell out with the King in 1302, was on very cordial terms with Prince Edward and predictably returned to favour after his accession. Lincoln also had a long record of royal service and, although later a loyal Ordainer, was one of the few earls to stay with Edward after 1310. It may also not be fanciful to connect the presence of Pembroke, Lincoln and Clifford with Edward I's charge to them of the previous July. There can be little doubt that, both before the King left England and while he was at Boulogne, there was much evidence of the rising force of baronial opposition within England, and the natural conclusion is that, in making the Boulogne agreement, Pembroke and his colleagues were consciously aligning themselves upon the side of the King. Their hope was that, if they could induce the King to agree to the reform of abuses in the royal administration which they could be sure the King's opponents would soon be demanding, they would be able to prevent the political situation from getting out of control and so be able to achieve their primary purpose of preserving the honour and rights

of the King.

It is impossible to say with certainty what attitude Pembroke adopted during the confused events which promptly swallowed up the Boulogne agreement and out of which there emerged in March the baronial demands for Gaveston's exile. But if, as is likely, Pembroke had to go along with these demands, his loyalty to the King was once again conspicuous by November 1308 when Edward showed his gratitude for Pembroke's support by helping him to recover a debt\(^1\) and giving him the important lordship of Haverford.\(^2\)

In March 1309 the King also approved his purchase of Hertford\(^3\) and assisted him in personal business at the French court.\(^4\) In return, Pembroke went in March 1309 to Avignon, with the Earl of Richmond and the Bishops of Worcester and Norwich,\(^5\) to ask for the reversal of Winchelsea's excommunication of Gaveston.

1. E.368/79/m.28d.
2. C.P.R., 1307-13, p. 145.
4. See G.01.R., 1307-12, p. 189; Dec. 10th., 1309.
which was achieved on April 25th.\(^1\) and led directly to Gaveston's return in July. Up to this point therefore Pembroke's support of the King was positive and was not merely a passing neutrality bought by signs of royal favour,\(^2\) a fact which makes his change of front in 1310 seem at first sight all the more puzzling.

There is no doubt that Pembroke's attitude did alter radically between Gaveston's return and the opening of the February 1310 Parliament to which, with Lancaster, Hereford and Warwick, he was forbidden to come armed.\(^3\) One major cause of this change was the admitted failure of the royal government to implement the forms agreed at Stamford in August 1309.\(^4\) Pembroke's adherence to the Boulogne agreement had been in part an attempt to achieve reform from within the royal circle, but, with the failure of this approach, he could hardly refuse support for any fresh moves for reform even if royal opponents were prominent in them.

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3. C.P.R., 1307-13, p. 207.
The second reason was certainly Gaveston's arrogant behaviour since his return, symbolised by his abusive references to Pembroke and other magnates,¹ one writer even describing Pembroke as his chief enemy.² In 1309 Pembroke's loyalty to the King had overcome his antipathy to Gaveston. Pembroke's adherence to the Ordainers in 1310 is thus explicable; but in view of the earlier course of his career, it is reasonable to suggest that he still remained basically loyal to the King and believed he was acting in his best interests. The election on March 20th.³ of the moderate Pembroke as the first of the Ordainers, with the Earl of Lincoln, may indeed have been intended to reassure Edward. However, unlike his fellow Ordainers, Lincoln, Gloucester and Richmond, Pembroke did not continue to serve the King while acting as an Ordainer, which may have been caused by Gaveston's continued presence as well as a desire not to compromise his value as a reformer by seeming too close to the King. But

1. See Walsingham: Historia Anglicana, 1, p. 115 for his description of Pembroke as Joseph the Jew.
2. Lanercost, p. 218. See also Vita, p. 11.
3. P.W., 2, 1, p. 43.
it does not follow that his attitude to the King was the same as that of the extreme Ordainers like Lancaster or Warwick, since it would be wrong to see the Ordainers as a solidly knit group. There were indeed probably as many points of view as there were Ordainers. It is also most important to realise that in 1310 Pembroke and others were united as much by loyalty to their fellow magnates as by other reasons.

For the next two years Pembroke was to be closely associated with the work of the Ordainers, but it is significant that the King continued to value his advice and was unwilling to accept the fact of his opposition. In June 1310 Edward wrote asking him to attend a Council meeting at Westminster on Scotland, a subject in which he was well experienced, and personally appealed to him to serve in the coming Scottish campaign.1 Despite Pembroke's refusal, Edward appealed again on July 4th., even offering to send three of his councillors to meet him at Leicester.2 However, this attempt to weaken Pembroke's resolve was no more successful than Hereford's efforts

1. S.C.1/49/6: June 16th.
2. Ibid./7.
to win Warenne over from the King to the Ordainers a little later.¹ Neither did Pembroke and several other Ordainers answer the military summons in person, although they did observe the letter of their obligations by sending token forces,² Pembroke's contingent being ten men representing five fees.³

Instead of going to Scotland, Pembroke remained in London to begin the work of reform.⁴ Little is known of his role as an Ordainer during the following twelve months, except that in February 1311, he, Lancaster, Hereford and Warwick were said to be in process of deciding certain matters,⁵ which at least suggests that these four earls took the leading part in drafting the Ordinances. Pembroke and his three colleagues were still busy in London in July⁶ and witnessed the final publication of the Ordinances.

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1. D.L.34/8. See also C.31/74/1659.
5. C.47/22/10/10.
on September 27th.\(^1\) while Pembroke was also present at the appointment of new sheriffs in October.\(^2\)

Pembroke gave fresh proof of his loyalty to the Ordinances and his fellow Ordainers at the council of magnates and prelates called by Winchelsea at St. Paul's on March 13th. 1312\(^3\) to discuss the new crisis caused by Gaveston's return from his third exile at the end of 1311. At this council Pembroke, Hereford and John Botetourt were deputed to prevent Walter Langton, whom the King had appointed Treasurer, contrary to the Ordinances, from presiding at the Exchequer, which they succeeded in doing on April 3rd. and 4th.\(^4\)

However, far more important was the council's appointment of Pembroke and Warenne to pursue and capture Gaveston.\(^5\) Pembroke's previous possession of royal confidence and the fact that Warenne had

\(\text{\begin{tabular}{l}
1. Stats. of Realm, 1, p. 167. \\
2. E.368/82/m.2 (schedule). \\
4. E.159/85/m.52. Printed in Davies, op. cit., pp. 551-2. \\
\end{tabular}}\)
remained an active royal supporter and had joined the Ordainers at this juncture only through the Archbishop's personal persuasion\(^1\) made the two earls an ideal choice for this role. Gaveston's most violent enemies, Lancaster, Hereford and Warwick,\(^2\) probably wished to reassure the King as to Gaveston's safety if he were captured and may even have envisaged the necessity to arrest him in the King's presence. Thus began the events which led to Gaveston's death, the division of the Ordainers and a major new phase in Pembroke's own career.\(^3\)

\(^1\) Trokelowe, p. 74. Warenne was married to the King's niece.

\(^2\) Loc. cit.

\(^3\) Loc. cit.
CHAPTER TWO

MARCH 1312 TO THE YORK PARLIAMENT OF 1314.

PART ONE

FROM GAVESTON'S SURRENDER TO THE TREATY OF DECEMBER 1312.

The siege by Pembroke and others of Gaveston in Scarborough castle,1 where the King had placed him for safety, began soon after May 5th. when Gaveston left for Scarborough from Tynemouth,2 following Lancaster's entry into Newcastle the day before.3 The siege was well under way by May 17th. when Pembroke, Warenne, Henry Percy and Robert Clifford were ordered by the King to stop,4 and Gaveston's isolation from

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1. Gaveston was given custody on April 4th: C.P.R., 1307-13, p. 454.
2. C.Cl.R., 1307-13, p. 460.
3. Loc. cit.
royal help was ensured by the presence between Scarborough and Knaresborough, where the King was staying, of Lancaster, who also sent troops to the siege. Gaveston was therefore forced to surrender on May 19th, after agreeing to terms with Pembroke, Warenne and Percy.

Accounts of the events prior to Gaveston's surrender conflict. A writer hostile to the King and to Pembroke's own apparently leading part in the affair, says that Gaveston sent messengers to ask for the King's aid when his position became desperate, that the King then summoned Pembroke secretly and by persuasion and a £1,000 bribe made him agree to protect Gaveston. The Vita also says the King took the initiative in offering detailed terms but that Gaveston himself was responsible for actually winning Pembroke over to their acceptance, a view that the London Annals also support. The truth is hard to determine

3. Flores, 3, p. 150. The likely source of the text is an MS. Am. 636/ff. 233-8 (another Canterbury MS.).
but the King certainly remained in contact with Gaveston by letter during the siege and so may well have taken a personal part in the negotiations. The charge of corruption against Pembroke is entirely out of character and can be rejected, but either Pembroke or one of his retainers probably did visit the King at York. The fairly mild surrender terms certainly suggest that they were made in return for some clear assurances by the King.

Two copies of Gaveston's surrender terms are known so its details are not in any doubt. Pembroke, Warenne and Percy promised on behalf of the community of the realm to take Gaveston to St. Mary's Abbey, York, where they would show their agreement with him to the King and to Lancaster or his representative. If the King were not willing to continue negotiations over Gaveston's future with the prelates, earls and barons between then and August

1. Ms. Nero C.VIII/f.38, 107d: these are royal Wardrobe accounts.
2. Ann.Lond., pp. 204-6; Litterae Cantuarienses, 3, no. 52: this is the likely source of the text in Ms. Harleian 636/f.233 (another Canterbury Ms.).
1st. following, Pembroke and his colleagues promised to restore Scarborough to Gaveston and to guarantee his safety until that date. All three agreed to forfeit all their property if any harm came to Gaveston who in turn promised not to try and persuade the King to alter any points in the agreement. Given good faith on both sides a solution might have been possible but the history of Gaveston's previous exiles made mutual suspicion far more likely.

Pembroke did however try to perform the terms and by May 26th. he, Warenne and Percy had joined the King at York where they stayed until at least the 28th. Gaveston was probably with them in accordance with their agreement, although there is no mention of him. If Lancaster or an envoy appeared at this point, their presence is unrecorded. It is possible, as the writer of the Vita claims, writing with hindsight, that Pembroke had negotiated on his own initiative and without consulting the other magnates, and that Lancaster did feel bound by the agreement. But it is difficult to believe

1. C.53/98/m.2.
this, since Lancaster through his proximity to Scarborough during the siege could easily have influenced the surrender terms and Pembroke could at the very least hardly have avoided informing him of what was happening. This would apply equally if the St. Paul's council had in fact given Pembroke full powers to negotiate a surrender. Lancaster could certainly not have pleaded ignorance of the terms as an excuse for not appearing at York. In any case Gaveston's surrender was only provisional pending a final agreement by all the magnates and Pembroke could not therefore be accused of making a full settlement without authority.

With or without Lancaster, there probably were discussions at York between Pembroke and the King, since a colloquium is said to have been held at which Edward promised to satisfy all the Earls' demands, while Pembroke, Warenne and Percy renewed their oaths to forfeit their land if any harm came to Gaveston.\(^1\) The impression that serious efforts were being made to implement the surrender terms is strengthened by the summons on June 3rd. of a

\(^1\) Trokelowe, p. 76.
Parliament to meet at Lincoln on July 8th., within the period laid down in the surrender. At the end of the York meeting Gaveston was put in Pembroke's personal custody, perhaps at the latter's request, to be taken south for greater safety, and the two set out early in June.

The placing of Gaveston in Pembroke's custody was not a breach of the Scarborough agreement which required his safe keeping till August 1st., but it may have been enough to arouse suspicions in the minds of some of the other magnates who were unwilling to trust any undertaking by the King and Gaveston, and no doubt remembered Pembroke's previous loyalty to the King. The decision to take Gaveston south and to place him in Wallingford, which was a part of the Cornwall earldom and had been restored to Gaveston in February 1312, may have crystallised

2. Trokelowe, p. 76; Vita, p. 25; Murimuth, p. 17; Flores, 3, p. 150, 336.
3. Trokelowe, p. 76.
4. C.Ch.R., 1300-26, p. 131.
5. C.P.R., 1307-13, p. 429.
such suspicions through the fear that he might defy the magnates in a castle situated close to several royal fortresses and hence more easily defensible than Scarborough had been. In such an atmosphere what followed is understandable.

Pembroke and his prisoner travelled south until on June 9th they reached Deddington in Oxfordshire,¹ at that time held in part by the Younger Despenser² and therefore probably a safe place. Pembroke then left him and a few retainers at the house of the rector and went to visit his wife at his manor of Bampton³ about 20 miles away. All this time the King had kept in constant touch with Gaveston.⁴ On the morning of June 10th. the Earl of Warwick came to Deddington, captured Gaveston,⁵ and took him to Warwick.

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¹ Ann. Lond., p. 206;
⁴ Ms. Nero C.VIII/f. 86, 105.
near where he was executed on June 19th.¹

It seems likely that Warwick was acting on his own initiative in capturing Gaveston. After he lodged Gaveston in Warwick castle he then awaited the arrival of Lancaster, Hereford and Arundel before taking further action.² The magnates present then assured one another of mutual support in executing Gaveston and in its possible consequences. On June 18th., the day before the execution, John Botetourt gave his approval of Gaveston's capture and intended death,³ while Warwick and Lancaster gave Hereford separate guarantees in return for his support.⁴

Several writers hint at suspicions that Pembroke deliberately connived at Gaveston's capture,⁵ but in view of his later conduct this interpretation must be rejected. Pembroke probably did not realise that Warwick was pursuing him or that he was so close

5. Trokelowe, p. 76; Vita, p. 26; Melsa, p. 327; Vita et Mors, p. 298.
behind him, and his separation from Gaveston at Deddington can at worst be described as an act of extreme foolishness. Between June 10th. and 19th. Pembroke tried to regain custody of Gaveston and to vindicate his own reputation. Pembroke's plea to the Earl of Gloucester to help him avoid permanent disgrace and the forfeiture of his lands received the comfortless reply that Warwick had acted with Pembroke's counsel and aid and that he should negotiate more carefully in future. He then appealed to the clerks and burgesses of the university and town of Oxford to help him recover Gaveston or at least to recognise the justice of his case and clear him of suspicion, but both groups refused all help. Indeed it is hard to see how they could have assisted him except perhaps by legal advice from the university lawyers or the hope of ecclesiastical sanctions.

Gaveston's death marked a clear turning point

1. Referring to the March assembly when the earls bound themselves by oath to capture Gaveston: Vita, p. 22.
3. Loc. cit.
in the career of Pembroke. His first prompt reaction was to abandon his fellow Ordainers; Gaveston's executioners, and, together with Warenne, he went over to unequivocal support of the King, while the other party to Gaveston's surrender, Henry Percy, equally definitely joined the King's opponents. From 1312 to 1321 Pembroke was to be a constant and trusted ally of the King, and, especially in the two years after 1312, often took a leading part in the royal administration. The circumstances of Gaveston's death and the slur cast upon his reputation were undoubtedly Pembroke's prime motive for rejoining the King. But it is also clear that Pembroke was returning to his natural loyalty to the King, such as his record of royal service from 1296 to 1309 had already made evident. Gaveston's presence had probably been the major reason for the break in Pembroke's personal service of the King after 1310 and his removal, even by peaceful means, would probably have led to an eventual resumption of that service.

In addition, although Pembroke remained loyal in future years to the concept of the Ordinances as a basis for reform, the behaviour of his fellow Ordainers could be regarded as ending his loyalty to them as fellow magnates. For his own part, the King, no doubt glad to divide his enemies and to regain the services of an experienced and proven man, accepted Pembroke back with alacrity.¹

The events immediately after Gaveston's death are obscure. Pembroke and Warenne had apparently rejoined the King in Lincolnshire by July 6th,² and travelled back with him via Pembroke's own castle of Hertford,³ reaching Westminster on July 14th.⁴ For the moment both sides remained aloof, uncertain whether further violence would follow. The opposition magnates met at Worcester at the end of June,⁵ Warwick apparently being in the area,⁶ while Hereford and Henry Percy

¹ Ann. Lond., p. 208.
² C.53/98/m.2.
³ E.101/375/8/f.27.
⁴ E.101/374/17.
⁵ Vita, p. 29.
were there on July 3rd. During July and August 1312 open warfare remained a possibility and the magnates accordingly remained in arms for their own safety. On the King's side there was a heated debate over whether to fight or negotiate. The hostile Flores says the King was guided by treacherous and evil advisers, foremost among whom was Pembroke. The usually well informed and more balanced Vita takes a similar view, saying that the King was supported in his wish to destroy Gaveston's killers by Pembroke, cuius intererat comites debellare, by the Elder Despenser, Henry de Beaumont, and Edmond Mauley, who had all defied the demand in the Ordinances for their removal from court, and by Gaveston's retainers. Others pointed out the danger of the King's being captured or of a Scottish invasion if civil war broke out, but are said to have been over-ruled. The King would certainly

2. Vita, p. 29.
3. Ibid., p. 30.
6. Ibid., pp. 31-2.
have had the retinues of Pembroke, Warenne, Despenser and Beaumont, as one writer claims, though his total figure of 1,000 men-at-arms is greatly exaggerated.\footnote{Flores, 3, p. 337.}

Foot soldiers were indeed collected in August in the counties around London,\footnote{C.P.R., 1307-13, p. 486.} as well as a number of men who were brought from Ponthieu.\footnote{E.101/375/8/f.38d.} It is impossible fully to confirm or deny the chroniclers' accounts of Pembroke's conduct at this time. He certainly had ample reason to be embittered against Lancaster, Warwick, Hereford and their supporters, and may briefly have been tempted to vindicate himself in battle. But it must be remembered that the chroniclers were likely to view in a sinister light the behaviour of one who was regarded as having betrayed the baronial cause. It also appears that they were wrong in thinking that the King was planning war, as Parliament had been resummed on July 8th\footnote{P.W., 2, 1, p. 74.} to meet on August 20th, and the small scale of the forces collected suggests they were only an insurance against the opposition.

Leaving Warenne to deal with these dangers.

1. Flores, 3, p. 337.
2. C.P.R., 1307-13, p. 486.
4. P.W., 2, 1, p. 74.
forces being brought to Parliament. Support of a moderate and cautious policy such as this would be more in keeping with what is known of Pembroke's character than a desire for a violent solution, whatever the provocation. But the most suggestive evidence as to his probable pacific line lies in his major part in the royal diplomatic offensive launched early in August. It is also at this time that Pembroke's close involvement in royal affairs, so clear in later months, first becomes evident.

At the time that the King began these efforts to outmanoeuvre his opponents by diplomatic rather than military means the southern half of the country at least was still in a disturbed state and, as the King and Warenne explained to Pembroke, Warenne had found it necessary to organise the defences of Sussex against possible attack from the Earl of Arundel, William de Braose and the Archbishop's men who were then returning home through the area. Leaving Warenne to deal with these dangers, Pembroke joined the King at Dover on August 4th.

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1. S.CI/50/63; see also ibid./49/8 & 103.
at the latter's request, and the next few days saw a flurry of activity. On the 4th. it was decided to send John Benstede to Hereford, Warwick and Lancaster and summon them to appear unarmed at Westminster on the 27th. to discuss the Ordinances which they were declared to have issued to the King's loss and prejudice.

On the 6th. powers were given for three envoys to visit the Pope, no doubt in order to obtain his support against the opposition magnates, but also to try and make the King financially secure by starting to negotiate a great papal loan. On the same date letters were sent to Philip IV of France on behalf of Pembroke himself and Henry de Beaumont whom Edward II was proposing to send to France to explain quaedam ardua negotia nos et honorem nostrum ac statum nostrum specialiter tangentia. Their business was also

1. Ibid./49/8; ibid./50/63.
3. C.P.R., 1307-13, p. 489; P.W., 2, 1, p. 88.
5. Ibid., pp. 196, 205.
6. Ibid., p. 175.
explained to two papal envoys, who were then waiting in France for a chance to enter England. Pembroke and Beaumont left for France on August 6th. and returned to rejoin the King on August 17th., bringing with them two of Philip IV's clerks, William de Novo Castro and Raymond de Suspiriano, the latter almost certainly being Mr. Raymond Subirani who entered Edward II's service on August 15th. and was closely concerned in royal diplomacy, together with Pembroke, during the following year. The purpose of Pembroke's mission was probably to ask Philip IV to send an envoy to mediate between Edward II and his opponents and also to invite the two papal envoys to cross to England. But Edward also had a more specific aim than this: he wanted assistance to revoke or annul the Ordinances.

Although Pembroke was concerned in organising

3. Liber missi clericis, p. 104. undated but pre-May
4. Loc. cit.
5. Ibid., f.10. Subirani was also very active in later years as a diplomat.
and carrying out the diplomacy of August 1312, the
King's attitude to the Ordinances as revealed then
in fact represented a policy pursued since 1311.
As early as October 12th 1311, only two days after
the general publication of the Ordinances, the King
had sent Robert de Newenton and William de Lughtebergh
to the Pope and seven English representatives at the
Council of Vienne\(^1\) to deliver a protestation asking
for the Ordinances to be annulled if they should
prove prejudicial to him.\(^2\) These or later envoys
also took a letter asking the Pope to absolve the
King for his oath to uphold the Ordinances and to
send envoys to England.\(^3\) A further royal embassy
went to the Curia in February 1312\(^4\) and was still
there in May\(^5\) when Clement V appointed Cardinal Arnold

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   were the Archbishop of York, Bishops of London,
   Winchester & Carlisle; Otto de Grandison, Amanieu
d'Albret, Mr. Adam de Orleton.

2. Ibid./f.55d.

3. Liber Epistolaris, p. 104: undated but pre-May
   14th., 1312. See C.Papal Letters, p. 104.


of St. Priscus and Bishop Arnold of Poitiers to try to make peace in England, giving them specific powers to annul the Ordinances.\(^1\) A secret royal mission had also been sent to France between May 15th. and June 2nd.\(^2\) probably to make similar requests. The King's moves in August 1312 were thus a continuation of existing policy and his offer to the Ordainers in March to discuss the Ordinances\(^3\) was certainly only a cover for his real ambition to destroy them entirely and to have Gaveston's latest exile revoked. Gaveston's death probably only strengthened this ambition, and the tone of his references to the Ordinances in the summons to Lancaster and his allies on August 4th.\(^4\) does not suggest any intention to compromise. It is in fact clear that just as the Ordainers in 1310 consciously remembered the precedents of 1258 so the King in his turn hoped for a repeat of the Mise of Amiens of 1264. For Pembroke to be involved in a policy seeking the destruction of the Ordinances

\(^1\) Ibid., pp. 104, 106.
\(^2\) Ms. Nero C.VIII/f.58.
\(^3\) C.Cl.R., 1307-13, p. 451: March 8th.
\(^4\) C.P.R., 1307-13, p. 489. P.W., 2, 1, p. 88.
may appear paradoxical after it has been argued that he still accepted the need for reform, but in fact there was an enormous difference between what the King may have wanted and what could in practice be achieved. No one would have appreciated more than Pembroke himself that the King's aims were political nonsense and that to attempt to return to the pre-1310 situation would be a sure way of producing civil war. The only hope of a peaceful settlement was through negotiation with the mediation of papal, French or other envoys, such as Pembroke's French mission had been intended to provide. Nonetheless, Pembroke's part in carrying out such royal policies, whether or not he fully accepted their aims, can only have compromised him still further in the eyes of the opposition.

Pembroke's importance to the King at this time can be judged from the fact that Edward kept him fully informed of English developments and his own movements while he was in France and expected Pembroke to do likewise, despite the short time he was away. On August 7th. Edward wrote from Dover enclosing a letter from Sir Dougal MacDowel giving news of events in Scotland. He added that he would
leave for Winchelsea and Pevensey on the 8th. to gather news from those areas and asked Pembroke to send him his news as quickly as possible. Another letter of the same date instructed Pembroke and Beaumont to request a safe-conduct from Philip IV for his valet, Gerald Dauro. On the 9th. the King wrote again to say that although he was still at Dover, he was leaving for Winchelsea the next day. There was no other news at that moment but he promised to write as soon as he received any and again enjoined Pembroke to keep in close touch. There are records of further letters on August 10th. and 12th., the latter being in reply to one from Pembroke himself.

The place of Pembroke's return to the King was arranged in a letter of August 16th. in which the King asked him to come to Faversham on the morning of the 17th. to hear his decisions on certain matters. What these were is unknown but they were probably connected with the news brought to the King by John Sandale on the

2. Ibid./9.
3. Ibid./11.
road between Canterbury and Faversham and which, the King told Pembroke was *molt acordantes as busoignes pur queux vous y deverez aler.* Pembroke's future employment was clearly already worked out.

The first attempts to negotiate between the King and his opponents were probably made in late August, at about the time of the King's return to Westminster for the planned opening of Parliament. Pembroke, Warenne and the Elder Despenser were apparently regularly in his company at this period, as well as Gloucester, Roger Mortimer of Chirk and Pembroke's nephew, John Hastings, while typical representatives of the prelates were the Bishops of London, Exeter, Norwich, Worcester and Bath and Wells.

Of the leading magnates the Earls of Gloucester and Richmond were uniformly regarded as mediators by the chroniclers. This is borne out by the series of safe-conducts issued for the opposition envoys.

1. S.C.1/49/12.
2. August 21st.: E.101/375/2/m.2. He remained until he left for Windsor on Sept. 17th.: loc. cit.
from September 28th. and in the peace treaty of December 20th. itself in which they are regularly described as such,\(^1\) together with the two papal envoys who reached London on August 29th.,\(^2\) and the French envoy, Philip IV's half-brother, Louis of Evreux, who arrived on September 13th.\(^3\) Gloucester was well equipped for such a role since he had been an Ordainer and had sworn the previous March to protect the Ordinances,\(^4\) but was also the King's nephew and had continued to serve him while an Ordainer. Richmond was a constant and loyal royal supporter throughout the reign, but politically was a complete nonentity and therefore unlikely to cause offence to either side. Although an Ordainer, he had been in France on diplomatic business from August 1310 until some time earlier in 1312\(^5\) and, like Gloucester, his reputation had not been affected by the events surrounding Gaveston's

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3. Ibid., p. 272. own movements are: Oct. 9th.
5. See I. Lyubimenko: Jean de Bretagne, for outline of his career.
death. In addition to these two earls and the foreign envoys, some of the English prelates probably also took some part as mediators,\(^1\) a role which they were to play with notable effect in later crises of the reign. In the later negotiations after September 28th. the magnates were represented by Hereford, Robert Clifford, John Botetourt, John de Heselarton, Adam de Herwynton, and Lancaster's steward, Michael de Meldon.\(^2\) Although twice provided with conduct to attend the negotiations,\(^3\) Lancaster and Warwick kept away from London and apparently took no personal part at all.\(^4\) The King's envoys were Pembroke himself, Despenser and Nicholas de Segrave.\(^5\)

Tentative discussions with the magnates may have begun on August 23rd. when Gloucester passed

\(^2\) C.P.R., 1307-13, pp. 498-507.
\(^3\) Ibid., p. 500, 509: Oct. 8th., Nov. 11th.
through London with his retinue. The exact sequence of events in these early meetings is unknown, but the district most involved in them was apparently St. Albans where Gloucester, and later the papal envoys as well, stayed in order to be close to the magnates. The baronial army was approaching London by September 3rd when the Bishops of Norwich and Bath and Wells, the Earl of Richmond, and two others were ordered to prohibit Lancaster, Warwick and Hereford from appearing armed before the King, and by the 8th it had reached Ware in Hertfordshire. It is not known how formal the earliest meetings were but it is likely that either side was merely sounding opinion on the other. Predictably the magnates made the upholding of the Ordinances a precondition of any agreement. An attempt by the papal envoys to send clerks with papal letters to the magnates at Wheathampstead was rebuffed on Marshal and the actions of Cromwell, as well as on

1. C.C.L.R., 1307-13, p. 475. His colleagues promised
2. Trokelowe, p. 78.
3. C.P.R., 1307-13, p. 490. Lancaster & Warwick were apparently present at this stage.
4. F.W., 2, 1, p. 88.
5. Trokelowe, p. 77.
the facetious grounds that England already had enough clerks capable of negotiating. Reference is also made to negotiations held at Markyate near St. Albans but without mention of the results. Altogether little or nothing seems to have been achieved in these early stages.

In the meantime the King's advisers were dealing with a potentially dangerous situation within the city of London itself. On September 20th., after the King's departure for Windsor, Pembroke, Despenser, Edmund Mauley the Steward, Nicholas de Segrave the Marshal, and John Cromwell the Keeper of the Tower, went to Guildhall to ask for further security for the holding of the city against the King's enemies. The citizens replied that they had already given their word and need do no more, and then produced a list of complaints against the courts of the Steward and Marshal and the actions of Cromwell, as well as on other matters. Pembroke and his colleagues promised to deal with these questions at Westminster the

1. Ibid., p. 78.
2. C.P.R., 1307-13, p. 498.
the Mayor and aldermen\(^1\) and they barely escaped without injury.\(^2\) That night Cromwell sent the Tower garrison to attack the Tower ward, to which the citizens responded by destroying the wall of an enclosure next to the Tower and arresting Cromwell's men.\(^3\) When the next day the Mayor appeared before the Council at Westminster to hear the promised replies to the city's complaints, Pembroke and his fellow councillors accused the citizens of having seditiously attacked the enclosure by the Tower in order to break open the Tower prison and loot the royal treasury. But although the Mayor held an enquiry into the incident, no answer was apparently ever made to the citizens' own charges against royal officials.\(^4\) Pembroke and his colleagues were thus faced with a hostile and possibly pro-Lancastrian city close to Westminster as well as the baronial

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4. Ann.Lond., p. 217. The London Annals cannot however be considered an impartial witness of these events.
army encamped in Hertfordshire and it was to avoid the possible conjunction of the two that on the 30th. Pembroke ordered the raising of 1,000 foot in Kent and Essex and on October 5th. stated that, despite their safe-conducts, the baronial negotiators were not to be allowed to stay in or even pass through the city. These troubles in fact coincided with the start of what appear to have been the first serious attempts to negotiate between the King and the magnates and may even have hastened their beginning by emphasising the dangers of the situation. A particular stimulus may have been provided by the presence in the King's company on September 15th. of the French and papal envoys and on the 16th. of the Earl of Gloucester and others, while Pembroke visited the King at Windsor on the 26th. On the 28th. the first safe-conducts for Hereford and the other baronial envoys were issued at the request of the three foreign envoys and the Earls of Gloucester and Richmond, and renewed at

1. C.P.R., 1307-13, p. 498.
3. E.101/375/2/m.3.
intervals as each expired.\textsuperscript{1} It is however possible that the issuing of conduct was an inducement by the King and that his opponents had not yet formally agreed to negotiate, since on the 30th. the papal and French envoys wrote from London to Hereford and the other four baronial representatives enclosing letters from the King proposing a meeting. They stated that they would be staying in London until a date suggested by the King and that if Hereford and his colleagues came to London within that period they would find them at the Temple \textit{paratos vobiscum ... tractare de negotiis in dictis litteris regis comprehensis}.\textsuperscript{2} Hereford evidently did respond to this invitation and it is likely that the subsequent negotiations did in fact take place at the Temple which, although it was then in royal hands, could be regarded as a neutral point between the City of London and Westminster.\textsuperscript{3}

Unfortunately it is impossible to provide any detailed chronology for the negotiations between

\begin{itemize}
\item \textsuperscript{1} C.P.R., 1307-13, pp. 498-507: Sept. 28th., Oct. 8th., Nov. 6th. The baronial envoys' names were clearly known already.
\item \textsuperscript{2} D.L.36/2/208.
\item \textsuperscript{3} Clifford stayed in his hospice next to St. Dunstans, Fleet St.: E.403/164/m.2.
\end{itemize}
September and their conclusion in December; but the survival of several documents relating to them makes it feasible to say what issues were raised and how they were finally resolved. These documents, none of which bears a date, are the *Prima tractatio ad pacem confirmandam*,¹ a list of objections to the Ordinances,² and the *Rationes Baronum*.³

As its title suggests the *Prima tractatio* belongs to an early stage in the negotiations, as also do the objections to the Ordinances, and the two can therefore be conveniently discussed together.

It is possible that both documents were produced during preliminary talks at Markyate and elsewhere in late August or early September, but this is by no means certain and it is more satisfactory to treat them as an early stage in the negotiations after September.

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The objections to the Ordinances can be quickly dismissed. These were drawn up by the two French clerks who returned to England with Pembroke in August and represent the culmination in the King's efforts to destroy the Ordinances. The document is so legalistic in tone and so unrealistic politically that it need not be considered in detail. It could never have formed a basis for negotiations since it invited the barons to agree to an unconditional surrender. Predictably it was rejected out of hand by the magnates who claimed that the Ordinances were legally valid and must be upheld. With this rebuff the King's hopes of having the Ordinances revoked finally evaporated.

The Prima tractatio is however a more important document as well as being a more difficult one to interpret. It may even be an immediate reply to the document just discussed. The Prima tractatio first states that because the Earls of Gloucester, Lancaster, Richmond, Pembroke, Warenne, Hereford, Warwick and Arundel had heard that the King est engrossi devers eux, they were willing if the King gave them sufficient

2. Ibid., p. 215.
security and agreed to receive them as his lieges; to come to Westminster humbly to beg his pardon. They also offered to provide 400 men-at-arms for six months at their own expense for the next Scottish campaign and to persuade Parliament to grant an aid for the same purpose, as well as to restore all Gaveston's goods seized at Newcastle. In return the King was to promise to maintain the Ordinances, remove all evil councillors, return all seized lands and release all persons illegally imprisoned. These terms have certain similarities with the treaty of December 16th., but the immediate interest of the *Prima tractatio* lies in the apparent association of eight earls representing the whole range of political opinion, from the royal supporters Pembroke and Warenne, the mediators Gloucester and Richmond, to the King's opponents Lancaster, Warwick, Hereford and Arundel. It is just possible that in the autumn of 1312 all the earls were prepared to co-operate in presenting terms to the King and to join in seeking pardon for their actions against Gaveston as if they were all equally guilty. But in view of the completeness of Pembroke

and Warenne's commitment to the King and the bitterness between them and Lancaster and the other opposition magnates resulting from Gaveston's death, it is hard to believe that such an act of baronial solidarity could have taken place. One possible explanation of the form of the Prima tractatio is that it was a draft treaty put forward by the Earls of Gloucester and Richmond as a basis for further negotiation. But the most probable answer is that it was presented by the opposition themselves. This suggestion fits the account given in the Vita whose author states that at some point the King asked his opponents to draw up a list of their demands and that they then did so, asking for the confirmation of the Ordinances and pardons for Gaveston's death. The King's reaction to these demands, and so we may suppose to the Prima tractatio, was to accept the Ordinances except for those concerning finance, to agree to pardon the earls, but refuse to accept that Gaveston should be declared a traitor to prevent his widow or daughter from claiming possession of his lands. Edward remainedadamant on this last point and proceeded to try to wear out his opponents by dragging out the negoti-
Allowing for the difficulties raised by the lack of a clear chronology for the negotiations, the details in the Prima tractatio and the Vita probably do give a reasonable idea of the issues involved.

However further light is thrown on the negotiations prior to the December treaty by the Rationes Baronum and some materials associated with it. A brief explanation is needed since the Rationes form part of a report to the Pope by the papal envoys on the negotiations of 1312-13, the first twelve membranes of which refer wholly to 1313. The next three membranes however, which include the Rationes, belong to 1312 since they contain a copy of the December treaty and also refer to questions raised during the negotiations which were not issues in 1313 but which fit into the 1312 context. The Rationes show that the magnates were dissatisfied with the security which the King said he had offered them in the currently sitting Parliament propter necessitatem because this implied

3. Parliament met on Aug. 20th., was prorogued on the 28th. until Sept. 30th., & ended on Dec. 16th.; P.W., 2, 2, pp. 72-80, app.; p. 53.
the King was acting under compulsion and because for Parliament itself could not properly be held without the magnates who refused to attend without prior security. The form of security was also deficient because it implied that they had murdered Gaveston and not executed him as an enemy of the King and the realm. The barons' continued insistence on the removal under the Ordinances of certain objectionable persons is also shown in a list of twenty names inserted close to the Rationes. The peace treaty which finally emerged on December 20th. is therefore all the more interesting to examine.

The treaty was formally made in the presence of Pembroke and the other royal negotiators, the mediators and the baronial envoys. Under its terms the barons were to come to Westminster to beg the King's pardon, Gaveston's jewels and horses were to be restored to royal envoys at St. Albans on January 13th., and a Parliament, for which a form of security

The December treaty made no mention of the Ordinances.

2. Ibid., p. 17.  
for the barons was included, was to be summoned for March 18th. All offenses committed against Gaveston were to be pardoned and in return no action was to be taken against Gaveston's followers. The barons also promised that the coming Parliament would discuss the granting to the King of an aid for the Scottish war and would also consider measures to ensure that no one came armed to future Parliaments. The King also promised to enquire into the rights of Lancaster's retainer Griffin de la Pole in his dispute with the King's chamberlain John Charlton, to investigate the seizure of the property of another Lancastrian knight Fulk Lestrange, and to restore the lands of Henry Percy. The treaty was however only a partial agreement and not a final settlement as a comparison of its terms with the Prima tractatio makes clear. The two documents both include the baronial promise to request pardon and to take part in a Scottish campaign but in the really fundamental points they are quite different. The December treaty made no mention of the Ordinances, and had no reference to the baronial description of Gaveston as the King's enemy or to their demand for the removal of evil councillors. It was therefore a considerable paper victory for the King but it
could hardly be supposed that these major issues would not be heard of again. Much would also depend on how its terms were performed and it was possible that Lancaster and Warwick would refuse to accept its conditions since the treaty was to be sent to them for their approval and their reply then sent to the papal envoys and the Earls of Gloucester and Richmond. Although Pembroke's position as a principal royal negotiator must have made his part in the negotiations prior to the treaty a very important one, there is no way of assessing his detailed contribution to it. On the other hand there is a great deal of evidence to show the scale of his influence and involvement in the royal government during the latter part of 1312. During this period a large number of government orders were described as being issued upon Pembroke's information and there is no reason to doubt that his was the dominant influence behind them. Some are of a routine nature but others are of great political importance. On July 20th. and 25th. Warenne was rewarded for his change of side by the restoration of two manors in Northants, and of the honour of High
Peak which had been resumed under the Ordinances. On the 27th. Lancaster's knight, Robert Holand, was removed from the custody of Beeston in Cheshire and had also been replaced as Justice of Chester by November 27th. On the 30th. Bartholomew de Badlesmere, one of Gloucester's retainers, was reappointed Constable of Bristol, while on the 31st. Pembroke ordered the arrest of Henry Percy, his partner in Gaveston's surrender, who had joined the opposition. Early in September John de Segrave the Elder was made Keeper of the Forest beyond the Trent and Constable of Nottingham and Nicholas de Segrave, the Marshal of the Household, received custody of Orford in Suffolk and £60 a year.

Gaveston's former castle of Knaresburgh was committed to William de Vaux on September 13th. and on the 20th. Gaveston's widow was given the county of Rutland and Oakham castle. John Sandale, a royal clerk, was...

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3. C.P.R., 1307-13, pp. 483, 486.
5. C.P.R., 1307-13, pp. 493, 497.
made Treasurer of the Exchequer on October 4th.; the Justice of Wales, Roger Mortimer of Chirk, who stayed loyal to the King throughout the 1312 crisis, was given a protection until Easter on November 6th.;¹ and on the 14th. Hugh Despenser was granted wardships and marriages worth 3,000 marks in payment of a debt from the Wardrobe.² These represent only the more important decisions in which Pembroke was concerned but are enough to show clearly his influence.

There is however no sign that Pembroke tried to use this influence to his own advantage. Two of his retainers, William de Cleydon and Thomas de Berkeley, received minor grants on his information,³ but all that Pembroke himself acquired was a grant of the New Temple in London on December 15th.,⁴ and his conduct thus compares favourably with that of Gaveston before him and the Younger Despenser later.

During the closing months of 1312 Pembroke remained in close contact with the King and is known

1. Ibid., pp. 501, 507.
2. Ibid., p. 509.
3. C.F.R., 1307-12, pp. 146, 158.
4. C.Ch.R., 1300-26, p. 203.
to have visited him at Windsor on September 26th.,
October 4th., and November 16th., at Chertsey on
November 30th., and Westminster on December 16th.¹
At other times the King communicated regularly with
the Council by letter and between October 5th. and
December 18th. there exists a series of ten such letters
covering a very wide range of topics.² These vary
from an assignment of £300 of land to Odyn Bruart,³
orders to do everything legally possible to harass
Lancaster's retainer, Griffin de la Pole,⁴ the payment
of 3,000 marks to the Earl of Lincoln's executors,⁵
the repayment of royal debts to Anthony Pessaigne,⁶
instructions to try and remedy the Household's shortage
of money,⁷ to letters referring to matters concerning

¹. E.101/375/2/m.3, 4, 5; E.368/95/m.15d.
². 8.C.1/43/169-175 (Oct. 3th., 29th.; Novu. 23rd.,
     24th., 23th.; Dec. 18th).
³. B.C.1/43/169.
⁴. Ibid./49/13.
⁵. Ibid./45/170.
⁶. Ibid./49/14.
⁷. Ibid./15.

Elias de Tyngewyk's widow, Alexander de Compton a keeper of former Templar manors, Nicholas Audley's wife, the seizure of a royal ship in Picardy, and the King's clerk Boniface de Saluciis.

All of these letters were addressed in the first instance to Pembroke himself, sometimes in association with Hugh Despenser. This evidence, when taken with the large number of orders issued on his information, his part in the diplomacy of August 1312, in the King's relations with the city of London in September, and in the negotiations with the opposition magnates, indicates the authority Pembroke had acquired by the end of 1312, by which time he had become the virtual head of the Council.

Pembroke's close relationship with the King at this time also extended to a purely personal level. In November 1312, for instance, the King had made a gift to Pembroke of the falcons which had belonged

1. Ibid./16.
2. Ibid./45/171.
3. Ibid./45/172.
4. Ibid./173.
5. Ibid./49/17.
to Gaveston, a matter trivial in material terms but intensely personal in its nature and hence of considerable significance in illustrating the King's attitude to Pembroke. Another episode of a similar kind took place in January 1313 when, in reply to a request from Pembroke for the grant of a wardship, the King told him that he regarded all that Pembroke possessed as if it were his own and was only sorry that his request was such a small one.

1. E.101/375/8/f.45. m and Despenser to see to some.
2. S.C.1/49/21. ng to the Count de Foix. Shortly after this Pembroke also became concerned in an episode in the affairs of the King's merchant, Anthony

2. S.C.1/49/18.
CHAPTER TWO

PART TWO

FROM DECEMBER 1312 TO THE SETTLEMENT OF OCTOBER 1313.

Pembroke's administrative activity continued unabated after the December treaty. On December 30th, he, the Chancellor and the Treasurer's lieutenant, John Sandale, were at the house of the Carmelites in London to announce to the Mayor and aldermen of London and Council's decision to levy a tallage on the city and to negotiate its amount, and Pembroke was probably present on January 13th, when the latter appeared before the Council to announce the city's offer of a loan in its place.1 On January 3rd the King wrote asking him and Despenser to see to some business relating to the Count de Foix.2 Shortly after this Pembroke also became concerned in an episode in the affairs of the King's merchant, Anthony

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2. S.C.1/49/18.
Pessaigne. On the 13th. the King ordered Pembroke to arrange the payment to Pessaigne of debts owing to him from the Wardrobe and also to investigate the behaviour of John Bedewynd both as Sheriff of Cornwall, from which office he was removed on the same date at Pembroke's instance, and as purchaser of tin before Pessaigne's appointment to that post the previous October. On the 19th. Bedewynd appeared at the Exchequer before Pembroke and Sandale, when it was reported by Pessaigne that in the county court at Lostwithiel Bedewynd had declared that the King's councillors were untrustworthy and that they had advised him badly over Pessaigne's appointment as purchaser of tin. On January 14th. Pembroke was again involved in Pessaigne's affairs when the King asked him to see that Pessaigne received rapid payment.

1. He was an Italian from Genoa who acted as a royal agent in the King's dealings with other Italian merchant bankers.


5. E.159/86/m.76d. This advice came from Despenser: C.F.R., 1307-19, p. 147.
of a debt owed to him in Gascony.¹

However Pembroke's main concern at this time was the complex series of problems which arose during January and February 1313 out of the attempts to implement the terms of the December treaty. On December 16th., four days before the final agreement, a general safe-conduct until June 3rd. was issued for Lancaster and his supporters to move freely about the country,² and on the 18th. Percy's lands were restored until the coming Parliament.³ On the 26th. John de Grey, John Wogan and Alan la Zouche were instructed to examine Griffin de la Pole's complaints about the royal seizure of his lands,⁴ but the commission went beyond the terms of the treaty since the justices were also ordered to deal with complaints against de la Pole by the chamberlain, John Charlton, and Roger Trumwyn.⁵ The seizure of Fulk Lestrange's

¹ S.C.1/45/175.
² C.P.R., 1307-13, p. 516.
³ E.W., 2, 1, p. 93.
⁴ C.P.R., 1307-13, pp. 546-7.
⁵ See Montgomeryshire Collections, 1896, pp. 257-60, for background to these questions.
lands was also brought within the terms of this commission on the 31st. On January 7th, John Sandale and Ingelard Warley were appointed to receive Gaveston's property at St. Albans and on the 8th, Parliament was summoned, as had been agreed, for March 18th. Almost at once however fresh difficulties began to appear in the way of a settlement and Pembroke immediately became involved in finding solutions to them.

In late December or early January the Earl of Hereford wrote to the papal envoys in London enclosing a complaint by Henry Percy that one of his knights had been imprisoned by royal officials contrary to the treaty. The knight concerned was apparently Edmund Darel whom John Mowbray, the Sheriff of York, had imprisoned at Tickhill. When the chief papal envoy, Cardinal Arnold, showed Hereford and Percy's letters of complaint to the Chancellor, who was then in London,

1. C.P.R., 1307-12, p. 546.
3. P.W., 2, 1, p. 80.
5. Ibid., pp. 2, 8. The arrest may have occurred before news of the treaty reached Mowbray.
the latter replied that nothing could be done to free Darel without first consulting the King. The Cardinal then sent one of his chaplains with the letters to the King at Windsor.¹ The King reacted on January 4th. by summoning Pembroke to Windsor for the 7th.² to discuss the matter and on the morning of the 8th. Pembroke told the chaplain that he would be in London on the 14th. to give the King's answer.³ On January 10th. however Hereford sent one of his clerks⁴ to tell the Cardinal that, unless Darel were released at once, the magnates would conclude that the King's safe-conducts were worthless and would therefore refuse to restore Gaveston's property on the 13th.⁵ Pembroke finally came to London on the 15th. and after some discussion with him the Cardinal stayed on until the 16th. for Pembroke to have further discussions with other royal councillors and with some come from the Cardinals' report to Hereford on the 20th.: ibid., pp. 4-5.

¹ Ibid., p. 4. ² S.C.1/49/19. ³ Camden 3rd. Series, 1929, p. 4. ⁴ Perhaps Pembroke's letter of credence. ⁵ Ibid., p. 5. ¹ Conservation report (F.R.O. 1/59/5/12) proved that the editor of the Camden
of the Cardinal's clerks.¹ Afterwards, on the 17th., Pembroke returned to Windsor at the King's request to report on his meetings in London and, after considering the case with the King,³ Darel's release on mainprize until February 9th. was ordered on January 18th.⁴ But by keeping Darel in custody the opposition magnates were given an excellent excuse for not carrying out their promises made in December and, in particular, Lancaster and Warwick were provided with a reason for not approving the treaty. More immediately, however, Darel's imprisonment had had the effect threatened, since on the 13th. the magnates had not come to St.

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1. Loc. cit.
4. C.C.1.R., 1307-13, p. 504. The apparent existence of another order for Darel's release, dated January 2nd. (Camden 3rd. Series, 1929, p. 2), caused considerable difficulty and confusion in working out the sequence of events leading up to the order of January 18th. until the discovery of a P.R.O. transcript of the papal envoys' report (P.R.O. 31/9/59/f.50) proved that the editor of the Camden Series version of the report had misread January 18th. as the 2nd.
Albans to return Gaveston's goods to the King's envoys, Sandale and Warley. The latter remained there without effect until the 15th. when, in righteous indignation, they drew up before witnesses a formal protestation which they then conveyed to the Cardinal. In these proceedings Hereford seems to have acted as a mediator between the King and the magnates since in reply to the Cardinal's reproof at the baronial failure to come to St. Albans, he said that he had asked Lancaster, Warwick and Clifford, for their own honour and the common good, to restore Gaveston's goods as soon as possible and added that when he next met them he would do all in his power to persuade them to observe the terms of the December treaty.

Darel's release did not in fact do anything to relieve the new crisis, since further issues outstanding between the King and his opponents were revealed when, soon after January 13th., Lancaster sent his chaplain, Hugh Skillehake, from Pontefract to the Cardinal with a further long list of complaints.

2. Ibid., pp. 5-6.
3. Ibid., pp. 6-7.
and demands to be passed on orally to the King. Lancaster said he was ready, with the advice of the other magnates, to come south and return Gaveston's goods to the King, but the offer contained a major regression since Lancaster referred to Gaveston as an enemy of the King and the realm and described the restoration of his property as being the escheat of a felon's goods to the crown. This point which had been a leading issue in the 1312 negotiations, had been shelved in the December treaty and its revival would alone make the treaty for all practical purposes a dead letter. That Lancaster and his colleagues had legally executed Gaveston was an admission that the King refused to make. Lancaster went on to demand that the justices whom the King had appointed under the terms of the treaty to hear the complaints of Griffin de la Pole and Fulk Lestrange should be replaced by others before February 23rd., since, he claimed, neither John Wogan nor Alan la Zouche was impartial, the one having taken part in the original seizure.

1. Ibid., p. 7.
2. Loc. cit.
3. C.P.R., 1307-12, pp. 546-7.
of de la Pole's lands and the other being a retainer of John Charlton, de la Pole's opponent. Lancaster also demanded the removal of the men-at-arms appointed by the King to keep the peace, who, he said, had been arresting his men, and their replacement by royal officials as was usual in time of peace. Lancaster added several minor complaints, asking for justice to be done to the Lady of Everingham and Henry Percy, parson of Werram, as well as in a dispute between Sir William de Ros of Werk and one of Lancaster's retainers. Lancaster finally stated through his envoy that he and Warwick were planning to meet other magnates before February 23rd. to discuss the terms of the December treaty before giving their approval, but there is little doubt that approval would really be governed by the King's acceptance of Lancaster's fresh demands.

On receipt of Lancaster's complaints the papal envoys sent the details to the Earls of Gloucester

2. Ibid., p. 9.
3. Ibid., p. 8. The details are unimportant.
4. There is no evidence that a meeting was held.
and Richmond, asking them to come to London. At the same time Hereford was also invited to London. After Gloucester's arrival he and the envoys together considered the next step and decided that they should meet members of the royal Council to discuss the answers to be made to Lancaster. This was done and the King was represented in the talks that followed by Pembroke, the Elder Despenser and John Sandale. Pembroke and his colleagues ignored the item in Lancaster's demands which described Gaveston as a felon and enemy of the King, on the technical grounds that it contained no request for them to answer, but in reality because they probably did not want to destroy all chance of agreement by formally raising the issue. Lancaster's lesser demands were dealt with without difficulty. The councillors replied that if anyone had indeed been imprisoned in breach

1. Camden 3rd. Series, 1929, p. 15. They continued to act as mediators as in 1312.
2. Ibid., p. 10.
3. Ibid., p. 15.
4. Ibid., p. 12.
5. Ibid., p. 9.
of the treaty prompt orders would be given for their release. Similarly they dismissed the complaints relating to William de Ros and the Lady of Everingham, saying that these should be settled by due legal process.¹ Lancaster's second article, his demand that de la Pole's case should be examined by fresh justices, proved far more difficult to solve,² so much so that the Earl of Hereford for one despaired of any satisfactory solution.³ This was because Pembroke and the other councillors declared that there was no evidence to justify the charges against the justices and that if there had been any doubts about them, these should have been raised at the time of their appointment.⁴ They were however willing for the removal of Alan la Zouche from the commission but said they could do nothing without consulting the King first.⁵ Hugh Despenser finally agreed to put the matter to the

1. Ibid., p. 10, 12.
2. Loc. cit. This was suggested by Gloucester.
4. Ibid., p. 9.
5. Ibid., pp. 10-11.
King, after persuasion by the papal envoys, who themselves met the King at Sheen on January 29th. at Pembroke's invitation, but no reply had been received from the King when, on February 8th, the envoys reported to Lancaster on the course of their meetings with the Council. Two other matters also remained unresolved: the restoration of Gaveston's property and the confirmation by Lancaster and Warwick of the December treaty. Accordingly on February 10th, the papal envoys wrote to Lancaster, Warwick, Hereford, John Botetourt and Robert Clifford to announce that they were sending the Bishop of St. Davids, Mr. Walter de Thorp, and two of their chaplains to discuss these questions.

With the departure of this mission the focus of the continuing mediation between the King and the opposition moved from London farther north, possibly

1. Ibid., pp. 11, 12.
2. S.C.1/49/21: this was suggested by Gloucester.
4. Loc. cit.
to Kenilworth. In the instructions to their messengers the papal envoys laid a heavy burden of responsibility upon Lancaster and his fellows, saying that by their failure to restore Gaveston's goods in accordance with the treaty, they were harming the King's honour and endangering the kingdom, already threatened by the Scots and disturbances in Gascony, as well as causing unease to the Pope and French King. They were also told that if they continued their behaviour, the King would be justified in acting against them. This pressure seems to have been successful since on February 27th, Hereford, Clifford and Botetourt handed Gaveston's jewels and other goods to the Bishop of Worcester and John Sandale and received acquittance for them. However, the mission, which had probably returned by March 16th, left unsettled the question of Lancaster and Warwick's confirmation of the December treaty as a whole.

3. Ibid., p. 203.
4. Ibid., p. 227. An inquest into the arrest of de
The state of relations between the King and the opposition at this time is summed up in a document which the latter sent to the King at a date after the beginning of the March 18th. Parliament. The document itemises the points in the December treaty which had been implemented or on which both sides were agreed, but also lists those on which agreement had still to be reached. The earls recalled that they had now restored Gaveston's jewels, etc., as the treaty required; they reaffirmed their readiness to come to Westminster to ask for the King's pardon and their willingness to grant an aid in Parliament for the Scottish war, and repeated their promise not to come armed to Parliaments after their pardon, since the problems relating to Henry Percy and Griffin de la Pole were now being settled in accordance with the treaty.

The magnates also expressed themselves as satisfied

1. Ann. Lond., pp. 225-9. The document refers to this Parliament in the past tense. It is dateable between March 18th. and May 23rd. when the next Parliament was called. Stubbs wrongly assigns it to 1312. The text is apparently corrupt.

2. Ibid., p. 226.

3. Ibid., p. 227. An inquest into the arrest of de la Pole's men had been held by March 12th; C.C.C.R., 1307-13, p. 569. His own complaints remained to be settled.
with the King's assurance that after they had been pardoned he would act towards them as a faithful lord. Tacitly they also returned to the form of the treaty by the omission of any words describing Gaveston as a felon or a royal enemy, in contrast to Lancaster's articles of the previous February. This in itself would do much to produce a settlement. On the other hand the magnates demanded a fuller form of acquittance for their restoration of Gaveston's goods than they had been given in February, and they objected to the form of pardon to them as Gaveston's enemies which had been offered in December since it would then appear that they had extorted it from the King, contrary to his Coronation oath and their homage to him. Instead they included a new form of pardon which was to be held in the custody of the Archbishop of Canterbury, the Bishops of London and

3. Ibid., p. 226.
4. Ibid., p. 222: this is not mentioned specifically but is clearly meant.
5. Ibid., p. 227.
Chichester, and the Earls of Gloucester, Richmond and Arundel, until the magnates had made their submission. The magnates also declared that there was no need specially to pardon Gaveston's former adherents since, they said, only the King would have the power to bring any suit against them. Their failure to appear in person at the March 18th. Parliament they attributed to the fact that the summons had not been made in the usual form and they therefore asked for a correct form of summons so that they might make their submission. The King's objections to this document probably centred on the demand that Gaveston's followers should not be specially pardoned. This was probably because, if the King agreed to it, there might then be a demand for their exile under the terms of the Ordinances. Apart from this point there seems to have been relatively little to prevent an early settlement. There are some signs that another attempt to achieve one was soon made. On May 3rd., at the request of Cardinal Arnold, Louis de Clermont,

1. Ibid., p. 229.
2. Ibid., p. 228.
3. Ibid., pp. 225, 227.
the newly arrived French envoy, and the Earls of Gloucester and Richmond, Lancaster and his followers were given a safe-conduct till June 24th. to meet the papal envoys and the King's councillors at Bedford, and on May 23rd. Parliament was called for July 8th., but there is no sign that any meetings did take place and a further six months were to elapse before a settlement was finally made.

As has been seen Pembroke played a leading part in the sequence of negotiation up until February 8th. After that date however it became necessary for him to turn his attention to a mission to Paris. One purpose of the mission was to represent the King at the Paris Parlement in business arising out of the Process of Périgueux and in the hearing of appeals made there against English officials in Aquitaine. In November 1312 the Bishop of Exeter had been ordered to prepare the King's defence on these subjects and on January 15th. 1313 a colloquium met at Westminster

1. C.P.R., 1307-13, p. 569.
2. P.W., 2, 2, 1, p. 94.
to discuss them further. A second and more pressing purpose was to answer the appeal made to the Parlement by Amanieu d'Albret following the latter's dispute with the late Seneschal of Gascony, John de Ferrers, which had led to open war between the two in the Duchy in 1312. On February 4th, Pembroke, the Bishop of Exeter and Mr. Thomas Cobham were appointed to be the King's proctors in Paris, being reinforced a few days later by the Chancery's Gascon experts, Masters Richard de Burton, William de Weston, and Henry de Canterbury, as well as by Raymond Subirani. Pembroke, Exeter and Cobham were given full powers to answer in Paris on any topic relating to Gascony and, within the Duchy itself, to renew appointments, hold enquiries, and revoke any decisions of the Seneschal which they considered prejudicial to the King. Pembroke

4. G.R., 1307-17, nos. 837-41.
himself was also given authority to remove and replace the current Seneschal, Etienne Ferol, and was expected to mediate in the dispute involving Amanieu d'Albret already mentioned, as well as in a question relating to the custody of the viscounty of Aspremont by the lord of Rouncideval. Most important however was the last-minute decision made on February 14th, after Pembroke's departure, that he should arrange a personal meeting between Edward II and Philip IV to resolve outstanding Anglo-French disputes.

For Pembroke to have to leave England at a time when the negotiations with the magnates were still in a very critical state, the need to send a mission to Paris and Gascony must have been extremely urgent, and there is no doubt that the King was uncertain as to whether he could spare his services. So serious was the situation in England that on February 9th, the papal envoys wrote to tell Philip IV of the dangers

1. Ibid., no. 836.
2. Ibid., no. 834; Camden 3rd Series, 1929, p. 22.
3. G.R. 1307-17, no. 844.
4. Archives Nationales: J.918, no. 18. A copy of this writ is in Ms. Julius E.1/f.45: this is a register of Gascon documents.
to England from internal dissensions and external enemies and to ask him to deal promptly with Pembroke's business so that he could return quickly to England where he was badly needed. On top of this plea for haste, the King wrote to Pembroke on February 14th., only a few days after his departure, recalling him to England because royal affairs were even more pressing there.

Pembroke had probably left London on February 10th. or 11th., in company with the Bishop of Exeter, and, despite his recall, continued on his way to Paris which he had reached by March 2nd. The King does not appear to have pressed further for Pembroke's immediate return and his presence at Westminster cannot again be traced until March 28th., although he had probably come back some days before that. Exeter


2. G.R., 1307-17, no. 846.

3. C.Ch.R., 1307-13, p. 567; E.101/375/8/f.19; Pembroke's account began on Feb. 3rd., the day he received protections for the mission: ibid./f.15d.; C.P.R., 1307-13, pp. 525, 527.


5. C.53/99/m.7. Pembroke's account ended on March 14th. but he was still in Paris on that date: E.101/375/8/f.15d; Archives Nationales: J.635, no. 35.
stayed on in Paris and returned on May 10th., leaving behind Thomas Cobham to continue the mission's business. The mission seems to have had few immediate results but it did have one important achievement when, on March 14th., Pembroke made an agreement for Edward II to meet Philip IV at Amiens on May 20th.²

Plans for the King's visit to France went ahead after Pembroke's return, but the arrival at the end of April of Philip IV's cousin, Louis de Clermont,³ with an invitation for the King to attend the knighting of Philip IV's sons at Paris on June 3rd.⁴ meant that the meeting of the two Kings was altered to take place in Paris in early June. Details of the visit had begun to be worked out by May 1st. and on the 3rd protections were given to those, including Pembroke and Despenser, who were to accompany

3: E.101/375/2/m.9.
4. Vita, p. 38; C.C.I.R., 1307-13, p. 579. Amiens was therefore dropped as a meeting-place and the meeting itself postponed.
the King. Together with Walter Reynolds, the newly elected Archbishop of Canterbury, John Sandale, Hugh Despenser, and others, Pembroke was responsible for deciding the wages to be paid to the magnates who went with the King. This question of payment also illustrates Pembroke's special dignity and pre-eminence among the King's supporters since, in return for accompanying the King, he later received a gift of a flat sum of 1,000 marks, which was over twice the amount received by any other magnate, all of whom were paid in the usual manner of a fixed daily rate of wages. At about the same time in early May Pembroke was also concerned with advising on some items of Gascon business relating to the appointment of Lupus Burgundi and Otto de la Dose to minor official posts in the Duchy.

The full purpose of the King's French visit

1. C.C.R., 1307-13, p. 579; C.P.R., 1307-13, pp. 579-83 Pembroke had a retinue of 34.
3. Ibid./f.30d; Richmond received 106/8d. and Despenser 100/- per day: Ibid./f.11d., 10d. On other missions and on campaigns Pembroke received wages in the usual way.
was probably worked out at a Council held on May 20th.\(^1\) and it soon became clear that it was to be more than just a social gathering or a personal meeting between the two kings. Some criticism was levelled at the King, as he himself recognised,\(^2\) for going to France at a time when the country was still divided internally and menaced by the Scots;\(^3\) but, as has been seen, the negotiations with the magnates had for the time being ended and there was no immediate prospect of any further meetings, while an attempt to treat with the Scots was at that moment being made by Louis de Clermont and other envoys.\(^4\) The King was in fact going to France at the request both of the Pope and of Philip IV and his presence there was essential since the main purpose of his visit was to complete the diplomatic work begun by Pembroke in March and reach a settlement of the major outstanding

\(^{1}\) C.Cl. R., 1307-13, p. 579.
\(^{2}\) C.P.R., 1307-13, p. 588.
\(^{3}\) Vita., p. 38.
\(^{4}\) E.101/375/8/f.15; Letters from Northern Registers, p. 217.
problems in Anglo-French relations.¹

The King left for France from Dover on May 23rd., accompanied by Pembroke, Richmond, Despenser and others,² and the party reached Paris on June 1st.³ Pembroke was in close attendance on the King throughout the visit, both in Paris from June 1st. to the 9th., and at Pontoise from June 10th. to the 30th., as well as elsewhere.⁴ He would certainly therefore have been present at all the ceremonial highlights, the knighting of Philip IV's sons in Paris on June 3rd.,⁵ the taking of the cross and of crusading vows by the two kings in Notre Dame on the 6th.,⁶ and the banquet at the Louvre on the 7th.⁷

The activities of some of Pembroke's retainers are also apparent. On the 7th. John Merlyn, one of his

¹. E.W., 2, 2, 1, p. 94; C.P.R., 1307-13, p. 588; C.C.R., 1307-13, p. 583.
². C.C.R., 1307-13, p. 583.
³. E.101/375/2/m.9.
⁴. E.101/375/8/f.30d; ibid./375/2/m.9, 10: this point is specifically made in the records.
⁵. E.101/375/8/f.30d; Grandes Chroniques de France, 8, p. 289.
⁶. E.101/375/8/f.169; E.104/282/22/3: Richmond had
valets, paid 20 shillings to the King for him to offer at the Crown of Thorns in Philip IV's chapel in Paris, but, less creditably, the King had had to pay on the 6th. 6/8d. alms to Gerard de Cheveril who had been wounded by members of Pembroke's household at St. Germain des Prés. Pembroke also made use of the occasion to transact some personal business and wrote on July 1st. and 3rd. to Henry de Stachesden, his Receiver in France, about the affairs of his lands in Poitou.

Together with the Bishop of Exeter, the Earl of Richmond, and the clerical experts, Richard de Burton and Henry de Canterbury, Pembroke certainly took a leading part in discussing the problems of Aquitaine which were the major reason for Edward II's presence. The negotiations ended on July 2nd. when Philip IV, as a mark of esteem for Edward's personal visit and taking of the cross, remitted all forfeits incurred by Edward II and his subjects in

1. Ibid./f.3d.; ibid./30/4/26; E.30/612.
2. E.163/4/1/1; S.C.1/50/58.
3. E.101/375/8/f.16; E.404/482/22/5. Richmond had taken part in the process of Perigueux.
Gascony for offences against France, and also recited his letters patent of 1286 regulating all appeals to Paris by subjects of the Duchy. This was also the means of settling the dispute between the Seneschal and Amanieu d'Albret, who was given £20,000 tournois "for his good services". Diplomatically therefore the King's visit could be considered highly successful, especially by Pembroke, whose earlier mission had prepared the way. For the moment French goodwill was assured, but experience showed that Anglo-French agreements on Aquitaine had a way of being illusory.

These agreements were so important that the King had to stay in France until their completion and it was realised that he would not be in England in time to open Parliament on July 8th. On July 1st, the Earls of Richmond and Gloucester and two bishops were therefore appointed to open and continue Parliament until the King's arrival. The King finally returned

2. C.47/29/7/18; ibid./30/4/26; E.30/612.
3. C.47/29/7/17.
5. C.P.R., 1307-13, p. 594. Summoned on May 23rd.:
to England on the 16th. and reached London on the 23rd.\(^1\) Meanwhile Gloucester, Richmond and some other magnates and prelates had waited in London as instructed, but the opposition magnates gave up and left before the King's return,\(^2\) claiming that the King's advisers had persuaded him to delay his return in order to wear down his opponents.\(^3\) The King was however still expecting as late as the 19th. that he would attend Parliament, since he then advised the Kent justices to postpone all cases involving Pembroke whose presence at Parliament was urgently needed.\(^4\)

Altogether the July Parliament seems to have been a complete failure and to have achieved no useful contact with the opposition. In fact the King's advisers were probably still extremely eager for a Parliament to be held to solve the deadlock between the King and his opponents. On July 22nd. Pembroke joined the King at Eltham, at the latter's request.\(^5\)

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2. Vita, p. 42. Which opposition magnates were present is unknown.
3. Loc. cit.
4. C.81/85/2746A.
5. S.C.1/49/22.
and on the 26th., in the presence of Pembroke, Richmond, Despenser, the Bishops of Bath and Wells, Worcester and Exeter,\(^1\) who probably all shared in the decision, a fresh Parliament was summoned to meet at Westminster on September 23rd.\(^2\) The events of the next few weeks are obscure until on August 28th. the King wrote asking Pembroke to meet with other members of the Council at Chertsey on September 17th. to discuss the business of the coming Parliament.\(^3\) On the same date the King also requested Philip IV to send to Parliament his chamberlain, Enguerrand de Marigny, and the French envoy of 1312, Louis of Evreux, to assist in the negotiations with the magnates.\(^4\) While on their way to Parliament in mid-September the Earls of Arundel, Lancaster, Gloucester, Hereford and Warwick met at Brackley to hold a tournament, planned for the 19th., which the King tried to prohibit

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1. C.53/100/m.17. 227-8.
2. P.W., 2, 2, 1, p. 114. time for this afterwards.
4. Fl., vol. 2, p. 226. This was probably discussed when the King was in Paris. The papal envoys had sought Louis's return since February 1313: Camden 3rd. Series, 1929, p. 22.
on the 10th. and 16th. But tourneying was only one of their intentions and there can be little doubt that before the tournament they met to concert a common baronial approach to the King when they reached Westminster. It is also possible that the King sent Pembroke to find out the magnates' intentions and report them to the Council at Chertsey on the 17th., since on September 10th. the latter was at Witney, only 20 miles from Brackley.

According to the Vita's account, the magnates came to London on the 23rd., the day Parliament was due to begin, but for some time had no contact with the King, who was reluctant to meet them. They then demanded that he should fulfil his promises of pardon and finally under pressure the King gave way. It is not known what demands the magnates made or if they differed in any way from their earlier ones in

2. There would be little time for this afterwards.
4. Hist. Mss. Comm., Various Collections, 1, p. 245. He may also have tried to dissuade them from bringing their retinues to Parliament.
5. Vita, p. 43.
March, but there was certainly a period of further negotiation and mediation between the magnates' arrival and the King's issue of pardons. The mediation on this occasion was carried out, as in 1312, by the papal envoys and by the Earls of Gloucester and Richmond. Louis of Evreux is also said to have taken part, but this must have been in a late stage of the negotiations, since he and Enguerrand de Marigny were still awaited on October 14th.

The first sign of agreement was on October 4th, when the sections of the Ordinances dealing with Henry de Beaumont and his sister, Isabella de Vescy, were abrogated as being to the King's prejudice. By the 14th, the negotiations were sufficiently advanced for the magnates to make a formal submission to the King, and on this date Lancaster, Warwick, Hereford, Arundel, Henry Percy, Robert Clifford and John Botetourt

2. Vita, p. 43.
3. Flores, 3, p. 337: this may be why Gloucester was at Brackley.
4. Vita, p. 43.
6. C.P.R., 1313-17, pp. 27, 29.
came before the King at Westminster Hall and asked for and received his pardon. To mark the settlement the Earls dined with the King that night and returned the honour themselves the following night. The opposition magnates attended Parliament for the first time on the 15th, and on the 16th the King's pardons to them were published. The list was headed by Lancaster, Hereford, Warwick, Percy, Botetourt and Clifford, with two of Lancaster's chief retainers, Robert de Holand and Griffin de la Pole. Warenne also found it advisable to have his name included, presumably because he could be regarded as technically requiring pardon for his share in the pursuit and surrender of Gaveston in 1312. No doubt for the same reason, at least eleven of Pembroke's retainers also received pardons, although Pembroke himself, as the

1. Camden Series 34, 1846: Liber de Antiquis Legibus, p. 252. This is a London chronicle. Flores, 3, p. 337 says they submitted on the 19th., but this is certainly wrong. Faucomberg, J. Comyn, Roger Laspea, J. Paynel, Edm. Gacelyn, J. d'Arcy, J.
2. Vita, p. 43.
3. Camden 34, 1846, p. 252: says Parliament began on this date but it had probably met without the opposition earls since the 23rd.
4. C.P.R., 1313-17, pp. 21-5: these were made in Parliament on the 15th: ibid., p. 26.
5. Ibid., p. 25.
King's leading councillor, evidently did not feel the need to follow suit. ¹

No further decisions emerged from the Parliament until the end of October, which suggests that hard bargaining was still in progress. On the 30th. the prelates, earls and barons declared in Parliament that it was the King's prerogative alone to bear arms,² an important concession which fulfilled the magnates' promise of the previous December not to bring armed retainers to Parliaments after that in which they received pardon.³ On November 5th. the magnates were given a formal acquittance for their restoration of Gaveston's goods,⁴ as they had demanded after the first acquittance in February.⁵ On November 6th. the King confirmed an ordinance made in Parliament giving full pardon to the earls for Gaveston's death, but in return they had to agree to a pardon to Gaveston's

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2. C.P.R., 1313-17, p. 26.
4. C.P.R., 1313-17, p. 25.
former adherents,\textsuperscript{1} which they had formerly refused to concede.\textsuperscript{2} The dispute between Griffin de la Pole, Fulk Lestrange and John Charlton, which had been a major problem in January and February,\textsuperscript{3} was settled by the appointment on November 3rd. of new justices in place\textsuperscript{4} of those of December 1312,\textsuperscript{5} and the pardoning of all three parties on November 6th.\textsuperscript{6} Finally, the magnates' promise to grant a subsidy for the Scottish war\textsuperscript{7} was fulfilled in the form of a fifteenth and twentieth.\textsuperscript{8}

The King should have been well satisfied with this settlement. As in December 1312, the Ordinances were not mentioned,\textsuperscript{9} nor was the removal of royal

\begin{enumerate}
\item C.P.R., 1313-17, p. 26.
\item Ann. Lond., p. 227.
\item Camden 3rd. Series, 1929, p. 15.
\item C.P.R., 1313-17, p. 66.
\item Ibid., 1307-13, pp. 546-7.
\item Ibid., 1313-17, p. 26.
\item Ann. Lond., p. 227.
\item C.P.R., 1313-17, pp. 49-51.
\item Except the clauses regarding Beaumont: \textit{ibid.}, pp. 27, 29.
\end{enumerate}
ministers accepted, while Gaveston and his supporters were not described as enemies of the King. With these problems at last removed from politics, the King had achieved the freedom of action within his own kingdom for which Pembroke and his other supporters had been striving since June 1312. The settlement of October 1313 was basically the same as and an extension of the treaty of December 1312 and there was no good reason why it should not have been made earlier. The delay was probably caused by the King's reluctance to give any final pardon to the killers of Gaveston and by the hope that, while the opposition grew no stronger, he would succeed by diplomatic means in improving his own position. Neither side was strong enough to be able to risk a military confrontation with the result that 1313 was spent in arguing the details of a settlement which neither could ultimately avoid. Essentially the settlement was a compromise, symbolised by the magnates' failure to enforce and the King's inability to destroy the Ordinances. But despite his pardons to Gaveston's

1. Vita, p. 44 mentions Lancaster's inability to have Despenser removed.
executioners, the King still harboured enmity towards them and future peace was therefore not assured.

As in the 1312 negotiations, it is impossible to define Pembroke's share in making the settlement, but the scale of his involvement in royal affairs earlier in 1313 would imply that it was a big one. However, the next twelve months were to mark a major change in the fortunes of both the King and Pembroke, and although Pembroke had been reconciled with Lancaster and the opposition,¹ one of the main features of this change was to be a personal dispute between him and Lancaster, which their respective leading positions among the King's advisers and the former opposition magnates turned into a major political issue. But important as this dispute was, it must be seen against the background of the events leading up to the battle of Bannockburn in June 1314 and of the crisis which resulted from the disaster.

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¹ Loc. cit.
CHAPTER TWO

PART THREE

OCTOBER 1313 TO THE YORK PARLIAMENT OF 1314.

During 1312 and 1313 Pembroke had played a major part in negotiating the settlement with the magnates and in improving Anglo-French relations. In the course of 1313 he was also prominent in certain of the financial measures which were designed to relieve the strain on the royal finances caused by the continuing political crisis and the consequent need to keep the royal household and local administration on a war footing. 1

In May 1313, for example, Cardinal William Testa had loaned the King 2,000 marks and in July at Ibouvillers, during the royal mission to France, the King's merchant, Anthony Pessaigne, had borrowed from Enguerrand de Marigny on the King's behalf a

1. This is only a selective account of royal financial affairs which require a separate full-scale study.
sum of £15,000.¹ In both cases Pembroke joined with other royal councillors in guaranteeing repayment of the loans, being indemnified by the King against any loss in the event of non-payment.² But these two loans were only short-term ones and were probably raised on the strength of a much more important loan from the Pope, Clement V, which had been under negotiation ever since August 1312³ and in whose inception at that time Pembroke had probably been closely concerned. When the idea of such a loan had been first mooted by the King's advisers it had probably been hoped that the money would enable the King to hold out against the demands of his magnate opponents and so help to wear them down. In the event however the papal loan came too late to have much effect on the political situation in England since the details of it were not finally settled until October 28th. 1313;⁴

1. C.P.R., 1307-13, pp. 571, 573; ibid., 1313-17, p. 4.
2. Ibid., 1307-13, p. 573; ibid., 1313-17, p. 102. This indemnity was fortunate for Pembroke since in October 1313 Testa grew tired of waiting for repayment and appointed proctors to claim the money from Pembroke and his colleagues: E.329/69.
4. Ibid., pp. 231-2; G.R., 1307-17, no. 1131.
by which time the settlement between the King and his opponents was already substantially complete. Under the terms of the loan the Pope agreed to make a private loan to Edward II of 160,000 florins in return for control of the bulk of the revenues of Gascony. Before the loan could be implemented approval was required from Philip IV of France as suzerain of Gascony and it was for this reason that on December 13th the King, accompanied by Pembroke and the Elder Despenser, crossed to Boulogne and met the French King at Montreuil, returning to England on the 20th. The loan agreement was finally confirmed on January 20th, 1314 in the King's chamber at Westminster in the presence of Pembroke and other councillors and the 160,000 florins, worth 225,000 sterling, were received by Anthony Pessaigne on the King's behalf during March.

2. C.Ci.R., 1313-18, p. 31; C.P.R., 1313-17, p. 44; F., vol. 2, p. 238, 240; Trivet (Cont.), p. 11. The visit was ostensibly a pilgrimage: F., vol. 2, p. 238; Trivet (Cont.), p. 11. Tout, for instance, did not realise its true purpose: D.N.B., 6, p. 461.
As one of the chief architects of the negotiations preceding the loan, Pembroke's presence at the formal ceremony of confirmation was appropriate enough. Earlier the same month, on January 4th., he had witnessed another such ceremony, with one of his retainers, John Comyn, the Treasurer John Sandale, and five others, when the newly elected Archbishop, Walter Reynolds, read out at his inn in Charing Cross the papal bull of his provision to Canterbury.¹

Pembroke was also to be present, together with the King, Queen and a large gathering of other magnates and prelates, at Reynolds's enthronement at Canterbury on February 17th.²

But Pembroke's main occupation in 1314, in common with the rest of the Council, was the organisation of a campaign in Scotland to try to remove the most immediate remaining threat to stability in England.

A campaign had already been decided upon by November


2. Trivet (Cont.), p. 11; Ann. Paul., p. 275; Trokelowe, p. 82; C.53/100/m.7. Trinity College Cambridge, Ms.R.5.41/f.112d. (a Canterbury chronicle) has the details but wrongly gives the date as Feb. 26th. (Extracts from this source are in J. Leland: Collectanea, 1, p. 272).
28th. 1313 when the King invited the Scottish magnates and prelates to recognise fealty to him and announced that he would be at Berwick on about June 24th. On December 23rd. the host was summoned to meet at Berwick on June 10th., but the loss of Roxburgh in February, of Edinburgh in March and the agreement by the constable of Stirling to surrender if not relieved by June 24th. made it necessary to change these plans. By February 26th. the King had decided to go to Scotland soon after Easter (April 7th.) and on March 24th. Pembroke was appointed Keeper of Scotland and to act as the King's Lieutenant until the latter's arrival, receiving full powers to do whatever he felt was necessary. Pembroke's part in the campaign was thus intended to be an extremely important one. He had reached Berwick by April 16th., but was already at work by the 3rd. when the King wrote, in reply to a request

2. F.W., 2, 2, 2, p. 421.
3. See Barrow: Robert Bruce, pp. 276-8.
5. F.W., 2, 1, p. 112.
6. C.81/1705/64.
from him, promising that supplies and men would be sent with all speed. On the 6th, the King wrote again to announce that he was on his way north and to ask Pembroke to keep him fully informed of progress in arranging the campaign. By June 6th, the King had joined Pembroke at Newminster in Northumberland and the campaign was ready to begin.

But despite the settlement of the previous October, the Bannockburn campaign was marked by the failure to take part of four of the leading magnates, the Earls of Lancaster, Warwick, Arundel and Warenne, a fact which requires some explanation. The earls' reason that the campaign had not been decided upon in Parliament was a transparent excuse since a Scottish campaign had been implicitly a part of the business of the Parliament of September 1513, which had granted a subsidy for the purpose. The real cause of the absence of Warwick and Lancaster, the latter of whom

2. Ibid./27.
3. C.53/100/m.4.
5. Ibid., p. 49.
remained at Pontefract during the campaign,1 was a fear that if the King were victorious in Scotland he would then turn against them in England,2 while a royal defeat in their absence would strengthen their hand against the King. Warenne’s absence may have been caused by his attempts to annul his marriage to the King’s niece, Joan of Bar,3 which probably put him on bad terms with the King, and Arundel may simply have followed his father-in-law Warenne’s lead. Of the magnates who accompanied the King only Hereford’s presence is of any special interest. Although a Lancastrian supporter in 1512, his part in making and persuading Lancaster to accept the peace negotiations of 1512 and 1513 seems to mark him out as a moderate. After the 1513 settlement he remained at court4 and

4. Vita, p. 44: this is pointedly noted. He had originally supported Gaveston’s execution only after firm guarantees from Lancaster and Warwick.
may even have made an indenture to serve the King in the 1314 campaign.¹

The details of the campaign and the disaster at Bannockburn have been fully worked out elsewhere and do not require repetition.² Pembroke's direct participation in the main fighting during the battle seems to have been small. The longest account says that the King drew up his division of the army with Sir Giles d'Argentein on one side of him and Pembroke on the other, and that when defeat became obvious Pembroke seized the King's reins and led him away from the battle against his will,³ while Argentein rode into the fight and was killed.⁴ Many of those captured after the battle were taken at or near the castle of Bothwell⁵ which had technically at least

¹ E.101/68/2/34: badly damaged. See Appendix 3.
² The most recent account is in Barrow: op. cit., pp. 301-32.
³ The Bruce, 1, p. 264, 317.
⁴ Ibid., p. 317; Scalachronica, p. 143.
belonged to Pembroke since 1301, but Pembroke did not apparently go there himself. The Bruce states that Maurice de Berkeley, a member of Pembroke's retinue, escaped "with a great rout of Welshmen," and it is likely that he did so in the latter's company since the Lanercost writer makes the same remark with reference to Pembroke. The Lanercost account precedes this point with the statement that a large body of fugitives fled to Carlisle, from which Barrow concludes that Pembroke went in the same direction.

But this interpretation is unconvincing and, in view of Pembroke's closeness to the King during the battle, preference must be given to other accounts which say that Pembroke and other magnates fled with the King to Dunbar and from there sailed to Berwick.

2. Bruce, 1, p. 321. 15.
3. Lanercost, p. 227. This is often said to have been captured (lita, p. 55), probably by confusion.
4. Loc. cit. son, Maurice. But the Berkeley family historian who had access to their records shows
Pembroke is said to have fled from the battle barefoot and unarmed and to have barely escaped with his life.¹ His retinue of 22 knights and 59 men-at-arms² also suffered severely. John Lovel,³ John Comyn,⁴ John de la Ryvere,⁵ and William de Vescy⁶ were killed, while Thomas de Berkeley senior, Thomas and Maurice the sons of Maurice de Berkeley,⁷ John and Nicholas de Kingston, William Lovel, Aymer la Zouche, Thomas and Odo le Ercebekne, and John Mautravers junior were

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2. C. 71/6/m. 5-1; C. 81/1748/73; ibid./1728/23; ibid./1736/23, 24, 47, 48, 54, 56, 59. See details in Appendix 2.
3. Not listed in retinue but was a retainer.
4. Ann.Lond., p. 231; Trivet (Cont.), p. 15. He was Pembroke's nephew and son of J. Comyn of Badenoch.
6. Trivet (Cont.), p. 15.
7. Maurice de Berkeley senior is often said to have been captured (Vita, p. 55), probably by confusion with his son, Maurice. But the Berkeley family historian who had access to their records shows that he escaped and that his father Thomas was taken: J. Smyth of Nibley: Lives of the Berkeleys, 1, pp. 182-3. The Bruce, 1, p. 321, also says Maurice senior escaped.
all taken prisoner.\(^1\) As this list refers only to knights it is probable that there were also many casualties among Pembroke's men-at-arms. The exact occasion of these losses is not known but the most likely answer is that Pembroke and his men fought a prolonged rearguard action against the pursuing forces of Sir James Douglas to cover the King's retreat through Linlithgow and Winchburgh on his way to Dunbar.\(^2\) If this is what indeed happened, Pembroke would appear to be the only royal commander to emerge from the disaster with any great credit.

Bannockburn entirely destroyed the favourable conditions created for the King by the 1313 settlement. By July 17th, the King had retired to York with Pembroke, Despenser, Beaumont, and the dead Earl of Gloucester's chief retainer, Bartholomew de Badlesmere,\(^3\) leaving behind a garrison to defend Berwick.\(^4\) On July 29th, a Parliament was summoned to meet at York on September

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1. Trivet (Cont.), p. 15: this is the fullest casualty list given by a chronicle, Lovel and Zouche were freed by July 1315: E.101/15/6.

2. Bruce, 1, pp. 327-8.

3. C.53/101/m.22.

9th., which on September 7th. Pembroke and the Bishop of Exeter were authorised to open in the King's name. Ostensibly called to consider the threat from the Scots, the King's former opponents saw their opportunity and, at Lancaster's insistence, the King was forced to confirm the Ordinances, which by this time had been in abeyance for over two years. There then followed a wholesale removal of royal officers and their replacement by men appointed in the manner stipulated in the Ordinances. John Sandale was appointed as Chancellor and replaced as Treasurer by Walter de Norwich, while the sheriffs of thirty counties, including John Pabenham, the Sheriff of Bedford and one of Pembroke's retainers, were also removed. But in fact the new appointments were not entirely to the King's disadvantage. John Sandale, for example, was a royal clerk of long standing and had, as Treasurer, than this and altogether three other persons were.

1. P.W., 2, 2, 1, p. 126.
2. C.P.R., 1313-17, p. 169.
5. C.P.R., 1313-17, p. 178.
been very active in royal affairs in 1312 and 1313, and there is no apparent sign among the other appointments of persons who might be objectionable to the King. What was most offensive to the King was not the character of the new officials but rather the mode and circumstances of their appointment.¹ But the York Parliament was only a beginning and the stage was now set for a return to political influence by the former opposition leaders, Lancaster and Warwick.

For Pembroke the Parliament had a more immediate importance. It produced the climax in his dispute with Lancaster over the possession of the castle and manor of Thorpe Waterville in Northants., with its associated manors of Aldwincle and Achurch, as well as over the New Temple in London. Pembroke and Lancaster were the leading parties to this dispute, but the problem was really a good deal more complex than this and altogether three other persons were also involved: Walter Langton the Bishop of Coventry and Lichfield, his familiaris and right-hand man John Hotot, and William Tuchet one of Lancaster's bannerets.

The origins of the problem go back to 1298 when Tuchet inherited the demesne lands at Thorpe Waterville of his uncle, William de Luda, Bishop of Ely. But at a date between March 20th. and December 26th. 1300 they passed into the possession of Walter Langton, one of de Luda's executors, as a result of an exchange by which Tuchet gave up Thorpe Waterville in return for the castle of Leinthall in Hereford, and the manors of Preston, Finnere and Hornington in Bucks., Oxford and Essex. However it appears that Langton has used the powers of his position as royal Treasurer to force Tuchet to make the agreement against his will, since in 1307 Tuchet claimed that he had given up Thorpe Waterville to Langton as a result of an action of novel disseisin taken out.

1. C.Ch.Warr., p. 94 (July 1298); C.P.R., 1292-1301, p. 540 (Oct. 1300).
3. C.P.R., 1292-1301, p. 439.
4. C.P.25(1)/285/25/258: dated Jan. 27th., 1301, but confirming a prior agreement.
5. J.I.I.1/1344/m13, 10d.
against him by Robert de Wickham,¹ at the suggestion and with the financial support of Langton.² Tuchet also fell foul of Langton in 1301 when the latter failed to pay him a debt of £300, and again in 1306 when Langton unsuccessfully tried to force him to give up his manor of Oxinden in Gloucestershire.³

The exchange of Thorpe Waterville between Tuchet and Langton was legally water-tight, but the circumstances in which it was made ensured that at some future date Tuchet would, given a suitable opportunity, try to avenge his wrongs at Langton's hands by regaining possession of Thorpe Waterville by legal or other means.

Langton held Thorpe Waterville until March 1308 when, with his other lands, it was seized by the King⁴ after his dismissal as Treasurer, and it

1. Wickham was an heir of Robert de Waterville who held Thorpe Waterville until he sold it to Simon de Ellesworth who in turn sold it to William de Luda: Henry of Pythchley's Book of Fees, p. 41: Northants. Record Soc., 2, 1929. Wickham probably therefore had no good legal claim.


3. J.I.1/1344/m.13; 10d.

4. C.Cl.R., 1307-13, p. 28.
then remained in royal hands until restored to him in 1312 when he returned to favour.¹ The fate of Thorpe Waterville is next revealed in July 1313 when Langton's familiaris, John Hotot,² to whom he had given it for life,³ brought an action of novel disseisin against William Tuchet.⁴ The occasion of the disseisin is not stated but it is reasonable to suppose that Tuchet, who had unsuccessfully sued before royal justices for Thorpe Waterville's return to him in 1307 after Langton's disgrace,⁵ had re-entered it at some time during the disturbances of 1312 when the Ordainers were protesting against Langton's re-appointment as Treasurer.⁶ It is also likely that, as one of Lancaster's retainers, he had done so with the latter's active support.

Pembroke first entered the picture on November

1. C.P.R., 1307-13, p. 412.
2. C.P.R., 1307-13, pp. 260-1; Monasticon Anglicanum, 7, p. 432.
5. J.I.1/1344/m.13d.
6. E.159/85/m.52.
10th. 1313 when he and Tuchet made mutual bonds to the value of £5,000.\(^1\) The purpose of these recognisances was not mentioned but it is certain from later evidence that they formed part of an exchange of lands whereby Tuchet gave Thorpe Waterville to Pembroke in return for the latter's manors of Moreton and Whaddon in Gloucestershire.\(^2\) With its recently fortified manor house\(^3\) and an annual revenue of around £200,\(^4\) Thorpe Waterville was a very valuable acquisition, as well as being close to Pembroke's other Northamptonshire lands at Toucester and those of his retainers, John Hastings, John Fabenham and John Lovel. Its strategic position in the Midlands, where Lancaster had important holdings,\(^5\) also gave it great importance in the event of any future clash between the King and Lancaster, and it may have been decided for this reason by the King that it would be safer for his chief magnate

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1. C.Cl.R., 1313-18, pp. 80-1.
4. E.358/13/m.11-12, 48-9.
5. E.g. Melbourne, Higham Ferrers, Kenilworth, Donnington.
supporter, Pembroke, to acquire it than to attempt to restore it to the unpopular Langton.\textsuperscript{1}

Although Tuchet had been legally compensated by Pembroke for giving up Thorpe Waterville, some pressure had probably been used to make him do so, with the result that on November 20th., only ten days after the transaction, he forcibly entered and seized it back from Pembroke.\textsuperscript{2} Although pardoned for the offence on the 26th.,\textsuperscript{3} at Pembroke's instance and as an inducement to return the lands, Tuchet refused to restore them and on December 3rd. Pembroke took preliminary steps to recover possession when a commission was appointed to investigate Tuchet's action.\textsuperscript{5} One ominous feature of the situation was that for the first time Lancaster had become directly involved since it was on his behalf that Tuchet had

\textsuperscript{1} Some informal agreement to permit this had probably been made between Pembroke and Langton.
\textsuperscript{2} D.L.29/1/3/m.1d.; C.P.R., 1313-17, p. 44.
\textsuperscript{3} Loc. cit. This was probably an inducement for him to return it.
\textsuperscript{4} Lancaster took steps to guard it against counter-attack: D.L.29/1/3/m.20d.
\textsuperscript{5} C.P.R., 1313-17, p. 72.
performed the seizure.\(^1\) Shortly afterwards measures were taken by the King to provide Pembroke with a clear legal title to Thorpe Waterville by buying out the rights there of Walter Langton, who still remained the legal owner, despite Pembroke's agreement with Tuchet. On January 26th, 1314 a parlauce was held at Windsor, in the presence of the King, Pembroke, Despenser, Sandale and other councillors, at which Langton agreed on behalf of himself and Hotot to give up his rights and grant the lands to the King or to his assign, who would certainly be Pembroke. He also promised to quitclaim the lands to the King if he and Hotot won their action of novel disseisin pending against Tuchet. In return the King would give him 490 marks in rents and 3,900 marks in cash.\(^2\) Lancaster meanwhile was making his own arrangements for Thorpe Waterville's future. On February 10th, Tuchet gave seisin of Thorpe Waterville to Lancaster until August 1st, 1315, when the latter would either re-enfeoff him or give him other lands.

\(^1\) D.L. 29/1/3/m.1d.
\(^2\) D.L. 25/338. This refers to the writ of Dec. 3rd.
of the same value. Tuchet also promised to let Lancaster have the title deeds if his seisin were ever challenged in a royal court, these last provisions being made with the actions pending between Pembroke and Tuchet and Langton and Tuchet in mind. From being merely a dispute between Tuchet on the one hand and Langton and Hotot on the other the problem had thus turned into a direct confrontation between Pembroke and Lancaster.

In fact it nearly became a military clash as well. On February 7th, the King wrote asking Pembroke to stop collecting men-at-arms and allow his suit with Lancaster and Tuchet to be settled legally. On the 26th, two messengers from Lancaster came to the King at Hadley to accuse Pembroke of having purchased the commission of oyer and terminer taken out against Tuchet and also claimed that on

1. Ibid./3445: undated but clearly of the same date as following document.
2. Ibid./3446: Feb. 10th. Tuchet made a recognisance of £10,000 to perform the agreement.
4. Ibid./50/86.
5. Ibid./49/25: this refers to the writ of Dec. 3rd. (C.P.E., 1313-17, p. 72).
the day the justices were to have heard the case at
Yardley Hastings,① Pembroke's men came armed and
prevented Lancaster and Tuchet's men from pleading
their case.② In reply the King promised that the
council would meet to discuss the matter③ and again's
asked Pembroke not to impede the justices.④ But
there is little doubt that by making these charges
against Pembroke, Lancaster was trying to obscure
his own interference in the other suit pending over
Thorpe Waterville, that between Langton and Hotot and
Tuchet and himself. The evidence given in Lancaster's
own financial records shows that in the early part of
1514 he had spent over £80 in bribes to gain support
in this suit.⑤ It is also clear that the disturbances
at Yardley about which he complained were his doing
as much as Pembroke's⑥ and that it was Lancaster's

1. Held by Pembroke's nephew, John Hastings.
3. Ibid. /50/86.
4. Ibid. /49/25.
5. D.L. 29/1/3/m. 20d., 26d. 1/7/218; Ms. Lansdowne 226/f. 127. Lancaster claimed the new temple as part.
6. Lancaster and Tuchet were nearby at Donnington in
Leicestershire in February: D.L. 25/3446. Pembroke
was well distant at Canterbury on the 17th: C. 53/
100/m. 7.
men who prevented the justices there from hearing Langton and Hotot's plea and threatened to do the same if they attempted to hear the case at Northampton instead. Under such conditions Pembroke can hardly be blamed for gathering men to counteract Lancaster's tactics.

It is unlikely that Lancaster could ever have won against either Pembroke or Langton by a legal judgement and it was not until Bannockburn had weakened Pembroke's political position that Lancaster was able to obtain legal recognition of his seizure of Thorpe Waterville. On September 29th, 1314, during the York Parliament, Pembroke quitclaimed to Lancaster all his rights in Thorpe Waterville and in the New Temple in London, and on October 6th, the two earls made a comprehensive agreement in the form of an indenture. Lancaster promised to restore before Christmas the manors of Moreton and Whaddon which Pembroke had given Tuchet in 1313 and to see that

1. C.P.R., 1313-17, p. 141.
Tuchet returned all the muniments relating to them, and undertook to give back all Pembroke's property stored in the New Temple. For his part Pembroke promised to give to Lancaster all the muniments of Thorpe Waterville that he had received from Tuchet, and said that on the day that he recovered Moreton and Whaddon he would hand over to Lancaster all the covenants, instruments and obligations made to the King by Langton and Hotot. Lancaster completed his grip on Thorpe Waterville during 1315 and 1316. On May 12th, 1315 Langton made a quitclaim, which was confirmed by a fine before the royal justices on February 9th, 1316, the day on which Tuchet also gave up his claims in return for £100 in rents.

96. On the same day the King formally asked Pembroke to do this: S.C.1/49/28.

2. Tuchet gave them to the King on Oct. 5th. (C.F.R., 1307-19, p. 213). The King restored them to Pembroke on the same day: C.P.R., 1313-17, p. 186.

3. D.L.42/2/f.194. Pembroke did so on Oct. 7th: Harleian Ch.43.C.45. This presumably refers to the Jan. 26th. parlaunce.


5. C.P.25(1)/176/66/no. 243. C.P. 26(1)/2/29.

May 2nd. Hotot did the same, and Lancaster was left in full possession. In compensation for his losses, the King in 1314 gave Pembroke lands worth £106/10/8 3/4 at Hodenak and Little Monmouth in Wales; and to restore his position in Northamptonshire gave him custody of two thirds of the lands of John Lovel of Titchmarsh and left him in control of the royal castle of Rockingham which he had been given on February 18th, 1314 when the threat of a clash with Lancaster was at its height.

But such compensation could do nothing to repair the damage inflicted upon Pembroke's political and administrative influence by the disaster of Bannockburn and Lancaster's victory at the York Parliament. Since the summer of 1312 Pembroke had been the most important of the King's magnate supporters and the most influential of his advisers, although in the course of 1313 and 1314 the importance of other councillors,

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2. C.Ch.R., 1300-26, p. 242; C.P.R., 1307-13, p. 273.
3. C.F.R., 1307-19, p. 212. Lovel had been his retainer. Titchmarsh was next door to Thorpe Waterville.
4. C.P.R., 1313-17, p. 85.
such as the new Archbishop, Walter Reynolds, the Treasurer, John Sandale, and Hugh Despenser the Elder, is also noticeable. Pembroke did not try to achieve a personal ascendancy over the King, who at times had to be coaxed into following a wise course,\(^1\) but there is no doubt that, especially in the period covered in the first two parts of this chapter, Pembroke's was the guiding hand both in the determination of royal policy and in its execution. It is also an implicit comment on his conduct that, whereas the King's opponents led a renewed attack on royal councillors such as Despenser and Beaumont,\(^2\) no such attack was made against Pembroke. His integrity was such and the King's trust in him so great that, although in the next two years Warwick and Lancaster were able to force themselves onto the royal Council, they could not at the same time hope to exclude Pembroke.

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1. In, for example, the decision to negotiate with rather than fight the magnates in 1312, and in the release of Edmund Darel in 1313.

CHAPTER THREE.

OCTOBER 1314 TO THE AVIGNON MISSION.

The closing months of 1314 were marked by further signs of the changed political situation. One small early indication of this lies in the parallel letters about the collection of the clerical tenth which were sent to the Bishops of Bath and Wells and Exeter both by the King and by Lancaster.¹ The influence of Lancaster and Warwick was also at least an indirect cause of certain other government decisions at this time. Shortly before November 27th., for example, a detailed account of the King's debts was made with his creditor, Anthony Pessaigne,² and on December 4th., in response to a demand made at York, the Exchequer was ordered to list all gifts and grants made contrary to the Ordinances since March 1310.³

These measures were taken in preparation for the Parliament summoned to London for January 20th.1315,⁴

² C.P.R., 1313-17, pp. 203-6.
³ C. Ch. Warr., p. 407.
⁴ P.W., 2,2,1,p.136.
but before it met there took place on January 2nd. an
event which, like the York Parliament, also marked the
end of one period in the reign and the start of another.
This was the elaborate ceremony attending the burial of
Gaveston's body at the King's chapel at Langley, at which
were gathered the King, the Archbishop, Pembroke, Hereford,
Despenser, Beaumont, the royal Justices, four bishops,
thirteen abbots, and over fifty knights and others.¹

When Parliament finally met it continued the
business begun at York. Despenser and Walter Langton²
were both removed from the Council,² steps were taken to
reduce Household expenditure,³ and on February 14th.
orders were given for the observation of the Ordinances,⁴
followed on March 5th. by instructions to resume grants
made since 1310.⁵ On March 15th Parliament was prorogued
until April 13th. to allow some of the earls and other
magnates to return home for Easter,⁶ but the failure of

date from the evidence either on the one hand that a

1. Ms. Cleopatra D.III/f.56d. (Hailes Abbey Chronicle);
   E.101/375/17/m.1.
2. Vita, p.59
3. Loc. cit.,
6. C.Cl.R. 1313-18, p.163.
many of them to come back afterwards made the renewed session ineffective.¹

One magnate who did return however was Pembroke. In response to a request by the King at the time of his departure from Parliament, Pembroke sent one of his knights, Sir John Pabenham, to Windsor on March 23rd., and on the 24th, the King wrote asking him not to go any further north from London² and to be at Westminster on April 13th. to give his advice on royal affairs as he had done in the past.³ This may well be an attempt by the King to use Pembroke to counter-balance the influence of Lancaster and Warwick, but, although it is clear enough proof of the King's continued trust in him, Pembroke's real importance can only be shown by an analysis of the political situation of early 1315.

There is a curiously ambivalent quality about the politics of this period and it is possible to conclude from the evidence either on the one hand that a new balance of power was working itself out with neither the royal administrators and sympathisers nor the King's opponents having the upper hand, or on the other that

1. Trokelowe, p. 90.
2. Pembroke may have been going to survey his newly purchased castle of Mitford in Northumberland.
for the first time since April 1312 there was something like a united baronial front and that the magnates were discharging what they regarded as their common duty to advise the King.

Both the former chief opposition magnates, Lancaster and Warwick, made frequent appearances as witnesses to royal charters during the London Parliament, and although this cannot be equated with activity in the making of government decisions, there can be little doubt that such decisions were being made with their likely reaction borne in mind. In the case of Warwick alone further comment is possible. One contemporary source claims that he was appointed as head of the Council, and it is certain that Warwick was active as a member of the Council up to at least the first half of June 1315. But it is also evident that others, notably Pembroke, Hereford, the Chancellor, the Treasurer, and the Arch-

1. C. 53/101/m.5,6.
3. He last witnessed a charter on June 11th.: C/53/101/m.3.
bishop, were no less active, and there is no reason to suppose that Warwick was even informally the dominant figure on the Council that Pembroke had been in 1312 and 1313. At the same time it is not entirely clear what was the relationship between Warwick and Lancaster, who did not return to London after the first session of Parliament, but it is most probable that Lancaster was content that Warwick, who appears to have had the greater taste for administrative work, should act for them both on the Council, while he himself exercised his influence from a distance.

Joint activity of one kind was apparent during the London Parliament itself when Pembroke, Hereford and Lancaster's steward, Michael de Meldon, were deputed by the other magnates and prelates to complain at the Exchequer about the levying of scutage on knights' fees for which service had been done in Edward I's Scottish campaigns. But such co-operation during a Parliament in a matter of common interest to Pembroke and others in their capacity as magnates is not strictly comparable to the behaviour of the same individuals in their other capacity as royal councillors and a few clear examples

1. See C.Ch. Warr., passim; C.53/101/m.1-17.
2. This is necessarily a somewhat speculative remark.
3. E. 159/88/m.145.
of this latter form of activity are also required. On March 15th., for instance, the Archbishop, the Chancellor and Warwick assigned a notary to make a process on Anglo-Scottish relations;¹ on the 16th the King sent instructions to Richmond and Hereford, following advice given by Pembroke, Warwick and Arundel;² and orders issued on May 6th. and 7th. were made in the presence of the Archbishop, Pembroke, Richmond, Hereford and Warwick.³ There are also some signs of Lancaster's influence at this time, in for example, the granting of a pardon on March 17th.,⁴ the appointment of a sheriff in Ireland on May 20th.,⁵ and the granting of safe conducts on the same date for the men of Bristol to discuss their dispute with Bartholomew de Badlesmere, the royal constable there.⁶

But this evidence does not of itself show which of the two possible explanations of the events of early 1315 is the right one. In a peaceful and undisturbed reign such evidence would suggest a picture

¹. E. 101/376/7/f.18
². S.C. 1/45/186
³. C.P.R.,1313-17, p. 279; S.C. 1/45/186 (endorsement).
⁴. C.P.R., 1313-17, p. 263
⁵. C.F.R.,1307-19, p. 248
⁶. C.P.R., 1313-17, p. 289.
of baronial co-operation to assist the King in the work of government and there would be no very dramatic conclusions to be drawn. But the years preceding 1315 had been far from normal, which implies that a second look at the problem is required. This is not to say that there was no such co-operation, but it really seems too good to be true that magnates who had been bitterly at odds not only with the King but also among themselves, should suddenly find the means to work together in harmony. There are hints that in fact a certain amount of bargaining was going on between the King, his sympathisers and his opponents. While, for example, the Ordinances were being applied to revoke royal grants and to order a perambulation of the forests,¹ there were at least a few cases of grants that had been revoked in March being restored a month or two later.² The timing of the mission may have been dictated by a desire to obtain confirmation from the new King of France, Louis X, of his father's agreements on Aquitaine made in 1314, since in March 1314 the Queen had gone to Paris with the Earl of Gloucester and others. But, armed with a knowledge of the events prior to 1315 and of what was to follow, it seems reasonable to suggest that the emphasis that was laid on the

1. Ibid., p. 296.
2. C.F.R., 1313-17, pps. 240, 247, 251 (grants to Hugh Audley). The fresh confirmation of the Ordinances and perambulation of the forest at Lincoln in Jan. 1316 might also imply they had not been fully enforced in 1315.
collective responsibility of the Council, with no single outstanding councillor, overlay an uneasy political balance in which the realignments caused by the events of 1314 were still working themselves out.

This ambiguity makes an assessment of Pembroke's position no easier; but it is evident that, while in the early months of 1315 he was still closely involved in the affairs of government, he was not playing any commanding role. In the latter part of the year he continued to be very active, but probably by accident rather than design, the form taken by his activities tended in practice to push him away from the centre of political developments.

At some time in early May it was decided that Pembroke and the Bishop of Exeter should go to Paris to present a series of petitions relating to Aquitaine. The timing of the mission may have been dictated by a desire to obtain confirmation from the new King of France, Louis X, of his father's agreements on Aquitaine made in 1313, but it is also likely that fresh problems had arisen after 1313, since in March 1314 the Queen had gone to Paris with the Earl of Gloucester and others to deliver an earlier set of petitions on the same subject.

1. E.G. grant of Match 12th, made by King and Great Council: C.P.R. 1313-17, p. 264. Many orders in May were made by King and Council: e.g. C.P.R. 1313-17, pp. 279, 290.


Pembroke left for France on about May 14th, crossed from Dover to Boulogne, and probably reached Paris before the end of the month. After presenting their petitions, he, the Bishop of Exeter, Anthony Pessaigne and Mr. Henry de Canterbury appeared on June 8th before Louis X and his Council at Vincennes to hear the Bishop of St. Malo give the French replies. The Bishop stated that Louis X agreed that commissioners should be appointed by himself and Edward II to implement the peace treaties between England and France, that written law should continue to be the basis of Edward II's rule in the lands held from the French crown, as Philip IV had granted in 1313, and that appeals from Aquitaine should be respited until the next session of the Paris Parlement or beyond. On behalf of himself and Pembroke, the Bishop of Exeter replied that English commissioners would be appointed as soon as possible, and successfully requested that Louis X should remit his summons to Edward II to send troops to serve in the French campaign in Flanders. On the 15th Louis

1. Date of protection for a retainer: C.P.R.1313-17, p.285.
3. C.47/27/8/34.
4. The French did so on the 26th: F. vol. 2. p.270.
5. C.47/27/8/34.
also remitted punishments for excesses committed by English officials in the Duchy, revoked all acts by his own ministers which contravened Philip IV's concessions in 1313, and limited the number of adherents whom Gascon appellants could bring to Paris. In the event, pressure of business in England seems to have prevented English commissioners from being appointed until early in 1316, but the immediate results of Pembroke and Exeter's efforts were enough to satisfy the King. Pembroke's French mission is also notable as a further reflection of the political balance within England, since, on the day that he and Exeter appeared before the French Council, Lancaster and Warwick were also negotiating on the King's behalf between Badlesmere and the citizens of Bristol.

After pausing at his manor of Sutton in Kent on June 24th, Pembroke had returned by July 1st. to Westminster, which however he soon left to go to the

2. S.C. 1/37/33; Exeter and the Elder Despenser had been intended to act as such: C. Ch. Warr., p. 423.
4. Ibid., 35/135, 135A.
5. C. 81/1752/56.
6. E. 101/376/7/f. 60.
Marches of Scotland. Pembroke had had a continuing interest in the area since his appointment as Captain between the Trent and Berwick on August 16th, 1314. and although he did not remain there himself, he took personal steps in the early part of 1315 to make the region more secure. On February 6th, 1315 he acquired a block of territory of value for northern defence when he purchased the castle of Mitford in Northumberland from John de Stuteville for £600 completing the process begun in 1262 when his father bought part of the Mitford lordship for 1,000 marks from its then lord, Roger Bertram. Also on April 18th, Maurice de Berkeley, one of Pembroke's retainers, was appointed by the Council in the presence of Pembroke, the Archbishop, Richmond and Hereford, to the key post of Keeper of Berwick for one year from May 11th.

It was envisaged as early as May 6th, when an advance payment was made to him, that Pembroke would

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1. P.W., 2,1,p.122 Warwick's presence with the King is later mentioned: C. 63/101/a.2
2. In January 1315 the local magnates and prelates also acted against the Scots on their own initiative: S.C. 1/35/142, 142A; C.Cl.R. 1313-18, p. 205.
3. C. 163/4/1/2; licence given on Feb. 16th: C.P.R. 1313-17, p.254; agreement completed on Feb. 20th: Cat.Anc.Deeds 3,A.4767; Harleian Ch. 56.F.40.
5. E.101/68/2/35;Davies: op.cit.App. no. 46, Warwick was absent from Westminster at this time.
later be going to the Marches himself, and the details of this were worked out between then and his return from France in July. On May 28th, Warwick, Sandale and Badlesmere were authorised to discuss measures for the defence of the Marches with Lancaster, and on June 2nd, Sandale left to visit the latter at Kenilworth. Warwick, Sandale and Lancaster were all at Warwick on June 8th and 9th, when they planned to join the King on the 11th or 12th, and on the 20th, it was announced that Pembroke, Badlesmere, Robert de Monthaut and Richard de Grey were being sent to Newcastle against the Scots. On July 1st, contracts were made with all four men for their service until November 1st, during which period Pembroke was to receive 4,000 marks for himself and 100 men of his retention, and the others

1. C.P.R. 1313-17, p. 291
3. S.C. 1/35/135, 135A.
4. Loca cit. Only Warwick's presence with the King is later mentioned: C. 53/101/m.2
5. P.W. 2,1,p.158. Like Pembroke, his three companions had already been receiving wages for this duty: Badlesmere since May 19th, Grey since May 22nd., Monthaut since June 14th: E. 403/174/m. 2, 4.
proportionately less for smaller contingents, making a total of 240 men in all. When finally assembled all four troops were larger than required. Pembroke having 124 men, including 29 knights, and provided a strength of 300 men beside Pembroke himself, giving a very valuable mobile force for border defence. Pembroke received further responsibility on July 5th, when he was made Keeper and Lieutenant between the Trent and Roxburgh.

Pembroke's forces assembled at York between July 21st and 23rd, but instead of going as intended to defend the border in Northumberland, they were diverted in early August after reaching Newcastle, to go to the relief of Carlisle which the Scots had been besieging since July 22nd. The army moved east via Barnard's

1. E. 101/376/7/f.60,60d.
2. E. 101/15/6; C. 81/1736/46, 51.
4. P.W., 2,1, p.159.
5. E. 101/15/6. 230; Vita, p.62
6. Loc. cit.: Aug. 3rd. Their movements are worked out from the dates and places of horse losses. The force seems to have moved as a single unit.
Castle\(^1\) and Kendal,\(^2\) and the news of Pembroke's advance was sufficient to make the Scots break off the siege on August 1st. They were hotly pursued with heavy losses by Andrew Harcla, the commander of Carlisle,\(^3\) aided by Pembroke's men who on August 16th had followed them as far as Lanercost,\(^4\) north of Carlisle.

On August 8th., as a direct consequence of Bruce's attack on Carlisle, Lancaster was appointed Captain of the royal forces in the area, Pembroke and his colleagues being told to obey and assist him.\(^5\) It might be understood from this that Lancaster objected to the powers in the Marches given to Pembroke on July 5th.\(^6\) and persuaded the King to put Pembroke under his command,\(^7\) But in fact this was certainly not the case, since Pembroke's appointment must have been discussed with him when he was examining the situation in the north with Sandale and Warwick in June. It is clear from the

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1. E101/15/6: August 8th., 10th.
3. *Lanercost*, p. 230; *Vita*, p.62
6. Ibid.,p. 159.
7. See Davies: *op. cit.* p. 398; McKisack: *op. cit.*, p. 49.
form of their commissions that Pembroke and Lancaster were intended to share the command of the March, one in the east around Newcastle and Berwick, and the other in the west around Carlisle, and that Pembroke was put under Lancaster's orders on August 8th, solely because his forces happened on that date to be in the area of Lancaster's command dealing with the emergency of the Scots invasion.¹

By the end of August Pembroke and his men had returned to Newcastle on the eastern March,² where they remained until about September 4th.³ From Newcastle they advanced northwards via Alnwick on the 7th,⁴ Morpeth on the 9th,⁵ and Chatton near Bamburgh, on the 14th,⁶ devastating the countryside as they went,⁷ to drive off an expected Scottish raid into Northumberland.⁸ Pembroke then entered Scotland but was forced to retreat to

1. In effect they did Lancaster's work for him.
3. Loc.cit.
4. Loc.cit.
5. S.C.1/31/147: letter from E. of Richmond's knight, Bertram de Montboucher
8. S.C.1/31/147.
Longridge near Berwick\(^1\) and was back at Newminster near Morpeth by October 1st.\(^2\) As Pembroke and Badlesmere's contracts were to expire on November 1st, the King wrote on October 18th. to tell them that Henry de Beaumont had been appointed to command the March in accordance with their advice on its custody during the winter.\(^3\) Both Pembroke and Badlesmere appear to have rejoined the King by October 26th.,\(^4\) but their retinues stayed behind under the supervision of William Felton,\(^5\) and fought a skirmish in which they lost ten horses between them on October 31st. at Rothbury near Alnwick.\(^6\)

The payment of Pembroke's 4,000 mark wage for custody of the March appears to have been regular. Half his fee was paid to his receiver William of Lavenham, his chaplain Walter Alexander, and his valet Percival Simeon by July 3rd.,\(^7\) and a further 1,650 marks

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1. Guisborough, p. 397: Longbridge is a likely ascription for "Lomrech" in the text.

2. E. 101/15/6.

3. S.C. 1/49/32. The King's only other known letters to Pembroke during this period were those of July 18th and Sept. 1st. giving permission for William de Hos junior to stay in Pembroke's company and asking Pembroke to aid the Prior of Tynemouth: S.C. 1/49/30, 31.

4. C. 53/102/m.15.


7. E. 101/14/5.
by October 9th, which were received by his attorney, William de Cleydon, among others. Similarly, Badlesmere's clerks had been paid 2,100 of his fee of 2,500 marks by October 14th, while Monthaut and Grey also received substantial sums. However these figures may be less satisfactory than they seem. For one thing, these wages might have to be used to pay other troops beside the immediate retinues of the magnates defending the north.

In 1315 Pembroke, for example also had with him at various times about 70 extra men-at-arms, 400 hobelars and 170 archers. There were probably also delays between the payment of wages by the Exchequer of Wardrobe and the arrival of the money on the March, and in this respect the experiences of Pembroke's retainer, Maurice de Berkeley, as Keeper of Berwick provide a necessary corrective. Although £4,000 were paid out in forty weeks of 1315 and 1316 for use at Berwick, the whole of Berkeley's stay there from April 1315 to about July 1316 was punctuated by his pleas of desperation for money and

1. E. 101/376/11/f.4d., 5; E. 403/176/m.1.
2. E. 404/485/20/10; E.403/174/m.16; E.101/376/11/f.5: these payments can be traced through a wide range of documents.
3. E. 101/14/5; E. 403/174/m.7, 16; ibid./176/m.2.
4. E. 101/376/7/f.60d. - 61d: the figures fluctuate.
5. Bain: op.cit.5.p.91: March 1316.
6. E. 101/14/5.
supplies and complaints about the Council's failure to send help. One of Pembroke's colleagues, Grey, was forced to complain in October 1315 that his wages were in arrears. Altogether, despite the best efforts of Pembroke and his fellows, the state of the March in 1315 and 1316 was a very precarious one.

During Pembroke's absence in the March important political developments were taking place in the south. By mid-July the Earl of Warwick's illness had forced his withdrawal from the Council and he died at Warwick on August 12th. With the removal of his ally from the Council, Lancaster found it necessary to intervene more actively, and the next few months, culminating in the 1316 Lincoln Parliament, were taken up by the formation of a closer relationship between Lancaster, the King and the Council.

Between August 30th. and September 1st. a congregatio of magnates and others was held at Lincoln

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2. E. 404/483/17/7: the Wardrobe Keeper in turn complained he had no money to pay them.
3. Probably at home at Warwick by July 11th.: Add.Ms. 28024/f.70; his will is dated there on July 28th.: Ms.Dugdale 14/pp. 473-9. His death was already expected on July 18th.: C.F.R1307-19. p. 255.
4. Ms. Dugdale 14/p.53(copy of J.Rous's life of Richard de Beauchamp). This is preferable to the dates of Aug. 10th. 15th given in Ann.Lond. p. 236; Ann Paul., p. 279
5. There is a concentration of royal charters on these dates.
before the King to consider the state of the realm and other royal affairs,\(^1\) and it is possible to trace the presence of the Keeper of the Privy Seal, the Treasurer,\(^2\) the Archbishop and Bishops of Norwich and Carlisle, the Earls of Richmond, Hereford, Warenne, and Roger Mortimer of Chirk, as well as of Henry of Lancaster and the Earl of Lancaster himself.\(^3\) The business of this meeting was very largely concerned with Scotland. On August 30th, the King announced that, on the advice of Lancaster, and the other earls he had decided to stay in the north of England during the winter and urged the magnates to do the same.\(^4\) On September 1st, the clergy were asked to deliver the tenth they had granted for the expenses of the Scots war and orders were given for the collection, under the terms of the Statute of Winchester, of men to resist the Scots,\(^5\) while the Bishop of Ely was sent to Ireland to take measures against the Scots invasion there.\(^6\)

Lancaster's individual importance is not obvious at the Lincoln Council itself, but his influence began to grow rapidly afterwards and a situation came into

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1. E. 101/376/7/f. 11. King was at Lincoln Aug. 27th-31st.: E. 101/376/27/m.1.
2. E. 101/376/7/f11, lld.
3. C. 53/102/m. 16-17.
4. C. Cl. R. 1313-18, p. 310; P. W., 2,1, p. 162
5. P. W., 2,1, p. 163; C. P. R. 1313-17, p. 350.
6. P. W., 2,1, p. 162; C. P. R. 1313-17, p. 347.
existence in which the King was in frequent contact
not only with his Council in London but also with Lan­
caster, who stayed at Donnington in Leicestershire and
elsewhere in the Midlands during most of this period.¹

The full extent of Lancaster's influence is
unknown but there are several examples to show that it
was considerable. On October 4th, the King forwarded
to the Chancellor in London a letter from Lancaster
dated at Donnington on September 30th, and asking for
an enquiry into the death of one of his valets, with
instructions to do as Lancaster requested.² A fortnight
later on the 19th, the King sent William Melton and Hugh
Audley from Sawtrey to Donnington to ask for Lancaster's
advice on difficulties in applying the anti-Scottish
measures agreed at Lincoln, and on receiving his replies
on the 20th, promptly sent them to the Council.³ On
the 25th October, another letter from Lancaster, dated
at Donnington on the 23rd, and referring to the affairs
of the Countess of Warwick, was passed to the Council
with instructions for action.⁴ In early November the
King sent Ingelard de Warley, William de Melton and

¹ He was at Kenilworth on Oct. 14th.: D.L. 25/977.
² S.C. 1/35/155; C.81/93/3570.
³ S.C. 1/34/106 (printed in Davies: op.cit., App. 101); C.
Ch. Warr., p. 431.
⁴ S.C. 1/34/107; C.Ch. Warr., p. 432. The leading coun­
cillors in London were the Archbishop, Chancellor,
Treasurer, E. of Hereford; C.Ch.Warr., p. 431-2.
William de Montacute from Clipstone to visit Lancaster at Wigan where the latter was suppressing the revolt of his former retainer, Adam Banaster. Lancaster's advice was again sought when the King sent Richard Lovel and Edmund Bacon to see him at the end of November, his replies being received at Clipstone on December 7th.

The year ended with a locutio held between the King and the leading magnates at Doncaster in mid-December and intended, like the meeting at Lincoln in September, to discuss the state of the realm. Just what the King discussed with Lancaster, Richmond, Hereford, Mortimer of Chirk and the others present is unknown, but they must certainly have been preparing the ground for the more serious business of the Parliament due to assemble at Lincoln on January 27th, 1316.

Pembroke's part in these developments in late 1315 is hard to assess because little is known of his movements. But he was apparently with the King at Dalby in Lincolnshire on October 26th and was again at Clipstone or Hereford and others were also present.

1. E. 101/376/7/f.18. Lancaster was appointed to investigate the revolt on Nov. 12th. C.P.R., 1313-17, p. 421. For details of the revolt see V.C.H., Lancashire, 2, p. 198-9.
2. E. 101/376/7/f.141.
3. C.P.R., 1313-17, p. 421; E. 101/376/7/f.11. The King was there from Dec. 14th to 18th. E. 101/376/26/m.5.
4. C.53/102/m.14, 15.
5. Ibid., m.15.
on November 16th., so it is possible that he was concerned in some of the King's joint dealings with Lancaster and the Council at this time. In mid-November Pembroke probably made a brief return to the north with Badlesmere to release the widow of Robert Clifford who was held prisoner in Barnard's Castle, and at some time after his return from there went to join the members of the Council in London, where he apparently remained until about January 18th. But Pembroke's comparative political eclipse did not affect his close personal relations with the King. On October 7th. one of his knights, William de Cleydon, was given custody of Orford castle in Suffolk and on December 2nd. the King gave to Pembroke as a personal gift the hunting dogs which had belonged to the Earl of Warwick. When Pembroke visited the King at Clipstone in November it was partly in order to discuss private business of his own in France for

1. E. 101/376/26/m.4; his nephew John Hastings, the Earl of Hereford and others were also present.
2. Bridlington, pp. 48-9; Badlesmere was appointed to investigate on Nov. 16th.: C.P.R., 1313-17, p. 422.
3. E. 101/376/7/f.17d.
6. E. 101/376/7/f.83d. At this time the King was also looking after Pembroke's falcons: E. 101/377/4/f.1,1d.
7. 7th, 9-24.
which the King offered to send his financial adviser Anthony Pessaigne, now a royal knight.¹

The Lincoln Parliament of January 1316, although nominally called to discuss the threat from the Scots,² was to be dominated by the problem of defining the relation between Lancaster and the royal government. On the 27th., the day of Parliament’s opening, Lancaster was still at his castle of Kenilworth³ and his continued absence from Lincoln led to the appointment on February 8th. of Pembroke and Richmond, with the Bishops of Norwich and Exeter, to act as the King’s lieutenants until Lancaster’s arrival.⁴ Lancaster had arrived in Lincoln by February 10th.⁵ but the business of the Parliament did not begin until his attendance on the 12th.⁶ After measures dealing with the appointment of sheriffs and the price of victuals,⁷ the climax of the Parliament was reached on the 17th. when it was

¹. S.C. 1/49/33. He was knighted on Nov. 1st.: E.101/376/7/f41d.


⁴. P.W., 2,1, p. 169. The King was at Lincoln from Jan. 27th to Feb. 23rd.: E. 101/376/26/m.6.

⁵. B.I.H.R., 12, p. 107.

⁶. P.W., 2,1,p.169.

⁷. Loc. cit.
announced that the King had agreed to the enforcement of the Ordinances and to the observation of the perambulations of the forest.\(^1\) It was also announced that because of the King's promise to uphold the Ordinances and to reform the administration of his household and government, Lancaster had accepted the King's request for him to be the head of the Council.\(^2\) No major decisions were to be made without the Council and councillors who gave bad advice were to be removable in Parliament on the demand of the King and Lancaster. But Lancaster's appointment also contained the vital provision that he would be able to discharge himself from the Council without incurring any ill-will if the King did not accept the advice given by him and the Council.\(^3\) It followed naturally from the terms of Lancaster's appointment that at the same time the King also consented to the formation of a commission consisting of the Archbishop, the Bishops of Llandaff, Chichester, Norwich and Salisbury, the Earls of Pembroke, Hereford, Arundel, Richmond and Lancaster, and Badlesmere, who were instructed to consider means of

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1. Loc.cit., p. 271-4; Eddington, pp. 50-2. Tout: op.cit., pp. 95-6, wrongly dates it to 1317.
reforming the realm and the Household as well as the removal from the Household of men whom they regarded as unsuitable.¹

The King's offer for Lancaster to join the Council was a development from the contacts between the two during the previous autumn, but there is no evidence that such a move was discussed at that time and it is probable that it was a last-minute arrangement made after Lancaster's attendance at Parliament on the 12th. In order to secure his co-operation with the King in the future. But important as Lancaster's position now was, the names of his colleagues on the reform commission and of the Bishops of Norwich, Chichester, Exeter and Salisbury, who were added to the Council at the same time, ² show that in practice he would be working with existing royal councillors and sympathisers and not with any of his own supporters. Lancaster's imposition as head of the Council might appear a revolutionary step, but he would require personal qualities of a high order if he were also to impose himself upon its members, one of whom would of course

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¹. Murimuth, p. 271-4; Bridlington, pp. 50-2. Tout: op. cit., pp. 95-6, wrongly dates it to 1317.

be Pembroke.

There are signs that Lancaster was being consulted as early as February 26th, by which date letters referring to Scottish and Irish affairs had been passed to him for comment, but he had not begun his duties with the Council by that date. Nor had he done so by March 3rd, when the King forwarded letters on the situation at Berwick to Pembroke, the Archbishop, Chancellor and Treasurer. On March 6th, Lancaster was still at his castle of Kenilworth and cannot be traced with the Council in London until March 14th, when he was in the

2. Ibid., p. 435.
3. Ibid., p. 436.
5. C. 53/102/m.6. 6. S.C. 1/34/156,157; ibid./35/126.
Treasurer and other unnamed magnates of the Council were in session at St. Paul's. Shortly afterwards Lancaster left London and on the 30th. and 31st. he and his banneret, Robert de Holand, were at Langley reporting on the work of the Council, which remained in London. After leaving the King Lancaster went further north to Kenilworth which he had reached by April 8th., perhaps intending to spend Easter there. There is, however no evidence that he rejoined the Council after Easter or at any other time in the following months, and by April 28th, he had moved on again to his castle of Donnington in Leicestershire. Had Lancaster's withdrawal from the Council and an active part in the government therefore taken place by the end of April 1316, only two months after his appointment at Lincoln? There is no doubt that at some point he did withdraw. In a letter written in July 1317 Lancaster said he had done so because the King was failing to observe the Ordinances, had refused to accept the reform proposals drawn up in London by himself and the reform commission, and was surrounding himself with new favourites.

2. C.Ch.Warr., p. 440; C.P.R., 1313-17, p. 476.
3. Liber Albus of Worcester Priory, p. 46
4. D.L. 25/1652
5. Murimuth, p. 275; Bridlington, p. 51.
A full assessment of these charges is naturally im-
possible but there is at least no prima facie evidence 
from the Council does seem to have taken place in April.
The true reasons for his withdrawal are likely to be
complex.
One possible explanation of Lancaster's absence 
from the Council may be ill health, but at least some
passing reference might be expected if this were the
case. A second possibility is that, as is commonly
alleged, Lancaster was inconsistent, and it is true that
he had little administrative experience; a conten-
porary writer noted his habit of leaving even all his
own affairs in the hands of others. It might there-
fore be suggested that he lacked the experience and
personal ability needed to act as the head of the Council
and deal with the complexities of central government.
The proposals made to the King at this time by the reform
commission are unknown but there is nothing to suggest
any abrupt rejection of them, and indeed on March 17th.
the King went so far as to express his complete trust in
the Council and to ask them to continue their work as
they had begun. Nor is there any evidence that royal
favourites were conspicuous at that point. Even if there
were some truth in the charges in relation to the spring
of 1316, it is reasonable to suggest that, in making
the accusations over a year later, Lancaster was attempting
to rationalise his withdrawal in the light of later events.
There is therefore no reason to suppose a
sudden and clearly defined cause to explain Lancaster's

2. S.C. 1/45/190: nous nous fions entièrement de vous.
withdrawal, but the essential fact of his departure from the Council does seem to have taken place in April. The true reasons for his withdrawal are likely to be complex. One possible explanation of Lancaster's absence from the Council may be ill health, but at least some passing reference might be expected if this were the case. A second possibility is that, as is commonly alleged, Lancaster was incompetent, and it is true that he had little administrative experience; a contemporary writer noted his habit of leaving even all his own affairs in the hands of others. It might therefore be suggested that he lacked the experience and personal ability needed to act as the head of the Council and deal with the complexities of central government. Lancaster was indeed in the classic position of the reformer who finds that the problems of office are not susceptible to the easy solutions put forward while in opposition. The Ordinances were always an easy reform programme but the inertia of medieval government made their enforcement in practice a much more questionable matter, even supposing that the King and the permanent

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1. E.g., Tout: op.cit., p.100.
2. Polychronicon, 7, pp. 312-5.
members of the administration were whole-heartedly in favour of them. When it is remembered that there were also other urgent problems, notably the continuing pressure from the Scots, if can be realised what a burden Lancaster was taking upon himself. It is also conceivable that Lancaster found difficulty in his relations with his fellow councillors. Although it was quite usual for magnates to take part in the work of the Council, as Pembroke and others had been doing, it was very abnormal for one of them to be formally appointed as its head, and mutual irritation and jealousy were likely to be the result, especially if the leader proved to be incapable of leadership. Frustration at his own incapacity may therefore have caused Lancaster's departure from the Council and, having departed, made him disinclined to return. It is indeed quite likely that, at least in its early stages, neither the King nor even perhaps Lancaster himself realised that the withdrawal would be final. Fortunately for Lancaster, the condition made at the time of his appointment which allowed for his possible withdrawal permitted him to go with some dignity.

Lancaster's withdrawal and the uncertainty as to whether he would return inevitably created a
political vacuum, and in consequence there are signs at the end of April that a further shift in the political balance was under way. On April 28th. powers were granted to Lancaster, Pembroke, Badlesmere, and Robert de Holand to negotiate with the Scots, but it is likely that on the same day it became known that Lancaster was not going to take part since the commission was immediately cancelled and replaced by one addressed to John Walwayn, Jordan Moraunt and a Lancastrian knight, Adam de Swynburne. The original commission is however interesting in its exact balance between two royal opponents, Lancaster and Holand, and two royal supporters, Badlesmere and Pembroke.

On May 1st. the Chancellor left London for Leicestershire on unspecified business, but almost certainly to see Lancaster who was then staying in Leicester. He was probably instructed to find out whether or not Lancaster was intending to return to his post on the Council and it seems that he brought back a negative answer since his mission was promptly followed by a major change in the position of Pembroke.

1. C.P.R., 1313-17, p. 451.
2. Loc.cit. No negotiations appear to have followed.
3. C.Ch. Warr., p.441; D.L. 42/2/5.58d.
Pembroke can be traced as a member of the Council on March 3rd. and 14th.\(^1\) and was also at Westminster during April and beyond,\(^2\) but while Lancaster remained with the Council his own presence was obscured. However, with the departure of Lancaster it was very likely that Pembroke, as a councillor who already held the trust of the King through a long period of proved and loyal service, should once again come to the surface of political life, and this is exactly what did happen in May 1316. On May 11th, the King wrote Pembroke a letter in which he said that he had always found his advice good and profitable, and asked him to come to Westminster as soon as possible in connection with important business on which his counsel and advice were needed.\(^3\) It is clear from this that the King was deliberately turning to Pembroke to fill the vacuum caused by Lancaster's abandonment of his office. For Pembroke, this was therefore a new opportunity after two years of relative obscurity but it did not necessarily follow that he would once again dominate the scene as he had done in 1312 and 1313. Excerpt for Lancaster's

1. C.Ch. Warr., p. 436; C.53/102/m.6: charter is dated at Sulby, but the Council was at Westminster on the 15th.: S.C. 1/35/126.
2. C.53/102/m.6-3.
3. S.C.1/49/34.
absence, Pembroke's colleagues on the Council remained unchanged: the Archbishop, the Bishops of Norwich and Exeter, the Earls of Hereford and Richmond, and Badlesmere. The only major change was the reappearance at the end of May of the Elder Despenser.¹

Pembroke's renewed importance was soon apparent. As early as May 1st, his retainer, Maurice de Berkeley, had £600 added to his £1,000 wages for keeping Berwick,² and in June was appointed to the less burdensome office of Justice of South Wales.³ On May 30th, Pembroke was licenced to hunt in the royal forests,⁴ and on June 17th, John Crosseby, a Chancery clerk with probable Pembroke connections, was given a benefice at his instance.⁵

Pembroke's first major service to the King after Lancaster's departure was an attempt to settle the long-standing dispute between Badlesmere, the Constable of Bristol, and the burgesses.⁶ On June 13th, The Sheriff of Gloucester, Richard de la Ryvere, one of Pembroke's retainers, had arrested several outlaws

¹ C.53/102/m.5d.5-16, p. 347.
⁴ C.P.R., 1313-17, p. 468.
⁵ C.C1.R., 1313-18, p. 343.
within Bristol, but his prisoners had been freed by the townspeople and when he returned to execute the arrest he found the town fortified against him and in defiance of the King. 1 On June 20th, Pembroke and three others were appointed to make an enquiry and to punish the community if they refused to return to their loyalty. 2 Pembroke seems not to have left London until shortly after July 1st, 3 and, with Badlesmere and Maurice de Berkeley, had reached Keynsham outside Bristol by the 7th. 4 The people of Bristol once again refused to obey royal orders and Pembroke ordered the town to be put in a state of siege, after which he reported on the events to the King by letter, 5 and returned to Westminster with Badlesmere by July 11th. 6 Badlesmere then went back to Bristol with William de Montacute on about the 19th. 7 and, with the aid of Roger Mortimer of Wigmore and Maurice de Berkeley, conducted a regular siege which

1. C.P.R., 1313-17, p. 489.
6. C. 53/103/m.23; Chartae, Privilegia et Immunitates, p.46: Irish Record Commission.
7. Soc. of Antiquaries Ms. 120/f.19: this is the Wardrobe Book of 10 Ed. II.
ended with the town's surrender on the 26th.\(^1\)

Pembroke himself had not joined the siege of Bristol since on his return to Westminster he found a letter from the King requesting him to go instead to Winchester to urge the monks of St. Swithin's to elect as their new bishop the royal Chancellor, John Sandale.\(^2\) Pembroke was the ideal man for the job, since, as the King himself pointed out, he would always do his best to try and achieve what the King wanted.\(^3\) Pembroke left for Winchester soon after July 15th,\(^4\) and accomplished his mission when Sandale was duly elected on the 26th.\(^5\)

There are signs in July that Scottish affairs were once more coming to the fore as plans were made for the campaign that was due to start on August 10th.\(^6\) But the holding of a Scottish campaign would be dependent on the goodwill and co-operation of Lancaster, whose influence in the north could make or mar such an operation,

\(^1\) Vita, p. 73; Fuller: op.cit., p. 188.
\(^2\) S.C. 1/49/35.
\(^3\) pur vostre bon procurement nous averoms nostre volunte accomplit:...pur lenteire affiance qe nous avoms qe vous mettrez tote foitz peine dacomplir nostre desire: S.C. 1/49/35, 56.
\(^4\) C. 53/103/m.24.
\(^5\) Reg. Sandale, p. 337.
and it is likely that his withdrawal in April had been the cause of the postponement in May of the campaign which was then scheduled to begin on July 8th. Although on August 4th, Lancaster was said to be staying to protect the north from the Scots, this was not apparently a sufficient assurance for the campaign to start on the 10th. On August 16th, the King reached York on his way north and there is evidence that between the 19th and 24th, Lancaster was also there, in company with the Bishops of Carlisle and Durham, the Earls of Hereford and Warenne and others, but not apparently including Pembroke. But there is nothing to suggest that Lancaster had returned as head of the Council or that he took part in any administrative activity while he was there. There can be little doubt that the purpose of the meeting was to discuss Scotland, a view which the presence of the two northern bishops would support. Lancaster’s co-operation for a campaign was evidently obtained since on August 20th, the army was ordered to meet at Newcastle on October 6th. With this settled,

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1. Ibid., p. 286.
2. C.71/9/mll.
4. C.53/103/m.20, 21.
Lancaster withdrew once again to his castle of Pontefract. Pembroke's part in these proceedings during August is unknown and his activity in September and early October is scarcely less obscure. He was certainly absent from York at the end of September when John de Sapy was sent to him by the King to enquire about the gathering of his retinue for the war. But he had returned by October 10th. when, with Hereford, Badlesmere and Anthony Pessaigne, he advised the King to grant Lancaster's request for a pardon for the offences of his retainer, Griffin de la Pole, against the royal knight, John Charlton. Lancaster's further co-operation was still therefore being solicited but a new factor was about to appear to destroy this fresh understanding.

On October 9th, the Bishop of Durham, Richard Kellaw, died and a complicated struggle then developed, in which the King, the Queen, the Earls of Hereford and Lancaster, and last, but most definitely least, the monks of Durham, each had a candidate for election as Bishop.

On October 15th, Pembroke was at Ripon.

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1. He was there on Sept. 17th, 30th.: Soc. of Antiqs. Ms. 120/5/21; D.L. 42/11/f.43.
3. C.P.R. 1313-17 p. 548
4. Reg. Palat. Dunhelm, 3 p.834,1124,1310

The candidates were: Th. de Charlton (King); Lewis de Beaumont (Queen); J.Kynardston (Lancaster); J. Walwayn (Hereford).
preparing to go further north, presumably in connection with the campaign, but before his departure he visited the King at Graike on the 17th or 18th, at the latter's request, to discuss important royal business. He was therefore almost certainly present on the 19th, when two monks came from Durham to ask for royal licence to elect a new bishop. Licence was duly given, but it is likely that at the same time Pembroke was commissioned by the King, as in John Sandale's case earlier, to see that either his or the Queen's candidate was successful. But Durham proved a harder problem for Pembroke than Winchester had been, and by the 28th. Pembroke, with the other interested parties, Hereford and Lancaster, were at Newcastle, en route for Durham. The election took place at Durham on November 6th, and its result was awaited in the cathedral by Pembroke and his retainers, John Hastings and John Paynel, by Lancaster with Robert de Holand, by Hereford, and also by Henry de Beaumont, Lancaster's hated opponent, who was there to advance the candidature of his brother Louis, the Queen's nominee. Courageously the monks refused to be influenced and finally chose their own candidate, Henry de Stanford,

1. Surtees Soc., 9, p. 98-9. The Editor gives the date of the election as the Feast of St. Ben (June 23rd), but it fits with other evidence and the date must be Feast of St. Leonard (Nov. 6th). The latter date is supported by Surtees: History of Durham, I, p. XCVIII.
3. Surtees Soc., 9, no. XCV.
4. Soc. of Antiqs. Ms. 120/f. 72.
as bishop. But although the King was ready to accept him, the Queen still insisted on Beaumont's election, and in December the Pope quashed Stanford's election, providing Beaumont to the see in February 1317. With Lancaster's failure to secure his candidate's election and so obtain a major source of influence in the vital border area of Durham and Northumberland, all hope that he might co-operate in a fresh Scottish campaign vanished. The start of the campaign had already been delayed by a month by the Durham election, and now it was abandoned entirely.

But most important of all, the episode also completed and embittered the breach between the King and Lancaster which had begun with the latter's withdrawal from the Council in April, and in the future royal policy had to be made on the assumption that Lancaster would be taking no part in it.

Meanwhile another result of Lancaster's final withdrawal was that Pembroke came even more to the forefront than he had already done since April. He had returned to York with the King by November 10th.

1. Surtees Soc., 9, p. 98-9: the Editor gives the date of the election as the Feast of St. Leo (June 28th), but this does not fit with other evidence and the date must be Feast of St. Leonard (Nov. 6th). The latter date is accepted by Surtees: History of Durham, 1, p. XXXVIII.
then set about securing the north from the danger of Scottish attack, now that a full-scale royal army would not be assembling there. On the 24th., with Pessaigne and William de Montacute, he advised on the sending of an embassy to treat with the Scots, one of the envoys being John d'Eure, the constable of his castle of Mitford in Northumberland. The appointment of the Earl of Arundel as Warden of the Marches in December, the arrangements made for the defence of the royal castles in the north, and the appointments of Roger Mortimer of Wigmore and Roger Mortimer of Chirk as Justices of Ireland and North Wales respectively on November 23rd. probably also owed much to Pembroke's inspiration.

By December 4th, Pembroke had returned to London to join the members of the Council who were there, and once again became deeply involved in conciliatory work. On the 4th, the King wrote to him, along with the Archbishop and Chancellor, on matters relating to the envoys sent to Scotland in November, and on the 16th asked

2. E. 101/68/2/36.
3. Ibid., /37; Soc. of Antiqs. Ms. 120/f.44-6.
4. C.P.R., 1313-17, p. 563; C.F.R., 1307-19, p. 312: Mortimer of Chirk was given the forfeited lands of Irish rebels at Pembroke's suggestion: C.P.R., 1313-17, p. 563.
5. C. Ch. Warr., p. 450.
him and his colleagues to advise on the summons to the
coronation of Louis X of France which had just been received.¹ On December 13th, Pembroke, Eadlesmere and
the Bishop of Ely appeared before the rest of the Council
to announce the King's decision on how best to effect a
partition of the lands of the late Earl of Gloucester.²
But at the end of 1316 Pembroke's greatest occupation
was with the organisation of a full-scale diplomatic
mission to Avignon which he was to lead in 1317, and
which forms the subject of the next chapter.

By the end of 1316 Pembroke had thus recovered
much of the importance which he had lost in 1314 and
later, but it is essential to realise that despite the
prominence, first of Warwick in 1315 and then of Lan­
caster in 1316, he had never been excluded from the
Council and the royal government. He was therefore
immediately available for further employment by the King
as soon as Lancaster lost his nerve and fled from Office
in April 1316 after only two weeks as the effective
head of the Council. At the same time there was no
obvious domination of the Council on Pembroke's part,
and it is apparent that other existing royal councillors,

¹ S.C. 1/35/128, 128A.
² Rot. Parl., 1, p. 354.
such as the Archbishop, the Chancellor and Bishop of Winchester John Sandale, the Earl of Hereford and Badlesmere were also important.

But there was one thing which Pembroke possessed above any other leading magnate: the trust and loyalty of the King, which have been noted even in the time of Pembroke’s relative political obscurity in 1315 and early 1316. The clearest possible proof of the closeness of Pembroke’s relations with the King again appears in a letter written by the King to Pembroke on December 19th, 1316, just before the latter’s departure for Avignon. In it he referred to the fact that Pembroke had left him advice for the conduct of the government during the latter’s absence and said that he would keep without default touz les pointz qe vous avez ordenez endroit de nostre estat....taunt qe a vostre revenue and charged him to continue at Avignon the business qe vous avez si bien commencez..... sicome nous nous fyoms especialment de vous.¹ In the same letter the King added a personal touch which must be unique in his relations with any of the leading magnates. Edward said he would act as Pembroke’s attorney while

¹. S.C. 1/49/39.
². Lac. cit.
he was away and that Pembroke's men should bring any personal business of his that might arise to him for advise and assistance. Edward's advice on anything might be regarded as a cause for alarm rather than gratitude, but the fact remained that he and Pembroke were on very close terms. It was however still to be seen to what extent Pembroke would possess the qualities needed to translate the King's trust into the reality of political power, as well as how far his influence upon the King for the good of the realm would in practice counter-balance the disturbing influence of the new royal favourites who began to come to prominence during 1317.

1. Loc. cit.

But, as the largest single diplomatic mission of the reign and one which had a very important place in royal policy of the time, it deserves treatment in its own right and discussion of whether or not it contributed to the formation of a new political grouping in England effectively be left to the examination in the next chapter of the political scene in 1317 and 1318. Pembroke's own major role in the formation and conduct of the embassy makes a close study of it especially relevant in the present context.

CHAPTER FOUR

THE AVIGNON MISSION OF 1317 AND PEMBROKE’S CAPTURE AND RANSOM

PART ONE

THE MISSION

The timing of the mission was dictated partly by events abroad and partly by developments in England. The Avignon mission of 1317 has previously been considered only as the alleged point of origin of a "middle party" in English politics. But, as the largest single diplomatic mission of the reign and one which had a very important place in royal policy of the time, it deserves treatment in its own right and discussion of whether or not it contributed to the formation of a new political grouping in England can most effectively be left to the examination in the next chapter of the political scene in 1317 and 1318. Pembroke’s own major role in the formation and conduct of the embassy makes a close study of it especially relevant in the present context.

The timing of the mission was dictated partly by events abroad and partly by developments in England. On August 7th, 1316, the vacancy in the papacy which had existed since the death of Clement V in 1314 was filled by the election of Bertrand de Got as Pope John XXII.¹ This prolonged vacancy had been of great concern to the English government because it had prevented the discussion and settlement of important problems which could alone be effectively answered by the Pope, and in consequence Edward II had tried on several occasions in 1314 and 1315 to persuade the cardinals to make a speedy election.² But the election of John XXII, though it cleared the way for future English diplomacy at the Curia, was not in itself the immediate stimulus for a mission from England, the first reference to the sending of any kind of mission not being found until September 16th,³ a month after the news of the election reached England.⁴ But in mid-

¹ C. Papal Letters, 1305-42, p. 126. ¹ the coincidence
² See ibid., vol. 2, pp. 240, 258, 277. ² same date on
³ Ibid., p. 297. ³ This records only a general intention to send envoys.
⁴ Soc. of Antiqs. Ms. 120/f. ⁴ But in mid-

3. Ibid., p. 297. This records only a general intention to send envoys.
5. L. Oct./1/6: King's announcement of decision to Treasurer.
September 1316 the King and his advisers were deeply involved in the preparations for the Scottish campaign due to begin in early October, so much so that the King had no members of the Council with him to discuss a mission.¹ Under the circumstances therefore an embassy to the papal Curia had a low priority and no immediate initiative to arrange one could be expected. However this situation was radically altered by the abandonment of the Scottish campaign in the middle of November, and from then onwards the organisation of a mission to Avignon became one of the government's greatest preoccupations. The scale of the Avignon mission as it developed and the importance of the matters with which it dealt show, when taken together with other diplomatic moves that were made at the same time, that diplomacy had replaced the abortive military measures against the Scots as the most immediate concern and major instrument of royal policy.

The formal decision to send a mission was taken at York on November 24th.,² and the coincidence of this with Pembroke's advice on the same date on

2. E.404/1/6: King's announcement of decision to Treasurer.
the opening of negotiations with the Scots suggests that he was also closely concerned with this decision. There is however no doubt of Pembroke's leading role in the mission's formation after this date. While he was at York Pembroke took the opportunity to discuss in detail with the King the business to be raised by the envoys and the kind of powers that they would require. Having returned to London, Pembroke held similar discussions with the Council and then sent a royal clerk, Walter de Kemesey, to report to the King with their recommendations. The King was in fact quite prepared to leave the settlement of all matters relating to the embassy to Pembroke and the Council and on two occasions expressed his full satisfaction with what Pembroke was doing in this connection.

The main purposes of the mission were three:

2. This is clear from the King's letter to Pembroke on Dec. 3rd.: S.C.1/49/38.
3. S.C.1/45/192. While the mission was in preparation during December the King was staying at Nottingham and Clipstone.
fold: to renegotiate the terms of Clement V's loan of 1314, obtain papal permission for Edward II to delay fulfillment of his oath to go on Crusade, and to gain papal support against the Scots. According to the author of the Vita, who was usually well informed, the envoys were also instructed to try to persuade the Pope to absolve the King from his oath to uphold the Ordinances as the King had attempted once before in 1312. Such a request might conceivably have formed a part of the secret business which in January 1317 the King told the Pope his envoys would be raising on their arrival in Avignon, but there is no reference of any kind to the Ordinances in the agreements made at the end of the mission and if they were discussed at all, the Pope probably refused to commit himself to any decision on their validity.

The first item of business to be brought within the scope of the mission, and the initial reason for its existence at all, was the question of the loan.

2. See Chapter 2, part 1.
4. Vita, pp. 78-9, says the King's request was rejected.
made to Edward II in January 1314 by Clement V. However Clement's death in April 1314 was soon followed by difficulties between the English administration in Gascony and the Pope's executors who, in the process of collecting the revenues, were not adhering to the terms of the loan, and attempts were made by Edward II in December 1314 and September 1315 to bring the agreement to an end and regain full control of the Duchy. These efforts were not successful and in 1316 a royal clerk, Mr. Peter Galicien, was sent on a further mission from which he returned with an offer from Clement's executors that Edward should be allowed to retain 20,000 marks per year from the Gascon receipts. This offer was apparently unacceptable and by September 16th it had been decided in principle that a further mission would be needed, although nothing was done about it until the end of November.

On December 16th, the King gave his envoys

2. Ibid., p. 259.
3. E.101/376/7/f.12d.
5. Loc. cit.
full powers to treat with Clement V's executors to annul the 1314 obligation and resume the issues of the Duchy into the King's hands, and to replace it by a fresh obligation based either on the issues or upon some other means of repayment.¹ These powers were not however regarded as sufficient by Pembroke and Badlesmere who wrote asking the King to give his envoys full authority to deal with Bertrand de Got, the Marquis of Ancona,² who, although he was one of Clement's executors, was also Clement's nephew and heir. Bertrand would therefore be the final recipient when his uncle's loan was repaid by the King and was the key figure in the negotiations to be held at Avignon. The King was agreeable to this request and the necessary powers were granted on December 21st.³

The problems arising out of Edward II's oath to go on Crusade had been developing since he made it at Paris in 1313. Although the King used the

¹. Ibid., p. 304.
². C.Ch.Warr., p. 432. It is not clear what was lacking in the powers given on the 16th.
³. Loc. cit.
possibility of a delay to the Crusade as an argument in 1314 and 1315 to persuade the cardinals to speed the election of Clement V's successor, nothing had been done to implement the vow and even if Edward had ever seriously intended to do so, political conditions in England and the King's own lack of capital made the possibility of his going a very remote one. A deferment in fulfilling the oath was therefore urgently required. There is however some reason to suspect that another motive for seeking a delay was to enable the King to improve his shaky finances by persuading the Pope to grant him a clerical tenth in aid of the Crusade. In mid-December Pembroke and the rest of the Council wrote to the King on the question of the oath and on the 21st. were authorised to discuss the matter among themselves and advise the King of the results. On the 28th. the Council replied that the King ought to ask for the same period of

1. _F._, vol. 2, pp. 258, 277.

2. This opinion was strongly held by the author of the _Flores_ (5, pp. 181-2) and may well be true, even though this is a hostile source. It is also possible that Edward had made the oath in the first place partly to encourage Clement V to make him the 160,000 florin loan, then being negotiated.

deferment as the French King if better terms could not be obtained,¹ and on January 4th. the King's envoys were given powers to do this.²

The problem of Scotland was a constant factor throughout the reign and the state of Anglo-Scottish relations was always a vital point in determining the strength or weakness of the royal government at any given moment. With the failure of Edward II's projected Scottish campaign at the end of 1316 the problem remained as acute as ever and the royal government accordingly made an immediate change of tactics so as to deal with it instead by diplomatic means. This took the form of two missions, the first of which was sent from York on November 24th. to meet the Scots in the North.³ The second was intended to be a mission to the Pope at Avignon to deal solely with Scottish affairs and on November 26th. Richard de Burton and John Benstede were charged with this business by the

1. C.Ch.Warr., p. 455.
Council in London. But at the time of their departure the King and Pembroke were discussing the form of the greater Avignon mission and it was presumably decided that to send two sets of envoys at almost the same time would be a wasteful use of resources. Besides this, Burton and Benstede were only royal clerks and, lacking the prestige and authority of the far more illustrious envoys whom the King was now arranging to send to Avignon, would stand less chance of achieving any notable results. While the matter was discussed by the Council the envoys were therefore kept waiting at Dover for several days before being recalled to London by the Archbishop and relieved on December 6th. of their business, which was then added to that of the bigger embassy.

Some decisions on the names of the King's envoys to Avignon had been taken by November 30th. but it was not until December 6th. that the intended

1. Ibid./f.23d.
2. Loc. cit.
3. This is clearly what happened, although none of the letters of credence mentions Scotland.
4. C.Ch.Warr., p. 450: John Cromwell's name is given on this date.
envoys were named for the first time. It was then revealed that they were to include the Earl of Pembroke, who would therefore be prominent in the execution of the mission as well as in its formation. His colleagues were to be the Bishops of Norwich and Ely, Bartholomew de Badlesmere, Anthony Pessaigne and Otto de Grandison.\(^1\) These appointments were however still provisional since on the same date the King wrote to Grandison and also to Count Amadeus of Savoy inviting them to join the embassy when it reached Paris and proceed with it from there to Avignon.\(^2\) In a letter to Pembroke on December 3rd. the King had suggested that Bertrand de Got, Raymond Subirani and Mr. Peter Galicien should also be added to the embassy.\(^3\) None of the King's suggestions was in fact taken up. Subirani for one was already at Avignon\(^4\) and could be expected to help the envoys in any case without his formal appointment to the embassy. There is no apparent reason for Galicien's exclusion but there

\(^2\) Ibid., pp. 302-3.
\(^3\) S.C.1/49/38.
can be little doubt of the cause in the case of Bertrand de Got. The King no doubt thought that Bertrand's position at the papal Curia would make him an influential member of the mission without appreciating the conflict of loyalties that would certainly arise through Bertrand's personal interest in Edward II's repayment of Clement V's loan. Pembroke or any other councillor would have realised this problem and promptly and politely have turned down the idea of Bertrand's joining the embassy.

The final composition of the mission was determined on December 15th, when a general credence was sent to the Pope and to the French King on behalf of Pembroke, the Bishops of Norwich and Ely, Badlesmere, John Cromwell, Pessaigne, Masters William de Birston and James de Florencia the Archdeacons of Gloucester and Winchester, as well as Otto de Grandison and Amadeus of Savoy. Alternative letters were also sent omitting the names of the last two in case they were unable to join the mission.\(^1\)

The importance placed upon the success of the mission is reflected clearly in the high rank of its leading members and the range of their experience.

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1. Ibid., pp. 303-4.
By including Pembroke the King was sending the most trusted of his magnate advisers and one whose experience in diplomacy in France and at the Curia extended over a period of twenty years. Pembroke may in fact have pressed for his own inclusion and indeed no one better qualified for the business in hand could have been chosen. Badlesmere's presence too was significant as he had become, in 1316 especially, a prominent member of the royal council, a factor which perhaps outweighed his slight diplomatic experience. The two bishops were also important councillors and could be expected to provide administrative expertise in the conduct of the mission as well as giving it an extra dignity through their rank. Anthony Pessaigne, the King's chief financial expert and adviser, was an essential member of the embassy, much of whose business was of a technical and financial nature. The reason for Cromwell's inclusion is not clear but the two archdeacons could be expected to help in much of the detailed work of negotiation.

The hoped for participation of the two foreign magnates, Otto de Grandison and Amadeus of Savoy, is of especial interest because both men had been very
prominent in the service of Edward I, although in both cases their active service of the English crown had largely ceased after 1307, Grandison having retired to his native Switzerland, while at the end of 1316 Amadeus of Savoy was an important member of the conseil étroit ruling France after the death of Louis X. They may possibly have had valuable contacts at the papal Curia which would make their presence on the embassy of considerable use, but they also had a more general value since in their service of Edward I they had both become very experienced diplomats. In addition to this they were both well known to Pembroke and had been his colleagues on embassies on several occasions between 1297 and 1302. As an inducement for Amadeus to go to Avignon the King promised to pay him 2,000 marks, the arrears of an annual fee.

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1. For details of Grandison's very long career see C.L. Kingford: T.R.H.S., 1909.


5. Ibid., pp. 271-5.
of 200 marks which had originally been granted to his ancestor, Count Amadeus, by Henry III in 1245 in return for his homage for the castle of Avyllon and other lands in Savoy.\(^1\) In the event this offer had no effect and Amadeus's preoccupations in Paris prevented his going to Avignon but the inclusion of him and Grandison among Edward II's envoys shows the lengths to which the King and his advisers were prepared to go to draw on all possible sources of diplomatic talent and experience.

The is no precise information as to which of the embassy's members was intended to act as its head, since the powers entrusted to it and the King's correspondence with it after its departure were always addressed collectively to Pembroke, Badlesmere and the two Bishops. But in view of Pembroke's rank and his leading position in royal affairs within England it is very likely that the leading position was to be his.\(^2\)

\[^{2}\text{Pembroke's wage rate of 8 marks a day was the highest paid to the envoys and also points to his importance: Soc. of Antiqs. Ms. 120/f.24.}\]
The sheer size of the embassy as well as the rank of its chief members is another indication of its importance. Pembroke alone took with him 6 of his leading knights and 20 men-at-arms, quite apart from the clerks and others of his household who probably accompanied him. When the followers of the other members of the mission were added there were probably over seventy persons concerned in the embassy.²

In addition to the careful choice of the members of the envoys, other measures were taken to ensure that the embassy would have the maximum diplomatic effect. Care was taken to give the envoys all the information they would need to complete their work efficiently and in the course of November and December a royal clerk, Richard de Elsefield, worked at the Tower of London on the examination and transcription of documents there, while John de Slyndon and other notaries made copies of papal bulls for the use of

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1. C.P.R., 1313-17, p. 573; C.61/1706/10; ibid./1750/52.
2. The names of most of them appear in C.P.R., 1313-17, pp. 570-7. These figures would not include servants, grooms, etc.
the envoys.  

All possible support within the papal Curia itself was also mobilised on behalf of the envoys. On December 25th, royal letters were sent to eleven individuals who were already at the Curia, eight of whom were either royal proctors or clerks, requesting them to give Pembroke and his colleagues full assistance in the performance of their work there. Earlier in the month Pembroke and Badlesmere had also suggested that they should be allowed to win support and favour within the Curia itself by granting royal pensions to some of its members. The importance of this point was again strongly emphasised by the Council on the 28th, and the envoys were authorised to make such

1. Soc of Antiqs. Ms. 120/f. 27.

2. T., vol. 2, p. 305: these were Masters Adam de Orleton, Adam Murimuth, Andrew Sapiti, Raymond Subirani, royal proctors; Mr. W. de Melton, royal clerk & elect of York; Mr. Peter de Dene, one of Melton's clerks; Masters Alexander Bicknor the elect of Dublin, Th. de Cobeham, Rich. de Plumstock, royal clerks; Mr. J. de Ros, canon of Hereford; Cardinal Gaucelm de Jean, papal Vice-chancellor.


4. C.Ch.Warr., p. 455.

5. Soc. of Antiqs. Ms. 120/f. 34.
grants on January 4th.\(^1\)

The financial arrangements which the Treasurer was told to make on November 24th.\(^2\) had to be on a scale commensurate with the mission's size and the impression it was intended to make at the Curia. In December the King wrote to the Florentine banking company of the Bardi asking them to continue to assist him as they had done in the past\(^3\) and presumably asking them specifically to provide money and credit facilities for Pembroke and his fellow envoys. This they did and by January 4th. they advanced to the King, after consultation with Pembroke, Badlesmere and other members of the Council, a sum of £7,787/9/2d., of which £3,387/9/2d. had been assigned for the expenses of Pembroke and the other envoys on their mission.\(^4\)

Roger Ardingelli, one of the Bardi's agents in England, was also appointed to go with the envoys and administer the expenditure of the money.\(^5\)

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2. E.404/1/6.
4. C.P.R., 1313-17, p. 605. This was repaid by Oct. 1317: E.404/484/9/9.
5. Soc. of Antiqs. Ms. 120/f.54.
The uneven size of the sum borrowed is accounted for by the fact that most of the money had been spent or allocated against known expenses before the envoys even left for the Curia, much of it on the purchase of presents for the Pope. After discussion with Pembroke and others as to the amount that should be spent in this way, the Queen spent £300 in London on gold objects. The King laid out £360 in London on the purchase of two copes and a gold cup as well as another £1,244 on gold cups, chalices and plate enamelled with the arms of himself and the Pope which the envoys collected on their way through Paris. An unspecified amount was also spent on providing the envoys with rich clothing for use at Avignon. It is hardly surprising that the money advanced by the Bardi did not cover all the mission's expenses, which, after the payment of over £4,000 in wages,

1. E.404/1/6: this was determined by the value of Queen Margaret's gifts to Clement V on another unspecified occasion.
2. Soc. of Antiqs. Ms. 120/f.54.
3. Ibid./f.53d., 54.
4. Ibid./f.54; C.P.R., 1313-17, p. 605.
including nearly £1,000 to Pembroke alone, totalled about £6,000. Altogether the arrival of the embassy at Avignon must have been a singularly impressive and theatrical occasion, which was no doubt precisely the effect intended.

The embassy took its leave towards the end of December. The first to depart were Badlesmere and the Bishop of Ely on the 19th. and 20th., followed by Pembroke himself together with Anthony Pessaigne on the 26th., while the Bishop of Norwich, the two archdeacons and Cromwell left between the 29th. and 31st. They did not however leave the country immediately. Badlesmere first of all went to visit the King at Nottingham, probably to report on progress in arranging the mission, and was still with him on January 3rd. and possibly even later. The series of royal letters granting various powers to the envoys which appear

1. Soc. of Antiqs. Ms. 120/f.54. Details of wages of other envoys appear in the same source.

2. Ibid./f.24.
3. Ibid./f.24, 27d.
4. Ibid./f.23d., 24d., 27.
5. C.55/103/m.16, 15. He again appears at Daventry on Jan. 20th.: Ibid./m.15.
on January 4th., as well as the completion of the financial arrangements at about that date, suggests that there were still a few details to settle before the embassy could leave England. It may also have been necessary to await safe conducts from the French court or even for a change in the weather. It is at any rate certain that for part of the month of January Pembroke and the other envoys were kept waiting at Dover for passage to France, before the embassy finally crossed to Whitsand in fourteen great ships and six batelli.

The details of the progress of the embassy after reaching France are unfortunately not known. Early in December 1316 it was envisaged that they would reach Paris at the latest by January 14th. and arrive in Avignon by February 9th. but it seems unlikely that they kept to this schedule. They would certainly have been delayed for a short time in Paris to pay a courtesy visit to the French court and also to collect

3. Ibid./f.25. This was Elias Audewyn then on his way to Scotland with a report on the state of Gascony.
the King's gifts to the Pope and probably to meet with Amadeus of Savoy. A large and fairly slow-moving body of people, such as the personnel of this embassy would have been, could take as long as seven or eight weeks to travel from London to Avignon. In this case it is likely that Pembroke and the other envoys arrived in Avignon at the end of February or early in March. 

There are no details of the atmosphere in which the embassy was received by the Pope and, with the exception of a visit paid to Pembroke and the two bishops by an envoy from Gascony shortly before March 26th., very little is known of the envoys while they were at Avignon. It is known however that Henry de Canterbury, one of the royal clerks accompanying the embassy, was employed to draw up public instruments and to transcribe papal bulls and documents relating

1. In 1317 the papal legates to England left London on Sept. 11th. and reached Avignon on Nov. 5th.: Ann. Paul., p. 283; Mollat: Les Papes d'Avignon, p. 416.


3. S.C.1/33/40. This was Elias Audewyn then on his way to England with a report on the state of Gascony: see G.R., 1307-17, pp. 576-80.
to Aquitaine,¹ that the Archdeacon of Gloucester was responsible for giving pensions and gifts to members of the Curia,² and that he and the Archdeacon of Winchester stayed at the Curia after the other envoys' departure to await the drawing up of bulls and instruments concerned with the mission's business,³ but on the really important matters of the activities of Pembroke and the other leading envoys there is no information. Nor has any of the correspondence sent to the King by Pembroke and his colleagues survived.⁴ It is therefore impossible to tell how smoothly the mission's business progressed, and the achievements of the embassy can accordingly be assessed only in the light of its results.

The first subject on which agreements were reached was the question of Anglo-Scottish relations. On March 17th., at the request of the King and his

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¹. Soc. of Antiqs. Ms. 120/f.24.

². Ibid./f.25, 52d.

³. Ibid./f.23d., 24d.

⁴. Letters from Pembroke & Badlesmere, for example, reached the King on April 4th.: ibid./f.51.
envoys, the Pope appointed Gaucelm de Jean and Luke cil de Fieschi, the Cardinals of SS. Marcellinus and Peter and St. Mary in Via Lata, to go to England to assist in negotiating a peace settlement between England and Scotland and with authority to enforce a truce and excommunicate Robert Bruce if he failed to accept their mediation. On March 29th., in another order aimed at the Scots, the Pope directed the publication of a sentence of excommunication upon all those who attacked Edward II either in England or in Ireland, and on May 1st. promulgated a truce between England and Scotland.

A settlement of the problem of Edward II's oath to go on Crusade was reached on March 28th. Edward had protested his desire to emulate his father by going to the Holy Land but claimed that he could not bear the cost of such a distant venture unaided. The Pope therefore made a loan to the King of the proceeds of one year's receipts of the clerical tenth.

1. Ibid./f:54. became involved in 1318 in a bitter dispute with Bertrand over the terms of Clement's loan, which was witnessed by Clement. A settlement of the problem of Edward II's oath to go on Crusade was reached on March 28th. Edward had protested his desire to emulate his father by going to the Holy Land but claimed that he could not bear the cost of such a distant venture unaided. The Pope therefore made a loan to the King of the proceeds of one year's receipts of the clerical tenth.

1. Ibid./f:54.
2. Ibid., vol. 2, pp. 547-8. have been willing to exert pressure upon him in 1317. For details of John's Process .
4. Ibid., p. 127.
imposed for six years by his predecessor at the Council of Vienne and gave the King five years in which to repay the money.¹

On April 1st, an agreement was concluded on the matter which had originally led to the Avignon mission: Clement V's loan to Edward II. John XXII was not directly a party to this question since the loan had been made out of Clement V's private fortune, but his influence would have been valuable in reaching a satisfactory settlement with Clement's nephew and heir, Bertrand de Got.² Under the new agreement on the repayment of the loan, which was witnessed by Clement V's executors and Pembroke, Badlesmere and the Bishops of Norwich and Ely, the collectors and receivers of the Gascon revenues, together with the Seneschal of Gascony and royal proctors, were to appear at Bordeaux on September 29th. before the Archbishop of Bordeaux and others to render an account.

². John XXII became involved in 1318 in a bitter dispute with Bertrand over the terms of Clement's will and may therefore have been willing to exert pressure upon him in 1317. For details of John & Bertrand's dispute see: P. Ehrle: Process über den Nachlass Clemens V: Archiv für Literatur- und Kirchengeschichte, 5, 1889.
of the issues and to show how much of the loan had still to be repaid. For five years after this date Clement's executors were to receive one fifth of the customs of Bordeaux which would be supplemented, if they proved insufficient, by the revenues of the diocese of Agen.¹

The last major agreement was also made on April 1st, when the Pope accepted Edward II's offer to pay over a period of four years the 24,000 marks arrears of the annual cess of 1,000 marks which had been paid to the Pope by the English crown ever since John had done homage to Innocent III in 1213.² But the Pope refused the King's request that the cess should no longer be paid in the future³ and the sum of 1,000 marks due for the year 1317 was duly paid to the papal camera on the King's behalf by two agents

of the Bardi on April 13th.\textsuperscript{1}

The individual contribution made by each of the envoys to the mission's achievements cannot be assessed, but it is reasonable to suppose that Pembroke, with his long experience of diplomacy, his intimate knowledge of Scotland and his part in arranging Clement V's original loan in 1314, was very closely concerned in the negotiations.\textsuperscript{2}

Apart from their involvement in the serious business of the mission each of the envoys took the opportunity to obtain from the Pope personal favours for themselves and their followers. Badlesmere, for example, was given licence to choose his confessor and to have a portable altar,\textsuperscript{2} and the Bishop of Norwich was granted the first fruits of vacant benefices in his diocese.\textsuperscript{3} The only grant made to Pembroke himself was a licence to choose his confessor for seven years,\textsuperscript{4} but several were made to his men. One of his knights,

\footnotesize{\textsuperscript{1} Pj., vol. 2, p. 326. Lunt: \textit{op. cit.}, p. 167, n.2, quotes both April 9th. & 13th. as the date of this transaction.}

\footnotesize{\textsuperscript{2} C.Papal Letters, 1303-42, p. 142.}

\footnotesize{\textsuperscript{3} Loc. cit. 149: he was already a canons of Exeter, Wells, St. David, Hereford and Bœchesan.}

\footnotesize{\textsuperscript{4} Loc. cit.}
Constantine de Mortimer, was given permission for his chaplain to celebrate mass at some of his manors which in winter became cut off by floods from the parish churches at Attleburgh in Norfolk and Kingston in Cambridgeshire. Pembroke's chaplain, Henry de Stachesden, who was the receiver for his lands in Poitou and held the chapel of St. Gemina in the diocese of Soissons, was provided to a canonry of Wells, while another chaplain, Walter Alexander, was made a canon of St. Davids. One of his clerks, John de Bruneshope, became a canon of Hereford, and another clerk, Mr. James de Berkeley, the younger brother of Pembroke's retainer, Maurice de Berkeley and a future Bishop of Exeter, was given a canonry at Chichester. Other grants were made at Pembroke's request to men who may have had some connection with him. In this way Jordan Moraunt was provided to a

1. Ibid., p. 161.
2. Ibid., p. 141.
3. Ibid., p. 143.
4. Ibid., p. 145.
5. Ibid., p. 149: he was already a canon of Exeter, Wells, St. Davids, Hereford and Boseham.
canonry of Salisbury, Elias de Whitely to one at Lincoln, and Robert de Riston and John Crosseby to others at St. Johns, Beverley, while John de Cormagin of Lincoln was given a benefice in the gift of the Bishop of Winchester.¹

The date of the envoys' departure from Avignon is unknown, but is likely to have taken place very soon after the final agreements made on April 1st.,² and their return to England was already being anticipated by April 18th. when Robert Kendale, the Constable of Dover, sent Richard de Cave to meet them.³ The envoys do not appear to have travelled in company, as they had done on the outward journey, and their arrival in England was consequently spread over a period of weeks. The first member of the embassy to reach London was Roger Ardingelli of the Bardi on April 30th.,⁴ followed by John Cromwell on May 4th.,⁵ the Bishops of Norwich

1. Ibid., pp. 141-7.
2. The envoys had probably already left when the payment of the 1,000 marks cess for 1317 was made on the 9th. or 13th.
4. Ibid./f.54.
5. Ibid./f.27.
and Ely on the 11th., and the two archdeacons on June 1st.

But the remaining three envoys, Badlesmere, Pessaigne and Pembroke, did not return. They were delayed in France by an entirely unforeseen event: the capture and holding to ransom of the Earl of Pembroke. Early in May 1317 as Pembroke was travelling north through France towards Paris on his way home, he was waylaid at Stamps near Orléans by a band of men led by a certain Jean de Lamouilly. With his natural son, Henry, and several of his retainers, Pembroke was then taken to the County of Bar and there held prisoner until he promised to pay a ransom of £10,400 sterling. These bare details of Pembroke's capture are all derived from official records and are almost the only facts about the episode which are both beyond dispute and are readily available.

For study: The only contemporary or near-contemporary

1. Ibid./f.23d., 24.
2. Ibid./f.23d., 24d.

1. F., vol. 2, p. 329. The exact date is unknown but can be estimated by reference to this letter of May 10th.

Early in May 1317 as Pembroke was travelling north through France towards Paris on his way home, he was waylaid at Etampes near Orleans by a band of men led by a certain Jean de Lamouilly. With his natural son, Henry, and several of his retainers, Pembroke was then taken to the County of Bar and there held prisoner until he promised to pay a ransom of £10,400 sterling. These bare details of Pembroke's capture are all derived from official records and are almost the only facts about the episode which are both beyond dispute and are readily available for study. The only contemporary or near-contemporary writers on either side of the Channel to notice the

1. F., vol. 2, p. 329. The exact date is unknown but can be estimated by reference to this letter of May 10th.

affair were Murimuth\(^1\) and the authors of the *Annals of Ireland*\(^2\) and the *Scalachronica*,\(^3\) the latter of whom was to be quoted by Leland in the sixteenth century\(^4\) and Dugdale in the seventeenth.\(^5\) But all of these accounts give only the most circumstantial details, which contain elements of the truth but are also distorted to varying degrees.

When a well informed contemporary of Pembroke like the royal diplomat, Adam Murimuth, had little more to say in his chronicle beyond the simple facts that Pembroke was captured and ransomed and knew neither the name of Pembroke's captor nor the place of his capture,\(^6\) it is not to be expected that modern writers would be any more knowledgeable. The only

\begin{enumerate}
\item Murimuth, p. 26.
\item Annals of Ireland, p. 355.
\item Scalachronica, p. 144.
\item Leland: Collectanea, 1, p. 548.
\item Dugdale: Baronage, 1, p. 777 (here the Scalachronica is quoted via Leland).
\item Murimuth, p. 26. Murimuth had been at Avignon earlier in 1317 at the same time as Pembroke: F., vol. 2, p. 305.
\end{enumerate}
recent author to mention Pembroke's capture was Tout,¹ but he mistakenly believed that the size of the ransom was £2,500² and was also wrong in his suggestion that Jean de Lamouilly, or de la Molière as he called him, may have come from a place called Les Molières between Etampes and Versailles. But apart from Tout's surmise, no work seems ever to have been done on the problem either in England or in France, and it is true to say that even the very fact of Pembroke's capture is unknown to local historians both of the district where he was seized and of the area of his imprisonment.³

Nevertheless it is possible by drawing on a very wide range of English and French source material to build up an account which does go a considerable way towards explaining the reasons which lay behind Pembroke's capture and identifies with a fair degree of the royal household at Berwick in December 1399.

2. This was the sum that had been paid by July 1317: C.F.R., 1317-21, pp. 6-7, 9, 11. Tout probably assumed the total amount of the ransom was £10,400 tournois (£2,600 sterling) instead of sterling.
3. Careful examination of the local histories and journals of the relevant parts of France and correspondence with departmental archivists has revealed no mention of the incident, much less any explanation of it.
of certainly the persons who were either directly involved or stood to gain by it.

Two of the chroniclers who refer to Pembroke's capture also attempt to explain why it had occurred. According to Murimuth, Pembroke was captured by a former retainer of his in England to whom he still owed wages. The author of the Scalachronica has a similar explanation with the significant difference that de Lamouilly had been the retainer not of Pembroke but of the King of England, against whom his claim for unpaid wages ought therefore to lie. This latter explanation in fact proves to be substantially correct when de Lamouilly's career in England and evidence on the wages which he was paid are examined.

Jean de Lamouilly had certainly entered the service of Edward I by the end of 1299, by which time he was a royal squire, and received robes as a member of the royal household at Berwick in December 1299

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1. Murimuth, p. 26: Incaute fuit captus per unum domicellum cui sibi servienti prius in Anglia non reddidit mercedem, ut dixit.

2. Scalachronica, p. 144.

and Lincoln in February 1300. Between November 1300 and April 1301 he appears to have been at court but by November 1301 he had left to join the garrison of Edinburgh castle, and Scotland or the north of England was to be the scene of most of the rest of his career. In 1304 he presented a bill to the King for the throwing of Greek fire into Stirling castle, and in December 1306 he can be found taking letters to the Steward of Scotland and Sir John de Meneteth; in January 1307 he was paid ten marks for supervising the construction of a galley at Ayre, and on May 20th received ten shillings in wages for going to Scotland; he lost a horse worth £12 in Scotland on September 1st. 1307 and was paid thirty-six shillings in wages at Carlisle on September 4th. In March 1309

1. Ibid., pp. 322, 331.
3. E.101/68/1/11. He had also been there in Feb. 1300: Liber Quotidianus, p. 179.
4. Bain: Cal. of Scottish Documents, 2, no. 1569.
5. E.101/370/16/m.4.
6. Ibid./m.5d.
7. Ibid./m.13.
8. E.101/373/15/m.8, 22.
he received a chamber bill at Berwick for two horses worth £10 and £5 which he had lost. Not long after he was captured by the Scots and was given £40 by the King at Newcastle in September 1310 after his release. He was a member of the garrison of Roxburgh by December 1310 when he was paid £33/6/8 wages for himself and others of the garrison and in February 1311 his valet, Perottus le Chaumber received on his behalf £56 out of a further £70/8/0 in wages. By June 1311 he had been transferred to the garrison of Berwick and on the 28th of that month was paid 60/- wages for himself and seventeen other royal squires of the garrison.

Later in the same year he joined the garrison defending Dundee and at dates between July 8th and October 25th, he had a retinue of twenty-eight other squires under his command, twenty-two of whose horses were lost in the fighting in the district, at a replacement

2. E.101/374/7/12.
4. Ibid./f.48, 49; E.403/155/m.7.
5. E.101/373/26/f.38d.
cost of £285/13/4d.¹ On November 21st, 1311 he was paid £10 wages for himself, fourteen squires, four hobelars, ten crossbowmen and ten archers of the Dundee garrison,² and at other times received wages of £16/6/10d for six squires, three hobelars and four crossbowmen and of £4/18/0d for thirteen squires.³ Early in 1312 the royal government was taking measures to protect Dundee from imminent Scottish attack and in March Jean de Lamouilly and others of the garrison were waiting at Berwick to return to Dundee with Sir Edmund Hastings.⁴ Later the same year the Scots succeeded in taking Dundee⁵ but de Lamouilly escaped capture, if indeed he had ever returned from Berwick, and appears at Berwick with a retinue of thirteen men on June 1st 1312.⁶ Nothing is known of de Lamouilly's movements after 1312 but it is possible that he became a member of the garrison of Berwick under Sir Edmund

2. E.101/374/16/f.4.
5. Barrow: Robert Bruce, p. 374: no exact date is given.
There is however a considerable amount of material in the four years after 1312 recording payments of wages to him and sums that were still owed to him by the King. An account made in April 1313 by William de Tholosa, the Treasurer of Agen in Gascony, included a sum of £100 sterling which he had paid to Jean de Lamouilly in respect of his wages for 1311-12, and in 1315 William Servat's accounts recorded £43/13/10 1/2d paid to Jean for wages and for horses lost at Dundee in 1312. The accounts presented in November 1315 for expenditure by Enguerrand de Marigny and Totto Guidi incorporated £375 sterling paid to de Lamouilly. On August 8th. and 16th. 1315 Jean was also paid 40/- and 60/- on a chamber bill for the replacement of a horse, receiving the remaining £20 in June 1316.

1. Hastings received payment for his services there in Dec. 1313: E.404/485/14/4.
2. G.R., 1307-17, no. 874.
5. E.403/174/m;11.
6. Ibid./178/m.7.
In 1313 some kind of account appears to have been made with Jean de Lamouilly for money that was still owed to him for his lengthy period of service in the defence of Scottish and northern English castles. On May 3rd, 1313 Jean was assigned the issues of wardships and marriages which came into royal hands until he had received a sum of £711/16/8d, which he was owed under bills from the Chamberlain of Scotland for separate amounts of £163/13/4d, £159/2/2d, £242/15/4d, £131/5/10d, and £15/0/0d.  There was however a catch in this arrangement since it was also stipulated that Jean should not receive any payment from the issues of wardships and marriages until Hugh Despenser the Elder and the King's yeoman, Merlin de Sene, had been satisfied from the same source for the King's debts due to them. The debt owed to Despenser was one of £2,544/6/8d for whose payment he had on May 23rd, 1308 been assigned the issues of wardships and marriages.

1. C.P.R., 1307-13, p. 570: one of the bills here appears as £142/15/4d instead of £242/15/4d as it is given in 1314 where the total debt to Lamouilly is given as £711/16/8d: ibid., 1313-17, p. 100-1.
2. Ibid., 1313-17, p. 570.
3. Ibid., 1307-13, p. 74.
Altogether £2,086/2/5d of this sum remained unpaid on August 1st, 1313 when a further £1,266 was added to this figure in order to repay Despenser for money he had loaned the King in 1312 and 1313. The assignment to Merlin de Sene was made to him on April 27th, 1313 in payment of a debt of £353/7/10 1/2d. At the time that Jean de Lamouilly was assigned payment of his debts in May 1313 there were therefore two persons ahead of him in the queue, both of whom had express priority over his claims. In these circumstances it is not surprising to learn in April 1314 that Jean de Lamouilly had been unable to recover any of the money owed him from the proceeds of wardships, etc., and that instead William Servat, a royal merchant, had paid him £311/16/8d of the King's debts, the remaining £400 of the debt being assigned to Jean as before. Given the large amount that was still owed to Despenser, it is possible that this £400 remained unpaid when Jean finally left England, which

1. Ibid., 1313-17, p. 7.
2. Ibid., 1307-13, p. 570.
3. Ibid., 1313-17, p. 100.
may have been in about June 1316,¹ a year before his capture of Pembroke. It is interesting to notice that Pembroke's ransom in 1317 was for £10,400 and tempting to relate the odd £400 in this figure with the £400 apparently still owing to Jean in England. Such an exact correlation cannot however be proved as some of this debt may have been settled by the payments to de Lamouilly by William Servat and Totto Guidi which have been noticed in 1315. But it is very likely that, even if the remaining £400 had been fully paid off, there were other sums still owed to Jean when he finally left English service.

There are therefore good general grounds for agreeing with the Scalachronica's account that Pembroke's capture was the work of a disgruntled former servant of the English crown, who sought in this way to force the King to pay what he still owed in return for the release of his most valuable councillor. But this explanation, although certainly correct so far as it goes, leaves unanswered a great many other questions about Jean de Lamouilly's personal associations.

1. The latest reference to him which has been found is on June 16th. 1316: E.403/178/m.7.
and origins. It may also be asked just how Jean de Lamouilly was able to capture an important figure like Pembroke and hold him to ransom for a sum wholly out of proportion to any money he may have been owed, and why it took a major diplomatic campaign by Edward II to secure Pembroke's release from the hands of a mere former royal squire. Were there therefore any other motives behind Pembroke's capture and ransom?

In both the Murimuth and Scalachronica accounts of Pembroke's capture it is said that afterwards he was taken into Germany, and the Scalachronica adds that John de Lamouilly was a Burgundian. More precise information is given in the Pope's letter of 1324 which states that Pembroke was held prisoner in the County of Bar, which did indeed fall within the boundaries of the Empire. This suggests that the place in which to look for the home of Jean de Lamouilly is somewhere in the general area of the County of Bar.

In royal financial records in England Jean's

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1. Murimuth, p. 26; Scalachronica, p. 144.
2. Loc. cit. Murimuth evidently heard something like this but he took it to mean that Pembroke was captured in Burgundy.
second name usually appears as de la Mouillie, de la Moilie, or some other similar variation, rather than de la Moiliere as it was written in 1317 in references to Pembroke's capture. This clue is in fact the final detail needed to identify Jean's home area and a search soon reveals a village called Lamouilly seven kilometres north of Stenay in the modern French department of the Meuse. In the mid-thirteenth century certain rights at Lamouilly were held by Ludemart de Laferté, the husband of a certain Mahaut de Lamouilly, in 1311 a Nicholas de Lamouilly is recorded in the Stenay district, and in 1356 the lords of Lamouilly itself were two brothers, Jean and Thierry de Lamouilly. Jean de Lamouilly himself was almost certainly related de Lamouilly was under his command in 1311 and 1312.

1. E.g., Liber Quotidianus Garderobae, pp. 50, 179.
to these persons. Whether he held land at Lamouilly is not known but at the very least he took his name from the place and his connection with this area of the Meuse, not far from the County of Bar, can be regarded as certain.

An examination of the names of some of the men who served under his command in England and Scotland produces a similar result. These men were all nominally royal squires, as Jean was himself, but it is clear that a number of them had also come to England from the Continent. Several of the men Jean commanded were probably members of his own family. A certain Henry de Lamouilly was with him in the Edinburgh garrison in 1301 and again in his company in 1311; Reginald de Lamouilly was under his command in 1311 and 1312; a Warner de Lamouilly also appears as a member of the garrison of Roxburgh and at Berwick in 1311 and 1312. One of Jean's companions in 1307, Jean de Setenaye, was certainly from Stenay, next door to Lamouilly.

1. F.104/68/1/11; Bain: op. cit., 3, p. 430.
2. Ibid., pp. 430, 419.
3. Ibid., pp. 406, 420.
At least eight other squires mentioned in Jean de Lamouilly's company in England were also from his home area or from districts not too far removed from it. These were Jehemin de Oriens, 2 Richard de Valenciens, 3 John de Tremblecourt, 4 Dussard and Gaumeyn de la Frette, 5 Henry de Mountbleville, 6 John de Taillie, 7 and Marcus de Florencia. 8 It is very likely that these men accompanied Jean de Lamouilly when he finally left England and that some or all of them assisted in the capture of Pembroke at Etampes.

It is also possible to establish connections between Jean de Lamouilly and the County of Bar, that Edward I of Bar in the area of Stenay, 9 although it

1. E.101/375/15/m.8. homage covered any land in Lamouilly.


4. Ibid., pp. 400, 419, 431: La Frette?, dept. Seine-et-Oise. It was formally recognized in 1227, 1240, 1270, and 1294: Compte-rendu des séances de la.


scene of Pembroke's imprisonment. The first of these is a territorial connection between the County and the district of Lamouilly. In 1323 the lord of Lamouilly was Raoul de Chauvency, whose immediate suzerain was his cousin, Louis VI Count of Chiny, who in his turn was a vassal of the Count of Bar.¹ At the same time there also appear to have been some more direct links. Between 1266 and 1284 Mahaut de Lamouilly's husband, Ludemart de Laferté, ceded to Count Thibaut II of Bar all the rights which he possessed within Lamouilly,² and in 1311 Nicholas de Lamouilly was listed as a vassal of Count Edward I of Bar in the area of Stenay,³ although it is not known if his homage covered any land in Lamouilly.

None of this evidence does more than show a general relationship between the County of Bar and the County of Chiny.

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¹ H. Goffinet: Les Comtes de Chiny: Annales de l'Institut archéologique de la Province de Luxembourg, 10, p. 232, 11, p. 219. The Count of Bar's suzerainty over Chiny was formally recognised in 1227, 1240, 1270, and 1294: Compte-rendu des séances de la Commission royale d'Histoire, 1869, pp. 117, 131, 139.

² Jeantin: op. cit., 2, p. 1018: Ludemart's rights are not detailed but did not include the lordship of Lamouilly.

Lamouilly and has no direct bearing on Jean de Lamouilly himself. There is no evidence that Jean held any land as a vassal of the Count of Bar, but there can be little doubt that there was some personal bond of service between Jean and the family of the Count of Bar.

After the marriage in 1293 between Edward I's daughter, Eleanor, and Count Henry of Bar relations between England and Bar had been very close. By March 1297 Henry of Bar's brother, John de Bar, lord of Puisaye, had appeared in England and fought at Falkirk in 1298. In July 1299 John de Bar entered Edward I's service at a fee of fifty marks a year, a few months before Jean de Lamouilly first appears as a royal squire. In 1300 John de Bar took part in the siege of Caerlaverock, and by February 1301 Erard de Bar, another of Count Henry's brothers, had arrived in England, while a third brother, Theobald de Bar,

1. C.P.R., 1292-1301, p. 242.
3. C.P.R., 1292-1301, p. 426.
5. C.P.R., 1292-1301, p. 577.
was Treasurer of York by this date. The ties between England and Bar were further strengthened in October 1305 when discussions were held between royal commissioners and John and Erard de Bar on the arrangements for bringing their niece, Jean de Bar, the daughter of the late Count Henry, to England for her marriage to John de Warenne, the future Earl of Surrey, the marriage taking place in May 1306. Soon after this the direct links of John and Erard de Bar with England ceased when they both returned to the Continent, probably in order to look after the affairs of the new Count of Bar, their nephew Edward, who had been in John de Bar's wardship since the death of Count Henry in 1302.

Jean de Lamouilly's connection with these events between 1298 and 1306 was probably through

1. Loc. cit.: he had been Treasurer since 1297.
2. Ibid., 1301-7, p. 386. The marriage was arranged during Parliament in May 1305: C.C.R., 1302-7, p. 321.
3. Loc. cit.
4. John was already abroad by May 8th, 1306 when he was given 5,000 marks to compound Edward I's gift of 1,000 marks land in Scotland made in 1298: C.P.R., 1301-7, p. 433. In Nov. 1306 Erard was given a £500 gratuity in place of an earlier grant of 500 marks land in Scotland: C.C.R., 1302-7, p. 473.
John de Bar. In November and December 1299, for example, Jean de Lamouilly was sent as a messenger to John de Bar by the King. But far more significant than this is the double coincidence that both John de Bar and Jean de Lamouilly can be traced in royal service for the first time in 1299 and that Jean de Lamouilly came from a district very close to Bar which had feudal connections with the county. These facts suggest very strongly that Jean de Lamouilly, his relatives and other followers had originally come to England as retainers of John de Bar. When Joan de Bar came to England in 1306 for her marriage to John de Warenne, Edward I appointed Jean de Lamouilly to be a member of her household. and another document of the same period records the receipt by Jean de Lamouilly of 7 1/2d a day in Joan's service. With John de Bar's departure from England in 1306 and Jean de Lamouilly's own service in Scotland it is unlikely that he had much active contact with the ruling family

1. Liber Quotidianus Garderobae, p. 50.
3. E.101/370/28/8: wrongly described in P.R.O. list as household of Countess of Holland.
of Bar until after his own return home in about 1316. Jean de Lamouilly was almost certainly in the service of Count Edward of Bar by March 25th, 1320, on which date the Count went caution for him for a sum of 15 livres.^

The evidence that has so far been put forward on Jean de Lamouilly's origins and personal connections does no more than establish him as an historical character and adds nothing positive to the background to Pembroke's capture. However an examination of Edward II's diplomatic moves in May 1317 to secure Pembroke's release focuses the attention much more closely on the County of Bar.

On May 10th, the King sent letters requesting assistance in freeing Pembroke to a total of twenty-seven high-ranking persons in France and along the borders of the Empire. These were Philip V of France; his uncle Charles of Valois; Louis Count of Evreux, the half-brother of Philip IV of France; Gaucher de Châtillon Count of Forcien and Constable of France; Charles Count of La Marche, the brother of Philip V; Mr. Richard Tybetot; the Duke of Brittany; John, King

of Bohemia and Count of Luxemburg; Amadeus, Count of Savoy; Edward, Count of Bar; John, Earl of Richmond; the Countess Warenne; Sir Erard de Bar; Gerard, Count of Juliers; Eudes, Duke of Burgundy; Sir Peter de Narcy; Sir Robert de Narcy; the Count of Salm; Mary, Countess of Luxemburg; Ferry, Duke of Lorraine; Goberd d'Aspremont; Sir Anselm de Joinville; Louis, Count of Nevers and Rethel; William, Count of Holland; Hainault and Zeeland; Louis de Looz, Count of Chiny; Sir John de Hanand, lord of Blamoult; and Sir Ralph de Louppy.1

The presence of some of the names on this list is self-explanatory. It was natural that Edward II should first of all write to members of the French court whose rank and importance might enable them to bring pressure upon Pembroke's captor and secure his early release. This therefore accounts for the King's appeal to the French King himself, Charles of Valois, Louis of Evreux,2 Charles of la Marche, Gaucher de Châtillon, Amadeus of Savoy who was a member of

2. Etampes where Pembroke was captured was part of Louis's lands, but there is no reason to connect him with the affair.
the French royal Council,\(^1\) the Duke of Brittany whose first wife had been the daughter of Charles of Valois, John of Bohemia who spent much of his time at the French court, and Mr. Richard Tybetot, an important royal clerk.\(^2\)

However, when an analysis is made of the remaining magnates to whom Edward II appealed it is found that most of them, together with some of those already mentioned, were connected in one way or another with the County of Bar or were well placed to bring influence to bear on its count. In addition to appealing to Count Edward of Bar, the grandson of Edward I, Edward II also wrote to Sir Erard de Bar, the Count's uncle and vassal,\(^3\) and to the Count's sister, Joan of Bar, the estranged wife of the Earl of Surrey in England. Of the other magnates on the list Gaucher

\(^1\) R. Cazelles: *La société politique sous Philippe de Valois*, p. 37.

\(^2\) He was a member of the Grande Chambre du Parlement, 1316-17: M.E. Boutaric: *Actes du Parlement de Paris*, Series I, nos. 4474, 4490E, 4754. In Dec. 1312 he had been one of the witnesses to the treaty between Edward II and Thomas of Lancaster.

\(^3\) Erard was his vassal devant tous hommes: Levallois: *op. cit.*, p. 207.
de Châtillon was a vassal of the Count of Bar,\(^1\) as were Gobard d'Aspremont,\(^2\) Anselm de Joinville,\(^3\) Louis de Looz, Count of Chiney,\(^4\) John, Count of Salm,\(^5\) and

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He was therefore linked with both the French court and Bar.


3. At this date Anselm's father, Jean, Sire de Joinville, Seneschal of Champagne, was the legal vassal of Bar: Levallois: *op. cit.*, p. 207. Jean died on Dec. 24th, 1317 at a very advanced age: H.F. Delaborde: *Jean de Joinville et les seigneurs de Joinville*, p. 161. Anselm was probably therefore the effective vassal of Bar in 1317.

4. He held his county from Bar: *Compte-rendu des séances de la Commission Royale d'Histoire*, 1869, pp. 117, 131, 139.


Sir Peter and Robert de Narcy.\textsuperscript{1} Eudes IV, Duke of Burgundy, was the Count of Bar's brother-in-law;\textsuperscript{2} Amadeus of Savoy's son Edward was married to Eudes IV's sister Blanche, and therefore was indirectly related to the Count of Bar.\textsuperscript{3} Ralph de Louppy was a close ally of Edward de Bar,\textsuperscript{4} while Edward was himself an ally of Ferry, Duke of Lorraine;\textsuperscript{5} John de Hanand, lord of Blamont, was probably also an associate of Lorraine;\textsuperscript{6} John of Bohemia, the Count of Luxemburg,

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\item Their father, Aubert de Narcy, was a vassal of Bar devant tous hommes: Levallois: \textit{op. cit.}, p. 206. In 1316 Edward of Bar gave Aubert 100 livres rent at Conde for his services: A. Du Chesne: \textit{op. cit.}, Preuves, p. 46. In Jan. 1316 Aubert visited Edward II in England as an envoy of the Count of Bar: Hist. Mss. Comm., 3, p. 262.
\item A. Du Chesne: \textit{op. cit.}, p. 46: Edward married Eudes IV's sister Marie.
\item L'Art de vérifier les dates, 17, p. 175. Amadeus's previous links with England would also help to secure his aid.
\item A. Du Chesne: \textit{op. cit.}, p. 48. Louppy is in dept. Meuse.
\item C. Aimand: Relations de la France et du Verdunois, p. 98. In 1312-14 Edward of Bar had been the Duke's prisoner: A. Du Chesne: \textit{op. cit.}, p. 48.
\item When taken prisoner by the Duke of Lorraine in 1312 Edward of Bar had been fighting John de Hanand's father Henry: A. Du Chesne: \textit{loc. cit.} Blamont is in dept. Meurthe-et-Moselle.
\end{enumerate}
was an important figure in the area of Bar and in 1323 his eldest daughter married Edward of Bar's eldest son Henry, while John's mother, Mary, Countess of Luxemburg, was similarly important; Louis, Count of Nevers and Rethel, was also a close neighbour of Bar.

The Earl of Richmond was probably addressed by Edward II because of his intimate links with the English court and because in 1317 he happened to be in France mediating in the political troubles of that year.

There is no immediately obvious connection with Bar by the remaining two magnates, the Counts of Juliers and Hainault, and Edward II probably included them in his diplomatic offensive to free Pembroke because their lands were in the general area of Pembroke's imprisonment and because of their earlier connections with England.


2. G. Servois: Documents sur l'avènement de Philippe le Long, p. 79: Annuaire-bulletin de la Société de l'Histoire de France, 1864. The Earl was also the Duke of Brittany's uncle.

3. The Count of Holland's mother was Elizabeth, daughter of Edward I. In 1328 his daughter Philippa married Edward III. Both Counts had been Edward I's allies against France in 1297.
The evidence provided by the above analysis is largely circumstantial, but when Edward II's concentration of diplomatic effort upon the Count of Bar, his relatives, vassals, allies and close neighbours is taken fully into account, together with Jean de Lamouilly's connections with Bar and the known fact of Pembroke's imprisonment in the County, it is hard to avoid the conclusion that Count Edward of Bar was deeply involved in the detention and ransom of Pembroke, if not also in his actual capture. It is therefore highly significant that the Count should have had a clear motive for doing so.

This motive was provided by the breakdown of the marriage of the Count's sister, Joan de Bar, with John de Warenne, Earl of Surrey, whom, as already noticed, she had married in 1306. In May 1313 Warenne began proceedings for an annulment of the marriage on the grounds of consanguinity but in 1314 had his plea rejected by a provincial council of Canterbury.

In February 1316 Warenne received royal licence to

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reopen the case but his plea was apparently once again rejected. During these proceedings Edward II and the Queen took the side of Joan, who in June and July 1313 was staying in the Tower of London at royal expense, and in 1314 the royal Council went so far as to condemn Warenne for his treatment of his wife. In May 1315 the King appointed a lawyer, Mr. Ayman de Jovenzano, to prosecute the Countess's case in the Court of Arches in London and elsewhere. Up to this point Joan de Bar and her brother, the Count of Bar, should have had no cause to complain of the King's treatment of her. But events took a fresh turn on June 29th, 1316 when Warenne surrendered all his lands to the King on condition of a series of regrants to himself with reversion to his mistress, Maud de Neyrford, and his two illegitimate sons by

1. C.P.R., 1315-17, p. 205.
2. C.Cl.R., 1315-17, pp. 45-6.
5. C.Cl.R., 1315-18, p. 316. By this point the grounds of the plea for an annulment had changed from consanguinity with Joan to one of precontract with Maud: Fairbank: op. cit., p. 205.
her, John and Thomas de Warenne. The King duly restored Warenne's lands with this provision on August 4th following. This implied recognition by the King of the status of Warenne's mistress and her sons could have been regarded as a deliberate affront by Joan de Bar and would have outweighed her gratitude for the King's previous assistance to her.

By August 8th, 1316 Joan had asked to be allowed to go overseas on a pilgrimage, on September 16th was given formal licence to do so, together with 300 marks for her expenses, and left the country soon after. There can be little doubt that either immediately or after she finished her pilgrimage Joan sought refuge with her brother in Bar, where she certainly was by May 1317. The Count of Bar therefore had ample reason for trying to avenge Edward II's slight upon his sister and the occasion of the capture of Pembroke by Jean de Lamouilly gave him an excellent opportunity to do this. It may well have been calculated by

1. C.P.R., 1313-17, pp. 528-9.
2. E.404/1/6.
3. Soc. of Antiqs. Ms. 120/f.49d.
Pembroke's captor that by forcing Pembroke to agree to pay a very large ransom, beyond his own resources of payment, Edward II would have to agree to pay the sum himself in order to secure the release of a councillor whose absence he could ill afford. The receipt of a share of the £10,400 sterling in ransom money would also come at a convenient moment for the Count who had himself been forced to pay the Duke of Lorraine a sum of 80,000 livres in 1314 to secure his own release from imprisonment. The Count of Bar would also have had another reason for conniving at Pembroke's imprisonment: to revenge his sister against John de Warenne. There is some evidence to suggest that a private item of business which Pembroke performed while visiting the Pope at Avignon in 1317 was to urge a petition from Warenne asking for an annulment of his marriage. In

1. A. Du Chesne: *op. cit.*, p. 48. If the Count were Jean's lord, as is possible, he could expect to receive a portion of the ransom. In England at this time the custom was for a lord to receive one third of the ransom money won by a retainer. The French custom was less clear at this date, though governed by well defined conventions later: D. Hay: *The Division of the Spoils of War in Fourteenth-century England*: T.R.H.S., 1954, pp. 94-9, 108. If the Count were himself a party to Pembroke's ransom agreement, he would probably have claimed a much larger share.
December 1316, just before Pembroke left for Avignon, Warenne made a grant to Pembroke of the honour of Castle Acre in Norfolk,\(^1\) a transaction which may well be explicable as a payment to Pembroke for services to be rendered. It is certain that Pembroke was concerned in some business involving Warenne while he was abroad since in October 1317 Warenne made a grant to Pembroke of Stamford and Grantham, to be held by him until he had recovered a sum of £4,000 which he had paid on Warenne's behalf while he was overseas.\(^2\) It is possible that this money had been paid to the Pope, but since Warenne was not given an annulment of his marriage by the Pope in 1317, this seems very unlikely. By far the most probable explanation is that Pembroke had been forced by the Count of Bar to pay or to promise this sum in the name of Warenne.

There is therefore a strong case for believing that Count Edward of Bar was an accessory after the fact to Jean de Lamouilly's capture of the Earl of Pembroke and that, even if the Count did not himself

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1. C.F.R., 1313-17, p. 607.
2. Ibid., 1317-21, pp. 40, 48.
have custody of Pembroke and was not directly a party to Pembroke's ransom agreement, his sympathy and protection were both essential to the success of de Lamouilly's plans. But there still remain the questions of how the capture took place, whether it was a premeditated act, and whether the Count of Bar was an accessory before as well as after the fact. Some light may be thrown upon these problems by an examination of French political affairs in the early part of 1317, at the time of Pembroke's capture.

The death in June 1316 of Louis X of France, followed by that of his posthumous son, John I, in November 1316, began a period of political disturbance within France which lasted, in its most serious form, until the summer of 1317. One feature of this period was the leagues formed in the French provinces by Robert of Artois, who claimed the succession to the County of Artois, and by a group of nobles in Champagne in support of the claims of Louis X's daughter, Jeanne, to the possession of Champagne and Navarre. Prompt action by the newly crowned King of France, Philip V, stubbed directly onto the County of Bar and which

1. The details of this period can be found in P. Lehuageur: Histoire de Philippe le Long, pp. 61-105.
and attempts by the Duke of Burgundy to seek a compromise took the sting out of this latter movement with the result that the only one of Jeanne's supporters to take any military action was Louis, Count of Nevers and Rethel, who attacked royal supporters in Champagne and Nevers in late April and May 1317.¹

It was exactly at this time and in this general area that Jean de Lamouilly captured Pembroke and his retainers, the disturbances of the time making the presence of such armed bands in the region through which Pembroke had to pass very likely. It is possible that news of Pembroke's coming had reached Jean de Lamouilly and the Count of Bar and that they had planned to waylay him. There is however no evidence that the Count of Bar himself was involved in the league of Champagne or any other of the political movements of the time and there is no reason to suppose that he was anywhere in the Champagne area with an armed force in May 1317. But, as already seen, the Count of Nevers was on the move in this region. As Count of Rethel, Louis of Nevers held territory which abutted directly onto the County of Bar and which

¹ Lehugeur: op. cit., pp. 92-6.
was close to Jean de Lamouilly's home district, and it is therefore conceivable that Jean and his followers were in the company of the Count of Nevers when they came upon Pembroke and his men and, seizing their opportunity, took him prisoner. If this explanation is near the truth of what happened, Pembroke's capture should be seen as an accidental by-product of the disturbances in France in 1317 rather than as a deeply laid plot. The sequence of events would therefore begin with an opportunist move by Jean de Lamouilly as a means of settling his grievances against the English King, after which the Count of Bar took advantage of the situation to avenge his own grievances against Edward II and the Earl of Surrey. This account of Pembroke's capture and ransom is necessarily a circumstantial and incomplete one but it is very likely that in most of its main points it does provide an accurate explanation of what happened.

When the news of Pembroke's capture reached

1. The Champagne nobles had asked Louis to join them on May 1st., which was the precise time when Pembroke happened to be in the region: Bibliothèque de l'Ecole des Chartes, 45, 1884, pp. 76-8.
England early in May 1317. Edward II's reaction was for once prompt and vigorous. On May 10th, the King sent off the series of twenty-seven letters explaining the circumstances of Pembroke's capture and asking for aid in obtaining his release, which have already been analysed. On the same date he sent letters of credence to the Count of Bar, his uncle Erard de Bar, his sister the Countess Warenne, and to the Earl of Richmond on behalf of two of his household knights, Ebulo de Montibus and Guy Ferre, whom he was sending to follow up his requests. Since Jean de Lamouilly presumably held Pembroke prisoner with the Count of Bar's protection, this would be the most crucial part of the efforts to secure Pembroke's release. Also on May 10th, Ebulo de Montibus alone was accredited to visit the Dukes of Burgundy and Lorraine and the twelve other magnates on or near the borders of the Empire whose help was being sought, and he left on

1. The first reference to his capture is on May 10th: E. vol. 2, pp. 329-30.
2. Loc. cit.
3. Loc. cit.
4. Loc. cit.
his mission on May 18th. On May 10th, a royal clerk, Mr. John Hildesley, also left for the papal Curia at Avignon, probably to enlist the Pope's help, although this is not specifically stated. No envoys were sent to Philip V of France or the other leading members of the French court for the likely reason that Badlesmere and Anthony Pessaigne, Pembroke's colleagues on the Avignon mission, who had probably been travelling a short time ahead of or behind him on their return to England, probably went on to Paris as soon as they heard of Pembroke's capture and did what they could at the French court to have him freed.

Just as the internal disturbances within France provided the conditions in which Pembroke was taken prisoner so their settlement probably also contributed to his release. At about the same time that Pembroke's release was being negotiated the league of Champagne collapsed. On June 1st, the Duke of Burgundy, one of the leaders of the party of Jeanne, Louis X's daughter, and the Count of Bar's brother-in-law, agreed to withdraw support from the

1. E.403/130/m.5: he received £20 expenses.
2. Soc. of Antiqs. Ms. 120/f.27d.
military ventures of Louis de Nevers in Champagne.¹ During June and July arbitration went on between the Duke and the Champagne nobles on the one hand and fourteen French royal mediators, who included Amadeus of Savoy, to whom Edward II had appealed for help in freeing Pembroke. These signs of peace would no doubt have helped to persuade the Count of Bar and Jean de Lamouilly to agree to Pembroke's release while they could still get a large ransom for him.

Pembroke was still believed to be a prisoner on June 2nd. when the King wrote asking for news of him and on how best to arrange for his speedy release.² On June 17th. news of Pembroke's release reached the King via one of Pembroke's messengers, to whom the King presented a gold cup in gratitude for the good news,³ and on the same day the King sent the messenger back to Pembroke with a letter expressing his joy at the news of his freedom and asking him

1. H.E. Petit: Histoire des Ducs de Bourgogne, 8, pièces justificatives no. 6693.
2. S.G.1/49/40. It is reasonable to suppose the other two were still with him.
3. Soc. of Antiqs. Ms. 120/f.93.
to return to England as quickly as possible. Pembroke's return was indeed rapid and he arrived in London, accompanied by Anthony Pessaigne and probably also by Badlesmere, on June 23rd. The three men then probably left London together, rejoined the King at Woodstock by the 28th, and went on with him to reach Northampton by July 4th.

Pembroke had however a third companion on his journey back from captivity: John de Ponthieu, the Count of Aumale in France, who came with him as an escort to ensure his safe conduct. John de Ponthieu was a member of the league of Artois and had probably been appointed by agreement with Pembroke's captor to see that Pembroke's journey home was not again interfered with by some other adventurer like Jean to England. In order to ensure his release Pembroke


2. Soc. of Antiqs. Ms. 120/f.24, 27d: Pembroke and Pessaigne's accounts for the Avignon mission formally closed on this date.

3. This is a speculative statement. Badlesmere alone was certainly at Woodstock on the 26th, when his account for the Avignon mission was also closed: ibid./f.24. It is reasonable to suppose the other two were still with him.

4. O.53/103/m.2.

5. Soc. of Antiqs. Ms. 120/f.54d.
In his gratitude for Pembroke's return the King wished to reward the Count for his services and on July 5th Pembroke, Badlemere and Pessaigne appeared before the Council at Northampton to discuss how this should be done. It was finally decided that the Count should be given a horse worth 16 marks, a saddle and £40 in cash, while one of his knights, Sir John de Amante, should receive a horse, a cup and 20 marks, and two other retainers, the dominus de Caunbray and Henry de Bois Vert, a gold cup each. The Gifts to the Count's retainers were duly made on July 12th and the Count received his horse and cash on the 18th.

The embarrassment caused to Pembroke by his imprisonment did not end with his release and return to England. In order to secure his release Pembroke had paid Jean de Lamouilly £2,500, or just less than

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2. Loc. cit.; Soc. of Antiqs. Ms. 121/f.66d: Caunbray is presumably Cambrai. Soc. of Antiqs. Ms. 121 is the Wardrobe Book of 11 Edward II.
3. Loc. cit.
4. Ibid./f.28.
a quarter of the total ransom of £10,400, and therefore there remained £7,900 to be paid in the future. As a guarantee that the rest of the ransom would be paid Pembroke had been forced to leave behind him as hostages several members of the retinue of twenty-six men whom he had taken with him to Avignon in January. The hostages' names are not given specifically but it is safe to identify them with the six Pembroke retainers described as staying overseas for whom the King gave protections on June 20th, 1317. These six were:

1. Aymer la Zouche
2. William Lovel
3. Constantine de Mortimer
4. John de Stapleton
5. His natural son Henry de Valence
6. One of the longest-serving of his valets, John Merlyn.

Pembroke was accordingly faced with the immense problem of raising the rest of his ransom as quickly as possible in order to free his hostages.

Pembroke was given some assistance by the

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1. C.P.R., 1313-17, p. 6 (July 24th.). How he raised this amount is unknown.
2. C.P.R., 1313-17, p. 573; C.81/1706/10; C.81/1750/52. The existence of hostages is shown in C.Papal Letters, 1301-42, p. 240 and C.81/1706/16.
3. C.P.R., 1313-17, p. 672.
King in solving these difficulties, as was only just since Pembroke had been in the King's service when he was captured and had been forced by his captor to pay the penalty of the King's past sins of omission and commission. On July 24th, 1317 the King took over responsibility for the £2,500 which Pembroke had already paid to Jean de Lamouilly by assigning to him the receipts of the wool custom at Kingston-on-Hull until he or his executors had recovered the sum.¹ This amount would naturally take some time to raise in this way and instead the Bardi paid the full sum to Pembroke a few days later on the King's instructions, receiving in return on August 4th the customs assignment which Pembroke had just been given.² This payment however covered only Pembroke's immediate financial loss and still left the rest of his ransom unsettled.

Part at least of what remained was raised by Pembroke from the resources of his own lands, perhaps in the form of the traditional aid for the ransoming of a lord. A document of December 17th, 1317 records that on this date the community of

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¹. Ibid., 1317-21, p. 6. 2. Ibid., p. 9.

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Haverfordwest in Pembrokeshire paid to Pembroke's Steward, Hugh de Panton, to assist in the delivery of his hostages, a sum of £20, equivalent to about one seventh of the annual revenue which Pembroke received from his lordship. It is unlikely that Pembroke was able to collect a very significant sum in this way, since even if it were assumed that the remainder of his tenants contributed on a similar scale, and there is no evidence that they did, all of his English, Irish and Welsh lands, which at this date were worth in the region of £2,500, would have yielded only about £350.

A further contribution to Pembroke's needs was made on October 31st, 1317 when the Sari of Surrey was authorised to give him the towns of Grantham and Stamford, which Pembroke was to hold until he had recovered a sum of £4,000, which he had paid on Surrey's behalf while overseas, and which may have been Edward of Bar's way of punishing Surrey for the treatment he had received.  

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1. N.L.W., Haverfordwest Deeds 878.
2. In 1324 it was extended at £133/19/0: C.134/85/77-8.
3. C.P.R., 1317-21, pp. 40, 48. The original patent roll has no further details to explain the transaction.
of his wife. This sum may be included in the £10,400 total of Pembroke's ransom and, if so, had probably been promised by Pembroke rather than actually paid in cash. But the actual revenue of about £200 which Pembroke would receive from these two towns would take many years to total £4,000, and, like the contribution made by his tenants, would do little to solve his immediate financial needs.

Nonetheless Pembroke's efforts in 1317 did apparently have some immediate effect on the custody of his hostages, since on November 2nd, the King issued fresh letters of protection on behalf of Henry de Valence, Aymer la Zouche, William Lovel, and Constantine de Mortimer, which implies that John de Stapleton and John Meelyn had been freed or were soon expected to be.

On April 27th, Pembroke made a recognisance.

1. This sum might have been the value of Joan's dower.

2. C.135/36/4 (Warenne's I.P.M. in 1347): exact value uncertain because of state of document. The Exchequer version of the inquest (E.149/2) is in even worse condition: E.149/10/2.

3. Pembroke could have raised a large sum by selling or leasing the towns but there is no evidence that he did so. C.P.R., 1317-21, p. 153. On Oct. 11th, Pembroke had asked for the renewal of Aymer la Zouche's

4. C.P.R., 1317-21, p. 45.
to be released.\textsuperscript{1} Little further progress in the release of the remaining hostages was made in the months that immediately followed and on April 18th, 1318 the protections for Henry de Valence and his three companions were again renewed.\textsuperscript{2} Soon after this Pembroke must have paid another instalment of his ransom and succeeded in freeing his son, Henry, and also Constantine de Mortimer, since the last recorded protection for his hostages, on September 25th, 1318, was for Aymer la Zouche and William Lovel alone.\textsuperscript{3}

There is evidence that in 1319 Pembroke was being paid and was borrowing large sums of money, which it is reasonable to assume reflect a major effort on his part to liquidate what was left of his ransom. On April 27th, Pembroke made a recognisance to the Bardi at the Exchequer for a loan of £3,000 which they had made to him, repayable in 31,000 pounds sterling.

1. They had rejoined his retinue by Oct. 1318: C.71/10/m.12.
2. C.P.R., 1317-21, p. 133. On Feb. 11th. Pembroke had asked for the renewal of Aymer la Zouche's protection at the latter's request: C.81/1706/16.
3. Henry de Valence had returned by the previous day, Sept. 24th. 1318: C.71/10/m.13.
instalments on November 1st., February 2nd., and February 16th. following. Because Pembroke alone did not possess the resources to guarantee the repayment of such a large sum at so short notice the names of the Bishop of Winchester, Badlesmere, Walter de Norwich, Gilbert Pecche, Robert Baynard, and two of Pembroke's retainers, John Hastings and Constantine de Mortimer, were added to the obligation after Pembroke's name to act as guarantors. These arrangements were taken a stage further on May 28th. during the York Parliament when the names of the Bishop of Ely, the Younger Despenser and another of Pembroke's retainers, William de Cleydon, were also added to the list of guarantors of April 27th. in order to spread the risk more widely in the event of Pembroke's failure to repay the Bardi. On July 17th. Pembroke made a further transaction when he borrowed £1,000 from a Florentine merchant, Manent Francisci, whom he promised to repay on November 11th, next. Soon afterwards Pembroke

1. E.159/92/m.73; E.368/89/m.136.
2. Loca. cit.
4. E.368/89/m.148.
raised another very large sum by persuading the King to pay him an advance of 2,000 marks on the wages which he would receive for future service against the Scots, of which he received 1,000 marks on August 17th. and the rest between then and April 10th. 1320. Even this was not enough and on October 19th. 1319 Pembroke borrowed from the King a sum of £2,000 which the Bardi had paid into the Exchequer for this purpose on the same date. On paper therefore Pembroke had received during 1319 in loans and advances a total of £7,333/13/4d., but the proportion of this amount which was directly available to be sent overseas to help pay his ransom was in fact some £3,000 less than this figure as can be seen when Pembroke's repayment of the loans is examined.

Both the loans made to Pembroke by Italian bankers were repaid promptly. The Bardi received two instalments of £1,000 on October 19th. 1319 and February 5th. 1320 and Manent Francisci's £1,000 was restored.

1. E.403/187/m.8; ibid./189/m.3, 4; ibid./191/m.1.
2. Ibid./189/m.1; E.401/229/m.2; E.368/90/m.4; Palgrave: Ancient Kalendars, 1, p. 76, no. 10.
3. E.159/92/m.73.
to him on November 25th, 1319. However the repayment to the Bardi in October coincided in date with the King's loan of £2,000 to Pembroke and therefore at once absorbed half this amount, while the payment to Manent Francisci accounted for the rest of this sum. It is also revealed in February 1320 at the time of Pembroke's second payment to the Bardi that the Bardi's loan to Pembroke in the previous April was in fact for £2,000 and not for £3,000, the extra £1,000 being presumably a penalty in the event of any delay in repayment. But Pembroke's indebtedness was not ended by these repayments. By using the advance on his wages for service in Scotland to help pay his ransom Pembroke probably left the wages of some of his retainers in arrears. There was also the matter of the King's £2,000 loan. This may not have been repaid in Pembroke's lifetime since no definite date for repayment was set, but his executors would certainly have been forced to pay it out of his estate. It seems certain that Pembroke was financially ruined by the effects of paying off his ransom and was dogged by financial

1. Ibid./m.86. In Chapter 7, Pembroke's executors however claim that the King also owed Pembroke.
2. Ibid./m.73. Years of wages and expenses.
troubles for the rest of his life, being heavily in debt both to the King and others at the time of his death in 1324, while some of his debts were still outstanding when his widow died over fifty years later, in 1377.¹

The total amount of the ransom which Pembroke succeeded in paying cannot be given, but most of it seems to have been paid by arrangements which Pembroke made himself. Of the total of £10,400 sterling only £2,500 can be said with certainty to have been paid by the King, the remainder of the King's payments to Pembroke being either loans or advances on money which he would have received in any case. Nor can Warenne's grant of the towns of Stamford and Grantham be regarded as particularly generous when set against the £4,000 which Pembroke had pledged on his behalf. The reason for Pembroke's niggardly treatment by Warenne and especially by the King is unknown but a possible explanation may be that Pembroke had agreed to pay Jean de Lamouilly what they regarded as an absurdly high ransom and that they were therefore unwilling

¹: See details in Chapter 7: Pembroke's executors did however claim that the King also owed Pembroke money for arrears of wages and expenses.
to make themselves responsible for more than a part of it.

From Pembroke's point of view it was doubly unfortunate that, despite all his efforts between 1317 and 1319, he did not apparently succeed in paying all his ransom. Although Aymer la Zouche and William Lovel, the last of the six hostages whom Pembroke had left behind him on the Continent in 1317, had returned to England by July 1319, their return was not the end of the matter, since as late as 1324 Constantine de Mortimer junior, the son of Pembroke's retainer of the same name, was still held prisoner by Jean de Lamouilly. Since Constantine junior was not one of the retainers whom Pembroke took to Avignon in 1317 it is unlikely that he had been a prisoner since that time, and it is probable that Constantine senior's return to England early in 1319 had been conditional on his son's taking his place until the completion of payment of Pembroke's ransom set him free. However Pembroke's efforts to raise the rest

1. C.71/10/m.5.
3. He was back by April 28th.: E.368/89/m.136.
of his ransom in 1319 may have exhausted his credit with the result that Constantine junior remained in captivity. Finally in 1324 Pembroke took action to break out of this impasse. The visit to Edward II in April 1324 of Robert, the brother of the Duke of Burgundy to whom the King had appealed for help in releasing Pembroke in 1317, may have been directly connected with Pembroke's troubles or at least used as an opportunity to help solve them. At about the same time Pembroke also petitioned the Pope on the matter and on June 9th, 1324, only two weeks before Pembroke's death on a mission to Paris, the Pope released the oaths which Pembroke and his retainers had made to their captor in 1317. In the following October Constantine de Mortimer senior sent one of his household overseas to fetch his son back to England.

After having claimed that the King's aid to Pembroke in paying his ransom was not as generous as it might have been it may seem strange to have to stress the King's great concern for Pembroke's welfare and 1324 are marked by anxious concern for his

1. E.101/379/19/f.9d.
2. C.Papal Letters, 1305-42, p. 204.
3. C.P.R., 1324-7, p. 39.
while he was actually held prisoner. This was however the case. In 1317 the King was ill able to afford the prolonged absence from England of Pembroke, Badlesmere and his other councillors that was produced by their participation in the mission to Avignon and on at least two occasions while Pembroke and his colleagues were still engaged on the mission the King enlisted their advice on matters of policy concerning English-held territories in France. On March 21st. 1317 the King wrote saying that he had ordered Nicholas de Gayton and Alermo Cacheleu to discuss with the envoys at Avignon some business relating to Ponthieu which Nicholas and his colleague were then to raise at the French Curia in Paris. \(^1\) On April 22nd. the King wrote again asking them when they reached Paris on their return from Avignon to meet William de Oasis there and give advice on policies to be adopted in Gascony. \(^2\) As already described, the news of Pembroke's imprisonment produced a great flurry of English diplomatic activity, while the King's two letters to Pembroke on June 2nd. and 17th. 1317 are marked by anxious concern for his

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2. Ibid., p. 221.
welfare and injunctions for him to hurry back to England with all possible speed. So important did the King consider Pembroke's presence in England to be that he twice postponed, on May 24th. and June 18th., the start of the Scottish campaign due to begin on July 8th. until he knew that Pembroke would be able to take part in it.

The delay to the Scottish campaign was one tangible result of Pembroke's continued absence from England. Another more important one was that in his absence relations between the King and the Earl of Lancaster had taken a sharp turn for the worse. It is therefore necessary to turn next to political developments in England during Pembroke's absence abroad in the early part of 1317 and to consider the situation with which he was faced on his return.

1. S.C.1/49/40, 41.

2. E.101/15/11/4; ibid./15/14/4. On Warr., p. 455; partly no doubt because Pembroke and many of his retainers were already occupied on the Avignon mission.
CHAPTER FIVE

THE "MIDDLE PARTY" AND THE TREATY OF LEAKE

PART ONE

THE "MIDDLE PARTY"

By the time of his departure for Avignon in January 1317 Pembroke had, as already shown, regained much of his earlier political importance, while the King's trust in him, which he had retained even at periods when his political influence was relatively weak, was as strong as it had ever been. Indeed the year 1317 opened with further signs of the royal favour in which Pembroke stood. On January 4th. he was exempted from the order to English magnates who held lands in Ireland to send troops there to assist the new Justice of Ireland, Roger Mortimer of Wigmore; on the 20th. one of his knights, John Darcy, was given

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1. C.C.l.R., 1313-18, p. 450; C.Ch.Warr., p. 455:
partly no doubt because Pembroke and many of his retainers were already occupied on the Avignon mission.
custody of the castle of Norham in Durham;¹ and on
the 25th. another associate of his, Maurice de Berkeley,
who was already the Justice of South and West Wales,
was also appointed to be Justice of the lands of the
Bishop of St. Davids, in place of the Bishop's brother,
William Martin.²

Pembroke's influence in English affairs was
not entirely cut off by his absence from England in
the early months of 1317. As has already been seen
in the last chapter, the King found it necessary to
consult him on, for example, government policy in
the English possessions in France, and was also unwilling
in June 1317 to proceed with the planned Scottish
campaign until Pembroke had returned to England. But
of far greater importance than these points was the
fact that before Pembroke left England for Avignon
he had left advice on the policy which the King should
follow in his absence, advice which the King had
willingly accepted and to which he promised to adhere.³
The exact nature of this advice is unknown and it is

¹. C.P.R., 1313-17, p. 616.
². C.P.R., 1307-19, p. 316.
likely that it consisted of general injunctions to the King for his future conduct rather than detailed and specific recommendations of policy. However it seems reasonable to speculate that Pembroke had given advice to the King on the one problem upon which, more than any other, all royal policy would in the long run stand or fall: the achievement of a satisfactory solution to the crisis in relations between the King and Thomas of Lancaster, either by regaining his cooperation in royal affairs and acquiescence in the decisions of the royal administration or, as in 1316, by giving him an agreed and precisely defined role in the conduct of the royal government. This problem was the dominant one in the politics of 1317 and 1318 and it is with the attempts made to solve it, and the part played in them by Pembroke and others, that this chapter seeks to deal.

By the end of 1316 Lancaster had once again become bitterly at odds with the King and relations between them had for all practical purposes ceased. 1 But for the sake of the peace of the country such a

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1. The crisis in relations between the King and Lancaster is especially emphasised by the author of the Vita (p. 75).
state of uneasy truce could not be allowed to continue indefinitely, the urgency of re-establishing contact with Lancaster being underlined by signs early in 1317 that he was once again choosing to try and interfere in royal affairs: on January 21st., for example, he wrote from Kenilworth warning the King not to grant to John Witney, a monk of Westminster, three manors which Edward I had assigned in alms in memory of Edward II's mother. ¹

The first evidence of any attempts to gain Lancaster's co-operation is associated with two meetings of the royal Council, at Clarendon in February 1317 and at Westminster in April. The first of these Councils had already by January 23rd. been fixed to meet at Clarendon on February 9th., ² and a formal summons to thirteen of the royal clerks and justices was issued on January 28th. when it was said that the King proposed to hold a colloquium and tractatus with certain prelates and magnates of the Council to discuss great and arduous affairs touching the

¹ S.C.1/49/75.
² C.Ch.Warr., p. 460.
King and the state of the realm. Those present at the Council, between February 9th and about February 20th, included all the chief members of the royal Council who had not gone to Avignon with Pembroke, the Archbishop, Chancellor, Treasurer, the Bishops of Salisbury and Exeter, the Earls of Hereford and Norfolk, and the Elder Despenser. Lancaster himself was not present on this occasion, and one writer says specifically that he was not asked to attend; but his interests may have been represented since his brother, Henry of Lancaster, was at Clarendon during the time of the Council. Already during the Clarendon Council itself it was decided that a further meeting would be necessary to discuss the decisions taken at the Council, and on March 14th, a formal summons to attend a colloquium of magnates and prelates at Westminster on April 15th, was sent to the Archbishop, the Bishop of Exeter, the Earl of Hereford, the Elder

3. Sec. of Antice, Ms. 120/6, 26: they returned on April 5th.

2. C.E.B., 1317-21, p. 225.
3. Trivet (Contr.), p. 120.
4. C.55/103/m.12-14, Feb. 10th, 14th.
5. C.C.I.R., 1313-18, pp. 149-56.
and Younger Despensers, and three of the royal justices. But the most significant point about this second Council is that this time a summons was also sent to Lancaster and his close adherent, Robert de Holand, and to give added force to the summons, two royal envoys, Robert de la Beche and Robert de Kendale, were sent from Clarendon on March 16th. to visit Lancaster at his castle of Donnington in Leicestershire. But although Lancaster and Holand had by April 4th. moved to Kenilworth, their movement was not a prelude to their coming to Westminster and they failed to appear when the Council opened on the 15th. Those present at the Council were however determined to try and consult Lancaster and on April 21st. they sent Mr.

1. Ibid., p. 459. Seven royal clerks present at Clarendon had already on Feb. 18th. been told to come to Westminster on April 9th. Ibid., p. 455.
2. Ibid., p. 459.
3. Soc. of Antiqs. Ms. 120/f.26: they returned on April 5th.
4. C.P.R., 1317-21, p. 225.
5. On the 13th. Hereford, the Archbishop and Bishop of Exeter were authorised to open and continue the Council until the King's arrival: Ibid., l313-17, p. 654. The King probably anticipated delay by Lancaster and did not propose to appear until the latter's arrival.
Richard de Burton from Westminster to see him at Donnington pro quibusdam arduis negotiis sibi per ipsum dominum Regem nunciatis faciendis et expediendis; but there is no sign that Lancaster offered any cooperation. Efforts to persuade Lancaster to appear in person at the Council had therefore failed but there can be little doubt that these efforts were seriously intended, and, as already hinted, it is reasonable to see them as, in part at least, the result of the advice given to the King by Pembroke in the previous December. This is not however intended to rule out a similar intention on the part of other responsible members of the Council who had remained in England, such as the Archbishop, the Chancellor John Sandale, the Bishop of Exeter and the Earl of Hereford, who would also be well able to appreciate the benefits to be gained by cooperation with Lancaster. It might accordingly be expected that men such as these, together with Pembroke and others, would make further efforts to achieve this in the future.

However any chance that such attempts would

1. Soc. of Antiqs. M. 120/f. 25d.: he returned on May 2nd.
have any rapid success was almost at once ruled out by an act of gratuitous folly which opened an even wider breach between the King and Lancaster. This was the abduction of the Countess of Lancaster by John de Warenne, Earl of Surrey, on May 9th at Canford in Dorset. Not un-naturally the abduction was seen at the time by Lancaster as a deliberate plot on the part of the King and his supporters, one usually well informed writer saying that it had been planned at the Clarendon Council in February, at which Warenne had been present. At the same time Lancaster's suspicions as to the King's part in the affair were increased by the hostile attitude towards him of certain of the royal familiares, three of whom were said to have spoken openly of him as a traitor during the Clarendon Council. There is however no evidence to support such a clear assertion of cause.

1. The best account is in Trivet (Cont.), pp. 20-1.
2. Ibid., p. 22: the affair is described as primus Concilii ramus apud Clarendoniam tenti. Flores, 3, p. 178, also accuses the King of complicity.
3. C.53/103/m.12-15. Tran s. C. XIII/f.295d.: extracts from the register of Dering in Essex. Warenne is said to have betrayed the Countess and his promise to carry him.
4. Trivet (Cont.), p. 20.
and effect and the presence at Clarendon of responsible men like Hereford and the Archbishop would in itself tend to rule out the making of any formal royal plot against Lancaster. The only link that may safely be suggested between the affair and the King is that knowledge of the hostility to Lancaster of the King and some of his associates may have encouraged Warenne in his intentions, in the hope that by striking a blow against Lancaster he would gain the King's gratitude. But on the whole it is likely that Warenne's abduction of the Countess, who does not appear to have been an unwilling victim, was undertaken by him primarily for personal motives, and it is noticeable that in the negotiations in 1318 the matter was treated by Lancaster as a personal quarrel between him and Warenne and not with the King. However the known hostility to Lancaster of the royal familiares, even if on this occasion they confined their enmity to words and not deeds, meant that these men had played an important part in destroying the efforts of other

1. Soc. of Antigs. Ms. 129/f.50d.: they returned on June 12th.

1. Ms. Cotton Cleopatra C. III/f.295d.: extracts from chronicle of Dunmow in Essex. Warenne is said to have claimed that the Countess had promised to marry him.
royal associates to gain Lancaster's co-operation, and, as later events were to show, they would do so again. The events of May 1317 thus marked the temporary breakdown of the attempts inspired by Pembroke and others to re-establish contact between the King and Lancaster, and although on May 29th. the King sent one of his knights, Richard Lovel, and a clerk, William Hoo, to see Lancaster, 1 perhaps to try and placate him for his wife's abduction, no immediate steps to resolve the by now critical political situation appear to have been taken. The next positive move in this direction was not made until after the return of Pembroke to England at the end of June and perhaps again owed something to his inspiration.

The two papal envoys to England, Cardinals Gaucelm and Luke, were at Canterbury on June 24th. 2 and had reached London by the 28th. 3 and it was in anticipation of their joining the King that on July

1. Soc. of Antiqs. Ms. 120/f.30d.: they returned on June 12th.
2. Trinity College, Cambridge, Ms. R.5.41/f.113d: this is a chronicle from Canterbury.
3. Soc. of Antiqs. Ms. 120/f.54.
1st. a colloquium to discuss royal business relating to England, Wales, Scotland, Ireland and Gascony was summoned to meet at Nottingham on July 18th. Those summoned to attend were the leading members of the royal Council, who included the Archbishop, the Chancellor, the new Treasurer, the Bishop of Ely, the Bishop of Norwich, the Earls of Pembroke and Hereford, the Despensers and Badlesmere, as well as the royal justices and leading clerks. Once again, as in April, Lancaster was also asked to attend, and once again he failed to appear. The start of the colloquium was delayed for yet another attempt to persuade Lancaster to come, and on July 21st. William de Dene delivered to Lancaster at Ashburne-in-the-Peak two letters, one of which repeated the King's summons to Nottingham and the other accused Lancaster of gathering armed retainers to disturb the peace. In reply to the first of these Lancaster claimed that the business of the Nottingham colloquium ought to be dealt with legislative position. His letters are given in their full French text in Murimuth, pp. 271-4, and in an incomplete Latin version in Bridlington, pp. 50-2.
in a Parliament and therefore by implication refused to attend as requested. He then went on to accuse the King of having ignored the recommendations made by the reform commission set up at the Lincoln Parliament of 1316, of failing to observe the Ordinances and, in particular, of keeping at court and making gifts to persons who should have been removed under the Ordinances. Lancaster's remarks may be taken as a justification for his unwillingness to co-operate with the King since 1316, but they have a greater interest than this since his charges bear a close resemblance to the points that were regularly raised by him during the negotiations prior to the Treaty of Leake in 1316 when, apart from his general insistence upon the observation of the Ordinances, Lancaster laid particular stress on the position of certain royal familiare and on royal grants of land to them as barriers to a political settlement. As a statement of what may very loosely be called Lancaster's constitutional position this letter is of great interest, but it does not fully demonstrate the level of personal hostility which lay behind his refusal to attend the

1. *D'eca cit.*
Council. Fortunately this gap is well filled by the comments of the author of the *Vita* who records the verbal message that Lancaster sent with his written replies to the King's letters. This shows that his true reason for not obeying the King's summons was his fear of plots against him by the royal *familiares* who had already shown their hostility to him by the disgrace and humiliation he believed they had caused him through his wife's abduction. Lancaster promised that if the King expelled these men from court, he would come to the King whenever the latter wished.¹

In reply to the King's second letter, Lancaster admitted freely that he was collecting armed retainers² but said he was only doing this in response to the King's summons for him to come to Newcastle on August 11th. for the planned Scottish campaign, a summons which he said he intended to obey.³ This reply could not however conceal the possibility that because relations

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2. There is direct evidence of this in indentures for military service made with Lancaster by Adam de Swillyngton at Tutbury in June 21st. and by Hugh de Meignel at Ashburne-in-the-Peak on July 24th.: *Ms. Dodsworth 94/f.122d.; Ms. Dugdale 116/f.39d.*
between the King and Lancaster were now so bad they could easily take a violent turn, the King having taken the precaution at this time of keeping with him John Giffard, John Cromwell and John de Somery, who had recently contracted to serve him with retinues of thirty men each.

Pembroke's movements during the month of July, after his appearance before the Council at Northampton on the 5th., are uncertain. He and Badlesmere were away from the King for some time after this date on unspecified business concerning John Botetourt for which, on July 13th., the King authorised them to remain away until the 20th. But in the middle of the month ominous news reached the King from Hugh Audley senior that many of the defenders of the Scottish March had abandoned their posts and that the Scots had invaded the country on July 8th. and because of this the King insisted that Pembroke and Badlesmere should be sure to rejoin him on the

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1. Loc. cit. Pembroke had rejoined the King by this
3. S.C.1/49/42.
4. Loc. cit.
20th. and should bring with them as many retainers as they could muster. Lancaster's refusal to attend the Nottingham colloquium on July 18th. and the reasons which he gave for it might be expected to end any further immediate attempts to deal with him peacefully. The King was reported to be incensed at his refusal to come and especially by the demand that he should purge his household, and some of his followers were ready to urge him to pursue Lancaster and either imprison or exile him. Others saw the dangers to the realm which civil war would bring and urged that everything possible should be done to make an agreement with him. The gravity of the Scottish threat to the north, which the King had reported to Pembroke on the 13th., also made Lancaster's co-operation more urgent than ever and, despite the emergency, the summons for the Scottish campaign, already delayed once by Pembroke's imprisonment, was on July 26th.

1. Loc. cit. Pembroke had rejoined the King by this date: C.53/104/n.6. On July 25th. he was at Radcliffe-on-Trent, near Nottingham, with a group of his retainers: Chartae, Privilegia et Immunitates, p. 47.

2. Vita, pp. 80-1.
again postponed from August 11th. to September 15th.\(^1\) to give time for further negotiations with Lancaster.

The history of the four months which followed, August to November 1317, is very complex and has never been fully worked out. But by a careful study of the chronology and source material for this period it is possible to work out the sequence of political events and their inter-relation and so to obtain a clearer picture of the developing relations between the King and Lancaster. More particularly, this examination will also make it possible to reach a conclusion as to whether, as is commonly alleged, the Earl of Pembroke was at this time trying to build up a "middle party".

After the conclusion of the Nottingham colloquium the King moved on to the north towards York and it was during this period that the first renewed contacts were made with Lancaster. According to the well informed though unidentified author of the Continuation of Trivet, who, together with the writer of the Vita Edwardi Secundi, provides most of the detail and chronology of what follows, the King sent solemn envoys to visit Lancaster at Pontefract to try and

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1. F.W., 2, 1, p. 198.
make peace with him so that the Scottish campaign could proceed. These envoys are identified as the Archbishops of Canterbury and Dublin, the Bishops of Winchester, Llandaff, Salisbury, Norwich and Chichester, the Earls of Pembroke and Hereford, and royal bannerets and clerks.¹ The exact date of this mission is not given apart from the fact that it took place before the King's arrival at York,² and the most likely date for it is at some point during the King's stay at Lincoln between August 18th. and 30th.³ Circumstantial confirmation of this is provided by the mission of Henry de Pateshull who was sent to Lancaster on royal business on August 18th.,⁴ perhaps to announce the mission, by the absence from the witness lists of royal charters of the period of three of those who went to Pentefract, the Archbishop of Canterbury and the Earls of Pembroke and Hereford,⁵

1. Trivet (Cont.), p. 23: this mission is otherwise unknown.
2. Loc. cit.
3. Soc. of Antiq. Ms. 121/f. 43.
4. Loc. cit. 1317-21; passim. 15. 35. The failure is expressed only in these words: versus faciebus incassum
5. C.53/104/m.12, 13.
and by a royal letter sent to Pembroke and Hereford on August 23rd. On their arrival at Pontefract the envoys are said to have found no reason why a settlement should not be made and this they reported to the King on their return, recommending him to make peace. However, for reasons which the Continuation of Trivet fails to make clear, these promising negotiations came to nothing, and it remains again for the Vita to supply the crucial background details. According to this source, the magnates who mediated with Lancaster arranged for him to meet the King in person so that they could in this way reach a rapid solution to their differences. But before the meeting could take place Lancaster was told that the King had threatened to kill or imprison him if he came alone and the negotiations ended amid further recriminations and accusations. Nonetheless the Pontefract mission is still of considerable interest. The presence on the embassy of the two archbishops and five of the bishops of the Canterbury

2. Trivet (Cont.), p. 23. The failure is expressed only in these words: versis faciebus incassum est laboratum.
3. Vita, p. 81.
province argues a very strong clerical interest in the making of a settlement, an impression which is strongly reinforced during the negotiations of 1318, and it is possible that the prelates, whom the Nottingham colloquium of July had conveniently brought together, had taken a major part in persuading the King to negotiate with Lancaster. The participation of Pembroke and Hereford, who had probably also taken a hand in urging peace on the King, also shows a concern for a settlement which, as in the case of the clergy, later events confirm. It is also very likely that the failure of this initiative once again owed much to the activities of Lancaster's enemies at court.

Immediately following the abortive mission to Pontefract the King continued towards York with his army and reached the city on about September 4th, after travelling from Lincoln via Comeringham.

2. C.P.R., 1317-21, p. 21.
4. Vita, p. 81.
5. Vita, p. 81.
Castlethorpe,\(^1\) and Barton-on-Humber,\(^2\) a route which took him as far as possible to the east of the direct road which passed through Pontefract and which Lancaster could easily block if he wished. This is in fact exactly what Lancaster did do after the King had arrived in York\(^3\) when he placed guards on the bridges to the south of the city and prevented armed reinforcements from reaching the King,\(^4\) justifying his actions on the grounds that because he was Steward of England the King ought to consult him first before taking up arms against any enemy.\(^5\) But despite Lancaster's precautions the King probably already had a considerable force with him. John Giffard and his thirty men joined the King at York on September 5th., while John Cromwell and John de Somery with sixty men between them were brother Louis, the Bishop-elect of Durham, and the

1. C.P.R., 1517-21, p. 15: Sept. 1st.
2. Ibid., p. 18: Sept. 2nd.
3. Trivet (Cont.), p. 25. Cf. McKisack: op. cit., p. 51, who says that Lancaster prevented the King from reaching York by holding the bridges. This account is based on the Vita, p. 81, which does not make clear that the King was already at York.
4. Trivet (Cont.), p. 25; Vita, p. 81.
5. Vita, p. 81.
still with the King, apart from the retainers gathered for the Scottish campaign by Pembroke, Hereford, Badlesmere and others. Other reinforcements which reached the King at York during September from regions north of the city where Lancaster's blockade was less effective totalled six squires, 90 hobelars, 88 Crossbowmen, 638 foot archers and 548 foot soldiers, of whom 30 hobelars and 384 foot came from Wakefield and Sandale, the Yorkshire lands of Lancaster's opponent, Warenne. Since Lancaster was at the same time busy gathering his own forces at Pontefract the situation was by now an explosive one. This situation was made even more dangerous by the capture on September 1st near Darlington by Gilbert de Middleton of Henry de Beaumont and his brother Louis, the Bishop-elect of Durham, and the robbing of the two papal envoys, Cardinals Gaucelm and Luke, who were accompanying them to Durham for

2. Badlesmere, for instance, had thirty-two men with him: C.71/10/m.17.
3. Soc. of Antiqs. Ms. 121/f.43f.
4. Vita, p. 81.
Beaumont's consecration. The two cardinals, who appear to have been caught up in this attack by accident, were afterwards permitted to make their way to Durham, while the Beaumonts who were the objects of the attack were taken to Mitford castle in Northumberland and held prisoner there by Middleton. There can be little doubt that Lancaster was at least the indirect author of this incident and gave encouragement to Middleton, since he had ample reason for hating the Beaumonts, Henry having been one of those whose removal from court the Ordainers had demanded in 1311, while Louis had been the successful royal nominee for the see of Durham against Lancaster's candidate in 1316. Apart from its serious effect on the political situation, the incident has a special interest in that Pembroke was indirectly involved in it through the use by Gilbert de Middleton of his Northumberland

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2. Loca cit.; Melsa, 2, p. 334.
3. In 1318 some of Lancaster's men were pardoned for their part in the attack on the cardinals: C.P.R., 1317-21, pp. 233-5.
4. C.101/58/2756.
castle of Mitford as a base for the attack and afterwards as a prison for the Beaumonts. Middleton himself was not the constable of Mitford, as one local chronicler asserts, and it appears certain that he had seized the castle from Pembroke for his own use. But at the same time there is some reason to think that Pembroke's constable at Mitford, John d'Eure, a local man whose home was within the Mitford lordship, whom Pembroke had appointed as constable on November 15th, 1316, was a sympathiser of Middleton and may therefore have been willing to surrender the castle for his use. On April 25th, 1317 Eure had made an indenture at Durham with John de Sapy, the Keeper of the temporalities of Durham, by which he recognised a debt of 100 marks to Sapy which was to be payable only if Louis de Beaumont were consecrated as Bishop of Durham or received the temporalities of the diocese before

3. Tout: op. cit., p. 322, n. 4, wrongly says he came from Iver, Bucks.
4. E.101/68/2/36.
September 29th. 1317. The indenture was meanwhile to be kept by the Prior of Durham. Since the prior cannot have welcomed the prospect of Beaumont's intrusion as bishop, both he and Eure had an interest in preventing Beaumont's consecration and it can hardly be a coincidence that Middleton's attack on the Beaumonts on September 1st. came only three days before the consecration was due to take place. Eure's implication in the affair seems to be sealed by the fact that on December 29th. 1317 he entered Lancaster's service as a banneret. Pembroke was in fact very unfortunate in his choice of constables at Mitford since Eure's predecessor, John de Lilburne, who was probably Pembroke's first constable there after his purchase of the castle from John de Stuteville in February 1315, was apparently also concerned in the attack upon the Beaumonts and


the cardinals\(^1\) and was responsible for the seizure of the royal castle of Knaresburgh on behalf of Lancaster in October 1317.\(^2\)

But if it is fairly certain that some of Pembroke's present and past servants were involved in the attack of September 1st. 1317, this should not be taken to imply that Pembroke himself was also concerned in it, and it would be against all the previous trends of his career if he had been. The explanation seems to be that in matters affecting the north of England Pembroke was an outsider who could have no direct influence on events there. The men of the region naturally gravitated towards the greatest source of power in the north, Thomas of Lancaster, who was at this time trying to extend his influence beyond his own lands in Lancashire and Yorkshire into the border counties of Durham and Northumberland.\(^3\) Lancaster may not have ordered

1. Ibid., 1317-21, p. 123: March 1318.

2. C.C1.R., 1318-23, p. 270. He was one of Lancaster's retainers: D.I. 41/1/37.

3. Hence his efforts in 1316 to secure the see of Durham for his nominee. Lancaster was also building an important new castle in Northumberland, at Dunstanburgh: see Arch. Aeliana, 28, 1950, pp. 12-13.
the seizure of Mitford from Pembroke and its use to imprison the Beaumonts but it must certainly have suited him to see his old rival embarrassed in this way. It is also significant that both of Pembroke's attempts to provide himself with local bases of influence in areas in which Lancaster had an interest, at Thorpe Waterville in 1313 and 1314 and at Mitford in 1315, failed through movements in which Lancaster was either the prime or the indirect cause. It proved impossible for any rival to survive in an area where Lancaster could exert his influence, as Warenne also found to his cost in his Yorkshire and Welsh lordships in 1317 and 1318. In the case of Mitford, the castle was for all practical purposes lost to Pembroke after 1317. Although Middleton surrendered it to royal besiegers in January 1318, the castle was taken by the Scots soon after with the aid of one of Middleton's adherents, Walter de Selby. Mitford was finally recaptured by the Earl of Angus in 1321 and restored to Pembroke but by that time the castle was a ruin.

2. Lanercost, p. 220; C.P.R., 1321-4, p. 37.
3. Loc. cit.
and of no further use.¹

Lancaster himself took a direct part in resolving the offence caused to the two papal envoys by Middleton's attack. On September 7th, he came to the cardinals at Durham and had a meeting there with Gilbert de Middleton at which he arranged for their property to be restored to them.² Afterwards he escorted them south as far as Boroughbridge in Yorkshire where they were met by Pembroke and Hereford and conducted to the King at York,³ where they probably arrived on about September 8th.⁴

The appearance of the cardinals at York proved to be the start of yet another attempt to make an agreement between the King and Lancaster in which the two papal envoys appear to have taken the lead and to have offered their services as mediators.⁵

¹ In 1324 its value had declined from £29/7/2d to £4/0/10d: C.134/84/74. See also C.H. Hunter Blair: Mitford Castle: Arch. Aeliana, 14, 1937.


³ Melsa, 2, p. 334. Lancaster went back to Pontefract: Trivet (Cont.), p. 23.

⁴ Soc. of Antiqs. Ms. 121/f.7.

⁵ Trivet (Cont.), p. 23; Flores, 3, p. 180; Vita, p. 82.
The details of the negotiation are not known but a summary of the agreements reached is given in the Continuation of Trivet and is probably to be accepted. ¹

This summary shows that the King promised not to take any action against Lancaster or his supporters while Lancaster agreed to come to Parliament whenever and wherever it was summoned and to accept what was done there,² and as an immediate consequence of the agreement a Parliament was summoned on September 24th. to meet at Lincoln on January 27th. 1318.³ Until the opening of the Parliament is said to have played a part in mediating between the King and Lancaster in addition to the contribution of the cardinals.⁴ It may have been a desire for Pembroke to give advice on the cardinals' offer of mediation that prompted the King to write on September 15th. summoning him to come: pur grosses e chargeauntes busoignes dount nous voloms

¹. Trivet (Cont.), p. 23.
². Loc. cit. As a mark of favour the King respited Lancaster's debts on Sept. 24th.: E. 159/92/m.1ld.
³. F.W., 2, 2, 1, p. 171: this records only the intention to hold a Parliament on Jan. 27th. The formal summons went out on Nov. 20th.: ibid., p. 173.
⁴. Vita, p. 82.
avoir conseil e avisement de vous,\(^1\) and, if so, it is likely that Pembroke's first action was to persuade the King to accept the offer. On September 24th, Pembroke and Hereford successfully asked the King to give a safe conduct to Lancaster and his adherents and were given powers to free any of Lancaster's men who should be arrested contrary to it.\(^2\) On the 26th, Pembroke and Hereford were also commissioned by the King at their own instance to look after and safeguard the interests of Lancaster's men until the opening of the coming Parliament at Lincoln.\(^3\) There can be no doubt that Pembroke and Hereford wanted to achieve a settlement, but at the same time it should be remembered that both of them were important members of the royal Council so that, unlike the two cardinals, they could not be wholly neutral parties to the work of mediation.

The agreement produced a reduction in the immediate tension which was reflected by the King's dismissal of many of the forces he had gathered around

1. Soc. of Ant. Ms. 121/f.45. The Scottish campaign was abandoned on the 24th. C.P.R., 1317-21, p. 27.
2. C.P.R., 1317-21, p. 27. This conduct was renewed at the two earls' request on Jan. 4th., March 3rd. 1318.
3. Ibid., p. 29; E.163/4/7/1.
him during September. Lancaster did the same, returning to Pontefract with only a few men and giving up control of the bridges which he had held since the King's arrival in York. In itself however the agreement did no more than postpone consideration of the real problems outstanding between the King and Lancaster and for there to be any genuine progress towards a final solution it would have to be observed sincerely by both sides. This however was not to be the case.

On October 1st, the King left York to return to London and travelled by the direct route to the south via Pontefract, now no longer held by Lancaster's men. The King still had a considerable force with him and as he approached Pontefract, which was weakly defended, he drew up his men and threatened to attack. But for Pembroke's prompt action a full scale attack on the castle might have developed. Pembroke reminded the King that all the disputes between him and Lancaster

1. Soc. of Antiqns. Ms. 121/f.43. The Scottish campaign was abandoned on the 24th: C.71/10/m.16.
2. Trivet (Cont.), p. 23; Flores, 3, pp. 180-1.
4. Vita, p. 82; Flores, 3, p. 181; Trivet (Cont.), p. 24.
had been suspended until the coming Parliament under the agreement which the King had himself confirmed, and that if Lancaster were planning to attack the King, as the latter asserted, he would be risking the loss of all he possessed so that his treachery was therefore out of the question. Fortunately Pembroke succeeded in winning over the King by these arguments and the King and his followers restarted their journey to London. The incident is interesting as an example of how Pembroke could persuade the King into following a sensible course of action but at the same time points to a serious limitation in his influence since he could not in the first place stop other men close to the King from urging him along other and more dangerous paths. Pembroke was thus too late to prevent the hopes raised by the York agreement only a week before from being shattered and the mutual suspicion and distrust of the King and Canterbury from being renewed in an even more serious manner.

1. Vita, p. 82. The speech ascribed to Pembroke is of course invented, but in view of the evident knowledge of events of the Vita's author the opinions in the speech may be accepted as essentially true. He was asked to join the King at Retford: S.C.1/49/44.
form. Any fresh effort to mediate between the two would have to be begun again from scratch. Pembroke could only continue on the road south with the King and hope to be able to prevent further trouble.²

Up to this point the history of the year 1317 had been that of successive attempts to re-establish contact and negotiate with Lancaster, each of these efforts having been frustrated by a combination of the King’s bad faith, the hostility towards Lancaster of certain royal familiares who encouraged the King’s own enmity towards him, and Lancaster’s resulting distrust of the King and these familiares. It is clear from what has already been written that those who were principally and most actively involved in trying to mediate between the King and Lancaster were the Earls of Pembroke and Hereford, probably aided by Badlesmere; the Archbishops of Canterbury and Dublin and several of the prelates of the Canterbury province; and the two papal envys to England, Cardinals Gaucelm and Luke. What has not been made clear is

1. Trivet (Cont.), p. 24.
2. On Oct. 4th. he was asked to join the King at Retford: S.C.1/49/44.
the identity of the royal *familiares* who were Lancaster's opponents and it is now time to do so.

Three of these men can quickly be identified as William de Montacute the Steward of the Household, Hugh Audley the Younger and Roger Damory. It was these three who had described Lancaster as a traitor to the King at the Clarendon Council in February.¹

Audley had been a royal knight since November 1311,² Montacute since at least 1312 or 1313,³ and Damory since before January 1315,⁴ but in 1317 all three were rising as royal favourites to occupy a position which in some ways resembled that of Gaveston and were in consequence acquiring influence over the King out of proportion to the responsibilities which each held. On January 15th, 1317 Montacute, who had been appointed Steward late in 1316, and Damory both contracted to serve the King for life in return for 200 marks.

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1. *Trivet (Cont.), p. 20.*
2. E.101/373/26/f.23d.
4. C.81/90/3241. Damory came to royal attention because of his service at Bannockburn in 1314; *C.F.R., 1313-17,* p. 666.
a year. 1 Audley and Damory also became potentially more important for good or ill as a result of their marriages, with the King's full and willing consent, on April 23rd. and by early in May with Margaret 2 and Elizabeth de Clare, 3 two of the heiresses to the lands of the vast Gloucester earldom, the marriages having followed rapidly on the decision on April 17th. that the long delayed partition of the Gloucester inheritance was at last to be proceeded with. 4 Apart from the reference to the conduct of Montacute, Audley and Damory at Clarendon, there is a good deal of evidence as to opinions of their general character and the enmity between them and Lancaster. The author of the Flores, for example, a writer with strong Lancastrian inclinations, referred to the three of them under the year 1317 as fautores mendacii, ipso Petro (i.e. 

1. E.403/180/m.3.
2. Audley married in the King's presence at Windsor: Soc. of Antiqs. Ms. 120/f.10.
3. Damory married between April 10th. and May 3rd.: C.P.R., 1317-21, pp. 641, 644. The King undoubtedly planned both marriages as a means of advancing his favourites.
4. Rot. Parl., 4, p. 355. Formal orders for the partition were given on May 12th.: C.61/100/4231.
In July 1318, during the Leake negotiations, Lancaster charged Damory and Montacute with having conspired to kill him, perhaps having in mind the royal letters to the Scots asking them to assist in bringing about his death which he had captured at Pontefract in the autumn of 1317, as well perhaps as other occasions. It is also significant in terms of the real or attempted injuries which Damory, Audley and Montacute had inflicted upon Lancaster that during the 1318 York Parliament, after the Treaty of Leake, these three were forced to recognise debts to Lancaster totalling nearly £1,700. The hostility of the three towards Lancaster is easily explained by the fact that, as royal favourites, part of the price of any settlement between Lancaster and the King would be their removal from court. It was therefore in their interests to poison the relations between the King and Lancaster and, since the King's

1. Flores, 3, p. 178.
3. Trivet (Cont.), pp. 23-4.
4. C.C.I.R., 1318-23, pp. 109-10: sums of 906 marks 7½d; 1, 229 marks 6½d; 4½ marks 4½d respectively.
personal emnity towards Lancaster had not diminished, there was, as events in 1517 have already shown, a serious danger that they would succeed in doing so.

Lancaster's opponents also included the Despensers, of whom Hugh Despenser the Elder had been an antagonist of Lancaster since the appointment of the Ordainers in 1310, while his son, Hugh, had married the eldest of the Clare heiresses, Eleanor, in 1306 and was on the point of becoming a powerful political figure now that the partition of the Gloucester lands, for which he had been pressing since 1315, was in progress. Lancaster, in fact, regarded the Despensers, together with Audley, Damory, and Montacute, as his chief enemies. It is accordingly of great interest to discover that on June 1st. 1517 all five made a series of mutual recognisances for sums of £6,000.

It was natural that, given an opportunity such as this,

2. Vita, p. 87 (1318). on Sept. 22nd. following. Each of the five bound himself to all the others, except the Despensers who did not bind one another.

2. Davies: op. cit., p. 435, saw the bonds as marking the formation of a court party which later became absorbed in a "middle party".
The purpose of the bonds was not stated but it is very likely that they were intended as guarantees of mutual aid and assistance for the future. In the event of any future settlement between the King and Lancaster all five would be likely to lose. Individually they would be weak but together there might be much they could to hinder an agreement and so safeguard their common interests.

To these five opponents of Lancaster should be added the Earl of Surrey whose abduction of Lancaster's wife left him open to a demand from Lancaster that he should be punished, and who was therefore also likely to resist any settlement with him.

Lancaster's actions in the weeks following the breakdown of the York agreement of September 1317 show clearly that he recognised who his enemies were. It was natural that, given an opportunity such as this, Lancaster should strike out at his opponents and this

1. C.Cl.R., 1313-18, p. 477; E.163/3/6/m.1: the bonds were payable on Sept. 29th. following. Each of the five bound himself to all the others, except the Despensers who did not bind one another.

2. Davies: op. cit., p. 435, saw the bonds as marking the formation of a court party which later became absorbed in a "middle party".
he proceeded to do. In October he attacked the Yorkshire lands of the Earl of Surrey, whom despite the abduction of his wife he had apparently hitherto left in peace, and quickly seized Warenne's castles at Wakefield, Conisborough and Sandale, disregarding royal protests. 1 Of his remaining opponents Lancaster concentrated solely upon Roger Damory. On October 5th, he seized the castle of Knaresburgh in Yorkshire 2 which had been in Damory's custody since December 1314, 3 and by November 3rd. had also occupied Alton castle in Staffordshire 4 which had been in Damory's hands since January 24th, 1317. 5 Lancaster's singling out of Damory for attack is confirmed by the measures which the King took to save him from further loss. On October 18th, the King ordered Damory's lands in Yorkshire, Hereford and Lincoln to be taken into royal

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1. C.C1.R., 1313-18, p. 575. There is no evidence that Lancaster attacked Warenne immediately after his wife's abduction as is sometimes implied: cf. McKisack: op. cit., p. 51.


hands, hoping in this way to restrain Lancaster from further action. On November 1st., as an additional precaution, custody of Gloucester castle, which Damory had received only on October 24th., was given to Richard de la Ryvere, the Sheriff of Gloucester and one of Pembroke's knights. From his concentration on Damory it seems likely that Lancaster saw him as the chief of his enemies and the one most responsible for the plots that had been made against him, as well as for the breach of the York agreement of September 24th. by encouraging the King to threaten to attack him at Pontefract.

It was against this background of frustrated attempts to make peace between the King and Lancaster and attacks by Lancaster on Warenne and Damory that on November 24th. 1317 at London Pembroke and Badlesmere together made an agreement with Damory in the form of

1. C.P.R., 1517-21, p. 54: they were restored to him on Dec. 2nd.: ibid., p. 58.
2. Ibid., p. 38.
3. Ibid., p. 46.

2. Davies, op. cit., p. 454, here misreads the text.
Under the terms of the indenture, Damory promised that he would do all in his power to urge the King to be guided by the advice of Pembroke and Badlesmere and to trust their advice above that of all others so long as Pembroke and Badlesmere continued to counsel him loyally for his profit and that of his crown and kingdom. For his part Damory himself would also be guided by their advice and would in no way go against it. Damory also promised that he would not procure, by his own action or through another, nor consent to the King's giving more than £20 of land to any man without the consent of Pembroke and Badlesmere; nor would he persuade or consent that the King should do anything of importance that might be prejudicial to himself or to his crown. If, in the absence of Pembroke and Badlesmere, the King wished to make a grant to anyone of more than £20 land or to do anything prejudicial to himself, his crown or realm, Damory would try to dissuade him and, if he failed in this, would inform Pembroke and

1. The original is E.163/4/6. The text is printed in Davies: op. cit., App. 42, & F.W. 2, 2, 3, p. 120. In this case the word "par" should read "pour".
2. Davies: op. cit., p. 434, here misreads "par" as "pour".
Badlesmere before the King's decision could take effect so that the three of them could together try to persuade the King to change his mind. If Damory discovered that anyone was doing anything before the King which might be to the prejudice, dishonour or damage of Pembroke and Badlesmere and might lessen the King's opinion of them, he would warn them without delay and would act against that person to the best of his ability. To ensure that he kept the terms of the indenture Damory had sworn upon the Host and pledged himself to Pembroke and Badlesmere in a sum of £10,000 sterling which he was to pay them upon their demand if he broke the agreement in any way. In their turn Pembroke and Badlesmere promised as loyal knights that they would defend and maintain Damory against all men, saving only their allegiance to the King, for as long as Damory kept to the agreement.\textsuperscript{1} Pembroke and Badlesmere also bound themselves, their heirs, executors and all their movable and immovable goods to the will of Damory. One part of the indenture

\textsuperscript{1} Davies: op. cit., p. 434, mistranslates this last clause as saying that Pembroke and Badlesmere promised that "they like Damory would hold and observe the agreement fully".
was sealed by Pembroke and Badlesmere and the other part by Damory.

This indenture was interpreted first of all by Stubbs and then by Tout and Davies, and by all writers since then, as evidence that in the autumn of 1317 Pembroke and Badlesmere were attempting to form a political alliance which has been termed the "middle party". Before commenting further on the indenture and its significance it is therefore first of all necessary to consider the origins of the "middle party" interpretation and its development into a conventional and accepted part of historians' treatment of the reign of Edward II.

As with many other ideas, the origins of the "middle party" interpretation can be traced back to the pioneer work of Stubbs in his Constitutional History in which he saw the indenture of November 24th, 1317 as an attempt by Pembroke, Lancaster's rival, Badlesmere, Lancaster's bitter enemy, and Roger Damory, an aspirant to the lands of the Gloucester

inheritance, to form "a middle party between Lancaster as the head of the baronial faction, and the King sustained by the Despensers and the personal adherents of the royal house" in order to gain "supreme influence in the royal council". When Stubbs later came to write his introduction to the Chronicles of Edward I and II in the Rolls Series he developed this idea further, taking the general line that throughout the reign of Edward II there were three political groupings, a royal party, a Lancastrian party, and a third "mediating party", which he described as "a party of politiques without any affection for the King or any aspirations for freedom, which was simply anxious to gain and to hold power". He saw the party as being "led at one period by Badlesmere, Damory and Pembroke, the last of whom was personally faithful to the King", and once again laid emphasis on the 1317 indenture as signalling the formal creation of such a party. In comparing Pembroke's influence over the King with that of Lancaster he saw Pembroke's as "more friendly

1. Stubbs: Constit. Hist6, 2, p. 342 (1875), p. 372 (1880). Although the indenture had been in print since 1830 (E.W. 2, 2, 3, p. 120), Stubbs appears to have been the first writer to make use of it. J.R. Green's History of the English People (1877), for example, has no mention of the document.
but scarcely less irksome".\(^1\)  

It was however left to Tout to take up the "middle party" idea and, by the addition of a large amount of circumstantial evidence, to develop it to a point at which it appeared to be a securely founded interpretation which other historians might reliably follow. In his *Political History of England*, published in 1905, he regarded Pembroke as the enemy both of Lancaster and of the King's personal following and considered that Pembroke strove "to form a middle party between the faction of the King and the faction of Lancaster" in order to exclude Lancaster from political power, at first with the co-operation of Warenne, and later with Badlesmere and Damory as more trustworthy allies. The King then "formed a coalition between his friends and the followers of Pembroke", after which the "middle party" of Pembroke proceeded to confirm itself in power by negotiating the Treaty of Leake between the King and Lancaster in 1318 and from then until 1321 was in full control.

\(^1\) *Chrons. of Edward I & II, i*, p. CXIII-CXIV (1882).
of the machinery of government. Tout repeated this opinion in 1908 when he said that in 1317 Edward II tried to win over to his side "the middle party led by Pembroke, Badlesmere and Damory" with whom "hatred of Lancaster was stronger than dislike of royal policy". Tout's strongest and most detailed statement of his opinions was made in his Ford Lectures of 1913 when he argued that the "middle party" grew up in 1316 as a result of Lancaster's failure to govern, developed in the period between 1316 and 1318 and then governed until the crisis of 1321. He claimed that Badlesmere, whom he now believed to have been as associate of Lancaster, became disgusted with him after his failure


2. Dictionary of National Biography, 6, p. 461: Tout's article on Edward II.


and broke with him at the end of 1316, at the same time, Tout believed, that Pembroke reappeared on the political scene; and that Pembroke and Badlesmere, the erstwhile members of opposite political camps, became political associates during the mission to Avignon at the end of 1316. Tout considered that Pembroke's capture and imprisonment on his return from Avignon delayed the development of the new political association until Pembroke's return to England, which, he said, took place shortly after Badlesmere had made a last attempt to co-operate with Lancaster. He went on to say that "before the end of the summer of 1317, Pembroke and Badlesmere had come to a perfect understanding" and that in November they began the creation of a political party among the baronage by means of their indenture with Roger Damory which, Tout said, "affords clear evidence of the formal and legal character which it was sought


2. Tout did not know the exact date of Pembroke's return to London, June 23rd. He knew only that he was back by August: op. cit., p. 114 (1914), p. 103 (1936). Davies: op. cit., p. 429, believed Pembroke returned during July.

to give the new party". As to the indenture's purpose, he claimed that "though Lancaster is nowhere mentioned in the bond, the compact has no meaning unless it be regarded as an organised effort to replace earl Thomas by earl Aymer as the king's chief counsellor". Pembroke's intention to supplant Lancaster was later considered by the editor of the 1936 edition of Tout's Ford Lectures to have been proved decisively by the publication in 1918 of a document of June 1318 which formed part of the Leake negotiations with Lancaster. Tout concluded by arguing that after November 1317 the new party was built up by the adhesion of members of the royal household, such as the chamberlain John Charlton, the Steward William de Montacute, the Keeper Roger Northburgh, and the Keeper of the Privy Seal Thomas Charlton. To these were added prelates such as the Bishop of Chichester and Pembroke's companions at Avignon, the Bishops of Ely and Norwich, together with magnates such as the Earls of Surrey, Arundel.


and Hereford, and Roger Mortimer of Chirk and his nephew, Roger Mortimer of Wigmore.¹ Tout's last published statement of his views was in his Chapters in Medieval Administrative History in 1920,² but this was only a summary of his previous opinions and the Ford Lectures of 1913 may therefore be taken as representing the classical form of his "middleparty" interpretation. Tout's theory has a great attraction deriving from the neatness and simplicity of the apparent alliance of two former political opponents, Pembroke and Badlesmere, and the completion of this union by the indenture of November 1317. But, as will be seen, the detail which he provides to justify his theory lays him open to challenge on grounds of fact as well as of interpretation.

The third major statement of the "middle party" interpretation was made by J.C. Davies in his Baronial Opposition to Edward II published in 1918, in which he made considerable use of the arguments put forward by Tout five years before. This is a

1. Tout: Place of Reign of Edward II; pp. 116-7 (1914), pp. 105-6 (1936). No evidence is given to justify any of these assumptions.

2. Tout: Chapters, 2, pp. 204-5.
far more detailed study than Tout's earlier work and in consequence the "middle party" theory may be said to have become a joint Tout-Davies interpretation. Davies did not examine Tout's work to see if the idea of a "middle party" was as acceptable one and proceeded on the assumption that it was generally valid. He began by accepting Tout's view that a "middle party" began to develop during the Avignon mission at the end of 1316. Once again the indenture with Damory was given pride of place in the argument as the starting point of the party, after which others joined in the new grouping, although, as in the case of Tout, no clear evidence was given as to how and when these additions were effected. The "middle party" is again said to have consolidated its influence in 1318 and to have controlled the government until 1321. In some details Davies' views differed from those of Tout, but more in emphasis than...
in substance. He considered, for example, that Tout had overstressed Badlesmere's previous connections with Lancaster\(^1\) and also included the Earl of Hereford as a founder member of the party.\(^2\) A more important difference is that Davies placed more stress on Pembroke's earlier major part in the royal government between 1312 and 1314,\(^3\) Pembroke's personal moderation and friendship towards the King\(^4\) and the King's trust in him and consequent willingness to co-operate with him.\(^5\) This picture of a benign attempt by Pembroke to control the King is at variance with Tout's view that Pembroke had joined in the royal government in 1312 after Gaveston's death only because he and Warenne "hated Lancaster and Warwick more bitterly than they despised the King".\(^6\)

The theory of a "middle party" led by Pembroke of Pembroke and Hereford: Holmes is perhaps more

1. Ibid., p. 428.
2. Ibid., p. 429. Essays to E. L. Poole, 1937; R. Wilkinson, Essays to Poole, 1946; J. Davies.\(^2\)
3. Ibid., pp. 111-12. di Scultari, 1937; R. Wilkinson. The Fourteenth Century, 1939; E. Holmes. The
5. Ibid., pp. 110-11, 430, 442. Much stress is put on the King's regard for Pembroke: see ibid.,
has been a part of the general stock in trade of all writers on the reign of Edward II since the publication of the conclusions of Tout and Davies. The idea is fully accepted by both the writers who have studied the negotiations for the Treaty of Leake in 1318, J.G. Edwards and B. Wilkinson, and is also to be found in the works of others such as N. Denholm-Young, G. Holmes, and M. McKisack, whose account is the most detailed of recent work on the subject. These later writers have made a few developments or changes of emphasis in the theory. Edwards, for example, saw the party as having left and right wings in 1318 with differing attitudes to the Earl of Lancaster; Wilkinson said that "the outlook of the "middle party" was substantially the same as that of its clerical members"; Denholm-Young saw the party as the creation of Pembroke and Hereford; Holmes is perhaps more


cautious but accepts the interpretation;¹ and McKisack's is a restatement of the orthodox view.² But despite minor variations such as these, the "middle party" interpretation has held the field and no attempt has been made to re-examine it and decide whether it remains acceptable.

Having surveyed the development of the interpretation and the evidence put forward to support it, it is now possible to attempt a criticism of the theory in the light of the account of the events of 1317 which has already been given and of other fresh evidence.

In order to prove or disprove the "middle party" interpretation is is necessary to establish the relationship of the party's alleged founders, Pembroke and Badlesmere vis-à-vis the King; to show what the relations were between the two men, and in Badlesmere's case whether he had been associated with Lancaster, as Tout suggests; to decide if the two became political allies in the course of 1317; to determine the attitudes of the magnates, from whom

¹ Holmes: op. cit., p. 113.
² McKisack: op. cit., pp. 51-3.
the "middle party" is said to have been created, to
the King and to Pembroke; and finally to conclude
whether Pembroke's purpose in making the indenture
with Damory in November 1317 was to put himself at
the head of a political movement designed to coerce
the King into accepting his advice and to stand between
the supporters of the King and Lancaster.

Council. The nature of Pembroke's relations with the
King is easily decided. Stubbs regarded him as
"personally faithful to the king", but what has never
been fully appreciated, and which this study has so
far attempted to emphasise, is the full extent of
Pembroke's loyalty. Throughout his career, from his
very earliest experiences of royal service in 1297
up to 1317, Pembroke had, like his father before him,
been loyal to the King and to the interests of the
crown. This was a loyalty that had remained basically
unaffected even by Pembroke's dislike of Gaveston in
the early years of the reign and by his apparent breach
with the King during his period as an Ordainer in
1310 and 1311. For Pembroke his normal place was
to be with the King and in his service, more than ever
perhaps when the weak character of the King meant
that he needed the aid of responsible men whom he
could trust. Pembroke must therefore always be numbered among the King's supporters. The political power which Pembroke derived from his support of the King varied according to the strength of the royal opponents, Warwick and Lancaster, but at the end of 1316, the time which is now under consideration, he was a very prominent and highly respected member of the royal Council.

At the same time there is much evidence to show the extent to which the King placed his trust in Pembroke, another point which the previous chapters have been intended to demonstrate. The King's attempts in 1310 to detach Pembroke from his work as an Ordainer and bring him back into the day-to-day work of government, the obvious gladness with which he welcomed him back into his service after the execution of Gaveston, his request in May 1316 for Pembroke to fill the gap on the Council left by Lancaster's abandonment of his duties, his willing acceptance of Pembroke's advice on his conduct while the latter was away at Avignon, his concern over Pembroke's capture in 1317, and many other examples testify to the need which the King felt for Pembroke's assistance, while the gifts he made to Pembroke at various times and his offer in
December 1316 to act in person as Pembroke’s attorney show the personal regard in which he held the Earl.

That a royal supporter of such prominence and consistency and so closely tied to the King should feel the desire to or be capable of forming a political group independent of the King in order to force himself upon him may therefore be doubted. The doubt rises to a certainty when it is discovered that on November 1st. 1317, only three weeks before his famous indenture with Damory, Pembroke bound himself even more closely and specifically in the King’s service by means of a contract for life in which he promised to serve the King in peacetime in return for 500 marks of land and an annual fee of 2,000 marks and to follow him in war with a retinue of 200 men-at-arms.\(^1\)

A corrective also needs to be supplied in the case of Badlesmere. Contrary to Tout’s belief that Badlesmere was an associate of Lancaster from the time of the Lincoln Parliament in 1316 until the

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1. E.101/68/2/42d. See text in Appendix 3. The original indenture is damaged and the size of Pembroke’s annual fee is given in Add. Ms. 9951/f.48 (1320). The 500 marks of land were given him in the form of a grant in tail on November 4th. of Haverfordwest and Hertford: C.P.R., 1317-21, p. 47.
summer of 1317, Badlesmere was not in fact an associate of his at any time, and Tout's idea was based on incomplete evidence and a misinterpretation of the material which he did use. The confusion arose out of the membership of the reform commission appointed at Lincoln in 1316 to which Lancaster referred in his letters of July 21st. 1317 in which he refused to attend the Nottingham colloquium. The Latin version of these letters given by the Bridlington chronicler, of which Tout made use, names the members of the commission as dominus Cantuariensis cum aliis episcopis et comitibus una nobiscum (i.e. Lancaster) et domino Bartholomeo de Badlesmere and says that the reform commission's conclusions were later taken to the King by Badlesmere and by William Inge.¹ From these references to Badlesmere's name in conjunction with that of Lancaster and from the date of Lancaster's letters, July 1317, Tout concluded that Badlesmere was associated with Lancaster as late as July 1317.² There is however a copy of the full French text of Lancaster's letters had been devoted as a member of the Council to assist


contained in the chronicle of Adam Murimuth which gives the full names of the reform commission as the Archbishop, the Bishops of Llandaff, Chichester, Norwich and Salisbury, the Earls of Pembroke, Hereford, Arundel, Richmond and Lancaster, and Badlesmere.\footnote{Murimuth, pp. 271-4; Bridlington, p. 50, says the originals were in French.} Badlesmere's name thus appeared on the commission in association with men of whom none was a Lancastrian sympathiser and was listed after Lancaster simply because he was next in rank after all the earls had been named. Had Tout also known that Lancaster's stay with the Council in 1316 took place only during the month of March and that Lancaster was never again during 1316 and 1317 in London, where the reform commission is said by Lancaster himself to have met, he would have realised that Lancaster was referring in 1317 to events which had occurred over a year earlier.

Badlesmere's earliest associations had in fact been as the leading retainer of the staunchly royalist Earl of Gloucester and as early as 1311 he had been deputed as a member of the Council to assist

\footnote{Ibid., 1307-12, p. 409.}
Gloucester as Keeper of the realm. In August 1313 he and Gloucester had to be dissuaded from laying siege to Bristol to settle Badlesmere's dispute with the town, and in March 1314 they both accompanied the Queen on a diplomatic mission to Paris. After Gloucester's death at Bannockburn Badlesmere remained prominent in royal service, probably as a result of his earlier Gloucester connections as well as natural ability, despite his place in the second rank of the magnates. After Bannockburn he left some of his retainers to defend Berwick for the King and in September 1314 was given custody of the former Gloucester lands in Glamorgan and Morgannwg. While in royal service Badlesmere's closest colleague was probably Pembroke, on whose information he had been made constable of Bristol in 1312. From July to November 1315 he had been in Pembroke's company and under his command.

1. C.47/22/10/8.
2. C.Cl.R., 1313-18, p. 69.
3. C.P.R., 1313-17, p. 85; C. Treaty Rolls, p. 207.
4. E.404/482/37/2, 3.
5. C.P.R., 1313-17, p. 194.
6. Ibid., 1307-13, p. 483.
in the Scottish March; in July 1316 he and Pembroke had gone to Bristol to resolve Badlesmere's dispute with the townspeople; and in December 1316 he and Pembroke had gone on the Avignon mission together. Badlesmere was thus associated both with the King and with Pembroke long before the Avignon mission at which Tout and Davies said they became allies, and, like Pembroke, he was at the end of 1316 an important member of the royal Council. Badlesmere's career also ran close to that of Pembroke in another way. On September 29th. 1316 he too put his relations with the King on a clearly defined footing by an indenture to stay in the King's service in peacetime at an annual fee of 600 marks and in war with a retinue of 100 men, and this was supplemented on August 3rd. 1317 by an annual fee of 1,000 marks by which the King retained him for the value of his counsel.

Both Pembroke and Badlesmere therefore, far from being former political opponents and the pillars of a "middle party", were colleagues and royal councillors.
of long standing and were wholly committed in the service of the crown.

There are also two further reasons for doubting the existence of a "middle party", the one specific and concerning the relation of the other leading magnates to the King in 1317, the second general and involving the whole nature of the baronial opposition to Edward II.

It has already been shown that both the "middle party" leaders, Pembroke and Badlesmere, were in fact bound in royal service by indenture. What has also not been known hitherto is that all the other important magnates who in 1317 are said to have aligned themselves with the "middle party" had also in the course of the period from the autumn of 1316 to the autumn of 1317 entered into contracts to serve the King or had undertaken important official posts in the King's service. Apart from the indentures made by Pembroke and Badlesmere which have already been described in detail, there is evidence of at least thirteen other similar agreements, all of them apparently for life service in peace and war with agreed contingents of men-at-arms and at annual fees of several hundred marks far in excess of the usual fees for household
One of those to make a contract with the King was Roger Damory, the third founder member of the "middle party", who did so on January 15th, 1317 in return for 200 marks per year; William de Montacute, the Steward, followed suit on the same day on the same terms; Hugh Audley junior made an indenture on an unknown date, but probably at about the same time as Damory and Montacute. All three of the royal familiars whose rise in 1317 Lancaster viewed with such distaste were therefore bound in common to the King. The Younger Despenser made an indenture for two years on October 10th, 1316 which was replaced by one for life on about November 13th, 1317, so that all three of the husbands of the Gloucester heiresses were in royal service. The Earl of Hereford, another allegedly important member of the "middle

1. Full details of all these indentures are given in Appendix 3.
2. C.P.R., 1317-17, p. 609; E.409/130/n.3.
3. Ibid., p. 21.
4. Ibid., p. 29d.
5. Ibid., pp. 31-32.
6. Ibid., p. 572; ibid., 1327-30, p. 30.
8. Ibid., 1317-21, p. 563.

C.P.R., 1317-21, pp. 39-40.
party", made his contract on November 1st. 1316 for a fee of 1,000 marks in peace and 2,000 marks in war with the service of 100 men.1 Similar indentures were also made by John Mowbray on September 10th. 1316,2 John Giffard on December 30th. 1316,3 John de Somery on June 10th. 1316,4 John de Segrave senior on July 29th. 1317,5 Henry fitz Hugh on September 6th. 1317,6 William de Ros of Hamelak on September 25th. 1317,7 and by John Crombwell and John Botetourt on unknown dates.8 On November 23rd. 1316 Roger Mortimer of Wigmore undertook office as Justice of Ireland;9 on the same day his uncle, Roger Mortimer of Chirk was made Justice of North Wales, being reappointed

1. E.404/1/7.
3. C.P.R., 1313-17, p. 620.
4. Soc. of Antiqs. Ms. 121/f.31, 36d.
5. Ibid./f.36d.
6. Ibid./f.21d.
7. C.P.R., 1317-21, pp. 29-32.
8. Soc. of Antiqs. Ms. 121/f.29d; C.P.R., 1321-4, p. 265.
9. C.P.R., 1313-17, p. 563.
for life on October 7th, 1317; and on November 19th, 1316 the Earl of Arundel was appointed Warden of the Scottish March, all three being reputedly important members of the "middle party".

It is thus clear that with all the important magnates bound to the King by clearly defined ties of service there could have been no room in 1317 for the creation by Pembroke or anyone else of a "middle party" independent of the King and designed to control him. It might be possible to go to the opposite extreme and conclude that the evidence just cited shows the creation of a royalist party, but to create such a rigid framework of interpretation would be to repeat the mistakes of the "middle party" theory and would demand a far greater degree of royal initiative and political skill than Edward II possessed.

One reason for the willingness of the magnates to rally around the King may have been the continuing threat of invasion by the Scots, a danger that was particularly evident in 1316 and 1317 when the series of contracts by the magnates was made. In this way

2. E.101/68/2/37.
the King would be provided with a guaranteed nucleus of armed force available at short notice. A further reason is that by the end of 1316 the magnates had begun to object to Lancaster's demands for reform which in effect meant a demand for supreme political power for himself which his fellow magnates may have been unwilling to concede. This, combined with Lancaster's proved incapacity when he was given political authority early in 1316, would have made them even more ready to side with the King.

That this should be so will appear less surprising when the character of the baronial opposition to the King is examined. There has been a tendency in the past to write as if there was a coherent body of opposition magnates under the leadership first of Lancaster and Warwick and, after the latter's death, of Lancaster alone. This in fact was not the case. Even during the period of Ordainer activity the magnates were not wholly united. Warenne never joined the Ordainers, except briefly in 1312, while Richmond, Lincoln and Gloucester, although Ordainers, remained in the King's service. The only moment before 1317 when the magnates could be said to have acted in unity was in their pursuit of Gaveston in 1312, but this
was no more than momentary unity and ended with the division of the magnates and the return of Pembroke and Warenne to the King with whom they then remained. Of the earls who did approve of Gaveston's execution, the Earl of Hereford gave his support only after guarantees of protection by Lancaster and Warwick. Hereford was a sufficiently moderate opposition member for him to be able to negotiate on behalf of Lancaster in 1312 and 1313 and when peace had been made he too rejoined the King. The Earl of Arundel's links with Lancaster also appear to have been tenuous and not to have lasted for long after the 1313 settlement, perhaps because of his father-in-law Warenne's influence. The Earls of Gloucester and Richmond were able to act as neutral mediators between the King and Lancaster in 1312 and after the settlement were wholly aligned with the King. Of the important second-rank magnates, two, the Mortimers of Chirk and Wigmore, seem never to have been associated with Lancaster in 1312 or later.

There was indeed no good reason why, once the 1312 crisis was over, the other magnates should remain with Lancaster if by reducing the power of the King they were merely going to raise Lancaster's personal authority. The result was that after 1312 the baronial opposition...
amounted to little more than Lancaster and Warwick and their own personal retainers. After 1312 there was therefore a balance of power between the King and his supporters on one hand and Lancaster on the other, neither side being able to dominate the other. This also helps to account for the succession of crises and long drawn-out and inconclusive negotiations between the King and Lancaster between 1312 and 1321. It took a fresh and clear-cut issue in the conduct of the Younger Despenser to unite a large part of the baronage in opposition once again.

If there was therefore no "middle party", what then was the purpose of Pembroke and Badlesmere in making their indenture with Damory on November 24th, 1317? It has already been shown how the activities in 1317 of certain royal associates, notably Damory, Audley and Montacute, had increased Lancaster's hostility to them and to the King and helped to destroy the attempts made by Pembroke and others to negotiate with him. It has also been suggested that in his actions after the breakdown of the York agreement of September 1317 Lancaster singled out Damory as the man principally responsible for what had happened. If this were the case, Damory may have also have been
regarded as a danger by responsible men among the King's supporters because of the possibility that he might repeat his behaviour in the future, perhaps with even more serious results. Moreover Damory's potential for mischief was considerably increased by the delivery to him on November 15th, 1317, of his share of the Gloucester inheritance. There would therefore have been very compelling reasons for trying to put a curb on him and to ensure his future good behaviour and it is very probable that this is exactly what Pembroke and Badlesmere were attempting to do in their indenture with him. When viewed in this way the terms of the indenture itself become very much clearer. Careful examination of the text shows that practically all of it is taken up by promises as to Damory's future conduct, and the concentration upon Damory rather than Pembroke and Badlesmere becomes even clearer when the terms of Damory's promises are also considered. In promising not to advise or allow the King to be advised to do anything to his detriment


2. This becomes even clearer when account is taken of Davies's misreadings of the text which have already been noted.
nor to urge or let others urge the King to make grants of land or more than 320, and in agreeing to be guided by Pembroke and Badlesmere in his future conduct and to permit them to advise the King unhindered, Damory was in effect allowing himself to be curbed by the other two men, since the man most likely in November 1317 to persuade the King to follow a dangerous course of action was none other than Damory himself. The indenture was not therefore an attempt by the three magnates to form a party for their own advancement. When seen in this light it also becomes clear that the indenture was not, as Tout believed, intended to exclude Lancaster from power but rather a means of making a settlement between him and the King easier to achieve by ensuring that future negotiations would not be negated by Damory's behaviour as they had in the past. There is no evidence that Pembroke and Badlesmere made similar indentures with other royal familiares, such as Audley and Montacute, but they could easily have done so had it appeared necessary. If there had been any further such indentures, they

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1. This cannot of course be ruled out as the survival of Damory's indenture may have been accidental.
would not be evidence of the formation of a political party any more than Damory's. The primary aim of the indenture with Damory was therefore to guarantee his future good behaviour. At the same time it would also guarantee the political influence of Pembroke and Badlesmere, and it is therefore possible to accept in part the traditional "middle party" interpretation of their behaviour, but with one major distinction. What Pembroke and Badlesmere were doing was attempting to preserve the influence which they already possessed as important members of the royal Council and ensuring that, if they gave the King good advice on his future policy, other persons such as Damory would not nullify it by urging an irresponsible course upon the King. That Pembroke and Badlesmere found it necessary to persuade Damory to make an indenture of this kind is really a mark of their weakness rather than of strength and was a direct consequence of the character of the King whom they both served. Although the King was ready to be advised by responsible councillors, he could just as easily be influenced by bad advice from favourites without discriminating as to the quality of that advice. Pembroke and Badlesmere wished to end this indenture in November 1517.
situation by ensuring that the King received the best advice and chose an indenture as the best device to produce this desirable result, and in doing so were not acting in secret or against the King's interests.¹

Since the "middle party" interpretation of the conduct of Pembroke, Badlesmere, Damory and the other magnates in 1317 has proved unacceptable an alternative interpretation of what was happening may be advanced.¹ The form of such a new explanation may be found in the account that has already been given of the attempts to negotiate with Lancaster in 1317, the persons concerned in promoting them and those whose actions nullified them. In the course of 1317 the magnate associates of the King became divided

¹ Davies statement (op. cit., p. 434) that the indenture with Damory was to be kept secret and that Badlesmere bound himself not to reveal it is mistaken. The statement is based on a misunderstanding of the royal pardon to Badlesmere on Aug. 20th. 1321 (C.P.R., 1321-4, p. 21; F., vol. 2, p. 454) by which the King freed Badlesmere of any actions or claims against him incurred by reason of two writings he made with the King in which he had pledged his body and lands if he failed to perform the obligations contained in the writings or simul esprit contre nous (i.e. the King). The writings concerned were in fact Badlesmere's indentures with the King made on September 29th. 1316 and August 3rd. 1317 (Soc. of Antiqs. Ms. 120/f.45; ibid. Ms. 121/f.20d; C.P.R., 1317-21, p. 14) and have no connection whatsoever with Damory's indenture in November 1317.
into two groups which are distinguishable by their differing attitudes towards a prospective settlement between the King and Lancaster. On the one hand was a group of responsible figures, Pembroke, Hereford and Badlesmere, who desired a settlement and were active in working for one. On the other were the three royal favourites, Damory, Audley and Montacute, together with the Elder and Younger Despensers and Warenne, who would all be affected adversely by a settlement and accordingly wished to prevent one.

At the same time there was a third clerical group formed from the prelates of the province of Canterbury, the Archbishop of Dublin and the two papal envoys, who could be neutral between the King and Lancaster and acted in the role of mediators in arranging negotiations. For the moment this new interpretation must be a tentative one and in order to see if it is also an accurate description of the events of 1318 it is now necessary to turn to an account of the negotiations which produced the Treaty of Leake in 1318.
The political situation at the end of October 1317 was one of grave crisis. In the north Lancaster had finally decided to lash out against his opponents, Damory and Warenne, creating a state of near civil war in the area which the King was powerless to stop.

Under these conditions it was natural that the royal government should give a high priority to precautions against any further outbreak of violence in the country. The King began by putting several of his castles in the hands of reliable supporters. On November 1st, Pembroke was given custody of Berkhamsted, but was then reappointed instead as constable of Rockingham which he had held for the King since 1314, and his retainer, Richard de la Ryvere, was put in command of Gloucester; Badlesmere received

2. C.F.R., 1317-21, p. 46.
charge of Leeds in Kent and the Younger Despenser of Odiham. At the same time the constables of sixteen other royal castles in the Midlands and elsewhere were ordered to prepare them for defence. It was also on November 1st. that Pembroke made his contract to serve the King with a force of 200 men-at-arms, and on the 25th. at his manor of Hertfordingbury made the first of a probable series of indentures with knights to enlarge his retinue in accordance with his contract. On the 22nd. the Council ordered all sheriffs to enquire into illegal military contracts and gatherings in their counties. As already seen Pembroke and Badlesmere made their personal share in stabilising the situation on the 24th. by their indenture with Damory to ensure the latter's good behaviour. A supply of ready cash for the King in the event of open war with Lancaster was also catered

1. Loc. cit.
3. E.101/55/2/42.
4. Ibid. /4: the knight was a certain Sir John whose full name is missing.
5. C.P.R., 1317-21, p. 95.
for on November 7th, when the Archbishop of Canterbury, the Bishops of Ely and Winchester, the Earls of Pembroke and Hereford, Badlesmere and two others acted as guarantors for a loan of 10,000 marks to the King by the Bardi.¹ Lancaster meanwhile remained securely in the north at his castle of Pontefract.²

Lancaster's distrust of the King and his associates had by now reached a level which made it unlikely that in the future he would accept as sincere any direct offer of negotiations from the King or his immediate followers, and the prospect of any fresh negotiations with him, no matter who tried to start them, seemed at this moment very remote. Yet only nine months later at Leake a settlement was made and it is to the mechanism which produced this desirable result that it is now necessary to turn.

It was the very seriousness of the state of armed deadlock between the King and Lancaster that provided the initial stimulus for finding a solution. Such a situation could not be allowed to last for

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¹ E.368/88/m.112.
long and, if it were not decided to resolve it by means of civil war, the only way out was to try once again to make an accommodation with Lancaster, however slight its chances of success may have seemed.

There is evidence that this latter answer was the one adopted by the royal Council. An attempt to mollify Lancaster was made as early as October 25th, when Adam de Swinburn, a Northumberland man who had been in royal service in defence of the Scottish March in 1312, and whose arrest on August 9th for criticising the King's defensive measures in the March was said to have been a cause of the activities of Gilbert de Middleton, was handed over to the protection of Lancaster at Nottingham. A more positive step in breaking the deadlock was the mission in November of the Archbishop of Dublin who was sent from London by the King and Council to visit Lancaster at Pontefract and explain certain matters orally on the King's

1. Soc. of Antiqs. Ms. 120/f.45.
2. Ibid. 121/f.12d. Ms.121/f.50: he was away for 13 days.
4. Soc. of Antiqs. Ms. 121/f.12d. See also Arch. Aeliana, 10, 1933, p. 167.
behalf,\textsuperscript{1} perhaps with the intention of sounding Lancaster's views as to more formal negotiations with the King. The results of this mission are unknown but it appears to have produced some hope of progress in placating Lancaster, which is probably reflected in the formal summons issued on November 20th for Parliament to meet at Lincoln on January 27th, \textsuperscript{2} 1318 as had been agreed with Lancaster at York in September. This attempt to contact Lancaster is specifically described as being made by the Council and responsibility for it may be safely assigned to the Archbishop of Canterbury, the Bishops of Ely and Winchester, and Pembroke, Hereford and Badlesmere, whose presence with the Council is revealed in the agreement with the Bardi on November 7th. But the part played by the Archbishop of Dublin, who had already been involved in mediating with Lancaster at Pontefract in August and York in September, the presence of several prelates on the Council and the proximity to London of the two with Lancaster may well have been held among the

\textsuperscript{1} Soc. of Antiqs. Ms.121/f.30: he was away for 15 days.

\textsuperscript{2} C.C.I.R., 1313-18, p. 585.
papal envoys in November once again suggests the possibility of a strong clerical initiative in getting negotiations restarted. As in earlier negotiations, the clergy could be regarded as a neutral group for the purposes of mediation between the King and Lancaster and hence an approach from them was likely to be more acceptable to Lancaster than a direct approach from the Council, with its association with the King, which Lancaster would probably reject outright. This situation therefore gave an opportunity for a fruitful policy of co-operation in starting negotiations between the members of the Council, such as Pembroke, Hereford and Badlesmere, who wanted a settlement, and the clergy who would be able to act as mediators, a policy which would be aided by the close liaison between the two bodies provided by the membership of the Council of three of the Canterbury prelates, the Archbishop and the Bishops of Ely and Winchester.

Discussion of such a joint policy in dealing with Lancaster may well have been held among the Canterbury province when they assembled at St. Paul’s.

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on November 27th and 28th, to hear the papal envoys read out bulls against the Scots. Whether this was so or not, an opportunity for such discussions was given by the imminence of the coming Parliament, which was the occasion of a summons to a colloquium with the royal Council at Westminster on December 30th, which was sent on the 16th. to the Chancellor the Bishop of Winchester, the Treasurer the Bishop of Ely, and the Bishops of Coventry and Lichfield, Bath and Wells, St. Davids, Worcester and Lincoln. When the time came for the meeting there were therefore, including the Archbishop and Bishops of Norwich and Chichester, whose presence can also be traced, ten prelates of the Canterbury province assembled together with the magnate members of the Council who on this occasion included Pembroke himself, as well as Hereford and Badlesmere. That Lancaster was a prime topic of discussion is confirmed by a valuable account of the colloquium

2. C.C.L.R., 1313-18, p. 586.
3. C.53/104/m.9: Jan. 8th.
4. Loc. cit.
given by the author of the *Vita* who said that those present agreed that it would be unwise to hold a Parliament immediately because of the danger of a clash between the large bodies of retainers whom the King and Lancaster would certainly have with them, and that it would be wiser first of all to restore harmony and confidence between the two by means of mediation, after which a date could be fixed for Parliament to meet.\(^1\) The success of this view is proved by the postponement on January 4th. of the Lincoln Parliament from January 27th. to March 12th.\(^2\) and the King's renewal on this date of Pembroke and Hereford's powers to grant protection to Lancaster and his followers.\(^3\)

The next step was to arrange for mediation with Lancaster. It is very probable that the prelates had agreed at the *colloquium* to take responsibility for this and that, as a direct consequence of their agreement to co-operate with the Council, a provincial council of Canterbury was summoned on January 15th.

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1. *Vita*, p. 84.
to meet at St. Paul's on February 23rd. to discuss the affairs of the Church and realm. It was almost certainly as a result of initiatives taken by the clergy at this meeting that the assembly of clergy and magnates with Lancaster took place at Leicester in April, and the fresh postponement on March 3rd. of Parliament from March 12th. to June 19th. and the renewal on the 4th. of the authority of Pembroke and Hereford to give safe conducts to Lancaster and his men were presumably performed in the knowledge that a meeting with Lancaster was now in prospect.

Previous accounts of the 1318 negotiations have all begun with the assembly that was now held at Leicester in April and have therefore not made clear the fact that the meeting was a stage in a process that the Ordinances were observed, evils were unsuitable.

1. Cambridge Univ. Ms. Ee.5.31/f.188d (register of H. Eastry, Prior of Canterbury); Hist. Mss. Comm.: Wells, I, p. 179; Trivet (Cont.), p. 26. On Feb. 16th. the King advised the clergy to do nothing prejudicial to royal authority: C.P.R., 1317-21, p. 104.

2. P.W., 2, 2, 1, p. 178.

3. C.P.R., 1317-21, p. 113; P.W., 2, 1, p. 205.

of mediation that extended back as far as the summer of 1317. Nor have they shown the extent to which the prelates of Canterbury were a major continuing force in this mediation.

Considerable difficulties have been caused in describing the events at Leicester and their significance by the varying ways in which the chronicle sources refer to the meeting. According to the Bridlington writer, the only source which dates the meeting, a parliament was held at Leicester on April 12th, when the Archbishop of Canterbury, the Bishops of Norwich, Chichester, Winchester, Llandaff and Hereford, the Earls of Lancaster, Pembroke and Hereford, twenty-eight un-named barons and William de Bereford and Walter de Norwich all swore on the gospels to see that the Ordinances were observed, evil and unsuitable royal councillors were removed, and that grants of land by the King contrary to the Ordinances should be rescinded and their holders made to come to Parliament to hear justice on their possession of the lands.

Lancaster's transgressions against the King in his search for better government of the realm, his seizures of castles and property should be pardoned and all his men who had been arrested by the King should be freed. According to the Flores, the magnates, papal envoys and prelates met Lancaster at Leicester and agreed on oath to the observation of the Ordinances and the keeping of the peace. The Leicester chronicle of Henry Knighton speaks of certain articles which were agreed at Leicester between Lancaster and the prelates and which were afterwards confirmed at London by the cardinals, Archbishops of Canterbury and Dublin and the other prelates of the Canterbury province.

The Vita says that the archbishops, earls and barons, acting on the King's behalf, met with Lancaster's councillors at Leicester where they put to Lancaster, on behalf of the King, a number of points, to all of which he refused to give his assent unless the Ordinances

1. The seizure of Knaresburgh on his behalf had already been pardoned on March 19th: C.F.R., 1317-21, i, p. 123.
2. Bridlington, pp. 54-5.
4. Knighton, 1, p. 413.
were observed. Because of Lancaster's firm stand the
Archbishop and certain earls promised on behalf of
themselves and the King that the Ordinances should
be observed and that a document embodying their oath
and sealed by each of them should be drawn up. For
his part Lancaster promised his due fealty and security
to the King and his men, saving only his quarrel with
Warenne over the latter's abduction of his wife.\(^1\)
A fifth source, Trokelowe, refers only to a meeting
at Leicester, followed by a mention of an apparently
intended meeting on June 24th.,\(^2\) which has led Wilkinson
to suggest that there were two Leicester meetings,
in April and in June.\(^3\) It is most likely however
that, as Davies and Edwards both suggest, all these
references concern a single meeting at Leicester in
April,\(^4\) the variations in the accounts being explained
by their concentration on different aspects and stages
of the Leicester negotiations, and by their writers'
opportunities to know what took place.

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1. Vita, pp. 84-5.
2. Trokelowe, p. 102.
4. Edwards: op. cit., pp. 360-3; Davies: op. cit.,
p. 445.
Further light is thrown by a previously unknown document from among the Dodsworth manuscripts in the Bodleian which is headed: *Une accorde entre arcevesques e evesques dune parte e le conte de Lancastre daltre parte de dicto comite veniendo ad parliamentum.* This agreement contains promises by Lancaster that he would not in future commit armed breaches of the peace, that he would come to Parliament when duly summoned and do reverence to the King, and would remit his quarrel with Warenne until the next Parliament. In return the prelates promised on behalf of themselves and the other prelates of the Canterbury province that Lancaster and his men should be given surety for when they came to Parliament and that the agreement would be executed by the authority of the Church. At the same time Lancaster took an oath that he had never wished to deprive the King of his royal power, and that he wished to maintain the Ordinances and see that all alienations of land made contrary to them were restored to the crown. The document is undated but the reference in it to Warenne proves dating the document to the York negotiations of January 1264. But the date is unknown. 

1. Ms. Dodsworth 8/p. 262. The Latin words in the title were probably added by the transcriber. See full text and other details in appendix 4.
that it belongs to some date after May 1317. The references in Lancaster's oath to the Ordinances and the revocation of grants are in accord with his demands made at Leicester so that the agreement seems most likely to belong to that time. It is very likely in fact that this document is the text of the articles which Knighton says were agreed at Leicester between Lancaster and the clergy.¹ The prelates are mentioned in the agreement as being those of Canterbury and presumably therefore include the five named in the Bridlington account,² while the archbishops mentioned in the document's heading will be those of Canterbury and probably also of Dublin. This identification of the document with the Knighton articles is strengthened by the implication in the agreement that it was made on behalf of the prelates of Canterbury by part of their number and that, as in Knighton's account,³ it

1. Knighton, 1, p. 413.
2. Bridlington, p. 54.
3. Knighton, 1, p. 413. A case can also be made for dating the document to the York negotiations of September 1317. But, so far as is known from chronicle sources, those negotiations were restricted to the simple question of Lancaster's attendance at Parliament and did not refer to the Ordinances or to gifts from the King. The document also implies by Lancaster's promise not to commit armed

/contd. on p. 339.
would need the confirmation of the remainder of the province.

If the dating of this agreement is correct, it adds further valuable evidence on the details of the Leicester meeting and confirms the impression given by Knighton, a writer who, in respect of the 1318 negotiations, appears to have had access to documents unused by or unknown to other writers,¹ of the prominent role played at Leicester by the clergy. This is fully in line with their importance, already noticed, in mediating with Lancaster in order to arrange the Leicester meeting and it is to be expected that their part would still be a major one at the meeting itself.

Having surveyed the main evidence in this way, it is now possible to attempt a reconstruction of the course of Leicester meeting.

It has already been suggested that the meeting

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3. contd. from p. 338.

attacks that he had been doing so. In September 1317 he had not yet attacked Damory or Warenne but had taken up arms by April 1318.

1. Although writing well after 1318, Knighton came from a religious house in Leicester which may have preserved evidence of the 1318 negotiations. This was probably the source of the text of the Tutbury articles: Knighton, 1, pp. 413-21.
was arranged by the prelates with the active encouragement and agreement of the royal Council, and this impression of full government co-operation in what took place at Leicester is confirmed by the evidence of the Vita that those present were there on behalf of the King and they put to Lancaster certain proposals in the King's name. These points had presumably been carefully considered by the Council beforehand and had received the King's approval. The King's representatives at the meeting, who can readily be identified as such, were at least four in number.

On March 29th. the Chancellor, the Bishop of Winchester, was sent from London to Leicester by the King. On April 3rd. Badlesmere arrived at Northampton with 100 men-at-arms, at the King's orders, and on the 5th. went on from there to Leicester with the Earl of Pembroke and the Archbishop of Canterbury. It was probably with the arrival in Leicester of these latter three men that the conference began, although

1. Vita, pp. 84-5. Ms. 121/f.12d.
2. C.C.i.R., 1313-18, p. 603.
3. Soc. of Antiqs. Ms. 121/f.20d. The three rejoined the King on about April 20th.: loc. cit.
all those described by Bridlington as present on the 12th. need not necessarily have been there at the start of the meeting. The King and his envoys kept in close touch during the meeting. On April 7th. a clerk of the Steward, William de Montacute, was sent to Leicester with private royal letters and at some stage in the negotiations Pembroke, Badlesmere and the Archbishop each sent messengers to the King at Windsor to report on their work at Leicester.

The proceedings are likely to have opened by further mediation between the prelates and Lancaster and his councillors in order to discover Lancaster's terms. It is likely that at this stage the King's proposals were put forward, perhaps by the Archbishop and the Bishop of Winchester who were acting at Leicester as members of the mediating body of the prelates as well as formally as royal envoys. At these conversations it would have become clear, as the Vita points out, in the Bridlington account was the culmination of

1. Bridlington, p. 54.
2. Soc. of Antiqs. Ms. 121/f.12d.
3. Ibid./f.30d.
4. Lancaster was certainly present in person on April 7th., 12th., 13th.: D.L.142/11/f.9d.; Bridlington, pp. 54-5; D.L. 42/2/f.221.
that Lancaster intended to make acceptance of the
Ordinances a precondition of any further negotiations
with the King. The Dodsworth agreement would fit
naturally into this stage of the proceedings as a
full statement of the terms on which Lancaster was
prepared to negotiate.

With this initial process of sounding opinion
and mediation by the prelates completed, it would then
be possible for the conference to continue on a broader
basis with the full participation of all the King’s
envoys, including Pembroke and Badlesmere, and of the
other magnates present, some of whom at least, such
as Hereford, were probably also there to represent
the King. From this point onwards the conference
was in fact virtually a meeting between the respective
councils of the King and of Lancaster with the prelates
mediating between them.

The meeting of April 12th, which is described
in the Bridlington account was the culmination of
agreements examined, there were major differences.

1. Vita, pp. 84-5.

2. Of the 28 barons said by Bridlington to be present
on the 12th, some would have been Lancaster’s
followers. Some of the remainder were probably
the leading retainers, such as John Hastings, of
Pembroke and other magnates.
the discussions which had taken place earlier and was presumably the date on which a final formal agreement between those present was made. There seems no reason to doubt the essential accuracy of the Bridlington statement that all the participants on both Lancaster's and the King's sides swore to the observance of the Ordinances, the removal of unsuitable and evil royal councillors and the revocation of gifts from the King.¹ That the principle of the Ordinances was accepted is confirmed by the Vita, a source which can never be lightly discarded.² Since this point had been granted by the King on many other occasions, notably in 1315 and 1316, he could well grant it now and there is no reason to suppose that Pembroke and the other royal envoys were exceeding their powers in doing so. It is equally possible that the envoys did accept the specific demands as to evil councillors and gifts since, as will be seen when the later Tutbury articles which refer back in part to the Leicester agreements are examined, there were major differences in the ways in which the King and his Council and

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¹ Bridlington, pp. 54-5.
² Vita, pp. 84-5. Ms. Bosworth 164. 25f.
Lancaster interpreted the application of these points in practice. Lastly it is also clear, from the *Vita* and the Dodsworth agreement, that both sides promised the other security and that the question of Lancaster's dispute with Warenne was shelved.

In itself the Leicester agreement was no more than a first step towards a final settlement and many details remained to be solved before any meeting could take place between Lancaster and the King. Much too would depend on how both sides interpreted the agreements and on whether the barrier of mutual distrust could be broken down. If the royal favourites, Damory and his like, tried to influence the King against accepting the statements of principles, which was what the Leicester agreement amounted to, they might again succeed in preventing a settlement.

But, limited as it was, the Leicester agreement was important and a triumph principally of clerical mediation. So far as can be seen, Pembroke as an individual had not been the dominant force in bringing about the meeting or in its course but was instead

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one element, though perhaps an important one, in the group of clergy and royal councillors present there, all of whom desired the meeting's success.

Following the Leicester meeting, the centre of discussion moved back to London. We may suppose that one of the first events there was the formal confirmation by the rest of the Canterbury province of the articles of agreement between Lancaster and the clergy.¹ But of much greater importance was a series of meetings at London in the early days of June to consider in greater detail how the next round of negotiations with Lancaster ought to be approached.²

These fresh talks are revealed in two documents, one dated at Westminster on June 2nd. and not previously...

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¹ Knighton, 1, p. 413. Most of the prelates were probably still in London after the February Council or returned there directly from Leicester.

² There is no evidence on events between April 12th. and June 2nd. The removal on May 15th. & 20th. of the sheriffs of 13 counties may have been a gesture in Lancaster's direction: C.F.R., 1307-19, p. 360. The replacement on May 27th. of Lancaster's opponent, Damory, as constable of Knaresburgh by J. de Wisham was not apparently a concession to Lancaster since on June 4th. Damory took over Wisham's former charge of St. Briavel's: C.F.R., 1307-19, pp. 362-3. The move was probably meant to save Knaresburgh from seizure by Lancaster as it had been in 1317.
known,\(^1\) and the other also of early June and printed in 1918 as *A Political Agreement of June 1318.*\(^2\) The exact chronological relation of the two documents, which differ in detail though not in substance, is uncertain, but both are drafts and probably resulted in a formal final version which has not survived.

The June 2nd. document lists the names of those present who are named at its head as the Archbishops of Canterbury and Dublin, etc., and the Earl of Pembroke, etc., and is also endorsed with the names of the Bishops of Norwich, Coventry and Lichfield, Chichester, London, Salisbury, Winchester, Ely, Hereford and Worcester, the Earl of Hereford, the Elder and Younger Despensers, Badlesmere, Damory and William Montacute. As well as being exactly dated, this document adds considerably to previous information in giving this list of names, the participants being named in the other version only as the Archbishops, Pembroke, Hereford, Despenser

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The June 2nd. agreement is also very significant in showing that once again the body of the prelates was continuing its role of mediation and that they were meeting with the members of the King's Council. Both documents are in bad condition but by using each to supply gaps in the other it is possible to discover their contents. Both texts reveal that the discussions had been given an added urgency by the Scottish invasion of Yorkshire in May, following their capture of Berwick in April, that the prelates and magnates of the Council had met to advise the King on the salvation of his kingdom from the Scots and to give him prompt counsel and aid on the good

I. E.H.R., 1918, p. 81.

2. Wilkinson: op. cit., p. 340, n. 3, thought therefore prelates were not present.

3. This is clear from the names of those present.

4. See also Chron. de Sempringham, p. 334.

5. Vita, p. 85.
government of the realm, and that they had agreed that touz joingement e chescun de eus pur li a son poer ben e loialment conseilleront nostre seigneur le Roi. Both texts agree in seeing Lancaster's behaviour as a major barrier to conduct of the King's administration and business des queux il se est esloigne ia une piece pur grosseur e malevolence de ceux qi sont pres du Roi, a cec qu'home entente. This implied rebuke of Lancaster which appears in the June 2nd document is made much more explicit in the other text which says that Lancaster ne se est pas done a conseiller ne aider a nostre seigneur le Roi en ses busoignes come li appent, and that he had gathered men-at-arms at Parliaments and other royal assemblies en effroi du people, par quoi commune fame e voix del people est que par les dites enchesons les ditz maux sont avenuz. Lancaster's peers therefore saw his failure to co-operate with the King and his use of armed force as a chief cause of the present

1. Ibid./26: supplies gap in Ibid./27. Text in brackets calvin on June 2nd.
2. Ibid./27: fills gap in Ibid./27. Lancaster had already agreed with the
3. Ibid./27: the point of referring it as a future
discussion in June was probably to ensure that Lancaster's
4. Ibid./26: on a formal place in a final settlement.
troubles. Following this general statement as to the causes of the crisis, those present agreed on the terms of a possible solution. Both texts say, in slightly differing words, that Lancaster should not be allowed to gather armed forces under colour of the Ordinances to which the prelates and magnates, as well as Lancaster, had pledged themselves, and should not employ force e noun covenable manere (plus que un autre grant du Roiaume), except with the consent of the magnates and prelates named above or the greater part of them. Lancaster should also in future come to Parliament as a peer of the realm sans sovéreinte a li accrocher vers les autres, a remark which implies that Lancaster's peers had taken strong exception to his previous attempts to acquire a dominant position for himself. It was also agreed that Lancaster should be offered acquittance by trustworthy men against those whom he suspected of

1. Ibid./26: supplies gap in ibid./27. Text in brackets omitted on June 2nd.

2. Ibid./27. Lancaster had already agreed with the prelates at Leicester not to use force and to attend Parliament when summoned: Ms. Dodsworth 8/p. 262. The point of repeating it as a future demand in June was probably to ensure that Lancaster's promise had a formal place in a final settlement.
abducting his wife, but that any of the suspects who did not wish to submit to this should instead make amends, and that because of the urgency of the matter all this should be done without legal process.\(^1\) All those present at Westminster finally agreed that they should all be bound by the agreement and should see that it was upheld.\(^2\)

These June agreements have been interpreted, on the basis of the printed version which was the only one known, as proof positive of the activity of a "middle party" designed to replace Lancaster by Pembroke,\(^3\) and also, because there is no mention of the terms agreed with Lancaster in April at Leicester, as a deliberate betrayal of Lancaster.\(^4\) For the moment nothing more need be said on Pembroke's role in 1318 other than to repeat the argument that he was not the leader of a "middle party", that he was in reality acting as a royal councillor and that in fact he wanted an accommodation with Lancaster. As to the second

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1. C.49/4/26. This point is not in ibid./27.

2. Loca cit. p. 182.


point, it should be appreciated that the Leicester agreement was not in itself a settlement but a means of preparing the way for later negotiations. The same is also true of the June agreements between the Council and the prelates. In April the King's envoys and the clergy had discovered what Lancaster's terms would be for making a settlement, and general assent had been given to them at Leicester. In June the discussions concentrated on the other side of the argument, namely as to what concessions Lancaster would have to make if he wanted a settlement, and they emphasise that because of the Scottish threat Lancaster would have to decide quickly on whether or not to accept the terms put to him.

The June discussions were immediately productive. On June 8th, the magnates and prelates gathered at St. Paul's to hear the Bishop of Norwich announce that the King was ready to adhere to the advice of his barons. This is probably to what he referred in his letter to the earls and barons, and on the 9th, the Archbishop of Canterbury noted in a letter that the King was willing and agreement would also by implication bind them.

to embrace the way of peace discussed at Leicester.\textsuperscript{1}

No doubt persuasion had had to be brought to bear on the King to get him to grasp the nettle, but the ground was now largely prepared for substantial negotiations for a formal settlement.\textsuperscript{2} Proof that serious negotiations were now intended is given by an order on June 9th. revoking all gifts made contrary to the Ordinances\textsuperscript{3} and thus meeting one of Lancaster's chief demands. There is also evidence that the Council would not tolerate any side issues which might impede a settlement. When on June 14th. Warenne wrote asking the King to help him expel Lancaster from his Welsh lands in Bromfield and Yale, the Council decided that it would not become involved and told Warenne to settle the matter himself, contenting itself with requesting that the Bishops of Norwich and Ely were accompanied.

1. Hist. MSS. Comm, Various Collections, 1, p. 267. The Archbishop was to be much involved on the King's behalf in guiding the negotiations that followed. This is probably to what he referred in his letter of May 24th.: \textit{loc. cit.}

2. The involvement of Damory & Montacute in the June 2nd agreement would also by implication bind them not to impede a settlement.

3. E.159/91/m.64d. Grants to at least 3 men, Hugh Audley, J. Giffard, Jakinettus de Marigny, were revoked on the 9th.: C.F.R., 1307-19, p. 374; C.CI.R., 1318-22, pp. 51, 64.
Lancaster to desist from his attacks.  

But before a direct meeting could take place between the King and Lancaster it was necessary to settle definitively the detailed points in dispute between them. The first stage in this process was the sending of the Bishops of Norwich and Ely to visit Lancaster at his castle of Tutbury, and the start of this mission can be dated by the departure on royal business of the newly appointed Chancellor, the Bishop of Ely on June 13th. Details of what followed at Tutbury have fortunately been preserved in a long document included in Knighton's chronicle and the date on which the Tutbury negotiations were held, or, more likely, finished, can be positively fixed by a newly discovered document which shows that the Bishops of Norwich and Ely were accompanied to Tutbury by the Archbishop of Dublin, and that the negotiations at Tutbury took place on the basis of

2. Knighton, 1, p. 413.
a series of points drawn up at London by the Archbishops of Canterbury and Dublin and presented to Lancaster by the Bishop of Norwich on behalf of the Archbishop and province of Canterbury. Once again therefore the Canterbury province took the lead in mediating with Lancaster. The document, made in the form of a notarial instrument, records that on June 23rd, 1318 at Horninglow, between Burton and Tutbury, Stephen Segrave read out on Lancaster's orders a document containing Lancaster's replies to the points brought by the Bishop of Norwich and his colleagues. The instrument quoted the first and final lines of this document which proves to be almost identical with the one contained in Knighton's chronicle as the Tutbury articles.

As the details given in the June 23rd. instrument and an examination of the articles themselves suggest, the Tutbury articles are in form a composite document

1. Poliarmbe Charters, Appendix 4: Osberton Hall, Worksop. See full text in appendix 4. My attention was drawn to this by Mr. J.R.L. Maddicott.

2. Loc. cit. 1. pp. 413-21. The printed text has been checked against both the ms., Claudius f.11v ff.235-4, & Tiberius f.11v ff.121v-3, and found to be correct except for minor misreadings. Davies, op. cit., p. 145. wrongly see the articles as the agreement made at Leicester in April.
and not a record of an impromptu conversation. The articles are made up of a series of statements by the prelates each of which had clearly been agreed in content by the prelates, presumably in consultation with the Council, before the envoys left London, and to which Lancaster's replies are attached. The articles also show by their contents that the points which had been agreed with Lancaster in April had in fact been discussed by the prelates and Council in London in early June despite the absence of these points from the June 2nd. agreement. In April tentative agreement had been given to Lancaster's demands on the revocation of grants and the removal of evil councillors and both these points now reappear in the articles.

As already noticed, the revocation of grants contrary to the Ordinances had been ordered on June 9th. The Articles show that this acceptance of Lancaster's demand was combined with the suggestion that the recipients of such grants should restore them

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1. Knighton, 1, pp. 413-21. The printed text has been checked against both the mss., Claudius E.III/f.233-4 & Tiberius C.VII/f.121d.-3, and found to be correct, except for minor misreadings. Davies: op. cit., p. 445, wrongly saw the articles as the agreement made at Leicester in April.
to the King, without punishment for breaking the Ordinances, and that a Parliament should decide whether or not to make the revocation permanent. Lancaster refused to accept this compromise and in reply quoted the clause of the Ordinances dealing with grants.  

With regard to evil councillors, it was suggested to Lancaster in the articles that they should come to Parliament and be judged there by their peers for any breach of the Ordinances they might have committed; that, instead of being removed altogether from the King's presence, these councillors should absent themselves when the King and Lancaster made peace together, so that Lancaster need have no fear of them; and that such councillors should make amends to Lancaster for their injuries to him. Once again Lancaster rejected such a compromise and insisted that they should be permanently removed under the terms of the Ordinances, of which he again quoted the appropriate clause.  

On the question of a surety for his coming to the King, Lancaster said he did not

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1. Knighton, 1, pp. 413-5; Ordinance 7, headed by: Articuli ordinati sunt isti.

2. Ibid., pp. 418-21; Ordinance 15, headed by: Les poyntez des ordinancez sont tiels.
trust the King's safe conducts since when he had done so in the past he had been imperilled by the King's evil councillors; nor was he certain of the value of the surety promised by the magnates at Leicester since he had heard that some of them had since agreed to protect the King's evil councillors; nor indeed did he consider the guarantee of safety given by the prelates and the papal envoys to be a sufficient safeguard. At the conclusion of the Tutbury negotiations therefore there still remained a wide area of division on the questions of grants and evil councillors to prevent a settlement.

Before the results of the Tutbury negotiations were known it seems to have been hoped optimistically that a meeting between the King and Lancaster would not long be delayed. As early as June 9th. Lancaster himself made mention of a planned meeting to be held at Northampton, though whether in the King's presence is unknown. On the 12th. Lancaster and his men were

1. It is however clear from the Tutbury articles that the Council had sought a formula to answer Lancaster's demand re evil councillors without their permanent removal.


given conducts to come to the King on the 29th. at an unspecified place,¹ the Parliament due on the 19th. having been abandoned on the 8th., probably to allow for such a meeting in its stead.² On June 22nd the two papal envoys, Cardinals Gaucelm and Luke, were also given conducts to go to Northampton,³ which appears to confirm it as the intended meeting place.

But with the return of the envoys from Tutbury it became clear that much hard negotiation remained before a final settlement became possible and there followed a period of about six weeks' concentrated negotiations with Lancaster which were undertaken by several of the prelates, who were now joined by some of the magnate members of the Council. Details of the first stage of these negotiations are given by two previously unused letters.⁴ On July 4th. an embassy consisting of the Archbishop of Dublin, the Bishops of Ely and Norwich, the Earl of Pembroke, -

¹. C.F.R., 1317-21, p. 162.
². E.W., 2, 2, 1, p. 178.
Badlesmere, and the Younger Despenser left Northampton to visit Lancaster at an un-named place.¹ On the 11th. the Archbishop of Canterbury wrote from Northampton saying that these envoys had met Lancaster and found him willing to reach a final settlement on a number of points which had earlier seemed likely to destroy any chance of peace, and which may be guessed to be connected with the vexed matters of gifts and evil councillors. Lancaster had further agreed to come to the King at Northampton on July 21st. to make a firm peace agreement.² Optimism was still high on the 18th., two days after the envoys' return from Lancaster,³ when the Archbishop again wrote from Northampton saying that he was now certain that, with the mediation of himself and others, peace between Lancaster, the King and the magnates would be confirmed in a few days.⁴ However a further letter of the Archbishop

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1. Ibid., p. 220. The mission's start is dated by the Bishop of Ely's departure on July 4th.: C.Cl.R., 1313-18, p. 620.
on July 21st. shows that a settlement did not in fact take place on that date, that the outcome of the negotiations was again uncertain, and that a further embassy, consisting of the Archbishop of Dublin, the Bishops of Chichester and Ely, the Earls of Pembroke and Arundel, Roger Mortimer of Wigmore and Badlesmere, had been sent to Lancaster on the 20th. Another letter of probably the same date, written by someone in the Archbishop's company, explains the Archbishop's optimism for an approaching settlement on the 11th, and the reasons for the near breakdown of negotiations after that date. At their first meeting with Lancaster in early July the royal envoys had agreed to Lancaster's two main demands that gifts made contrary to the Ordinances should be revoked and that evil councillors should be removed, with the reservation that the latter would still be allowed to answer parliamentary and military summons. In return Lancaster promised to remit all offences against him, except for those committed by Roger Damory and William Montacute, whom he accused of plotting to kill him and who would have to make amends to him. A further proposal by Lancaster, which Wilkinson, op. cit., p. 350, suggests it was to last for one year only.

1. Ibid., pp. 267-8; C.Cl.R., 1315-18, p. 620. 258.
with modifications was finally included in the Leake treaty in August, was that eight bishops, four earls and four barons should remain with the King in each year, of whom two bishops, one earl and one baron should stay with the King in each quarter. This idea, we are told, was accepted by the envoys, although the prominence of the prelates in the working of such an arrangement suggests that the idea may have been partly inspired by them to ensure a permanent neutral group on the Council. Lancaster also promised to come to the King whenever the latter wished and join in a Scottish campaign. The envoys then returned to Northampton and reported to the King who agreed with what they had done. Lancaster's sudden change of face had probably been achieved at this point as much by the concessions made to him as by the knowledge that the prelates and magnates were tired of his continued intransigence and determined that one way or another a settlement should be made. The author of the letter goes on to say that

1. This seems meant as a permanent arrangement, although Wilkinson: op. cit., p. 350, suggests it was to last for one year only.

the hopes of peace were now shattered by the behaviour of some of the envoys who had just been to see Lancaster and who now went back on their word and persuaded the King not to confirm the agreement.¹ However it is possible that on this point the writer gives only part of the answer² since of the envoys who went to Lancaster on July 4th, only the Younger Despenser could be described as personally hostile to him. Despenser was probably indeed one of those concerned in advising the King against acceptance, but it is also very probable that the King was swayed by the persuasion of those others who would lose their influence at court if a settlement were made, namely Damory and Montacute, whom Lancaster had attacked by name during the talks, and perhaps also by Audley. The letter writer then adds that there were differing views among those with the King at Northampton, but that Pembroke and the prelates insisted that the agreement should be performed and that it was because of their determination that a second embassy went to Lancaster on the 20th.³

¹ Williams: op. cit., p. 252-1.
² The writer was relying on first-hand reports of what happened: loc. cit.
³ Loc. cit.
Wilkinson suggested that this division of opinion was caused by Lancaster's proposal for a standing council and Edwards believed that the episode showed the existence in the "middle party" of a right and a left wing, consisting respectively of Arundel, Mortimer and Badlesmere, and Pembroke and the prelates. But a far simpler and more plausible explanation is that Damory and his cronies were making a last-ditch attempt to prevent a settlement as they had done before in October 1517.

It was therefore in these circumstances that the second mission left on July 20th. ad mitigandum Lancaster, the replacement of the Younger Despenser as a member of the embassy being perhaps a part of the "mitigation". The second mission returned to Northampton on July 29th. and on August 1st. a third and final embassy was sent from Northampton to Lancaster, consisting of the Archbishop of Dublin, the Bishops of Norwich, Chichester and Ely, the Earls of Pembroke and the presence of the Cardinals.

and Arundel, Roger Mortimer, John de Somery, Badlesmere, Ralph Bassett and John Botetourt.¹ Some progress had evidently been made during the second mission, ending on the 29th., since on the 31st. Lancaster's adherents were pardoned all offences committed before July 25th.,² but no more is known until a letter from the Archbishop of Canterbury on August 8th. which says that on the 7th. the King and Lancaster had met between Loughborough and Leicester and exchanged the kiss of peace in the presence of the Cardinals, prelates, all the earls except Warenne, and many of the barons. The King was to meet Lancaster again on the 8th or 9th. near Nottingham to discuss steps to protect the north against the Scots until the King could go there in person after a Parliament which was to be held on October 13th. at Lincoln.³ The Treaty of Leake embodying the final settlement was

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¹ C.C.L.R., 1318-23, p. 112. The Bishop of Ely was forced to drop out at Leicester by illness: ibid., 1313-18, p. 620.

² C.F.R., 1317-21, p. 199. July 25th. was probably therefore the date of some partial agreement.

drawn up at this second meeting on August 9th.¹

As it stands the Treaty of Leake seems to differ considerably from the terms accepted from Lancaster by the royal envoys on their first mission in early July. The questions of the revocation of all gifts contrary to the Ordinances and the removal of evil councillors were not mentioned directly, although the promise to confirm the Ordinances which the treaty contained might be taken to imply acceptance of both points. Another omission from the treaty was any reference to Lancaster's dispute with Warenne. As already seen in June, the Council regarded this matter as a private one between the two earls which should not be allowed to impede the making of a public settlement. The omission of Warenne on August 9th. was therefore a deliberate and the exchange of lands which Lancaster forced him to make in a series of agreements made at Doncaster in November 1318 and Pontefract in March and 1319 was unconnected with Lancaster's settlement with

1. The relevant documents are: E.42/1.8.101; D.L.42/11/1.61; D.L.42/7/1.25d. In 1323

1. Enrolled in C.C.I.R., 1318-23, pp. 112-4. & E.368/89/m.84; the counterpart of the indenture containing the treaty is E.163/4/7/2; Lancaster's copy was found among his muniments in 1322: D.L.41/1/37/m.7.

2. Ibid., 1318-23, p. 99.

3. Ibid., pp. 112-4.
the King.\footnote{1}{The relevant documents are: E.42/A.S.101; D.L. 25/3575; D.L.42/11/f.61; D.L.42/2/f.25d. In 1322 Warenne claimed Lancaster had imprisoned and threatened to kill him if he did not give up his Yorks. & Welsh lands: S.C.8/174/8702B; E.159/95/m.29d.}

However the Treaty of Leake was in itself only a preliminary agreement made after the outlines of a settlement had been sufficiently established to permit the King and Lancaster to meet and make their personal peace with one another. The details of the settlement remained to be filled in at the York Parliament which on August 25th. was called for October 20th.\footnote{2}{C.Cl.R., 1318-23, p. 99.} To discover the true nature of the 1318 settlement it is therefore necessary to examine the Treaty and the Parliament together.

The most important point which immediately arises and the one with potentially the biggest impact on the future political situation was the form of standing royal Council set up by the treaty and confirmed at York.\footnote{3}{Ibid., pp. 112-4.} Tout saw it as "an expedient so drastic that Lancaster had shrunk from suggesting it" which "was now brought into play by Pembroke and his friends".
at the moment of Lancaster's humiliation in order that Pembroke and his "middle party" might secure themselves in office. But, as Edwards has already shown, the principle of the standing Council was mainly Lancaster's idea, although he accepts Tout's view of its revolutionary nature. At first sight it does indeed appear to be the case that the device would rob the King of any effective power, but an examination of those who were proposed to take part in the system's working suggests a different conclusion. Of the magnates who witnessed the Treaty of Leake on August 9th, practically all were either bound to the King by indenture, that is to say Pembroke himself, Hereford, Badlesmere, the Younger Despenser, Segrave and Somery, or linked to the King by ties of blood or of service, these latter two groups including the King's brothers, Thomas and Edmund, and the Earls of Richmond, Ulster and Arundel, Roger Mortimer, Henry de Beaumont and Walter de Norwich. The bishops present had all been involved either in the royal

1. Tout: op. cit., p. 110. See also Davies: op. cit., p. 465.

administration or had taken part in the mediation prior to the Leake agreement. Not a single recognisable supporter of Lancaster was named. The same pattern is visible among the intended members of the Council. There was no hostile element among the clergy, the Earls of Pembroke, Richmond, Arundel and Hereford were all royal supporters, as were Courtenay and Grey the two barons named. This picture was not changed by the addition at York to the Council's personnel of the Bishops of Coventry and Lichfield and Winchester, the Younger Despenser, Badlesmere, John de Somery, John Giffard, John Botetourt, Roger Mortimer of Chirk and William Martin, the first five of the magnates all having earlier made indentures of service to the King. As to the banneret who was to represent Lancaster on the Council, there can be little doubt that his future influence would be slight and that the Council system as a whole was in reality a serious defeat for Lancaster. Lancaster's relation to the royal government which had been in effect the

1. Courtenay's son had married Hereford's daughter in 1315; Grey was a royal knight.

chief problem around which all the negotiations of 1317 and 1318 had centred was thus defined in a way that would in practice largely exclude him from any direct influence over royal policy. Ironically this solution may have suited Lancaster since the failure of his appointment as chief councillor in 1316 had been due to the excessive administrative burden which it had placed upon him and the deprivation of his freedom to criticise the King from a safe distance which membership of the Council implied. To have his views represented on the Council by a banneret without the obligation to take an active part himself would therefore be a convenient arrangement. Equally this answer would be agreeable to the other members of the Council who did not wish to see Lancaster &

souverinete a li accrocher vers les autres.¹ But view such a system, while it saved Lancaster's dignity, formal could not conceal his real weakness, as shown also in the failure of his claim to the stewardship.²

In the scheme adopted at York for the reform of the royal household the appointment of Hereford,

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Badlesmere, Roger Mortimer of Chirk, John de Somery, Walter de Norwich, the Archbishop of York, and the Bishops of Norwich and Ely as a commission to perform this task reveals that Lancaster would be likely to have no more influence over the reform of the household than he had in the workings of the Council.¹

Following the confirmation of the Ordinances at Leake a review was undertaken of the grants which the King had made contrary to them and which had been revoked the previous June. Part at least of this review was probably made in the course of some further negotiations with Lancaster after the making of the Leake agreement since on September 10th, the restoration of grants made to Hugh Audley junior was ordered with the consent of Pembroke and other magnates who are said to have recently been at Tutbury.² This review continued during the York Parliament itself when formal approval was given to grants which had been made to Hereford, Badlesmere, Montacute, Despenser and Damory with only quite small changes in their substance.³

¹. Ibid., p. 12.
Lancaster's demands for the complete revocation of all such grants had therefore been effectively side-stepped without serious loss to the royal supporters to whom the grants had been made.

All the major offices under the crown were also reviewed during the Parliament. The Bishop of Ely was confirmed as Chancellor and his predecessor as Chancellor, the Bishop of Winchester, was appointed Treasurer,\(^1\) both of them royal associates of very long standing; Badlesmere was advanced to Steward and the Younger Despenser was appointed as Chamberlain.\(^2\)

All these appointments could only be of the greatest personal satisfaction to the King. As to the evil councillors whose removal Lancaster had been so persistently demanding, a compromise was achieved. Montacute was removed from office as Steward and conveniently removed from court by his promotion to be Seneschal of Gascony.\(^3\) Damory and Audley apparently

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1. C.P.R., 1317-21, p. 227.
did leave court as well after, with Montacute, they had made their peace with Lancaster by agreeing on November 23rd. to pay compensation for their past hostility towards him. But the removal of these three men, although an important concession, was small gain compared with the retention at court and the promotion of Lancaster's other opponent, the Younger Despenser.

It is safe to say that the York Parliament of 1318 exhibits all the forms of a political revolution while almost totally lacking its substance. For Lancaster the settlement amounted to a major defeat. The Ordinances had been accepted by the King as he had demanded but this concession was nullified by his failure to secure the permanent revocation of royal grants and the removal from court of all the evil councillors of whose conduct he had complained. Similarly the composition of the standing Council and reform commission out of long-established royal councillors and sympathisers deprived him of any real

1. Vita, p. 90. The removal of these three would have been very strange if they had really belonged to a "middle party" which had now gained power.

power in those directions. It is therefore possible to reject Tout's view that the 1318 settlement was a humiliation for the King and incline partially at least to that of Davies who realised that the members of the standing Council were "nearly all personally acceptable to the King". But Davies also saw the settlement as the triumph of a "middle party" under Pembroke instead of that of the triumph of the King and his moderate supporters which it was in reality. But while the settlement may have changed little in a political sense, the emphasis that was in future to be placed upon the consent of the magnates and prelates to the King's actions in Parliament would give a chance for the moderates among his supporters to make themselves heard and help to curb the actions of the irresponsible men among the King's associates. This result was probably what men like Pembroke, Hereford and Badlesmere would hope for. Superficially there would appear to have been grounds for optimism.

3. Ibid., pp. 463, 468.
at the end of 1318 but the big test of the new-found stability would come on the first occasion requiring personal co-operation between the King and Lancaster. By its decision to summon a campaign against the Scots for June 1319 the York Parliament itself ensured that such an occasion would not be long delayed. Having examined in some detail the course of the negotiations which produced the 1318 settlement and the details of the settlement itself, it is possible to turn to the question of who was chiefly responsible for bringing about the settlement, and in particular to assess the part played in achieving it by Pembroke. It has already been argued in the discussion of the "middle party" interpretation of the events of 1317 and 1318 that the purpose of Pembroke and Badlesmere in making their famous indenture with Roger Damory in November 1317 was not to begin the formation of a "middle party" to control the King but rather to restrain Damory's own conduct and prevent him from endangering again in the future the prospects of peace between Lancaster and the King. It has been

1. See Vita, p. 90.
shown that well before November 1317 both men were important members of the royal Council, that Pembroke in particular enjoyed the personal trust and friendship of the King, and also that Pembroke, Badlesmere and all the other magnates from whom they were said to have formed a "middle party" had in fact bound themselves closely in the King's service by means of indentures. It was then tentatively suggested that the "middle party" interpretation should be replaced by one which saw the King's associates as being divided into two groups, one wanting a settlement with Lancaster and the other wishing to prevent one, while at the same time the prelates of the province of Canterbury and the two papal envoys acted as a body of neutral mediators in trying to bring about peace. This interpretation would therefore relegate Pembroke to the position of a royal councillor who desired peace but did not deliberately seek to gather himself an organised political following in order to achieve it. This fresh interpretation fits well the events of 1317. Does it also apply to those of 1318? Once again, as in 1317, the whole this interpretation does provide a useful description and explanation of the negotiations of 1318. The mediating role of the Canterbury province
is confirmed by their successful initiative in arranging the first serious negotiations at Leicester in April, their work at that meeting in ascertaining Lancaster's terms for future negotiation and giving him a guarantee of his safety so that the conference could then be broadened to include the active participation of the royal envoys and other magnates at Leicester; once again they acted together consciously in their discussions with the Council in London in early June and were responsible for the Tutbury negotiations with Lancaster later in the month; members of the province were also concerned in every stage of the final series of negotiations in July and early August and eight of their number were to be included in the scheme for a standing Council. The aim of the prelates was to be a neutral body which both sides could trust as mediators and not to gain political power for themselves. It has also been shown that the prelates undertook their mediation with the active co-operation and consent of the King and the members of the royal Council who wanted a settlement. Once again, as in 1317, these moderate councillors included Pembroke, Badlesmere and Hereford. The initiative which Pembroke had taken with Badlesmere to curb the activities of
Roger Damory in 1317 appears to have achieved success in 1318 and although Damory and the other opponents of Lancaster in the royal circle were probably responsible for the near breakdown of negotiations in mid-July, they were unable to repeat their success of 1317 in preventing a settlement. Pembroke's role as a royal councillor and envoy in the 1318 negotiations is clear and he was certainly involved in every stage of the moves which helped to get negotiations started and in their prosecution in April and after. His most important single contribution to the success of the negotiations was probably his insistence with the prelates at the critical stage in July that the terms agreed with Lancaster should be accepted. As a councillor who had the King's trust he would also have been able to see that a realisation that a settlement was essential for future peace remained uppermost in the King's mind, to urge upon him the need to make concessions and to overcome the King's natural reluctance to negotiate directly with Lancaster once the preliminary discussions at Leicester and London had made it possible for such negotiations to take place. Pembroke's share in the final settlement was certainly a big one but he was acting only as one of a number of councillors
with similar aims together with the assistance of the prelates without whom a settlement would probably have been almost impossible. There is no evidence that Pembroke had put himself at the head of an organised political group or "middle party" in order to instal himself in power, and on the evidence of his entire career it is unlikely that he possessed the personal qualities that would have enabled him to take such a dominant role even had he wished it. It was Pembroke's fortune that in 1318 the tide was running generally in favour of a settlement and in such a situation there was much he could do to assist it. If on the other hand opinion had been on the side of those who wanted to destroy Lancaster by civil war, it is unlikely that he could have done anything to prevent it.  

The interpretation that has been advanced to replace that of the "middle party" does therefore fit the events of 1317 and 1318. One modification may however be made to recognise the fact that in 1318 in particular the whole body of the leading  

been employed in a more active and natural  

1. This view of his character and abilities is elaborated in the general conclusion to the thesis.
magnates, including those like Pembroke who were royal councillors and had made indentures with the King, became determined, through irritation at Lancaster's refusal to co-operate with the King and his attempts at their expense to make himself the dominant political force, that a settlement should be made. While they remained loyal to the King, their determination made them impress upon the King the need for him to reach a compromise with Lancaster, and this probably helps to explain their conduct at Leicester and in the discussions at London. The magnates' behaviour was not however that of a political party under the leadership of one individual, whether that of Pembroke or anybody else, but rather that of a community of like minds. The term "middle party" might be used as a convenient expression to describe this magnate attitude which they shared with the prelates, who as an organised group consciously acting together have the best claim to such a description if it must be used at all. But, as has been shown, the idea of a "middle party" as it has traditionally been employed is a very misleading and partial description of what actually took place and its use is therefore best abandoned.
The conclusion that Pembroke, though important, was not the dominant figure in 1318 is strengthened by an incident which took place on July 31st. when a group of men broke into the park of his manor of Painswick in Gloucestershire, killed 200 of his deer and caused damage which Pembroke later claimed was valued at £3,000.1 In itself such an incident would usually be regarded as fairly trivial when the disturbed nature of the country at this time is taken into account, but an examination of its timing and the names of the participants reveals that it had a wider importance.

The incident was known to Pembroke by August 8th, 1318 when, at his complaint, a commission to make an enquiry was issued to four royal justices.2 No immediate action to implement this was taken and on December 30th, Pembroke wrote to the Chancellor to make a further complaint about the attack and ask to be granted the forfeitures made by those responsible.3

As a result on January 11th, 1319 Pembroke was granted whatever pertained to the King for the breach of

2. C.P.R.; 1317-21, p. 276.
3. S.C.1/35/204.
Painswick, on the 14th, a commission of oyer and terminer was issued naming twenty-two men as having been concerned in the attack and was supplemented on April 18th by a second commission which added thirty more names. Several of the men named immediately attract notice: Thomas and Maurice, the sons of Maurice de Berkeley; John Mautravers junior; and Thomas de Gurney.

In July 1297 Thomas de Berkeley senior and Maurice de Berkeley senior, his son, became indentured retainers of Pembroke, having earlier been in the service of William de Valence. They were in Pembroke's retinue in 1297, 1298, 1299, and probably in 1308, and were again under his command in 1313 and 1314.

In January 1316 they witnessed a charter of Pembroke

1. C.P.R., 1317-21, p. 265.
2. Ibid., pp. 307, 364.
3. E.101/68/1/1.
4. C.P.R., 1292-1301, p. 177. Both were close associates of the Valence family.
5. E.101/6/28; ibid./39; C.67/14/m.9; C.P.R., 1307-13, p. 43.
6. C.P.R., 1307-12, p. 581; C.71/6/m.1. In 1312 Maurice was made constable of Gloucester on Pembroke's information: C.P.R., 1307-13, p. 480.
in London and in July 1316 Pembroke and Maurice de Berkeley took part in the knighting of Richard de Rodeney at Keynsham just before the siege of Bristol. Maurice may well have owed his appointments as Keeper of Berwick in 1315 and Justice of South Wales in 1316 to Pembroke's influence. Pembroke and the Berkeleys were therefore by 1316 very old and close associates.

Evidently at some point between July 1316 and July 1318 something happened to sever this old relationship and to cause Maurice de Berkeley senior's two sons, Thomas and Maurice, to take part in the Painswick attack. These two men, together with Thomas de Gurney, another of the attackers, had been regular members of the retinues of Thomas and Maurice de Berkeley senior and hence had served under Pembroke's command. John Mautravers junior was the son-in-law of Maurice senior and was certainly one of his retainers.

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3. E.101/68/2/35; C.F.R., 1307-19, p. 285. of the
4. C.71/6/m.i. In April 1318 Gurney became a royal knight (Soc. of Antigs. Ms. 121/f.36) but his social connections were still with the Berkeleys.
by 1316. 1 Other relatives of the Berkeleys who took part in the 1318 attack were Thomas Berkeley of Beoly and John, the son of Robert Berkeley of Arlingham, 2 and at least two more of the attackers, Thomas de Bradeston and Roger Hayes, also had associations with the family. 3 Many of the other attackers were probably also connected in various ways with the Berkeleys and all of them appear to have come from Gloucestershire within the area of the family's territorial influence. There are therefore good grounds for believing that the Berkeleys made a deliberate attack on Painswick, their responsibility being openly acknowledged by some the family historian. 4 The Berkeleys' motives for the attack are obscure and are not clarified by the record of the justices' enquiry in 1319. There is no evidence of any connection in 1318 between the Berkeleys and any other magnates, such as those of the Welsh March, whom Gilbert married in 1255 and divorced in 1271. 2

1. C.G.R., 1313-18, pp. 77, 126; ibid., p. 352. ter
3. C.P.R., 1317-21, p. 432; de la Marche, Countess of Gloucester and Hartford.
which might explain the attack, and it is hard to see what motive other magnates could have had at this time for instigating such an attack. The Berkeleys were of very great local importance within their home district of Gloucestershire and quite capable of committing an offence of this kind on their own initiative, given a motive. It is however possible in this case to find reasons which may help to explain what happened, although it is impossible to be certain that they provide the full answer.

The brief explanation is that in 1317 Maurice de Berkeley senior may have believed that he had some kind of claim to a share of the lands of the Gloucester earldom, in addition to those of Despenser, Audley and Damory, the husbands of the three Gloucester heiresses. This strange situation arose from Maurice's marriage to Isabel, the elder of the two daughters of Gilbert de Clare by his first wife, Alice de la Marche, whom Gilbert married in 1253 and divorced in 1271. On Gilbert's marriage in 1290 with Edward I's daughter

1. This and subsequent details come from G.W. Watson: Genealogist, 1922: Alice de la Marche, Countess of Gloucester and Hertford.

2. Ibid., p. 169.
Joan he surrendered his lands to the King, receiving them back on condition that they were to descend to his heirs by this second marriage, and therefore disinheriting Isabel and Joan, his daughters by Alice de la Marche. 1 Isabel married in 1297 Guy de Beauchamp, the future Earl of Warwick, but had separated from him by 1302. 2 She held £100 land in her own right at Bromsgrove and Norton in Worcestershire, the manor of Stanley in Gloucestershire, and by the gift of her half-brother, the new Earl of Gloucester, in 1307, the manors of Shipton and Burford in Oxfordshire, and rents at Speenhamland in Berkshire and Thornbury in Gloucestershire, all of which she continued to hold after Gilbert's death in 1314. 3

In herself Isabel was not a particularly wealthy woman but her lands would still make her a useful match for some minor baron of the area, such as Maurice de Berkeley. Maurice's first wife died

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3. Ibid., pp. 170-1.
in 1314 and he married Isabel in 1316 or 1317. His reason for remarrying was not to have further children as his new wife was by now aged over fifty. Isabel's own lands could have been reason enough but Maurice may have had hopes of something more. Isabel had specifically been excluded from inheriting any part of the Gloucester earldom in 1290 and moreover contemporary legal opinion appears to have rejected the possibility of inheritance through the half-blood, but Maurice who was certainly no lawyer may have thought there was sufficient doubt about his wife's exclusion to make it worth his while to put in a claim in the hope that, if not a full share in the inheritance, then at least a few useful fragments of the earldom might come his way. The fact that some of the inquest returns wrongly named Isabel as an heiress might have

2. A date before the summer of 1316 is unlikely as Maurice was at Berwick 1315-16. Isabel's remarriage may have been impossible until after the death in 1315 of her first husband, the Earl of Warwick.
3. She was born in 1263: Annals of Tewkesbury, p. 163.
4. Year Book of 1311, pp. XLV-XLVI, p. 42, appears to confirm this. However Pollock & Maitland considered the doctrine was not fully formed in Edward II's reign: History of English Law, 2, pp. 302-5.
given him encouragement. If Maurice could find some source of influence close to the King to help press his claim, he might well stand to make gains.

Pembroke could have become involved in any such Berkeley ambitions on two counts. Pembroke was related to Maurice's new wife through Isabel's mother, Alice de la Marche, who was the daughter of Hugh XI, Count of La Marche and Angoulême, the elder brother of Pembroke's father, William de Valence. Secondly, Berkeley was a retainer and close associate of Pembroke. For both reasons Maurice might have counted on Pembroke's assistance, especially since in 1317 when the Gloucester lands were being divided Pembroke was well placed to use his influence at court in Maurice's favour had he wished to do so. Pembroke was however too much a follower of the letter of the law for him to use his authority in this way and it is unlikely that he responded to any petitions from Maurice to help him. The delivery of the partitioned Gloucester lands in November 1317 would have ended any ambitions Maurice may have had. October 1317 could also have provided Maurice with a further cause of disaffection.

against Pembroke since in that month Roger Mortimer of Chirk was appointed as Justice of South and West Wales, depriving Maurice of the office he had held since 1316.¹ An attack upon Pembroke’s Gloucestershire lands at Painswick may accordingly have seemed to Maurice to be an appropriate way of showing his opinion of Pembroke’s behaviour towards him. The timing of the attack, July 31st. 1318, when Pembroke was well away from Painswick taking part in the final critical negotiations with Lancaster, may well have been chosen to cause him maximum embarrassment. This explanation of the attack on Painswick is necessarily tentative but it probably does give at least part of the answer. To add insult to injury it proved very difficult to bring the attackers to justice, the offenders taking every possible illegal action to delay a settlement. Although the justices held seven sessions on the case at Gloucester, Clifford and Lechlade between June 21st. and July 3rd. 1319, the Berkeleys and their followers failed to attend any of them to answer the complaint of Pembroke’s attorney, John Amyot.²

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¹ G.P.R., 1307-20, p. 342.
² J.I.1/299/2/m.1-3d.
On orders from the justices, the sheriff of Gloucester summoned the offenders to four successive sessions of the county court between July and October and because they again failed to appear outlawed them at the session of October 1st. But the county court of November 5th. was unable to promulgate the sentence because of the absence of the county coroners who had been arrested by Thomas and Maurice de Berkeley, John Mautravers and Thomas de Gurney. On December 13th. the justices ordered the sheriff to summon the attackers to appear at Lechlade on February 20th. when they at last appeared and denied all Pembroke's charges. The sheriff was then told to empanel a jury from Painswick to establish the truth, but at least five attempts to do this between February and July 1320 failed because the jurors did not attend, fear of the Berkeleys evidently being stronger than that of the law. The legal enquiry produced no satisfactory results although the justices were still sitting on

1. Ibid./m.3d.
2. C.P.R., 1317-21, pp. 451-2 (1320).
3. J.I.I/299/2/m.3d.
4. Ibid./m.4.
5. Ibid., pp. 223, 227, 42.
the case as late as August 1320. However a series of recognisances made to Pembroke by men involved in the attack between February 24th. and June 25th. 1320 shows that he did eventually gain some compensation for his losses. The recognisances all take the form of linking together two or three men in recognising a debt to Pembroke, some of the men who are included not being among the known attackers but perhaps appearing as guarantors for those who were. On February 24th. and 25th. Maurice and Thomas de Berkeley and John Mautravers recognised debts of £150 and 500 marks; on the 26th. William de Whitefield, Thomas de Bradeston and Mautravers recognised one for £40, and on March 6th. Matilda and Thomas de Mautravers Rodborough one of £80. Other recognitions on February 28th., April 9th. and June 25th. brought the total amount pledged to Pembroke to £543/6/8, most of which seems to have been paid. Pembroke probably ought to

1. *Ibid.*/m.4, 4d. during which the Berkeleys were able.

2. These appear to be the result of private bargains not of legal action.


have been reasonably satisfied as the £3,000 which he had claimed as the value of damage at Painswick was most likely an arbitrary figure.

One important consequence of the Painswick attack was a shift in political allegiances among some of the men in the Gloucestershire area. The attack naturally ended for good the connection with Pembroke of Maurice de Berkeley and his two sons who in 1318 joined the retinue of Roger Mortimer of Wigmore. The Berkeley link with Mortimer was cemented by the marriage in May 1319 of Maurice's son Thomas to Mortimer's daughter Margaret. This switch had important consequences in 1321 and 1322 when Maurice de Berkeley senior, his sons Maurice and Thomas, and John Mautravers junior all took part in the Despenser war and were listed among the contrariants.

For Pembroke's career the Painswick attack is of considerable interest. The facts that the Berkeleys saw fit to attack him in 1318 and that it took two years, during which the Berkeleys were able

1. C.71/10/m.12.
3. C.P.R., 1321-4, pp. 15-18; C.F.R., 1319-27, p. 84.
to flout the law almost with impunity, for Pembroke to get any kind of satisfaction for his losses and personal humiliation add force to the arguments put forward earlier in this chapter and do not suggest that Pembroke was the dominant and powerful political figure that earlier writers have believed he was at this period.
CHAPTER SIX.

FROM THE 1318 SETTLEMENT TO THE EXILE OF

THE DESPENSERS, AUGUST 1321.

These three years have been traditionally regarded as the time when Pembroke and his "middle party" were the dominant force in English politics and the royal administration. Tout's opinion was that during this period Pembroke played "the chief part in bringing about comparative peace and prosperity and the large measures of reform which mark this period" and he was convinced that Pembroke "was the chief directive agent in the prevailing policy". This extreme view is in accordance with Tout's very firm conviction as to Pembroke's leadership of a "middle party". Davies realised that acceptance of the "middle party" theory required that Pembroke should clearly be seen to be the dominant figure after 1318 but his more cautious view of Pembroke's role during this time implies that he did not regard it as so obvious as did Tout, this caution perhaps reflecting some degree of uncertainty as to the full validity of the "middle party" interpretation. He said that between 1317 and 1322 "Pembroke did not cease to take an active part in

1. Tout: op. cit., p. 18.
the administration, but under pressure of circumstances he found it necessary to adapt his methods",¹ it being "no longer necessary for him to take such a part as in the years 1312-13" since "he could now work through his friends in office".² If on the other hand an examination of Pembroke's role after 1318 should not prove him to be as important as Tout and Davies believed, then additional confirmation will be given to the arguments advanced in the last chapter that there was no Pembroke-led "middle party" in 1318.

The question that immediately arises is how the 1318 settlement worked in practice and in particular that part of it reflected in the scheme for a standing Council. A clear description of the working of this scheme is very difficult through lack of evidence and because of the difficulty in this context in interpreting the only major source of names of those active in the government, the witness lists to royal charters. This latter problem arises from the fact that certain of the prelates and magnates deputed at York to be members of the Council in rotation were in any case likely to be at court through tenure of official posts even if it were not their turn

¹. Davies op.cit., p.330.
². Ibid., p. 439.
to serve on the Council, and were accordingly likely to appear as witnesses to charters. This would apply especially to the Chancellor the Bishop of Ely, the Treasurer the Bishop of Winchester, the Steward Badlesmere, and the Chamberlain the Younger Despenser. The same would be true of other important figures who did not hold any specific office, notably Pembroke himself, as well as Richmond and Hereford, all of whom had regularly been on the Council before 1318 and could be expected to remain there after 1318, except when absent from court on official or personal business. It is therefore difficult to be certain in what capacity such men as these would be acting at any given moment, especially since the plan for the standing Council did not say that only the prelates and magnates whose turn it was to serve should be at court.

Nonetheless there are a few pointers to the possible functioning of the scheme in the period up to the late spring of 1319. The only piece of certain information is that in the period in between the making of the Leake agreement and the holding of the York Parliament the four councillors deputed to stay with the King were Pembroke himself, assisted by the Bishops of Ely and Worcester and John de Segrave.1 It is probable that one

of the first two prelates to serve in this capacity after
the Parliament was the Bishop of Norwich who wrote on
November 25th, 1318 that he expected to stay with the
King at least until the start of Lent (February 21st.), a
period which fits roughly into the pattern laid down
that each councillor should stay in turn for three
months. Moreover his witnessing of charters appears to
confirm that he did stay as intended. His colleague
may have been the Bishop of Salisbury whose presence can
also be traced until early February. Their two suc-
cessors may have been the Bishops of Chichester and Car-
lisle who both appear as witnesses from late February un-
til May. The Earl of Richmond may have been the first
earl to serve after the Parliament as he was a regular
witness in the early part of 1319, and was perhaps suc-
ceeded by Hereford who starts to appear in early April.
The baronial representative on the Council is much harder
to identify. There is evidence of the Younger Despenser's
activity in February and March, but Roger Mortimer and John

1. Hist. Mss. Comm., 1, p.38: Documents of Dean & Chapter of
Norwich.

2. His last appearance was on Feb. 4th.: C.53/105/m9.

3. Loc.cit.

4. Ibid./m.9-5: Feb. 23.– May 17th. Carlisle however was
with the King by Feb. 4th: E.101/377/3/m.6.

5. C.53/105/m.6. Hereford had been in Hainault from Jan.
to March: E.404/484/2/1.

6. C.53/105/m.9-6.
Botetourt also appear in mid-March, while Badlesmere seems usually to have been present through his office as Steward. But the most intriguing question is the identity of Lancaster's banneret representative. The only person with recognisable Lancastrian links to appear in early 1319 was his brother, Henry. But his name appears only on February 4th and the evidence is therefore inconclusive. John Clavering, one of Lancaster's bannerets, was present on May 16th but this was during Parliament when Lancaster was himself present. Other than these two instances there is no evidence of the presence of a Lancastrian representative on the Council in 1319 or in 1320, but the evidence is much too slight to conclude that one never took part.

The standing Council may therefore have been functioning up to at least mid-1319. After this point it is even harder to reach any sort of conclusion. The Parliaments of May 1319, and January and October 1320, together with the Scots campaign of 1319, brought an influx of magnates and prelates into the vicinity of

1. Ibid. /m.8-7.
2. Ibid. /m.8.
4. C.53/105/m.4.
the royal court which makes it difficult to account for the presence of any individual as a witness to royal charters solely in terms of his possible service on the Council. While it has been useful to attempt to discover if the Council scheme did work in practice, it is accordingly impossible to do more than reach partial and tentative conclusions on the matter.

Since Pembroke had performed his service on the Council in the autumn of 1318 there was no need for him to remain at court and for such of the early months of 1319 he appears to have been away from there, on a mixture of private and royal business.

For Pembroke the beginning of 1319 was marked by a royal letter written from Beverley in Yorkshire on January 3rd, in which the King said he had heard that Pembroke was planning to attend a tournament at Dunstable, contrary to a ban on all feats of arms unconnected with the Scots war. The King expressed surprise at Pembroke's intention, saying that the tournament would in the present state of royal affairs be dangerous if it took place, and forbade Pembroke on the loyalty he owed him to take part. ¹ The reason for Pembroke's apparently

¹ S.C. 1/49/45: this was a private letter to Pembroke. No other magnates were named.
strange behaviour is unknown but he and the others may have thought that, following the 1318 settlement, it was again safe to indulge in such pastimes, perhaps also with the intention of preparing themselves for the coming Scottish campaign.

But this incident was probably only a trivial matter and, as another event in January shows, Pembroke remained in royal favour. On January 16th, the King wrote to the Pope saying he had heard that the royal financier and late Seneschal of Gascony, Anthony Pessaigne, had while at the papal Curia accused Pembroke of committing various falsitates against the King and of suborning certain letters from the Chancery for his own use. Edward said he was gravely perturbed by these false charges and that he trusted Pembroke in omnibus et singulis nos tangentibus. Somewhere about this time Pembroke himself had written to the King from London complaining about Pessaigne's slanders and asking Edward to take action against him, and it was probably in reply to this that on January 26th, the

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1. C. 70/4/m.9: this is the original of the undated letter on p. 107 of the Liber Epistolaris of Richard of Bury.

2. Cotton Charters II,26,no. 8: this is an undated fragment in a file of miscellaneous original letters addressed to Edward II.
King wrote to Pembroke informing him that he had told the Chancellor to order the Seneschal of Gascony to send Pessaigne back to England by attachment and if necessary by force. These orders were accordingly sent to the Seneschal on the following day. This strange affair is even more surprising in view of the King's earlier favours to Pessaigne and his former relations with Pembroke. In November 1315, for example, the King had given Pessaigne £3,000 in aid of his knighting and a further £3,000 in October 1317. In November 1317 Pessaigne had been made Seneschal of Gascony with powers to raise a 20,000 mark loan and to arrange the liquidation of Clement's V's loan of 1314. He and Pembroke had been together on the 1317 Avignon mission and had probably worked together on many other occasions. Pessaigne's motives in attacking Pembroke at the Curia are obscure but one reason may perhaps have been connected with Pessaigne's treatment of a Gascon, Jordan de Insula on whose behalf the Pope had asked Pembroke to intercede in 1318. It also appears that while in

1. S.C. 1/49/46.
2. C.61/32/m.3d.
3. C.81/93/3556.
4. Ibid./1102/4461.
5. Ibid.,/4491,4495; F., Vol.2, 346-7; C.61/32/m.16.
Gascony Pessaigne had retained more of the Duchy's revenues than he was owed by the King and had not accounted for what he had received there. This may account for Pessaigne's replacement as Seneschal on November 20th, 1318 and his summons to England, without having been informed of his supercession, on the 28th, for a colloquium on Gascon affairs. Pessaigne may have been Pembroke as responsible for this and proceeded to get his own back at the Curia. Whatever the true causes, this incident certainly throws an interesting and unexpected light on the personal relations between two royal associates at this time.

While the King was complaining to the Pope about Pessaigne Pembroke remained active in the south of England. Shortly before January 14th, 1319 he and Hereford had together persuaded the Archbishop of Canterbury reluctantly to consecrate the new Bishop of London, Stephen Gravesend, at Canterbury. Pembroke is next caught sight of on March 6th, when he wrote from his manor of Gooderstone in Norfolk asking the Chancellor

1. Liber Epistolaris, p. 106
2. C. 61/32/m.5.
not to issue a writ of warranty to the Abbot of Viterbe who was trying to deprive him of his rights over the advowson of the church of Holkham, another of his Norfolk manors. Pembroke's private affairs are again in evidence on March 23rd when the King wrote to tell him that he had asked the Treasurer and Walter de Norwich to see that the money owed by a London burgess, John de Borford, and others was paid to the Bardi in order that the latter might more rapidly pay Pembroke sums which the King owed him, as Pembroke had requested by letter. The King also expressed himself to be willing to perform any other requests that Pembroke might have.

Pembroke had moved from Norfolk to London by March 24th, when he appeared at the chapter house of St. Pauls with the Earl of Norfolk and Bishop of Winchester to hear the complaints of the citizens of London against their mayor, John de Wengrave, and over the elections of the mayor, sheriffs and aldermen. After a threat by

1. S.C. 1/35/103. Pembroke received seisin of the advowson in June 1319 because of the abbot's default: C. 47/70/1/27. Execution of this judgement on Pembroke's behalf was ordered in October 1321: C.47/70/1/4. In 1323 the King forbade the abbot to raise the matter at the papal Curia: F., vol. 2, p. 524.

2. S.C.1/49/47: this may be to do with money paid to Pembroke to assist payment of his ransom. See chapter 4, part 2.

3. C.266/93/m.12.
Norfolk to summon all concerned to appear at Westminster on the 25th. The mayor gave way and acceded to the citizens’ petition. ¹ By April 2nd, Pembroke had gone to Great Yarmouth with the Bishop of Norwich and Walter de Norwich to make preparations for ships to be sent to Scotland, probably to carry supplies for the summer campaign there, he and his colleagues receiving £6/13/10d. from the town authorities for their retainers. ² Soon after this Pembroke returned to London and just before April 24th, he appeared with the Earl of Norfolk and Badlesmere at the Canterbury provincial council being held at St. Pauls in order to ask the clergy to give the King a subsidy in aid of the Scots war. ³

From London Pembroke next went north to York where Parliament had begun on May 6th. This Parliament added little to what had been settled at York in the autumn of 1318, except to postpone still further the examination of Lancaster’s claim to act as Steward ⁴ and to confirm some of the details of the settlement

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³ Reg. R. de Baldock, etc. p. 207-8. The Council had been called for April 20th. (ibid., p. 204) but apparently began on the 22nd.: Ann. Paul., p. 286.

⁴ Cole: op. cit., p. 48. Lancaster and his leading retainers were there in force: E.368/93/m.12.
made between Lancaster and Warenne.\textsuperscript{1} More important, the Parliament was able, now that a full settlement had been made between the King and Lancaster, to turn to consideration of the problem which was second only to a King for the war.\textsuperscript{5} Pembroke's share in this loan that of the King's relations with Lancaster and which had indirectly done much to ensure the making of a settlement in 1318: the Scottish threat to the north of England. A Scottish campaign had already been summoned in November 1318 to start on June 10th, 1319. On May 22nd, 1319 the date was postponed until July 22nd\textsuperscript{2} and the objective of the campaign was made the recapture of Berwick which the Scots had taken in April 1318.

The mounting of this campaign, the first major royal offensive since 1314, was the great preoccupation of the royal government in the summer and autumn of 1319 and care was taken to ensure that it would be a full-scale military effort. A twelfth and an eighteenth had been granted at the York Parliament for this purpose,\textsuperscript{3} together with a clerical tenth.\textsuperscript{4} Measures were ordered for the distraint of knighthood and for fines of £20 on

\begin{itemize}
\item \textsuperscript{1} C.Cl.R., 1318-23, p.68.
\item \textsuperscript{2} Ibid., p.141.
\item \textsuperscript{3} Ibid., p.79.
\item \textsuperscript{4} Ibid., p.203.
\end{itemize}
those who did not serve. Purveyance of victuals on a large scale was organised in twenty-six English counties and included the collection of grain supplies which the magnates had agreed at York to loan to the King for the war. Pembroke's share in this loan amounted to approximately 370 quarters of various grains, for part of which the King later repaid him at specially advantageous rates, and he also sold nearly 970 quarters more to the King for which in November 1320 he was paid £242/4/2½d. When finally assembled the army was in theory at least a formidable force of about 14,000 men, including about 11,500 footmen and archers and over 1,000 hobelars, while the heavy cavalry force of knights and men-at-arms was in the region of 1,400 strong.

1. Ibid., pp.202-3.
3. E.101/378/4/f.4,6,8,10. 30 quarters, for example, were paid for as 31 quarters 4 bushels: ibid./f.6. This arrangement was not peculiar to Pembroke's share of the loan.
4. Ibid./f.9d.: this may include repayment of part of the loan of grain. In April 1320 the Treasurer had been told to repay Pembroke with all haste: E.159/93/m.29.
6. Ibid./f.19-22; 24-31. This suggests that Pembroke made his will at this time, as did Hereford: see Sirca. Journal, 1845, pp.346-7.
7. The Bruce, 227, 416, 430. E.101/378/5/m.3. confirms date of start of siege.
leading magnates took part, including Lancaster with 28 men, Arundel with 61, Hereford with 121, Badlesmere with 96, the Younger Despenser with 98, Damory with 82, and Audley with 74. Pembroke's contingent for whom protections were issued at York on July 16th, and Gosforth on August 8th, totalled 73 knights and men-at-arms as well as 60 archers. The opening of the campaign was marked by royal favours to Pembroke, including the grant to him of the hundreds of Bosemere and Cleydon in Suffolk, and permission in the event of Pembroke's death for his executors to have free administration of his moveable property combined with a royal promise that repayment of the Earl's debts would be sought from his heirs.

The siege of Berwick was begun on September 7th, and was pressed forward without conspicuous success, despite a second attack on the 13th.

1. C.71/10/m.4: this was its size at the start of the campaign. More men may have joined later.
2. E.101/378/4/f.20, 19d., 20d., 29d.: these are all maximum sizes reached during the campaign.
3. C.71/10/m.5, 2; C.81/1736/60; E.101/378/4/f.36d. The total of men-at-arms is that for the start of the campaign. There is no information on men who may have joined him later.
4. C.P.R., 1319-27, p.3 (Aug. 4th). This suggests that Pembroke made his will at this time, as did Hereford: see Arch. Journal, 1845, pp.346-7.
5. C.P.R., 1317-21, p. 388 (Aug. 16th). This suggests that Pembroke made his will at this time, as did Hereford: see Arch. Journal, 1845, pp.346-7.
6. The Bruce, 2pp. 418, 430. E.101/378/3/m.3. confirms date of start of siege.
However the siege could not be continued because of the outflanking move by a Scottish force under Sir James Douglas which penetrated deep into Yorkshire and threatened York itself. The city's defence was hastily organised by the Archbishop of York, the Bishop of Ely and others but their men were defeated by the Scots at Myton-on-Swale on September 12th. Among the many prisoners taken at this rout was a certain Sir John de Pembroke who was probably the Pembroke retainer of that name. As a direct consequence of this battle the siege of Berwick had to be abandoned and the King left there on September 17th.

The siege thus ended in a humiliating failure after only ten days, despite the great effort put into it. This defeat was bad enough in itself, but of far greater significance were the symptoms of disunity which appeared during the siege, reopening all the old suspicions between the King and Lancaster and producing the first ominous break in the political stability which the 1318 settlement had achieved. The best account of what happened or was rumoured to have occurred to produce this effect in the last days before the English forces were withdrawn from the siege is given by E. Trollelow, p. 104, E. I. 101/787/3, m. 3.

2. Flores, p. 189.
3. E. I. 101/787/3, m. 3.
this fresh outburst of hostility between the King and Lancaster is given by the writer of the Vita who, as so often elsewhere, gives the impression that he might say a lot more than he did. The Vita, at earlier times unsparing in its strictures on the King's behaviour, now bewailed Lancaster's loss of his reputation through his betrayal of the King at Berwick, saying that it was strongly rumoured that Lancaster had impeded the siege, had allowed the Scots to penetrate into Yorkshire, and had permitted Douglas to withdraw through his lines to Scotland on his return from York, having been paid £40,000 by the Scots for his secret assistance. But, in mitigation of Lancaster's conduct, the Vita also hints that had the King succeeded in taking Berwick he would then have turned against Lancaster whose execution of Gaveston he had still not forgiven. Several other writers also speak of signs of division at Berwick. One speaks vaguely of suspicion between Lancaster and the King, while another says that some of the King's associates accused the magnates of treachery. Another

1. Vita, p.97-102
2. Ibid., p.103
is more specific, saying that Lancaster withdrew from
the siege in disgust because he heard that the King had
promised custody of the town to the Younger Despenser
and Damory after its capture.\(^1\) A chronicle from
Canterbury says that during the siege trouble broke
out between Lancaster and the King's Council and that
he withdrew for this reason.\(^2\) General confirmation
of the existence of such suspicions and a hint that the
Younger Despenser may have had much to do with fostering
them is given by a letter of Despenser written on
September 21st. to his Sheriff in Glamorgan in which\(^3\)
he said that the siege had been abandoned at Lancaster's
procurement.\(^4\) There can be little doubt that the
failure of the Berwick siege was a political turning
point in the period 1318-1321 and by the renewed
estrangement of Lancaster from the King began to pave
the way for the events of 1321 and 1322. It may also
have marked the developing importance of the Younger
Despenser whose later conduct was to turn most of the
leading magnates against him and the King.


2. Trinity College, Cambridge. Ms. R.5.41/f.113d-114: this is the source of the details in Leland: Collectanea,
1, p. 272.

The final abandonment of the campaign was marked by the King's departure on September 28th. from Newcastle for York where he arrived on October 5th., having left Badlesmere behind at Newcastle to supervise the munitioning of the castles of the Scottish March.¹

Pembroke himself does not appear to have lost by the failure. On September 9th. the King granted him in return for his services the English lands of an Irish rebel, Maurice de Caunton; ² on October 16th. one of his retainers, Constantine de Mortimer, was given licence to crenellate his house at Sculton in Norfolk;³ and on November 5th. another retainer, John Darcy, was made sheriff of Nottingham and Derby.⁴ The details of Pembroke's personal share in the Berwick campaign are unknown but if he or any other royal councillor had tried to patch up relations between Lancaster and the King, it is clear that they did not succeed.

More successful however was Pembroke's part in the negotiations with the Scots with which he was occupied for the rest of 1319. Negotiations were under consideration as early as October 24th. when twelve Scots

¹. Add. Ms. 17362/f.9,9d., 14d., 15.
². C.P.R., 1317-21., p.397.
³. Ibid., p.398.
envoys were given safe conduct to come to Newcastle to discuss a truce or peace and on November 11th.

Robert Baldock left London for York in order to go with other royal envoys to Berwick for the same purpose. On December 1st, full powers to negotiate a truce were given to Pembroke, together with the Chancellor the Bishop of Ely, the Younger Despenser, Badlesmere, Henry le Scrop, Robert Baldock, William Airmyn, William Herle and Geoffrey le Scrop. The Scottish and English versions variously date the making of the truce that was eventually made to December 22nd. and 24th. The truce was to last for two years from December 29th, 1319 during which time the Scots were to build no new castles in the sheriffdoms of Berwick, Roxburgh and Dumfries, while the English were to garrison Harbottle and later either deliver it to the Scots or destroy it.

January 24th. the Chancellor, Pembroke, Badlesmere and Despenser were appointed to perform the terms relating to Harbottle, which they had already put in the custody

2. Add. Ms.17362/f. 9d.
6. O.P.R., 1317-21, p. 416.
7. Loc.cit.
of Badlesmere's retainer, John de Penrith, on December 28th, and keepers of the truce were nominated on the same day.

These latter arrangements were made during the Parliament which met at York on January 20th.

At this time it was decided that the King should go to France to do homage to Philip V for Aquitaine, the King's brother Edmund being sent to Paris in February in order to arrange safe conducts for the King. It was also decided to send the Elder Despenser and Badlesmere to Gascony to consider reforms there and to visit the papal Curia, and that the Exchequer and Bench should return from York to London.

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2. C.P.R., 1317-21, p. 416.
4. Vita, p. 103. Lancaster was at Pontefract on Feb. 3rd., 18th.: C.P.R., 1317-21, p. 431; D.L. 42/12/f.22d.; King E. 368/93/m.12.
5. Add. Ms. 17562/f.13. The King's visit was already under consideration in Nov. 1319: loc.cit.
7. C.Cl.R., 1318-23, p. 175.
8. E. 159/93/m.109.
appears to have been very prominent during the proceedings of this Parliament, together with Badlesmere and the Younger Despenser. On January 23rd, the outgoing Chancellor, the Bishop of Ely, delivered up the Great Seal in the King's Chamber at the house of the Friars Minor in the presence of Pembroke and his two colleagues and it was handed to his successor, the Bishop of Norwich, on the 26th. On the 28th, the Earl of Angus, Henry de Beaumont, John Nowbray, John Clavering and Andrew Barcla made a bond for £6,000 to Pembroke, Badlesmere and Despenser, the purpose of which was not stated but was probably intended as a guarantee of their observance of the truce. Pembroke and the two others were again in company on the 29th, when they acted at the Exchequer as mainpernors for the debts of John Sandale, the late Bishop of Winchester. These three instances, taken with their participation in the Scots negotiations in December 1319, suggest that at this point Pembroke, Despenser and Badlesmere were among the most important of the King's associates.

After the end of the York Parliament the King left for the south, being greeted by cries of abuse

1. Ibid., p. 219-20.
2. Ibid., p. 220
3. E. 159/93/m.109.
from Lancaster's retainers as he passed by Pontefract, and on February 16th, 1320 reached London where he was met at Kilburn by the mayor and other officials. Pembroke's activity continued after his return to London. On the 22nd, the Bardi handed back, in the presence of Pembroke, the Bishops of Exeter and Hereford, Roger Northburgh and Walter de Norwich, two gold crowns which the King had given them the previous August as security for repayment to them of 5,000 marks. On February 24th, Pembroke was appointed by the Council to be Keeper of the Realm when the King went to France to do homage. On the 27th the King left Westminster for the coast at the start of his journey to France, but after reaching Canterbury it became necessary for some reason for the visit to be postponed and, having spent the rest of the month journeying around Kent, the King returned to Westminster on April 7th.
But despite the delay in his departure for France, the King probably still expected to cross over sometime during March and it is for this reason that, although he was still in the country, Pembroke was consulted as Keeper of the Realm on at least two occasions during this time. On March 1st, the King sent to Walter de Norwich from Rochester a copy of a letter from the Justice of Ireland on matters relating to the men of Dublin with instructions that when Pembroke, the Chancellor and others of the Council had assembled they should read the letter and decide what action was needed.¹ On March 7th, the King wrote to the Chancellor from Canterbury saying that he had charged Pembroke, his Lieutenant and Keeper of the Realm, to tell him on his behalf about certain matters which required quick action, and ordering the Chancellor to listen to what Pembroke had to say and follow his advice.² Pembroke left the King soon after this letter was sent and on March 11th, he was at Stratford from where he wrote asking the Chancellor to appoint Thomas le Rotour as one of the viewers of the works at Windsor.³

¹ E. 159/93/m.31
² C.81/110/5521.
³ S.C.I/36/18; C.P.R., 1317-21, p.480.
On April 13th., shortly after the King's return from Kent, representatives of the Bardi and other foreign merchants appeared in the green chamber of the palace of Westminster before the King and the Council, who consisted of the Archbishop, the Chancellor and Treasurer, Pembroke, the Elder and Younger Despensers, Badlesmere, the royal justices and the barons of the Exchequer, to request that they be exempted from the provisions of the Ordinance of the Staple of 1313. In this the aliens were opposed by John Charlton, the Mayor of the Merchants of the Staple, and by other English merchants who succeeded in persuading the Council in their favour. Pembroke was again active on April 16th. when he was a witness at Lambeth Palace, with the Bishops of Norwich, Exeter and London, the Younger Despenser, his nephew John Hasting and others, to the King's formal instrument of protestation on the admission of Rigaud d'Assier as Bishop of Winchester.

Pembroke's continued good relations with the King are shown clearly by the contents of two letters which the King wrote to him in May and August 1320.

The first of these, dated May 8th., related to an assize of novel disseisin brought by Pembroke's nephew, John Hastings, against the Earl of Arundel over the possession of some tenements in Surrey. The case had evidently aroused strong feelings since on April 10th, both Hastings and Arundel had been forbidden to bring armed retainers to a hearing of the case at Southwark on the 14th.\(^1\) In his letter the King told Pembroke that, having heard about the case, he had sent for the Constable of Windsor on May 6th. and discussed the matter with him. The King added that he was told that Pembroke intended to be present at the next hearing of the case and asked him to join him at Reading on the 17th., presumably to discuss it further. He concluded by saying that if Pembroke wished him to attend the hearing, he would do so  "pur la graunt amistez que nous avons a vous.......car nous tenoms toutes vos querelles les noz."\(^2\) The King's second letter was addressed to Pembroke from Langley on August 16th. The King began of the Trent, in succession to Ralph de Montchenu, by saying that the Younger Despenser had told him that Pembroke would be able to join him at Clarendon three weeks after their last meeting. Edward added that his brother, the Earl of Norfolk, had come to Langley to seek his advice on plans for his marriage but he had told him to come when Pembroke was at Clarendon and able to give his opinion. The letters deal with a matter of great political substance but they do not give much detail on the case.

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weeks after their last meeting. Edward added that his brother, the Earl of Norfolk, had come to Langley to seek his advice on plans for his marriage but he had told him to come when Pembroke was at Clarendon and able to give an opinion "pur ce en cele chose ne en autre que porte charge nous ne voloms ouir ne rien faire saunz vostre conseil." Neither of these letters deals with a matter of any great political substance but they do show how far Pembroke still held the King's trust at this point in the reign. The King gave further evidence of his regard for Pembroke a few weeks later on September 14th. when he had five silk cloths placed on the body of Pembroke's recently deceased wife, Beatrice, at the Convent Church at Stratford in London where, on February 8th. 1321, he also attended a mass said in her memory.

The spring and summer of 1320 may be said to be the high point of Pembroke's activity and importance in the years immediately after the 1318 settlement. On May 18th. he was appointed Keeper of the Forest South of the Trent, in succession to Ralph de Monthermer,

1. Ibid. /49. Norfolk married Alice, daughter of Roger de Hales of Norfolk, in about 1320.

2. Add. Ms. 9951/f45d.

3. Ibid. /f2d.
until the next Parliament should confirm the appointment.¹
More important than this however was Pembroke's re-ap­pointment on June 4th. as Keeper of the Realm in re­preparation for the King's departure for France to do homage,² the King's absence lasting from June 19th. to July 22nd.³ On the face of it this office would put Pembroke in a position of very great authority and it is therefore worth considering how great it was in practice. On the day of his appointment Pembroke appeared in the King's green chamber at Westminster with the Archbishop, Chancellor, Treasurer, the Bishop of London, Earl of Hereford, the Younger Despenser and others. Two small seals were brought before the King, one which had been used in England during Edward I's absence in Flanders in 1297 and another used when Edward II had been away in France. The first was broken and given to the Chancellor as his fee while the second was put in a bag under the Chancellor's seal for Pembroke's use while the King was in France. On June 9th. the Chancellor who was going to join the King, who had left for France on the 5th., closed up the Great

Seal to take to the King and delivered the small seal to Pembroke with instructions that writs sealed by it should be given under the King's witness while he remained in England and under Pembroke's testimony after the latter had crossed to France. This clear distinction of Pembroke's authority from that of the King by giving him a special small seal would appear to give him little more than the power to issue routine orders. This impression is fully confirmed by an examination of the commands sent out under authority in the King's absence, none of them being of more than minor importance. It is also interesting to note that on June 18th., the day before the King crossed to France, a series of important orders was issued concerning the application of justice, the banning of tournaments, the enforcement of the provisions of the Staple, and counterfeit money. All these decisions were made by the King and his advisers at Dover and Pembroke was not among those present since on the same day the King wrote to him, enclosing two letters from Juliana de Leybourne, and ordering him

to assemble the members of the Council who remained in London and take a decision on them. All the decisions of any importance had therefore been made before Pembroke's authority became fully operative. It is also relevant to note that very few magnates or prelates of any importance remained behind in London with Pembroke. The Younger Despenser and Roger Damory, and the Treasurer and Chancellor, the Bishops of Exeter and Norwich, all accompanied the King to Amiens. In addition, the Elder Despenser, Badlesmere, the Bishop of Hereford, the Earl of Richmond, and the King's brother, Edmund, had all been abroad on royal business since March and rejoined him during his stay at Amiens. Pembroke's wife, Beatrice de Valence, and his nephew, John Hastings, also went to France, in the company of the Queen. The focus of political attention and of any major decisions that might be required had therefore moved in effect from London to Amiens. Too much should not be made of Pembroke's lack of any power of initiative since his position was the same as that of other Keepers of the

2. Add. Ms. 17362/f.11, 17d. The King reached London on Aug. 2nd; R.101/378/10/m.1.
3. Ibid./f.11.
4. Loc. cit.
Realm before him, such as the Earl of Gloucester in 1311. The fact that the King chose to confer the dignity of Keeper upon Pembroke was a quite sufficient means of showing his faith in him. Pembroke's period of office ended promptly with the King's return to Dover on July 22nd, when he was told to stop using the small seal which he restored to the Chancellor in the presence of the Council at the Exchequer on July 29th.1

Up to the time of the King's return from France there were few signs, apart from the King's bad relations with Lancaster, of the political crisis that was to follow in the spring of 1321.2 Under these conditions the Parliament which was summoned on August 5th met at Westminster on October 6th.3 In fact the events at the time of the Parliament and shortly afterwards proved to be a political turning-point, and there are signs of impending disturbances and of possible moves to avert trouble.

Pembroke was present at the opening of Parliament and with other magnates and prelates was appointed 1. C.Cl.R., 1313-23, p.317. P.W., 2,1,p.246-7. The King reached London on Aug. 2nd.: E.101/378/10/m.1. 2. Vita, p.108 emphasises that trouble between Despenser and the other magnates began only after the King's return. 3. P.W., 2,1, p.247.
to hear petitions. On the 13th his tenure of office as Keeper of the Forest was confirmed and on November 3rd. his knight, Aymer la Zouche, was made Sheriff of Cambridge and Huntingdon. The appointments of Despenser as Constable of Bristol and Badlesmere as Constable of Dover also tend to confirm an impression of normality and of unity among the associates of the King.

However the absence of Lancaster, who on October 5th. was still at Pontefract, was a reminder of his continued hostility to the King, although he did send Nicholas de Segrave and others to represent him at Westminster. Those attending Parliament were apparently aware of the dangers that might be created if Lancaster were not placated in some way and persuaded to resume his co-operation with the King. It may have been with the intention of reassuring Lancaster that on November 14th. the King ordered the careful observation of the Ordinances. Parliament also ordered the Bishops of London and Winchester to visit Lancaster and by

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1. Ibid., p. 251
2. Loc. cit.
5. E. 159/94/m.125
7. E. 159/94/m.22.
8. Ann. Paul., p. 290. the nominal reason for their visit was to deliver a papal bull.
November 16th, these two had reached St. Albans where
they met with the Bishops of Ely and Rochester.1
Although delayed at Northampton by the Bishop of London's
illness, the mission continued and the Bishop of London
finally returned to Westminster on February 6th.2 This
mission may have represented a further attempt at
mediation on the part of the prelates as they had done
in 1318, but it is clear that it achieved nothing and
by the time the Bishop of London returned from Lancaster
events were moving too fast for such intervention to
have much hope of success. In contrast with these
conciliatory moves in Lancaster's direction during the
Parliament it is possible to set the order of November
5th, requiring Lancaster to answer for the relief for
the lands he had inherited from the Earl of Lincoln in
1311,3 a move which can only be regarded as provocative,
especially since on December 20th. Despenser was res­
pited the relief for his share of the Gloucester lands.4

Mention of Despenser brings attention to the
most disturbing developments during the Westminster
Parliament. Relations between Despenser and Audley

1. Loc. cit.; Trokelowe, p. 106; Winchester was consecrated
   at St. Albans.
3. E. 368/91/m. 127.
4. E. 159/94/m. 27.
and Damory had already begun to become strained at the end of 1317 when Despenser tried to take control of the Audley's lands at Gwynllwg, an act which culminated in Despenser's acquisition of the lands in May 1320. Despenser's expansion of his hold on South Wales had also included the displacement in March 1319 as Sheriff of Carmarthen of one of Pembroke's men, John Paynel, by one of his own knights, John Iweyn. Although, as the Vita points out, many of the leading magnates, including John Mowbray, Audley, Hereford, Roger Clifford, Damory and the Mortimers, each had his own personal reason for disaffection towards the Younger Despenser, the turning-point in Despenser's relations with his fellow magnates was not reached until the seizure by the King on October 26th, 1320 of the lordship of Gower on the grounds that John Mowbray had taken possession of it from his father-in-law, William de Braose, without royal licence. Whatever the precise legal position might be, the seizure of Gower could only be

1. C.P.R., 1317-21., p. 60.
2. Ibid., p. 456.
3. C.P.R., 1307-19., p. 394.
regarded as a threat by the magnates of the Welsh March and the incident served to crystallize their grievances against Despenser and unite them in action. Some attempt was however made to reassure some of the magnates who might feel most threatened by the decision over Gower. On September 20th. and December 26th. Damory's debts to the King were respited and on November 14th. he was pardoned the whole of a fine of 2,300 marks which he had made for the regrant of certain wardships resumed under the Ordinances. On November 5th. the King confirmed at the request of Despenser, Damory and Audley, the husbands of the three Gloucester heiresses, Edward I's regrant of 1290 of the Gloucester lands to Gilbert de Clare and his heirs by his second marriage, probably as a means of guaranteeing to Damory and Audley that Despenser would not usurp any of their rights in their respective shares of the Gloucester inheritance. That measures such as these were necessary is an indication that in November 1320 the political situation was very delicate. Lancaster was already

1. E. 159/94/m.7, 39d.
2. C. 81/113/5509. The patent roll version of the order says he was pardoned only 1,000 marks of this debt: C.P.R., 1317-21., p. 519.
3. Ibid., p. 531.
hostile to the King and also to Despenser whom he regarded as responsible for the disgrace he had suffered at the time of the siege of Berwick,¹ and the enmity of Damory, Hereford, the Mortimers and others towards Despenser was now in process of taking shape with disastrous consequences for him and the King in 1321.

It is significant to discover that at this very point when the internal political situation was beginning to deteriorate Pembroke left the country to go to France, with the result that between then and his final return to England in August 1321 he took little direct part in English affairs. There is no doubt that in 1321 he shared the hostility of the Marchers, of whom he was himself one, towards the Despensers and for him to be absent from the country would be a convenient way of avoiding the choice between deserting the King, in whose service he had made his career and to whom he was legally bound by indenture, and formally joining the Marchers in opposition and in their open attack on the Despensers. But this explanation of his departure from England in 1320 is probably not valid since the situation, though threatening, had not yet reached a stage where such a clash of loyalties was likely. Pembroke had

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¹ Vita., p. 109.
in fact perfectly sufficient personal business reasons for leaving England when he did. His first wife had died in September and he went to France in order to arrange for his remarriage, a matter which would naturally take some time. He was also at this time conducting a legal action before the Paris Parlement with the family of his late wife. But as the crisis in England developed Pembroke must have found it very convenient to have a good reason for remaining abroad and which, when he did return briefly at the end of March 1321, allowed him to go back to France in May and stay there while the crisis reached its peak. On November 8th, 1320 Pembroke was given a protection to last until February 2nd.¹ and left England soon after November 20th.²

The political situation began to worsen rapidly at the beginning of 1321. Lancaster continued to keep to himself and on January 6th, the King announced to the Chancellor that, allegedly because of illness, Lancaster would not be attending the eyre at London on the 14th.³ Hereford's breach with the King was already

¹. C.P.R., 1317-21, p. 518.
². C.53/107/m.5.
³. C.81/113/5551. Lancaster had made a similar excuse in Nov. 1311: S.C.1/45/221.
apparent on January 30th. when he and 28 others were ordered not to join armed assemblies or make secret treaties;\(^1\) by March 6th he was gathering troops in Brecon ready to invade Despenser's lands\(^2\) and his hostility was recognised on March 16th. when the castle of Builth was taken back into royal hands following a last-minute effort by the Earl of Norfolk to parley with him.\(^3\)

Roger Mortimer had retired to his stronghold at Wigmore by February 11th.,\(^4\) having been replaced on February 1st as Justice of Ireland by one of Despenser's men, Ralph de Gorges.\(^5\) The opposition to the Despensers had begun to take a formal shape by February 27th. when the King was sent news from Newcastle that on the 22nd. Lancaster and other unnamed magnates had met at Pontefract and decided to attack the Younger Despenser in Wales.\(^6\)

There is no evidence that any of the Marchers were present but the area of the planned attack makes it likely that either they or their representatives were there.

Lancaster's efforts to stage manage the events of 1321,

\(^1\) C. Cl. R., 1318-23., p. 355.
\(^2\) S. C. 1/58/10.
\(^3\) C. Ch. Warr., p. 519.
\(^4\) C. Cl. R., 1318-23., p. 360.
\(^5\) C. P. R., 1317-21., p. 558.
\(^6\) S. C. 1/35/8.
while himself staying at Pontefract well clear of any danger, are thus apparent from the very beginning.

Following this news from the north the King and Despenser took action on March 6th. to ensure the safety of Despenser's Welsh lands and of Wales as a whole, and on March 8th, the Justice of Wales, Roger Mortimer of Chirk, was told to inspect the royal castles in Wales. On March 1st. the King and Despenser had themselves left London for the danger area and arrived at Cirencester on March 20th. The turning point between threats of force by the Marchers and their open defiance of the King came on March 28th. when the King summoned Hereford and his allies to Gloucester on April 5th. to discuss the situation with the Council.

At this point in the proceedings Pembroke reappeared on the scene after an absence of four months. Following his departure from London in November, Pembroke had probably reached the French court by December 7th. when the King wrote to him and to the French King. 

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1. See Knighton, 1, p.421.
4. E. 101/378/10/m.6,7.
6. Add. Ms. 9951/f.34.
The King was again in contact with him on December 15th., February 12th. and 23rd., and finally on March 6th. when he was still in France. The contract for Pembroke's marriage to Marie de St. Pol, the daughter of the late Count of St. Pol, was concluded in Paris in February 1321 and enclosed in letters patent of Philip V in which Pembroke promised to assign 2,000 livres dower to his future wife. On March 29th, 1321, after Pembroke's return, the King wrote from Gloucester asking for a papal dispensation for the marriage because Pembroke and Marie de St. Pol were related in the fourth degree, giving as grounds for his request the hope that the marriage would strengthen peace and friendship between England and France. Papal permission was duly granted on April 22nd., and the King confirmed Pembroke's marriage treaty and his assignment of dower on April 12th. Despite the King's reference in his letter to

1. Ibid./f.34,34d,35.
2. A. Du Chesne: Histoire de la maison de Chastillon,6, Preuves, p.168. Du Chesne's source was a catalogue of the Titres de la Fère now in the Archives Nationales (KK.909/f.75; FF.19618/f.38d.). The original contract and its full contents are not extant.
3. C.P.R.,1317-21, p.575-6.
the Pope to the diplomatic importance of Pembroke's marriage, which would indeed be real enough, it is clear, and it is confirmed from royal correspondence of early 1321, that Pembroke's marriage negotiations were a purely private matter and not a part of royal policy. The affair serves to underline once again the very close social links which Pembroke had with France.

Apart from keeping him out of the political developments of early 1321, Pembroke's absence had also had the effect of delaying the start of a further series of truce negotiations with the Scots. These had originated in August 1320 when John Darcy, one of Pembroke's retainers and Sheriff of Nottingham, six squires, who included another Pembroke retainer, Percival Simeon, and Andrew Harcla were sent to visit Robert Bruce with letters of credence from Pembroke, Despenser and Badlesmere asking for the postponement of the truce negotiations due to take place at Carlisle to which the latter had earlier agreed. After further contacts with the Scots at Carlisle in September and October these moves resulted on January 19th, 1321 in the appointment of the Archbishop of York, the Bishops of Carlisle,

1. S.C.1/32/87; ibid./45/197.
3. Ibid./f.6d.; C.P.R., 1317-21, p.504.
Worcester and Winchester, the Earls of Pembroke and Hereford, Badlesmere and six others either to make a final peace treaty or to prolong the existing truce made by Pembroke and his colleagues in December 1319. The composition of the embassy and the intended participation as well of both French and papal envoys is an indication of the importance placed upon these negotiations by the royal administration. These plans did not however work out as intended. On February 17th, the King wrote to Badlesmere and his colleagues telling them to delay their meeting with the Scots for two or three weeks as he hoped that Pembroke would soon be back in England. When Pembroke did return he would be sent north with all speed. Despite Pembroke's continued absence, the other envoys issued safe conduct for the Scottish envoys at Roxburgh on February 19th, in his name and in that of Hereford who had also failed to appear. However on the 23rd, the King wrote again to say that because Pembroke was still engaged in private business in France and the date of his return was unknown and because Hereford had not appeared "for certain

1. Ibid., p. 554.
3. Loc. cit.
4. C. 47/22/12/31.
reasons", he had appointed the Earl of Richmond in their place. The King still had no idea of when to expect Pembroke when he wrote to the envoys on March 1st. Pembroke's presence in the negotiations was evidently felt by the King to be important and it was only with reluctance that he ordered the talks to proceed without him. Pembroke's delay in returning was probably genuinely caused by the state of his marriage negotiations and there is no reason to suppose that he was deliberately lingering abroad.

Pembroke's rejoining of the King at Gloucester on about March 28th coincided with the final developments which preceded the Marchers' attack on the Despensers. The Earl of Hereford failed to answer the King's summons to come to Gloucester on April 6th, and informed the King via two royal knights, John de Somery and Robert de Kendale, that he would not come while the Younger Despenser remained in the King's company. Hereford then sent the Abbot of Dore to the King with proposals that Despenser should be put in Lancaster's

1. S.C.1/32/87; see C.P.R., 1317-21, p. 567.
3. C.53/107/m.2.
custody and permitted to answer the charges against him in Parliament. The King sent a cleverly argued reply, which no doubt reflects suggestions made by Despenser himself, in which he refused to do as Hereford asked because Despenser had never been charged with any crime, and took his stand upon Magna Carta, the Ordinances, the common law and his Coronation oath. The King ended by summoning Hereford and Mortimer of Wigmore to Oxford on May 10th, to discuss the date for a Parliament. On May 1st, the King postponed the date of this proposed meeting to May 17th, at Westminster. It is reasonable to suppose that Pembroke took part in these last desperate attempts to arrange a meeting with the Marchers and so avoid an open clash. His motives would no doubt be partly those of the moderation by which he had governed his career, but at the same time he had personal reasons for avoiding a violent outcome to the crisis. It is certain that Pembroke had a great deal of sympathy with the Despensers' opponents but he had not so far carried it to the lengths of openly joining the Marchers in their opposition to them. Nonetheless,

1. Loc. cit.
2. Ibid., p. 367-8.
3. Ibid., p. 368.
4. Murimuth, p. 33, says: Comes vero Lancastriae consensit eis expresse et comes de Pembroke occulte This opinion is quoted by several other writers: Le Baker, p. 11; Vita et Mors Edwardi Secundi, p. 302; Ms Laud Misc. 529/f. 106 (this is a source related to Murimuth but with much local information on the Welsh March).
if force were used, he would find it difficult to avoid a public choice between allying himself with the Marchers and remaining with the King and indirectly lending his approval to the Despensers. The Marchers certainly knew of his sympathies and it is likely that the letter brought to Pembroke on April 19th from the Abbot of Dore contained an appeal for him to join them or at least to mediate with the King on their behalf. There is however no sign that at this point Pembroke did anything to help the Marchers, not did he or any of his men, with the possible exception of his nephew, John Hastings of Abergavenny, take part afterwards in the attacks on the Despensers' lands in England and Wales.

Events now began to move rapidly. On May 4th, the war by Hereford and his allies against the Younger Despenser began with an attack on Newport, followed by the capture of Cardiff on the 9th, and Swansea on about the 13th. Meanwhile Roger Mortimer of Wigmore seized the lands of Despenser's ally, the Earl of Arundel, at Clun and elsewhere in Wales.

2. Flores, 3, p.344-5; Add. Ms. 9951/f.7d.
the 24th., a group of northern magnates met Lancaster at Pontefract and made a defensive pact with him, although not apparently agreeing to join an attack on the Despensers. Earlier, on the 15th., the King had summoned Parliament to Westminster on July 15th., no doubt hoping in this way to save the Despensers from the wrath of the Marchers.

Interesting light on the extent of the government's preoccupation with the affairs of the Despensers at this time is thrown by a long letter to the Seneschal of Gascony which was probably written by Richard de Burton, a Chancery Clerk, between May 15th. and the end of May. The author says that when he and the Bishop of Hereford arrived in England from Gascony they found that the King was absent from London and that, although he later spent three weeks with the King, he was unable to see either the King, Pembroke or Despenser to get replies on questions sent by the Seneschal because they were all too busy with other matters.

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3. S.C.1/54/139.
4. The Bishop arrived on April 24th.: Add. Ms.9951/f.9d.
5. S.C.1/54/139.
At the end of May Pembroke was once again preparing to leave the country for the ceremonies of his marriage to Marie de St. Pol in France. On May 25th. and 26th. he and twenty of his retainers were given protections until August 1st. and by June 2nd. he had crossed to Boulogne. By the 22nd. he had joined the members of Marie's family and on July 5th. he and Marie de St. Pol were married at Paris. A subsidiary aim of Pembroke's stay in France may have been to try and obtain help in mediating between Edward II and the Marchers but if this were so it was the result of his continuing personal loyalty to the King and not of any desire to save the Despensers. His distaste for the Younger Despenser was in fact clearly displayed during his stay in Paris. Despenser is said by a Canterbury chronicler to have crossed for safety to France disguised in the habit of a monk of Langdon abbey and gone to Paris, but to have left soon after and returned to England for fear of Pembroke and the information that

1. C.P.R., 1317-21, p. 589-91; C.61/1750/21.
2. C.66/154/m.4; C.P.R., 1317-21, p. 596.
3. Royal letters were sent to him and Countess of St. Pol: Add. Ms. 9951/f.37d.
5. E.41/4/39/m.7: the names of these who sealed it are not given.
the latter was spreading about him at the French court. 1

In Pembroke's absence, events in England were rapidly coming to a conclusion. On June 28th, the Earl of Hereford and the other Marchers who had attacked the Despensers met with Lancaster and a group of other magnates from the north at Sherburn in Elmet and an indenture was drawn up in which all those present approved the Marchers' actions against the Despensers and the justice of continuing such action in the future. 2 Both Tout and Davies interpreted this agreement as placing Lancaster at the head of a united coalition of Marcher and northern magnates. 3 Wilkinson however argues that the indenture was the result of prolonged bargaining, that it was never sealed and that Lancaster was unsuccessful in trying to unite the Marchers and the northerners. 4 On one point at least this latter interpretation is certainly incorrect since a copy of the indenture found in Lancaster's muniments in 1322 bore the seals of twenty-five persons. 5 Nonetheless:

2. See texts of indenture in B. Wilkinson: op.cit.
5. D.I.41/1/37/m.7: the names of those who sealed it are not given.
in a wider sense Wilkinson's conclusions may still be preferable to those of Tout and Davies. Although the indenture was sealed, it is still possible that other magnates present were not prepared to put their seals to it, since the two versions of the indenture respectively record the presence of forty-eight and thirty-four persons. It is also noticeable that a number of those present, such as Fulk Lestrange, Robert de Hôland and John d'Eure, were Lancaster's retainers and hence of no independent weight. As Wilkinson points out, the northern barons who had met with Lancaster at Pontefract in May had been distinctly reluctant to involve themselves in any offensive action and it may well also have been true that at Sherburn many of those present were ready to approve the Marchers' continued action against the Despensers provided they themselves were not asked to participate. It certainly seems reasonable to accept Wilkinson's suggestions that Lancaster did not control the north politically and that the Marchers did not therefore gain from the Sherburn meeting the accretion of strength that has been supposed.  


2. Ibid., p.7. A close study of northern political affiliations would clarify the problem.
Another point about the Sherburn meeting that has previously been missed is the fact that the King sent the Archbishop of Canterbury and Badlesmere the Steward there to persuade the magnates to end their attacks on the Despensers and instead put their complaints before Parliament, and that while there Badlesmere deserted the King and joined the magnates against the Despensers.

From Sherburn Hereford and the other Marchers, unaccompanied by Lancaster, came south in order to present their demands for the Despensers' exile at the Parliament which had begun at Westminster on July 15th., and reached St. Albans on about July 22nd. There is evidence that during the magnates' stay there and in the days that followed there were attempts by members of the Canterbury province to mediate between them and the King as they had done in 1318. The Bishops of London, Salisbury, Ely, Hereford and Chichester came to St. Albans and his return was evidently seen with relief by the

1. Ms. Nero D.X/f.111: this is a chronicle attributed to Nicholas Trivet which provided much of the material for Holinshed's account of 1321-2; Trinity Coll. Camb. Ms. R.5.41/f.114.

2. Loca cit.; Brut, 1, p.213-4. Badlesmere was still loyal on May 17th. when he received charge of Audley's castle of Tonbridge: C.F.R., 1319-27, p. 57. On Aug. 20th. he was pardoned for his opposition of the Despensers: P., Vol.2, p.454. The Sherburn meeting falls squarely between these two dates.

him and have his advice, requesting him to come via

to try and make peace but had to return to London

Lambeth so that a bill might be sent for him,

without any success. Following this the magnates

Both the King and the Marchers probably now

moved to Waltham where they spent four days, and on

the 29th. reached London and established themselves

support and it is clear that Pembroke did indeed play

at Holborn, the New Temple and elsewhere outside the

a major part in ending the deadlock. According to

city which refused to admit them. Further attempts

one apparently well informed source the magnates made

contact with Pembroke and three other earls who had

the Archbishop and the Bishops of London, Ely, Salis­

bury, Lincoln, Hereford, Exeter, Bath and Wells,

Chichester and Rochester and others attending Parlia­

ment met the magnates at the New Temple and the house

demand for the Despensers' exile. In view of

of the Carmelites to try to make a settlement. But

their demand for the Despensers' exile, while the King resolutely refused to make any

concessions or even to meet his opponents.

At this moment of deadlock Pembroke returned

from France. This took place on about August 1st.

and his return was evidently seen with relief by the

King who on that date wrote asking him to come to West­

minster on the 2nd. because he greatly wished to meet


D.X/f.111.


3. Ibid., p. 295-6; Vita, p.112.


that in recording Pembroke was not wholly true to his

path to the magnates.
him and have his advice, requesting him to come via Lambeth so that a boat might be sent for him.¹

Both the King and the Marchers probably now hoped that they could induce Pembroke to give them his support and it is clear that Pembroke did indeed play a major part in ending the deadlock. According to one apparently well informed source the magnates made contact with Pembroke and three other earls who had so far remained loyal to the King, Richmond, Arundel and Warenne, and put pressure on them to join their ranks,² and on the evidence of the Vita it does seem certain that Pembroke at least took an oath to uphold their demand for the Despensers' exile.³ In view of Pembroke's proven hostility to the Despensers it is very likely that he was prepared to make such a commitment. But it is also clear that at the same time Pembroke was trying to play the part of a mediator.⁴ and that he saw the exile of the Despensers as being in the King's best interests. In this way he could


3. Vita, p.112.

4. Loc.cit.; Ann. Paul., p.297. The Vita, p.112, suggests that in mediating Pembroke was not wholly true to his oath to the magnates.
attempt the difficult task of accepting the magnates' demands and at the same time remaining basically loyal to the King as he had in the past.

After their meeting with the magnates Pembroke and the other mediators brought to the King the baronial ultimatum that unless the Despensers were removed the King would be deposed. Pembroke now played the major role in urging the King to accept the magnates' demands. He is said to have told the King to take note of the power of the magnates and not to risk losing his kingdom for the sake of his favourites. He added that the barons had attacked the Despensers for the sake of the common good which the King had sworn to uphold at his coronation. Pembroke concluded with the ominous statement that if the King refused the magnates' demands, even his loyalty would be lost because of the oath he had taken to the magnates. Faced with the prospects outlined by Pembroke, the King gave way and on August 14th. he came into Westminster Hall, flanked by Pembroke and Richmond, and agreed to exile the Despensers who were to leave the country by the 29th.

1. Vita, p.112.
2. Ibid., p.113.
On the 20th. the magnates were formally pardoned for their attacks on the Despensers.

The exile of the Despensers was not however enough to guarantee the magnates' permanent success, since as soon as the Marchers had left Westminster there was the possibility that the King would be able to recall his favourites and plan revenge against their opponents. At the same time the Despensers' lands, although nominally put in charge of royal keepers on August 16th., remained firmly under magnate control. The situation was therefore ripe for a further round of conflict.

It is now possible to try and assess the accuracy of the views of Tout and Davies as to Pembroke's importance in the years between 1318 and the summer of 1321. There is no doubt that at least until his appointment as Keeper of the Realm in June 1320 and probably until the Parliament of October 1320 Pembroke was almost continuously involved in royal business, and this fact might be regarded as consistent with the view that he was then acting as the head of a "middle party".

1. C.P.R., 1321-4, p. 15-21.
But on the other hand this is not sufficient reason to modify the opinion already expressed that Pembroke was not the leader of such a group, since such activity was entirely consistent with the position as an important and highly regarded member of the royal Council by which he had held since 1316. It would indeed be far more significant and surprising if he had not remained active in royal affairs after 1318. In quantity of activity Pembroke was therefore very important after 1318, but there remains the more interesting question of the quality of his political importance, and it is on this point that it is possible to diverge most positively from the "middle party" interpretation. For a time after 1318 Pembroke may well have been the most important single royal adviser and have had a great part in the shaping of royal policy, but it was when the political stability achieved by the 1318 settlement began to be undermined that the limitations on his importance began to be revealed. This change in Pembroke's position arose partly from the nature of his own character since he appears to have lacked the ability to dominate the political scene and prevent the creation of conditions which might lead to a fresh crisis. His powers of independent leadership were also reduced.
after 1318 by his severe financial difficulties arising from the payment of his ransom. But by far the most important factor in Pembroke's decline in real importance was the growing power and influence over the King of the Younger Despenser which was greatly assisted by the removal from court in 1318 of his rivals for royal favour, Audley, Damory and Montacute. There can be little doubt that Despenser played an important part in producing the renewal of hostility between the King and Lancaster at the time of the Berwick campaign in 1319 and that it was entirely at his instigation that in 1320 the King ordered the seizure of Gower and so precipitated the 1321 crisis. Pembroke was quite unable to prevent any of these developments. In addition Pembroke's absence from England for most of the time between November 1320 and August 1321, although for perfectly good and adequate personal reasons, meant in practice his virtual abdication from political affairs at a point when, if he had possessed any real powers of leadership, he was most needed. By the summer of 1321 Pembroke was torn uneasily between his traditional loyalty to the King and his interests and open support of his fellow magnates from the Welsh March through his personal opposition to the Despensers.
None of these facts is at all consonant with the picture of a dominant political leader presented by Tout and Davies.

The period after the 1318 settlement is a peculiarly difficult one to interpret accurately. Before 1318 the rivalry between the King and Lancaster had often taken a public form and it has therefore been possible to determine the nature of the main political trends and their development with some precision. After the establishment in 1318 of a fairly settled political order which lasted till the end of 1320, it is likely that many of the most significant political developments were taking place in the relations of the King's associates, not only among themselves but also with the King. Pembroke's quarrel with Pessaigne is but one minor example. But by their nature such personal relationships took a private form and it is only rarely that evidence appears to show what was going on beneath the surface of political life. It is accordingly easy to describe the public crisis with which the period ended in 1321 but very difficult to say in detail just how it had come about. But, bearing in mind the problems raised by lack of full evidence, the reality of the situation after 1318 seems to have been not the
rule of a "middle party" led by Pembroke but rather a jockeying for power among the immediate associates of the crown of whom the Younger Despenser and his father finally emerged as the most influential.

After the end of the 1321 Parliament in August Hereford and his followers withdrew only as far as Oxford from where they could still bring pressure on the King if he tried to recall the Despensers. 1 With the removal of the Despensers, Pembroke probably now felt free to associate openly with their opponents and on a date between late August and the end of September a tournament was held at Witney, near Oxford, in which Pembroke and his men took part against Hereford and Badlesmere. 2 Pembroke's association with the Marchers probably alarmed the King and may have been the reason for the King's sending William de Clausance to him on August 31st. 3 Pembroke certainly did not approve at this time of the King's action in leaving the Younger Despenser in the protection of the Cinque Ports or of Despenser's subsequent acts of


2. ibid., a. 272 (ibid./f.115). Pembroke's manor of Hinton was nearby.

CHAPTER SEVEN.

FROM THE SIEGE OF LEEDS TO THE DEATH OF PEMBROKE, JUNE 1324.

After the end of the 1321 Parliament in August Hereford and his followers withdrew only as far as Oxford from where they could still bring pressure on the King if he tried to recall the Despensers. With the removal of the Despensers, Pembroke probably now felt free to associate openly with their opponents and on a date between late August and the end of September a tournament was held at Witney, near Oxford, in which Pembroke and his men took part against Hereford and Badlesmere. Pembroke's association with the Marchers probably alarmed the King and may have been the reason for the King's sending William de Cusaunce to him on August 31st. Pembroke certainly did not approve at this time of the King's action in leaving the Younger Despenser in the protection of the Cinque Ports or of Despenser's subsequent acts of

2. Ibid., p. 272 (ibid./f.115). Pembroke's manor of Bampton was nearby.
piracy in the Channel and encouragement of the attack on Southampton on September 30th, by the men of the Cinque Ports.\(^1\) There might accordingly have been a danger that Pembroke would identify himself fully with the Marchers in any future conflict. That Pembroke did not do so was probably the result of his personal loyalty to the King as well as of Lancaster's advice to the barons that Pembroke could not be trusted and that they should reject his help.\(^2\) Pembroke therefore had little option but to rejoin the King and had apparently done so by the end of September\(^3\) just before Badlesmere's defiance of the King caused the outbreak of the conflict which led to the magnates' destruction in 1322.

The clash between the King and the magnates which began in October 1321 has the appearance of deliberate provocation by the King. One writer claimed that the King had made plans with Despenser on how to revenge himself against the magnates\(^4\) and the orders in September and November to Hereford, Audley and Damory to give the Despensers' lands to royal keepers, orders which

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2. Vita, p.117.

3. He was witnessing royal charters from the 19th. C.53/108/m.8.

they inevitably ignored, seem designed to produce a casus belli. It is likely that of his opponents the King chose to attack the former Steward, Badlesmere, first of all, both because he regarded Badlesmere's treachery in joining the Marchers as unpardonable and also because the fact of Lancaster's hostility to Badlesmere meant there was a good chance of destroying him without baronial intervention. As part of his plans against Badlesmere the King ordered him on September 26th to give up custody of Tonbridge castle and also sent men to Dover to check any move by Badlesmere there. When he heard of this Badlesmere crossed into Kent from Tilbury, put the castles of Leeds and Chilham in a state of defence and then rejoined the Marchers at Oxford. The King and Queen then went on pilgrimage to Canterbury after which the King went to meet Despenser on Thanet and told the Queen to go to Leeds on her return to London for further negotiations in which she participated.}


2. Ms.R.5.41/f.114; C.F.R., 1317-21, p. 47-8. Badlesmere's change of side was especially unforgivable by the King because of his closeness to and valuable service of the King before 1321. Only the defection of Pembroke himself could have provoked a more extreme reaction from the King.

3. Vita, p.116; Collectanea, 1,p.274 (Ms.R.5.41/f.114d).}

4. C.F.R., 1319-27, p. 71; Ms.R.5.41/f.114d. Badlesmere was constable of Dover.

5. Collectanea, 1,p.273 (Ms.R.5.41/f.115).
journey to London in the hope that Badlesmere’s men would refuse to admit her and that Badlesmere could then be justifiably attacked. When the Queen reached Leeds on October 13th. she was duly refused admittance as had been hoped, Badlesmere having risen to the bait and ordered his men not to admit her if she came.

The King reacted swiftly to this affront and on October 16th. announced that he would start to besiege Leeds on the 23rd., sending Pembroke, with the Earls of Norfolk and Richmond, as an advance guard on the 17th. Pembroke could not refuse to go against his old colleague, Badlesmere, and his part in the siege thus confirmed that in future he would be fighting for the King even if this eventually led to the return of the Despensers. After the siege had begun Badlesmere persuaded Hereford and the Mortimers to go to the relief of the castle, but on October 27th. the baronial army stopped at Kingston-on-Thames while its leaders entered into tentative negotiations in which

3. Ms.R.5.41/f.115: Badlesmere had heard of the King’s intentions.
4. C.CLR., 1318-23, p.504; C.P.R., 1321-4, p.29 Badlesmere had been given custody of the royal castle of Leeds in Nov.1317. In March 1318 he was given it in tail: C.P.R., 1317-21, p. 46, 128.
5. Collectanea, 1,p.273 (Ms.R.5.41/f.115d.).
Pembroke took a prominent part. The Archbishop, Bishop of London, and Pembroke went to Kingston and offered that, if the barons retreated, they would try to mediate with the King, to which the magnates replied that if the King raised the siege they would surrender the castle after the next Parliament. Any chance of success was ended by the intervention of Lancaster, who was still at this time in the north, at Pontefract, and who wrote persuading the magnates to do nothing to help Badlesmere whom he was quite prepared to see destroyed. The King's gamble thus succeeded. Hereford and his allies withdrew, accompanied by Badlesmere, and, deprived of any hope of relief, Leeds surrendered on October 31st.

Following the capture of Leeds, there were signs of both sides preparing for the next stage in the conflict. Before November 11th, Warwick castle, for example, had been seized by royal opponents. Even as

1. Murimuth, p.34.
5. Collectanea, p. 273(Ms.R.5.41/f.115d); _Ann. Paul._, p.299; French Chron. of London, p.43. Note that the castle had not surrendered before help could be brought: cf. Tout: _op.cit._, p.133; McKissack: _op.cit._, p.64.
close to the King as London there were rumours of royal enemies being harboured and shortly before November 17th, Pembroke had been sent there by the King to try and ensure the city's loyalty. In the north Lancaster was again stirring and on October 18th, summoned a meeting of magnates at Doncaster on November 29th. Contrary to previous opinion, it is certain that, despite the King's prohibition, a meeting between Lancaster and the Marchers did take place as planned, although it is possible that, for reasons of security, it was held at Pontefract rather than Doncaster. On December 2nd, Lancaster wrote from Pontefract to the city of London saying that he had just met with the Earl of Hereford, Roger Mortimer of Wigmore and other magnates. With the letter Lancaster enclosed a copy of the document which the magnates had already sent to the King and which has become known as the Doncaster petition. In the petition Lancaster and his allies accused the Younger Despenser of urging the King to

4. This suggestion is borne out by Chroniques de Sempringham, p.338; Ms. Nero D.X/f.111d.
5. Bodleian: Kent Rolls 6: f.6 (documents from Tonbridge Priory): the copy of the petition is damaged but clearly identifiable.
pursue peers of the realm and seize their lands, contrary to the Great Charter, and charged the King with maintaining Despenser, despite his sentence of exile, and of encouraging him in his career of piracy. Lancaster asked the King to remedy these complaints by December 20th. The petition was clearly intended as a propaganda move to justify any actions the magnates might take against the King and the Despensers but politically it also had the effect of a threat and a challenge by which the King could also justify taking up arms against the contrariants.

The King had however already decided to use force by November 15th. when he announced that he was going to various parts of the realm to remedy the trespasses of malefactors, although being careful to deny that he was going to make war. On the 28th Damory and Audley were again ordered to give up the Despensers' lands and Roger Mortimer of Chirk, still officially the Justice of Wales, was told to join the King at Cirencester on December 13th. to report on the state of Wales. On the 30th orders were sent for troops to gather at Cirencester on December 13th.

2. C.C. 1318-23, p.506.
3. Ibid., p. 408, 506, 508; C.P.R., 1321-4, p. 38.
a week before the deadline included in the Doncaster petition.

November 1321 also saw the start of moves to bring back the Despensers, moves which throughout carefully followed legal forms and in which Pembroke was prominent. The first important step was taken on November 14th. when the Archbishop of Canterbury called a provincial council to meet at St. Pauls on December 1st. because, as he put it, the realm which had once rejoiced in the beauty of peace was now in danger of shipwreck through civil war.\(^1\) The meeting may have been planned by the Archbishop to be a means of mediating between the King and the magnates, as his province had done in 1318, but in practice it was used to the full by the King for his own purposes. On November 30th., the day before the council met, the Younger Despenser delivered to the King a petition outlining the legal flaws in the process of his exile and appealing for its annulment, after which Despenser surrendered himself to the King's custody. Then or a little later the Elder Despenser followed the same course.\(^2\) On the same day

1. Wilkins: Concilia, 2, p.507-8; Cambridge Univ. Ms. Be.5.31./f.223d (Register of Henry of Eastry).

the King announced that he was sending Richmond, Arundel and Robert Baldock to deliver a message to the council and it was presumably they who placed the Younger Despenser's petition before the prelates.\textsuperscript{1} The Council itself was not fully representative since, apart from the Archbishop himself, only the Bishops of London, Ely, Salisbury and Rochester were present, while ten members of the province did not appear,\textsuperscript{2} some of them at least, like the Bishops of Hereford and Lincoln, because they sympathised with the magnate contrariants. Despenser's petition was read before the prelates who gave their opinion that the sentence against him was invalid and should be annulled. The petition and this reply were then read again in the presence of the prelates and the Earls of Pembroke, Kent, Richmond and Arundel all of whom gave the same answer. Pembroke, Richmond and Arundel added that they had consented to the award against Despenser through fear of the other magnates and begged pardon for doing so. Afterwards the royal justices and others of the King's Council gave their opinions to the same effect.\textsuperscript{3} In this way the King

\footnotesize{\textsuperscript{1} C.P.R., 1321-4, p. 37; C.Cl.R., 1318-23, p. 410, 543.  
\textsuperscript{2} Ann. Paul., p. 300; C.Cl.R., 1318-23, p. 510-11.  
\textsuperscript{3} Ibid., p. 510-11, 543.}
secured the widest possible consent for Despenser's return. Pembroke who had been the chief agent, with Richmond, in persuading the King to accept the Despensers' exile, had in effect been humiliated and bound even more closely to the King in the war with his fellow Marchers. On December 8th, the Younger Despenser was given a safe conduct which was renewed, with a formal protection, on January 9th, while his father received a conduct on December 25th.\(^1\)

With this business accomplished, the King set out on December 8th.\(^2\) to join his army at Cirencester for the start of the campaign against Hereford and his allies, who at about this time had seized Gloucester.\(^3\) Pembroke however was still in London on the 10th.\(^4\) and may have remained for a few days in connection with the annulment of the process against the Despensers which was not formally announced until January 1st.\(^5\) Pembroke rejoined the King with his forces after the latter reached Herefordshire.

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1. C.P.R., 1321-4, p. 45, 47.
2. E.101/378/13/m.4.
3. Ms. Dugdale 20/f.41 (Ms. Laud Misc. 529/f.106d). Ms. Dugdale 20 contains extracts from Laud Misc. 529 which is a fourteenth-century chronicle related to that of Muriimuth but with much additional material, especially on the Welsh March in 1321-22.
Cirencester. It was while the King was at Cirencester over Christmas that Pembroke's nephew, John Hastings of Abergavenny, came and made his peace with the King. Hastings had almost certainly been swept into the movement against the Despensers earlier in 1321 and his offence was probably slight since he was later sent to take control of Glamorgan for the King. While at Cirencester Pembroke busied himself with preparing the defences of his castle of Goodrich in Herefordshire against any possible Marcher attack.

On December 27th. the royal army left Cirencester for Worcester which was reached on the 31st.; but because the crossing of the Severn there was held by the contrariants a royal advance guard of cavalry and infantry, led by Fulk fitz Warin, Oliver Ingham, John Pecche and Robert le Ewer, was sent to seize and hold the bridge at Bridgenorth. However on January 5th. Bridgenorth was attacked by Hereford and the royal garrison driven out and forced to retire to Worcester.

5. E.101/378/13/m.5.
The royal army was therefore forced to take a more circuitous route from Worcester, which it left on January 8th., arriving at Shrewsbury on the 14th. It was at this point that the first break came in the Marchers' ranks, partly through the influence of Pembroke and the other earls accompanying the King. On the 13th. at Newport in Shropshire a safe conduct until the night of the 17th was issued, at the request of Pembroke, Norfolk, Kent, Richmond, Arundel and Warenne, for Roger Mortimer of Wigmore and twenty of his companions to come to Betton Le Strange near Shrewsbury to treat with Pembroke, Richmond, Arundel and Warenne. Badlesmere was specifically excluded from this and all subsequent safe conducts, underlining the King's hatred of him. At Shrewsbury on the 17th. this conduct was renewed until the 20th. for further meetings with Pembroke and the others at Betton, and was again extended on the 21st. until the 22nd., when both the Mortimers came to Shrewsbury and surrendered to the King.  

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1. E.101/378/13/m.5.  
2. C.P.R., 1321-4, p. 47-8.  
3. Ibid., p. 48.  
4. Ibid., p. 51.  
5. E. 368/92/m.49; Cal. of Letter-Books: Ep. 150.
One contemporary considered that their surrender had been brought per mediationem fraudulentam of Pembroke and the other earls in the King's company, perhaps having in mind the fact that the Mortimers were imprisoned instead of being pardoned as they had been promised.\(^1\) In fact the initiative for surrender talks probably came from the Mortimers themselves, since early in 1322 the Mortimer-controlled castles of Welshpool, Chirk and Clun had all been captured for the King by a Welsh army led by Sir Gruffydd Lloyd.\(^2\) At the same time Lancaster failed to send help to the Marchers as he had promised, his ostensible reason being the presence with the magnates of Badlesmere whom he refused to aid in any way.\(^3\) Some of the magnates were apparently prepared to attack the royal army at Shrewsbury but the Mortimers refused to do so because their men were starting to desert.\(^4\) The Mortimers therefore had ample reason for throwing themselves on the King's mercy and with their departure many others were also ready to surrender.

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4. Vita, p. 118-9; Melsa, 2, p. 340
Hereford himself was prepared to surrender but was deterred by news of the Mortimers' imprisonment, and instead went to Gloucester whose baronial defenders had captured Worcester on January 14th. On the 24th, the royal army left Shrewsbury in pursuit and moved south via Hereford to reach Gloucester on February 6th. Here Maurice de Berkeley and Hugh Audley senior both surrendered and, at the request of Pembroke and others, safe conducts were issued for others who might wish to do the same. Hereford and his few remaining Marcher followers, including Hugh Audley junior and Roger Damory, fled to join Lancaster in the north as their last hope of safety.

By early February the King and his allies had therefore totally destroyed all opposition in the Welsh Marches and the remaining magnates were reduced to a state of desperation. While at Gloucester careful plans were made for the campaign against Lancaster, Hereford and the remaining contrariants, and also against

1. Ms.R.5.41/f.117.
3. E. 101/378/13/m.5,6.
5. Ms. Dugdale 20/f.41d (Ms. Laud Misc. 529/f. 107); Ms. Nero D.X/f.111d.
the Scots who had invaded the north in January on the
expiry of the 1319 truce and might be coming to
Lancaster's aid. Orders were given on the 14th, to
raise troops to join the King at Coventry on March 5th.
Now that it was safe to do so, the King also recalled
the Despensers from their refuges and told them to
raise troops on their way to join him. At the same
time the King contacted his loyal supporter in the
north, Andrew Harcla, the commander of Carlisle, to
arrange for him to move against Lancaster from that
direction and gave him authority to make a truce with
the Scots to prevent them from aiding Lancaster.

On March 8th, Lancaster was given a last chance to
avoid the penalties of rebellion when he was formally
ordered not to aid the contrariants.

After these plans had been set in motion, the King left Gloucester on February 18th, for the
muster of his army at Coventry. On the 26th, the
King accepted the surrender of Lancaster's castle of

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1. Lanercost, p. 241; Bridlington, p. 73.
2. C.P.R., 1321-4, p. 73-4.
4. Vita, p. 120; C.P.R., 1321-4, p.71.
6. E.101/378/13/m.6.
Kenilworth and arrived in Coventry on the 27th.\(^1\)

On March 1st, the ground was further cut from under Lancaster by the publication of his treasonable correspondence with the Scots which had perhaps been found at Kenilworth,\(^2\) and on the 13th, the King arrived at Lichfield where he was met by the Despensers with a large force of troops.\(^3\) When Lancaster and Hereford had heard of the royal advance they had left Pontefract and on March 1st. came to Tutbury and took up defensive positions at the river-crossing at Burton-on-Trent.\(^4\)

The armies were now confronting one another. This was the turning-point of the campaign.

After three days' unsuccessful fighting around the bridge and fords at Burton\(^5\) it was decided to outflank the rebel army. On March 10th, Warenne was sent to cross the river by a bridge three miles lower down and Pembroke and Richmond with three hundred men crossed by a ford discovered at Walton, followed by the main body of the army, while Robert le Ewer kept the contrariants busy.

\(^1\) Ms. Dugdale 20/f.42 (Ms. Laud Misc. 529/f.107); E.101/578/13/m.6.
\(^2\) C.C.L.R., 1318-23, p.525-6.
\(^3\) Ms. Dugdale 20/f.42 (Ms. Laud Misc. 529/f.107);
\(^4\) Chroniques de Sempringham, p.340; Melza, 2, p.341; Ms. Nero D.X/f.112.
\(^5\) Bridlington, p.74; Vita, p.122.
by an attack on the bridge at Burton itself. At first
the contrariants prepared for battle but then fled to
Pontefract, abandoning Lancaster's castle of Tutbury
which the King captured on the same day along with the
mortally wounded Roger Damory. Lancaster's situation
was made even worse by the defection of his principal
lieutenant Robert de Holand, who had been negotiating
with the King since about March 4th, and attacked in
Ravensdale some of Lancaster's men fleeing from Burton
before giving himself up to the King. On March 11th,
the fate of Lancaster, Hereford and the rest was sealed
when, with the advice and consent of Pembroke and five
other earls, Kent, Richmond, Arundel, Warenne and Athol,
the King pronounced the leading contrariants to be
traitors and appointed Warenne and Kent to take Pontefract.

Meanwhile the contrariants were meeting at
Pontefract to decide their next move. Some wanted
to go to Lancaster's stronghold at Dunstanburgh in
Northumberland, but Lancaster claimed that if they did
so it would appear they were seeking Scottish help and
refused to leave Pontefract until, under threats from

Ms. Nero D.X/f.112; Ms. Dugdale 20/f.42(Ms. Laud Misc.
529/f.107d); Chron. de Sempringham, p.340; Bridlington,
p.74; Vita, p.122; Brut, l,p.216.
2. C.Cl.R., 1318-23, p.522; Ms. Nero D.X/f.112; Ms.Dugdale
20/f.42 (Ms. Laud Misc. 529/f.107d); Vita, p.122;
Chron. de Sempringham, p.340; Melss,2,p. 341-2; Brut, l,p.216
3. C.P.R., 1321-4, p.77; C.Cl.R., 1318-23, p.525; Brut, l,p.216;
Vita, p.122; Ms. Nero D.X/f.112.
4. C.Cl.R., 1318-23, p.522; C.P.R., 1321-4, p.81.
Roger Clifford, he agreed to go with the others to Dunstanburgh. However they got no farther than Boroughbridge where on March 16th, they were met by Andrew Harcla's army from Carlisle and were defeated with the death of Hereford and others. On the 17th, Lancaster was captured and taken to York and on the 18th or 19th, the King, accompanied by Pembroke and the Despensers, reached Pontefract itself and received its surrender. All the leading fugitives from the battle were captured, including Badlesmere whom Donald de Mar, who was accompanied by one of Pembroke's retainers, Robert fitz Walter, captured a few days later at Stow Park.

On March 21st, Lancaster was brought from York to Pontefract for trial in the presence of the King, the Despensers, and the Earls of Pembroke, Kent,

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2. Ann. Paul., p. 302; Bridlington, p. 75-6; Melsa, 2, p. 342; Flores, 3, p. 205; Vita, p. 123-4; Brut, I, p. 218; Ms. Nero D.X/f.112d (this has the text of Harcla's report on the battle to the King).
3. Bridlington, p. 76; Flores, 3, p. 347; Speculum, 14, p. 78.
4. E,101/378/13/m.7; Chron. de Sempringham, p. 342; Brut, I, p. 221.
Richmond, Warenne, Arundel, Athol and Angus, judged guilty of treason and beheaded on the same day.¹

At first sight the rapid and total defeat of the large body of Marcher contrariants and of Lancaster may appear puzzling. However, as Tout pointed out, it was basically due to the existence in 1321 and 1322 of two distinct oppositions, led by Hereford and Lancaster respectively,² which never combined fully and suffered the penalty of defeat in detail. Throughout this period Lancaster attempted to exercise overall control upon both groups while at the same time remaining securely at Pontefract and letting the Marchers do the fighting. Lancaster's failure to aid the Marchers at the time of the siege of Leeds and before the King's arrival at Shrewsbury had much to do with their defeat. His superficial reason for acting in this way was the presence of his enemy, Badlesmere, with the Marchers, but his real reasons were probably a reluctance to commit himself, especially when the Marchers were in danger of defeat, and a failure to realise the life-and-death nature of the struggle which began in the autumn of 1321.

Lancaster's behaviour was also influenced by his lack of widespread support in the north other than by his own immediate retainers. It is very significant that his final defeat was accomplished by a northern-led army and that William de Ros and twenty-five other northerners all served in the royal army. Even some of his retainers, such as Robert de Holand, Fulk Lestrange and John de Lilburne, deserted him. The Marchers too suffered from an infirmity of purpose. Their only chance of success once the King had decided to fight was to risk a battle even if the odds were high. A battle fought before Leeds or even Shrewsbury might have brought them victory, but the further they retreated the fewer their numbers became and the more time the King had to rally his own forces, and by the time they reached Boroughbridge they were both weak and disheartened.

The King's victory was aided by the support of Pembroke and seven other earls, Richmond, Arundel, Warenne, Norfolk, Kent, Athol and Angus. But more than anything else the King's success was achieved by the vigour and determination with which the campaign

1. E.101/15/37.
2. C.53/108/m.8; Ms. Stowe 553/f.60 (Wardrobe Book).
was pursued. The Younger Despenser probably had some part in this by persuading the King to take the offensive but it is also very likely that, for once, much of the inspiration came directly from the King who was determined to pursue his enemies to the death without deviation. As already noticed, the latter part of the campaign particularly was very carefully planned and once set in motion was almost certain to defeat the weak and irresolute remnants of the contrariants. Pembroke played a leading part in the entire campaign from Leeds to the death of Lancaster and may have had much to do with the detailed planning of its course, although it is impossible to define his share with any precision. Pembroke appears to have been followed in his actions by all his leading retainers of whom at least ten can be traced from the evidence given in the Boroughbridge Roll,¹ while others such as Aymer la Zouche played a part in raising troops for the King.² Pembroke was well rewarded by the King for his part in defeating Lancaster and on March 15th.,

¹ The men listed in the roll were not all present at the battle nor were they all the King's opponents.
the day before Boroughbridge, was granted Lancaster's valuable honour of Higham Ferrers in Northants., while on the 23rd. he regained Thorpe Waterville in Northants. and the New Temple in London which Lancaster had forced him to give up in 1314. Pembroke gained far more than did other loyal earls such as Richmond and Arundel but his gains were insignificant beside the steady stream of grants made from March onwards to both the Despensers who were undoubtedly the greatest beneficiaries by Lancaster's death in both a material and political sense.

There can be no doubt of the completeness of Pembroke's loyalty to the King in the Boroughbridge campaign or of the King's gratitude, expressed in grants of land, for the part he had played. But the death of Lancaster had also confirmed the power of the Despensers and they now demanded that Pembroke should suffer humiliation and pay the penalty for his hostility to them in 1321. After the end of the York Parliament in May 1322 Pembroke was arrested by royal knights at the King's orders and taken back to York, but at the suit of some leading magnates he was pardoned after making a pledge of loyalty on June 22nd. at Bishops-

1. C.P.R., 1321-4, p. 37; C.Ch.R., 1300-26, p. 441.
thorpe near York. In this deed Pembroke witnessed that the King had been "aggrieved against him for certain reasons that he was given to understand" and that, "desiring to obtain the King's grace and good will" so that the King might assure himself of him "as his faithful and loyal liegeman in all points", he had sworn upon the gospels of his own free will to obey, aid and counsel the King in all matters, to come to him whenever ordered, to aid him in peace and war, not to ally with anyone against the King or anyone maintained by him and to repress all alliances against him. For security Pembroke pledged his body and all his lands and goods, and also found mainpernors.

This incident is clear proof of the dominance which the Despensers had now attained and it explains why the last two years of Pembroke's life were little more than an epilogue to his career. Pembroke's personal loyalty to the King had the effect of helping to confirm the power of the Despensers and from now on, regardless of any misgivings he may have had, he could only follow the King along the path marked out by them.


2. Loc.cit. there is no positive evidence that he actually paid a fine as stated in Ms. Nero D.X/f.112d.
The period immediately after Boroughbridge saw the detailed confirmation of the victory of the King and the Despensers at the York Parliament which began on May 2nd., during which the Ordinances were formally revoked, the processes against the Despensers annulled and that against Lancaster confirmed.1

After the York Parliament the King and his supporters were able to turn their attention to the King's remaining enemies, the Scots. As early as March 25th. a muster had been ordered at Newcastle for June 13th.2 and shortly before March 31st. the King had written to Pembroke asking for his advice on a Scottish campaign.3 On May 11th. the start of the campaign was finally set for July 24th.4 The English army contained contingents from all the leading magnates, the Earls of Pembroke, Arundel, Louth, Norfolk, Kent, Carlisle, Warenne, Richmond, Winchester, Athol and Angus, the Younger Despenser, and also Henry of Lancaster,5 who had been abroad in France during the

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1. C.Cl.R., 1318-23, p.544-6; C.P.R., 1321-4, p.115.
2. C.Cl.R., 1318-23, p.532.
3. C.Ch.Warr., p.528.
4. P.W.,2,1,p.296.
cisis of 1321 and 1322 and had taken no part in his brother's rebellion. Pembroke's own contingent to the army amounted at it biggest to 108 men-at-arms, including three bannerets and twenty-five knights.

Bruce had forestalled the English attack and had entered England on June 17th, near Carlisle, advancing eighty miles before withdrawing into Scotland on July 24th. This Scottish freedom of action bode ill for the English army which entered Scotland on August 12th, in the hope of bringing Bruce to battle. Instead Bruce withdrew northwards, taking with him or destroying all the food supplies that the English would be relying on to continue their attack, and after reaching Edinburgh the English were forced to retreat through lack of supplies and withdrew into England in early September via Melrose and Dryburgh.

Bruce followed behind the retreating army and on about September 30th, entered England, reaching Northallerton in Yorkshire on about the 12th., only fifteen miles from Ryvaux where Edward II was staying. On the 13th, the King wrote to Pembroke from Ryvaux to tell him of the proximity of the Scots and asked him to

1. See C.P.R., 1321-4, p.69.
2. Ms. Stowe 553/1.56.
3. Lanercost, p.246.
4. Fordun,1,p.349; The Bruce,2,p.451; Lanercost,p.247.
come to Byland on the 14th with all the men he could muster. At Byland he would find the Earl of Richmond and Henry de Beaumont, to whom the King had already explained his intentions, and he was to make all the necessary plans with them. Pembroke and Richmond fully carried out their orders and on the 14th stationed their men on the summit of Blackhowmoor near Byland, but in the rout which followed they were defeated and Richmond and a French knight, Henry de Sully, were captured. There is no record of what happened to Pembroke but he is likely to have been with John Darcy, one of his retainers, who was among those who fled from the battle to York. Thus the year which had begun with a royal triumph ended in humiliation at the hands of the Scots who were as dangerous as ever. On November 27th it was therefore decided that the King and the leading magnates should remain in the north through the winter and on December 2nd a fresh muster was ordered at York for February 2nd 1323.

1. Loc.cit.
3. The Bruce,2,p.455-60; Flores, 3,p.210; Ms.Stowe 553/f. 68d.  69.
The disarray into which royal policy had been put by the success of the Scots is clearly marked by the truce which Andrew Harcla, the Earl of Carlise, concluded on his own initiative with Bruce at Lochmaben on January 3rd. 1323, probably in the hope that the King might be induced to approve it. The King's reaction was to denounce the agreement as treason and on February 25th, Harcla was captured at Carlisle by Anthony de Lucy. Pembroke's nephew, the Earl of Athol, and his retainer, John Darcy, were among those appointed to receive the surrender of Harcla's adherents and his nephew, John Hastings, was one of the justices who tried Harcla on March 3rd.

Pembroke himself appears to have been with the King early in 1323, and during February and March there are several records of payments of wages to him or his attorneys. These are signs that the King was still seeking his sister's peace in February 1323, the King sent his letters from the marches of Harlaw in the south, seeking the advice of his Council and urging them to give me this money. Several at Pembroke's at the marches of Harlaw and veined in a number of royal favours. On January 3rd, John Hastings was given custody of Zara, north coast until necessity on February 10th. John Barry was appointed to the important defensive post of Sherry with a force of forty men and twenty followers, and in November was made Justice of Ireland. Pembroke's clerk, who made a clerk of the Great Seal, was appointed to the important defensive post of Sherry with a force of forty men and twenty followers, and in November was made Justice of Ireland.

1. Lanercost, p.248; C.Cl.R., 1318-23, p.692; the text of the treaty is in E.159/96/m.70 and is printed in Anglo-Scottish Relations, 1174-1328: ed. E.L.G.Stones, 1965. See also discussion in Barrow: op.cit., p.351-3.
5. E.404/1/8/5385; E.403/200/m.3; Ms. Stowe 553/f.14,33d., 113,136; E.361/2/m.20.
6. C.P.R., 1321-4, p.34d.
still seeking his advice since on February 12th, the King sent him letters from the burgesses of Ravensrode with instructions to consult with others of the Council and answer their complaints. Several of Pembroke’s associates were the recipients of royal favours. On January 23rd, John Hastings was given custody of Kenilworth castle until Easter; on February 10th, John Darcy was appointed to the important defensive post of Sheriff of Lancaster with a force of forty men-at-arms and twenty hobelars and in November was made Justice of Ireland; on March 9th, Ralph de Lepingdon, who may have been one of Pembroke’s clerks, was made a clerk of the Great Seal at his request.

Pembroke’s major duty in 1323 was to take part in the negotiations with the Scots which were to remove their danger for the remainder of the reign. The first steps in dealing with the Scots had been taken early in February, even before Harcla’s arrest and execution, when some of the retainers of Henry de Sully who had been captured with him at Byland came to the King as intermediaries. As a result a

1. S.C.1/45/207.
2. C.P.R., 1321-4, p.240: but he had to give letters of obligation for its safe custody: C.81/121/6362.
3. C.P.R., 1319-27, p.193; E.101/68/2/42A; Ms.Stowe 553/f. 56d.
4. C.P.R., 1321-4, p.348.
5. C.Ch.Warr., p.537.
6. C.P.R., 1321-4, p.236.
temporary truce until May 22nd. was made on March 14th. and on April 1st., following an appeal from Robert Bruce to Sully, three Scots envoys were given safe conducts until May 5th. to come to Newcastle. 1 On the same date Sully was asked to prolong the truce after May 22nd. and English envoys were appointed to meet the Scots but soon after, all the orders issued on April 1st. were cancelled, perhaps to give more time to prepare for the talks. 2 On April 29th. the truce was prolonged to June 2nd. 3 and on the 30th. the Younger Despenser's son, Hugh, John Hastings, and two others were sent from Newark to stay at Tweedmouth as hostages while the Scots envoys, the Bishop of St. Andrews and the Earl of Moray, came to Newcastle and York to discuss a longer truce. 4 Pembroke himself probably took little direct part in these early moves, except perhaps as an adviser, and in early April he was probably at Westminster with the King, 5 while on April 24th. he was at his manor of Winfarthing in

1. Ibid., p. 268; F. vol. 2., p.511.
2. C.P.R., 1321-4, p. 268, 277-9.
3. Ibid., p. 281
4. Ibid., p. 279; Ms. Stowe 553/f.27: they returned on June 11th.
Norfolk with eleven of his retainers. But he was probably back at York by May 1st. when, with the Bishop of Exeter, the Younger Despenser and Robert Baldock, he was given authority to make a final peace treaty with the Scots. Pembroke, who was accompanied by John Darcy, and his colleagues met the Scottish envoys at Newcastle early in May. The negotiations may not have gone well at first, most probably because a final settlement proved impossible and only a long truce was feasible. On May 11th. the King wrote to Pembroke to say that the truce had been extended until June 12th. but at the same time told him to be ready to answer the military summons to Newcastle if the talks broke down and indulged in a tirade against the Scots. However at the end of May Pembroke and his colleagues reached agreement with the Scots on a thirteen-year truce after which they and the Scots envoys came to Bishopsthorpe near York where on May

1. C.P.R., 1374-7, p.114-5.
2. Ibid., 1321-4, p. 279.
3. E.159/96/m.27d.; Lanercost, p.252; Bridlington, p.84.
5. S.C.1/49/53: A summons to Newcastle had been issued on Feb. 23rd.; F.W., 2,1,p.346.
30th. the truce was confirmed by the King and the Council.\(^1\) There is little further trace of Pembroke's movements until near the end of the year. He may have spent some time in visiting his lands in Wales since on October 17th. he and his wife were at Tenby in Pembrokeshire.\(^2\) By December 10th. he was back in London,\(^3\) perhaps in connection with the session of pleas of the Essex forest which were to be heard at Stratford-atte-Bow on January 20th. 1324 before himself, William de Cleydon, his retainer and Lieutenant as Justice of the Forest, and William la Zouche of Ashby.\(^4\) The pleas took place as planned on January 20th.\(^5\) and on February 27th. the Queen nominated Pembroke and his colleagues, with her steward, Henry Beaufuiz, to hear the pleas in her forest of Havering in Essex.\(^6\)

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1. C.P.R., 1321-4, p.292; C.Cl.R., 1318-23, p.717; Abbrevatio Placitorum, p.342. C.49/45/13 is a list of those present: printed in Davies: op.cit., App. 94.
2. N.L.W., Haverfordwest 930, 1245.
3. N.L.W., Slebech Papers and Docs. 11438.
4. C.Cl.R., 1323-7, p.146; C.P.R., 1321-4, p.351; E.403/202/m.9.
6. S.C.1/36/34; C.P.R., 1321-4, p.389.
The last months of Pembroke's life were taken up by the diplomatic moves resulting from the crisis with France caused by the destruction of the French bastide of St. Sardos. This dangerous situation was further complicated by news of the activities in France of Roger Mortimer of Wigmore who had escaped from the Tower of London in August 1323, and during the Parliament held at Westminster in February it was decided to send envoys to try to settle the St. Sardos dispute and postpone Charles IV's demand for homage for Aquitaine. On March 29th, the King sent to Pembroke copies of letters from John, Count of Luxembourg and King of Bohemia, which may well have related to the Anglo-French disputes, and asked him to come and give his advice on the following day. Pembroke was accordingly present and concerned in the appointment on the 30th of the Archbishop of Dublin and Earl of Kent to make an enquiry into the affair of St. Sardos.

1. The Seneschal of Gascony informed the King of this on Nov. 4th, 1323: Cotton Ch. XVI.59.
Pembroke was peculiarly well fitted by his earlier experience to advise on these diplomatic problems, and the major role he played in them is emphasised in a letter to the Queen from an unknown person in which the writer advised her on the instructions to be given to a French knight returning to Charles IV on business connected with St. Sardos, saying that first of all Pembroke and Despenser, *les plus privetz le Roi* should assemble the Council to deal with the matter.¹

On April 19th. the King wrote to Pembroke asking him to come to London on May 6th. to discuss royal business with others of the Council,² relations with France being probably high on the agenda. On May 9th. another Council was called to meet at Westminster on the 27th.³ and it was probably on this occasion that Pembroke was appointed to go to the French court to negotiate on the problems over Gascony and the question of homage.⁴ Pembroke's coming departure for France was announced on June 7th., on the 8th. protections were issued for seventeen of his men who were

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2. S.C.1/49/56.
to accompany him, and he probably left London shortly before June 13th.

Pembroke however did not reach his destination. On June 23rd, we are told dramatically that he got up after dining, collapsed in the doorway and died unconfessed in the arms of his servants. The cause of his death is unknown but there is little doubt that it was both sudden and natural and the remark of a writer hostile to him for his part in Lancaster's death that he was "mordred sodeynly on a privy sege" must be treated figuratively. News of his death was already known on the 26th. to the King at Tonbridge in Kent and on the 27th. the King sent his confessor, Robert de Duffeld, to the Countess of Pembroke at Hertford probably in order to break the

1. C.P.R., 1321-4, p. 427; C.81/1750/2.
2. On this date royal letters were sent to the French King and to Pembroke: E.101/379/19/f.13d.
3. Flores, 3,p.222; Blaneford, p.150.
5. Brut. l,p.252. This is a translation of the French Brut which says he was "mordiz sodeynement": Ms. Royal 20.A.III/f.216d.
Pembroke's body was brought back to London on July 31st, and at his widow's request it was buried in Westminster Abbey near the high altar on August 1st. On October 29th, his will was proved by his executors, his widow and William de Cleydon, before the Hustings court in the city of London.

The date of Pembroke's death is known with certainty, but it is much harder to determine the exact place of his death since the sources all give different accounts, saying respectively that he died near Paris, at Boulogne, in quadam villula sua near St. Riquier, and at Miville, dimidia villa, three leagues from Compiegne in Picardy. It is unlikely that Pembroke had time to get near Paris and the first location may therefore be ruled out. Superficially the last of these descriptions seems the most reliable and Miville could be taken to refer to either Moyvillers or Moyenneville, both near Compiègne. But Compiègne

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3. Cal. of Wills in the Court of Hustings, 1,p.310 (Hustings Roll 53, no. 29): this is only the part of the will relating to property in London. The full text is unknown.
was not on Pembroke's likely route to Paris and the author could have added Miville's distance from the town on the basis of personal knowledge. If the reference to Compiegne is left out, it is however possible to reconcile the rest of the accounts fairly closely. St. Riquier was on the normal route from the coast to Paris and is close to Boulogne through which a traveller would also pass. In addition there is a Moyenneville near St. Riquier which might easily be rendered as Miville, and in the same district is Tours-en-Vimeu, which was one of the Countess of Pembroke's French lands and could be described in reference to Pembroke as quaedam villula sua. While no precise answer is possible, it does seem likely that Pembroke died somewhere close to St. Riquier, a location which also tallies with the three days which elapsed before his death was known in England.

Pembroke's widow received her dower fairly rapidly after his death, assignments in England, Wales and Ireland, being made on November 24th., December 3rd. and on March 1st. 1325.¹ These assignments totalled about £750, or roughly one third of the extended value of his lands, but £70 of this were in Ireland where the effects of war had probably reduced the value of Pembroke's

¹ C.Cl.R., 1323-7, p. 244, 371-4352-4.
lands, and another £70 took the form of reversions and were therefore not immediately available to her.\(^1\)

However Pembroke's widow and his co-heirs\(^2\) were to suffer a good deal of harassment both over his lands and goods and over his alleged debts to the King. The source of much of these troubles was the Younger Despenser and it is possible that to some extent he was picking on Pembroke's family for such treatment because of Pembroke's urging of his exile in 1321, although until a full study is made of Despenser's activities it is impossible to say whether he treated them any worse than he did others.

Some time after Pembroke's death his widow complained to the King that Despenser would not allow the escheator to return an inquest on his lands at Hertford and Haverford because he wanted them for himself and that Robert Baldock would not let her have dower in either of these places or in Pembroke's lands in Monmouth unless she produced the original royal charters.\(^3\) In the latter case Despenser got what he wanted when in July 1325 the King granted him

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1. Ibid., p. 362-4; C. 134/85/135.
2. His co-heirs were John Hastings and Joan and Elizabeth Comyn, the children of his sisters, - Isabel and Joan.
3. S.C.3/294/14690-2; ibid./277/13819.
Little Monmouth and its dependencies.\textsuperscript{1} In August 1324 Pembroke's nephew, John Hastings, made a recognizance of £4,000 to Despenser.\textsuperscript{2} The purpose is unknown but the fact that in 1328 Hastings's executors complained that Despenser had stolen goods worth £773 while he had custody of the Hastings lands\textsuperscript{3} does not suggest that his purposes in 1324 were likely to be worthy ones. In the case of Elizabeth Comyn, another of Pembroke's heirs, the Despensers imprisoned her until on March 8th, 1325 she made obligations of £10,000 to each of them\textsuperscript{4} and then forced her to release to them her rights in the former Pembroke lands at Goodrich and Painswick.\textsuperscript{5} In similar fashion she was made to give them Swanscombe in Kent.\textsuperscript{6} In 1325 Pembroke's widow was induced to give up her rights in Grantham and Stamford to the King who then restored them to Wareinne.

1. C.Ch.R., 1300-26, p.478.
2. C.Ch.R., 1323-7, p.309. It was to be payable in 1333: E.163/3/6/m.1 (this is a list of debts to the Despensers made in 1329).
their original holder. Early in Edward III's reign, partly perhaps as a penalty for her husband's close relations with the former King, she also gave up to the crown Hertford, Haverford, Higham Ferrers and Little Monmouth, which together were worth over £400, for lands worth £200.\textsuperscript{2}

The proceedings after Pembroke's death over his moveable goods and debts to the King also show a picture of harassment in which the Younger Despenser was again concerned. In October 1322 Pembroke had been ordered to appear at the Exchequer to account for all his debts to the King and the following April the Treasurer was told to compile a record of all sums received by Pembroke from the King.\textsuperscript{3} In July 1324 the Treasurer was informed that John Hastings and Pembroke's other heirs had offered to purchase the Earl's moveable goods in royal hands as a means of settling his debts, but this method was not in fact employed and on August 29th, Pembroke's executors mainprised for his debts, promising to make a valuation of his goods, after which the King could keep the items

\textsuperscript{1} C.Cl.R., 1323-7, p.412, 479.\textsuperscript{1}

\textsuperscript{2} Ibid., 1327-30, p.109; C.P.R., 1327-30, p.37.

\textsuperscript{3} E.368/93/m.52; E.159/96/m.33.
he wanted and offset their value against the total debts. This procedure was apparently followed and on March 18th, 1325 Pembroke's goods were ordered to be restored to his executors, except for the corn stores on his manors which were to be sent to Gascony, and his horses and jewels which his executors had granted to the King. On August 20th, 1325 Pembroke's widow released to the King all Pembroke's corn, horses, armour, silver vessels, jewels and other goods in royal hands and pardoned to the King all his debts to Pembroke at his death. In return, on August 30th, Pembroke's widow and executors were pardoned all his debts to the Exchequer and Wardrobe, except for debts in which he was bound to the King by surety, mainprise and recognition.

On the surface this might appear a reasonable, if rather crude, means of settling the outstanding debts between the King and Pembroke and vice versa, but closer examination shows that the King would be allowed to keep practically all of Pembroke's property and evade payment of his debts to Pembroke, whose amount

1. E.159/97/m.92d.; C.F.R., 1319-27, p.298.
2. C.Cl.R., 1323-7, p.271.
3. Ibid., 1323-7, p.412, 505; C.P.R., 1324-7, p.165.
was not stated in the transaction, while Pembroke’s heirs could still be held liable for certain alleged debts to the King. Some idea of the losses to Pembroke’s estate and the pressure and deception that had been practised on his heirs and executors emerges from his widow’s later petition to Edward III for compensation. In this she claimed that, at Despenser’s instigation, Edward II had seized all Pembroke’s goods when his armour, jewels, etc., were added to these items, and debts owing to him, totalling in all over £20,000, it is hard to see what was left for his executors, and retained them until Pembroke’s executors had released them to the crown in order to receive pardon for the receipts from the Wardrobe which Pembroke had spent on wars, embassies, royal debts, and other expenses in the service of both Edward I and II. She claimed that if Pembroke had accounted for all this money in his lifetime, the King would have been found despendi tut le soen en les services les Rois susditz.

Even, she added, when the remainder of his goods had been restored to his executors, there was not enough left to pay Pembroke’s private debts or to settle even one tenth of the sums demanded from him.¹

¹ S. C. 8/66/3265.
Allowing for some exaggeration in the total sum involved, there is no reason to disbelieve this account. As early as July 1324, for example, Pembroke's widow had had to sell to the Younger Despenser all her husband's cattle and livestock for 1,000 marks, a sum probably far below their true value, to obtain money for her husband's funeral expenses. The grain taken from Pembroke's lands was valued at over £1,100 and when his armour, jewels, etc., are added to these items, it is hard to see what was left for his executors.

Again, there is little doubt that the King owed Pembroke considerable sums, despite many records of payments of wages and expenses to him during the reign. It was not, for instance, until 1319 that Pembroke accounted for nearly £2,000 expenses dating from 1307 and 1309 and another sum of over £2,000, dating from 1307, was not paid to him until 1321. Even Pembroke's fee of only £100 a year as Justice of the Forest was often in arrears or was sometimes paid to him by unusual means. In addition to these real or

References:
1. E.159/97/m.90,91.
3. E.101/373/23; E.404/1/8; E.403/202/m.6.
supposed debts to the King, there is no doubt that in the last years of his life Pembroke was in constant financial difficulties, largely as an aftermath of his ransom in 1317. This may partly explain why, for example, his widow was ready in 1329 to give up Thorpe Waterville to the widow of Robert de Holand, who had been claiming it since 1324, in return for £1,000. But in spite of all the Countess's efforts, some of Pembroke's debts were still unpaid when she died in 1377.

In 1321 and 1322 Pembroke had played a leading part in the campaign to destroy the Despensers' opponents and had been rewarded for it by the King. After 1322 Pembroke remained active in royal service, notably in diplomatic affairs for which his experience best suited him, and certain of his retainers, especially John Hastings and John Darcy, were also prominent, partly no doubt because of their connection with him. Pembroke also appears to have retained the personal regard of the King as is reflected in the description of him in 1324 as one of *les plus privetz le Roi*.

2. Cal. of Wills in the Court of Hustings, part 2, 1, p. 194-6.
3. S.C.1/60/126
But his hostility to the Despensers in 1321 ensured that they would seek revenge and try to humiliate him as soon as they regained their influence over the King, as they did in 1322. After 1322 the strings of political power lay out of the hands of Pembroke in those of the Younger Despenser whose influence pervaded the whole of the royal administration and who was able to manipulate the King in whatever direction he wished him to go, even to the extent of enabling the King to forget the value of Pembroke's services after his death and allow Despenser to treat his heirs in a singularly ungenerous fashion. Nonetheless Pembroke's experience and personal loyalty to the King made him a useful if uninfluential member of the royal administration and it was entirely appropriate that his death took place during yet another diplomatic mission to France.

1. See articles by S. Painter in *Speculum*, 30, 31.
Pembroke's French ties may be considered from several points, his family origins and relations, his lands, marriages, his position as a French magnate, and his business dealings with French merchants.

Because Aymer de Valence held an English earldom and spent his entire career in English service it is easy to forget that his family background was entirely French, his only English blood coming from his mother. As the grandson of Hugh X, Count of La Marche and Angoulême, Aymer was a member of the Lusignan family, the leading family in their part of France and of ancient importance both in French and overseas history.1 Their connection with England was the result of the marriage of Hugh X and Isabella of Angoulême, the widow of King John of England, and the migration to England in 1247 of their sons, William, Guy and Aymer, at the invitation of their half-brother, William West, Lord of Valence from which he

1. See articles by S. Painter in Speculum, 30, 31, 32.
Henry III. Of the three, William de Valence became the most securely established and by his marriage in 1247 to Joan de Munchensy, the great-niece of Anselm, the last Marshal Earl of Pembroke, and heiress in the Marshal partition to the lordship of Pembroke itself, he laid the basis of his long career in England. However William retained a close connection with France through the lands which he held there. In his will Hugh X of La Marche had made provision for his four younger sons, William's share being the four castellanies of Rançon, Bellac, Champagnac and Montignac. The first three were grouped closely in an area to the north of Limoges within the county of La Marche, Rançon being held from the Bishop of Limoges, while the latter two were held from the

1. For details of their careers see F.R. Lewis: Aberystwyth Studies, 13; H.S. Nellgrove: The Lusignans in England: Univ. of New Mexico, 1950.  
2. Layettes du Trésor des Chartes, 2, no. 3049. William never held land at Valence from which he took only his name.  
abbess of La Règle at Limoges. The fourth castellany, Montignac, lay on the Charente near Angoulême, of which county it formed part, and was held from the Bishop of Angoulême. Bellac, Champagnac and Rançon may have remained continuously in William's hands during his lifetime but Montignac at least went through a series of transitions. In 1248 William gave it to his brother Geoffrey and in 1276, after the latter's death, bestowed it upon his eldest son, William, who died in 1282. After William's own death in 1296 his French lands went to his second son and heir, Aymer de Valence, who did homage for Montignac in 1300 at about the same time as he did so for Rançon, Bellac and Champagnac. When Aymer died in 1324 his Flanders, there is no evidence that belongs to...

1. A.A. Thomas: Le comte de la Marche et le Parlement de Poitiers, p. XXIX.
5. A.A. Thomas: op. cit., pp. XXIX-XXX.
French lands went to one of his coheirs, the Earl of Athol, who resigned his rights there to Aymer's widow in 1332. In 1333 she gave them to the Earl of Richmond as part of an exchange of lands but on his death in 1334 the lands reverted to her and, so far as is known, they remained in her control until 1372 when they were confiscated by the French crown and granted to the Duke of Bourbon.

As lord of Montignac, etc., Pembroke was therefore a French magnate as well as an English one, and there is some evidence that in the early years of his career Philip IV attempted to make him act in his service. In 1303 and 1304 Aymer was three times summoned to serve in the French campaigns against Flanders. There is no evidence that he ever gave personal military service to the French crown at this or any later date and it is likely that he either paid fines in lieu of its performance or that his

1. C.P.R., 1330-4, p. 397.
2. Ibid., p. 404.
3. Titres de la maison ducale de Bourbon, nos. 3224, 3235, 3257.
French tenants and retainers served in his place. There was however for a time a slight chance that Pembroke might become a magnate of even greater territorial importance in France than in England.

The details of this episode in his career have been fully worked out by both French and English historians and only a brief summary of the main points need be given here. 1 In 1283 Hugh XIII of La Marche, Angoulême and Fougères made a will giving the succession to his brother, Guiard; 2 but in a second will in 1297 Hugh disinherited his brother and named as his heir Geoffrey de Lusignan, the grandson of Hugh X by his third son. In default of Geoffrey the lands were to go to Aymer de Valence, whose father was Hugh X's fourth son, and, failing him, to Hugh XIII's nephew, Renaud de Pons, or Amaury de Craon, a great-grandson of Hugh X. 3 In 1305 or 1306 Geoffrey de Lusignan

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2. Watson: op. cit., p. 163.

died without an heir and Aymer would have had a good chance of succession to the two counties had not Hugh XIII changed his mind in 1302 and placed him fourth in succession instead of second as before.¹ However when Hugh XIII died in 1303 his brother, Guiard, was able to set his wills aside, and with royal approval succeeded as Count of La Marche and Angoulême.² Aymer's chances of ever succeeding to these lands were therefore extremely remote and they were finally extinguished by the determination of Philip IV, with whom Count Guiard had put himself out of favour by his alliance with Edward I of England in 1305,³ that on Guiard's death the two counties would come into the hands of the French crown. To ensure that this would take place Philip IV had begun, even before Guiard's death in about November 1308, to take action to buy out the possible claimants to the lands, including Aymer de Valence. On September 24th, 1308 an agreement was made at Longpont-près-Montlhéry

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3. For the relations between the French crown and the Count of La Marche see I. Boissonade: op. cit.
between the Bishop of Autun, acting for Aymer, and Philip IV's Chancellor, William de Nogaret. This records that Aymer was proposing to press his claim to La Marche, Angoulême and Fougeres against Guiard in the royal court, basing his claim on Hugh XIII's will. Aymer promised that if his case were upheld he would then lay claim to a third of these lands, to include the city of Angoulême and the castles of Lusignan, Cognac and Merpins, and would then cede all his rights to the French crown in return for an annual revenue of 1,000 livres tournois. The form of the agreement makes it clear that Pembroke had probably undertaken the case at royal instigation and as a means of forwarding royal claims to the lands. When Guiard died shortly afterwards his lands were taken into royal hands and control, once gained, was not relinquished. With the changed situation, Pembroke's case fell through and on February 17th, 1309 a further agreement between him and Philip IV was made at Paris. In this Pembroke stated that, although he had a claim to La Marche, etc., he had been

informed by the King’s men that the King ought to have the lands and had therefore after due deliberation decided to cede his rights to Philip IV. In return he was to receive 1,000 livres, as in 1308, in exchange for his liege-homage. Pembroke’s disclaimer was followed by the buying-out by Philip IV of all the other possible claimants. Philip IV appears to have honoured his side of the bargain and there is record of Pembroke’s receiving his 1,000 livres in, for example, 1312. Pembroke’s family connections with French society were strengthened by his marriages to the daughters of important French magnates. The first of these was to Beatrice, the daughter of Ralph de Clermont, lord of Nesle in Picardy and Constable of France, and had taken place by October 18th, 1295, although Aymer and his wife apparently did not live

3. Trésor des Chartes, 1, p. 292.
4. This appears from an account roll of Aymer’s mother, Joan de Valence: E.101/505/25/m.2.
together as man and wife until early in 1297. Very little is known of their married life together and, apart from one unrevealing letter written to Aymer by Beatrice in 1296, there is no surviving correspondence between them. In August 1297, at Aymer's request, Beatrice was assigned a royal house in Marlborough for her to stay in during her husband's absence with the King in Flanders, but in December 1297 she crossed to join Aymer in Flanders. In April 1302 during the Scottish campaign she again went to join her husband. Except for passing references to Beatrice in 1312 and again in 1315, when she recorded that Aymer allowed her £50 a year for her personal expenses, there is no further mention of her until she accompanied the Queen to France in June 1320. 

1. Ibid./26/m.12: this is when Beatrice left Joan's household.
2. S.C.1/48/183: identifiable only by internal evidence.
4. C.67/12/m.1.
5. Ibid./15/m.11.
7. Add. Ms. 17362/f.11.
she died and was buried at Stratford in London.¹

There is no record of what lands Beatrice possessed in France, but after her death Aymer became involved in a many-sided family dispute among the heirs of Beatrice's sister, Alice, the lady of Nesle, a problem which may have partly concerned Beatrice's own possessions. As early as November 23rd. 1318 Pembroke and his wife had appointed Citard de Penna Varia as their proctor for their French legal affairs² and by November 1320 a process was under way between Pembroke, Jean de Flandre, the new lord of Nesle, and Jean's sisters, Isabelle and Jeanne.³ At the same time Jean de Flandre was also involved in a case against his two sisters and in November 1321 Jean, Isabel, Jeanne and others were concerned together in a suit against their aunt, Isabel, the lady of Semblancay.⁴ Just where Pembroke stood in this frenzy

1. Add. Ms. 9951/f.45d., 2d.
2. E.30/53.
of litigation and what he might gain or lose by it is unfortunately unknown as there is no record of the outcome of the cases.

Pembroke's second marriage was to Marie de St. Pol, the daughter of Guy de Châtillon, Count of St. Pol and Butler of France, who, like Aymer, was of distinguished ancestry and related to many of the leading families of France. Their marriage took place in Paris in July 1321 and she brought with her 500 livres in rents and the lands of Tours-en-Vimeu, Thievre, Creville and Freacans in the Pas-de-Calais area. On Pembroke's death in 1324 Marie began a long and interesting independent career of

1. Some writers also refer to an alleged marriage between Pembroke and an un-named daughter of the Count of Bar. The story can be traced back via Gough's Sepulchral Monuments, 1, pt. 2, p. 88; Dugdale's Baronage, 1, p. 778, to R. Brooke: Catalogue of the Succession of the King's, Princes, etc., from the Norman Conquest to 1619, p. 181 (1619) (no source quoted). The marriage is in fact fictitious but the original cause of the error is unknown. Possibly such a marriage may have been considered after the death of Beatrice de Valence, but if so there is no evidence of it.


over fifty years until her own death in 1377, during which time she remained faithful to her husband's memory.¹ Pembroke's tomb in Westminster Abbey is one of the finest there, and there was once also a chantry, founded by his wife in his memory, which now forms part of the chapel of St. John.² The same purpose lay behind Marie's foundation of Denny Abbey in Cambridgeshire and in 1347 of Pembroke College in Cambridge, one of whose scholars, James Nicholas of Dacia, composed a highly coloured but historically worthless poem on Aymer's life.³

With regard to Pembroke's business affairs in France there are several instances of his dealings with the Paris draper and burgess, Etienne Marcel. In 1307 Marcel paid 902 livres Parisis to a representative of Pembroke College in Cambridge (1847).⁴

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1. For her later life see Jenkinson: op. cit., and the ms. life by Dr. Gilbert Ainslie, Master of Pembroke College, Cambridge (1847).


4. Fontarcic: op. cit., p. 278.
tative of Pembroke at Paris, and in May 1309 Pembroke wrote from Avignon ordering him to pay £50 sterling to John Vanne. In another letter of 1309, written from Rancon, Pembroke thanked Marcel for buying a £200 horse for him from Etienne Barbeut, asked him to send his wife a gift of cloth, and also forwarded a letter from the lord of Coucy and a memoir on some business with one of his wife's relatives, William de Flandre. In 1312 Marcel received a sum of 1,000 livres tournois on Pembroke's behalf and may also have been concerned in 1319 in the performance of an obligation made to Pembroke by Simon Aubert and Pierre de Fontaines over the sale of some corn. Altogether it is possible that Marcel was Pembroke's chief agent in much of his French affairs.

The evidence on Pembroke's French connections is unfortunately thin but there is enough to show their importance to him and that he was equally at

2. S.C.1/50/56.
3. Ibid./57.
4. Trésor des chartes, 1, p. 292.
5. Boutaric: op. cit., p. 278.
home both in English and French society. It was in fact this ease of movement which made him so important as a diplomat both to Edward I and II and was accordingly responsible for the form of much of his life's work. During the years of the widowhood of his mother, Jean de Valence, from 1293 to 1307, Pembroke's own territorial possessions were small. Pembroke inherited his father's French lands on William de Valence's death in 1296, but does not appear to have controlled any English lands in his own right until in July 1297 his mother assigned him lands worth £200. These lands were unspecified, but two petitions from Aymer in 1297 and 1299 show that they probably included Hampton in Oxfordshire, Eascham in Berkshire, Gainsborough in Lincolnshire, and Kentwell in Suffolk, and a letter of 1304 reveals that he also held Dunkes in Nottinghamshire. Pembroke's only other lands of this period were Rothwell and Selkirk in Scotland, granted to him by Edward I, but his practical hold

1. C.P.R., 1296-1301, p. 468.
CHAPTER NINE

PEMBROKE'S LANDS

During the years of the widowhood of his mother, Joan de Valence, from 1296 to 1307, Pembroke's own territorial possessions were small. Pembroke inherited his father's French lands on William de Valence's death in 1296 but does not appear to have controlled any English lands in his own right until in July 1297 his mother assigned him lands worth £200. These lands were unspecified but two petitions from Aymer in 1297 and 1299 show that they probably included Bampton in Oxfordshire, Beenham in Berkshire, Gainsborough in Lincolnshire, and Kentwell in Suffolk, and a letter of 1304 reveals that he also held Dunham in Nottinghamshire.

Pembroke's only other lands at this period were Bothwell and Selkirk in Scotland, granted to him by Edward I, but his practical hold

1. C.P.R., 1292-1301, p. 289.
over these was only short-lived.

Study of the lands forming Aymer de Valence's earldom reveals that they bore little relation to those held by the Marshal Earls of Pembroke. The only lands held continuously by the Marshals and by William and Aymer de Valence were those forming Joan de Munchensy's earldom in 1247, that is the lordship of Pembroke and its members, the county of Wexford in Ireland, Goodrich in Herefordshire, Inkberrow in Worcestershire, and Brabourne, Sutton and Kensing in Kent. Apart from this basis, Aymer's lands were derived from lands acquired in his father's lifetime and from the inheritances of his sister, Agnes de Valence, and his aunt, Denise de Vere.

William de Valence's land acquisitions represented mainly a series of royal grants early in his English career made in fulfilment of Henry III's promise in 1247 to give him lands worth £300. These grants were made as and when lands came into royal hands and consequently were scattered over a wide area of England and Wales. In this fashion William

1. C.P.R. 1364-7, pp. 263-75: enrolment of partition.
2. C.P.R., 1232-47, p. 508.
3. Ibid., p. 339 (1249).
4. Ibid., p. 399 (1249), 402 (1252): 'late of Rob. de Wendenall'.
5. Ibid., p. 559 (1252).
7. Ibid., p. 369 (1251).
8. Ibid., p. 352 (1251).
9. Ibid., p. 129-130; p. 1293 (1253).
10. Ibid., p. 32 (1253): 'late of Steph. de Cressay.'
de Valence acquired the manors of Saxthorpe and Stiffkey in Norfolk,\(^1\) Bampton in Oxfordshire,\(^2\) Swindon in Wiltshire, Newton in Hampshire, Compton in Dorset, Moreton and Whaddon in Gloucestershire,\(^3\) Gainsborough in Lincolnshire,\(^4\) Dunham in Nottinghamshire,\(^5\) Colingbourne in Wiltshire,\(^6\) Beanham in Berkshire,\(^7\) Kentwell,\(^8\) Ridlington and Erning in Suffolk,\(^9\) Pollicott and Chearsley in Buckingham, Postwick, Filby and Lexham in Norfolk, Reydon in Suffolk,\(^10\) and the commote of Oysterlowe in Carmarthenshire.\(^11\) In addition William also purchased from Roger Bertram the vills of Molesdon,

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2. Ibid., p. 339 (1249).
4. Ibid., 1257-1300, p. 1 (1257).
5. Ibid., p. 2 (1257).
7. Ibid., p. 365 (1251).
8. Ibid., p. 352 (1251).
9. Ibid., 1257-1300, p. 8 (1258).
10. Ibid., p. 92 (1268): late of Steph. de Cressy.
11. Ibid., p. 427 (1292).
Calverdon and Little Eland in about 1262 and the manor of Great Eland in 1269, which all formed part of the Mitford barony in Northumberland. All of these lands, together with Joan de Valence’s purparty of the Marshal lands and the title of Earl, finally came to Aymer de Valence when Joan died in 1307.


2. Cal.I.P.M., 5, no. 36.
3. Ibid., no. 203.
4. Ibid., no. 475.
England. These inherited lands were supplemented by Pembroke's acquisition during Edward II's reign of Haverford in 1308, Hertford in 1309, the New Temple in 1312, Thorpe Waterville in 1313, Little Monmouth in 1314, Mitford in 1315, Castle Acre in 1316, Stamford and Grantham in 1317, Higham Ferrers in 1322, and the recovery, also in 1322, of the New Temple and Thorpe Waterville.

The accompanying tables show how widely Pembroke's lands were distributed, there being scarcely a county in southern and eastern England where they were unrepresented. The tables also show that in terms of value the core of the earldom lay in eastern lands of the earldom. That is, Pembroke and its immediate

1. C.P.R., 1307-13, p. 145. only £239/1/2d, or a.
2. Ibid., p. 153.
3. C.Ch.R., 1300-26, p. 203.
4. C.Ch.R., 1313-18, pp. 80-1.
5. C.Ch.R., 1300-26, p. 242.
7. C.P.R., 1313-17, p. 607.
8. Ibid., 1317-21, pp. 40, 48.
9. Ibid., 1321-4, pp. 87-8.
10. C.Ch.R., 1300-26, p. 441; C.P.R., 1321-4, pp. 87-8.
England, in the fourteen Norfolk manors and four in Suffolk, and also in the counties around London, Kent with eleven manors, Essex with ten, Hertfordshire with five, Buckingham, Berkshire and Oxfordshire. These were linked by his lands in Wiltshire, Hampshire and Dorset to the important block of lands in Gloucestershire and in Hereford where he had the border castle of Goodrich. In the north of England Pembroke was represented only by insignificant holdings in Yorkshire and the outlying lordship of Mitford in Northumberland. In terms of value the English lands accounted for about two thirds of the extended value of the earldom in 1324, or £1,544/15/7d. The palatine lands of the earldom, that is Pembroke and its immediate dependencies, accounted for only £239/1/2d, or a little over ten per cent of the total, but, with the addition of Haverford and other lands, Wales made a useful contribution to the earldom's value.

Northumberland: £13/9/4d.

(London: £119/4/0d. in peacetime)

Surrey: £20/6/6d.

Total: £1,544/15/7d.
## Distribution of Lands by Value (1324 Extents)

<table>
<thead>
<tr>
<th>County</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norfolk</td>
<td>£285/10/9d.</td>
</tr>
<tr>
<td>Kent</td>
<td>£204/15/2d.</td>
</tr>
<tr>
<td>Gloucestershire</td>
<td>£161/3/0d.</td>
</tr>
<tr>
<td>Suffolk</td>
<td>£119/2/3d.</td>
</tr>
<tr>
<td>Essex</td>
<td>£116/5/2d.</td>
</tr>
<tr>
<td>Buckinghamshire</td>
<td>£93/15/4d.</td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>£70/19/8d.</td>
</tr>
<tr>
<td>Berkshire</td>
<td>£66/7/11d.</td>
</tr>
<tr>
<td>Oxfordshire</td>
<td>£65/14/2d.</td>
</tr>
<tr>
<td>Lincolnshire</td>
<td>£63/14/11d.</td>
</tr>
<tr>
<td>Northamptonshire</td>
<td>£63/13/6d.</td>
</tr>
<tr>
<td>Hampshire</td>
<td>£52/6/0d.</td>
</tr>
<tr>
<td>Hertfordshire</td>
<td>£47/19/9d.</td>
</tr>
<tr>
<td>Wiltshire</td>
<td>£42/13/2d.</td>
</tr>
<tr>
<td>Herefordshire</td>
<td>£41/1/0d.</td>
</tr>
<tr>
<td>Yorkshire</td>
<td>£30/0/0d.</td>
</tr>
<tr>
<td>Northumberland</td>
<td>£13/9/4d.</td>
</tr>
<tr>
<td>London</td>
<td>£3/16/0d.</td>
</tr>
<tr>
<td>Surrey</td>
<td>£0/8/6d.</td>
</tr>
</tbody>
</table>

**Total:** £1,544/15/7d.
Wales

Pembroke & members: £239/1/2d.
Haverford: £133/19/0d.
Oysterlowe commote: £7/13/4d.
Tregaer: £2/15/10d.
Total: £383/9/4d.

Ireland

Wexford & members: £336/19/8d.
Total: £336/19/8d.

Grand total: £2,265/4/7d. (Figures from summary of I.P.M. in C.134/84/74-80).

Lands held in 1324 but not extended (approximate values).

Northamptonshire:

Higham Ferrers: £303 in 1313-14: D.L.29/1/3/m.23
Thorpe Waterville: £221 in 1307-8: E.358/13/m.11-12

Hertfordshire:

Hertford castle & town: £92 in 1297: C.P.R., 1292-1301, p. 316.
Lincolnshire:
be added the values of lands which Pembroke held
Wales:
Little Monmouth: £106/10/8 3/4d. in 1310
C.P.R., 1307-13,
P. 273.
Total: c.£900
Grand total: £3,000+

Against these figures, however, allowance should be
made for the effects of war damage which had probably
reduced the Irish lands, like those in Northumberland,
to well below their extended valuation. At the same
time it is likely that many of the other extents
understate rather than exaggerate the lands' true
value. But with these qualifications and bearing
in mind that no estimate can be made of the value
of Pembroke's French lands, the figure of £3,000
does give a general idea of the earldom's value.
Pembroke could not compare in landed wealth with

1. See ch. 7 for explanation of their loss to the
earldom after 1324.

2. For instance 11 manors & Tenements extended at
£179/0/6d in 1324 yielded 1205/15/1 1/2d revenue
when in royal hands in 1324-5 (full year):
C.47/68/7/150.
The total extended value of the earldom in 1324 came to £2,265/4/7d., but to this figure must be added the values of lands which Pembroke held at his death but for which there are no extents since in most cases they were not held as permanent parts of the earldom.¹ These lands can be valued only approximately, but their inclusion would probably bring the earldom's 1324 face value to over £3,000. Against these figures, however, allowance should be made for the effects of war damage which had probably reduced the Irish lands, like those in Northumberland, to well below their extended valuation. At the same time it is likely that many of the other extents understate rather than exaggerate the lands' true value.² But with these qualifications and bearing in mind that no estimate can be made of the value of Pembroke's French lands, the figure of £3,000 does give a general idea of the earldom's value. Pembroke could not compare in landed wealth with

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1. See ch. 7 for explanation of their loss to the earldom after 1324.

2. For instance 11 manors & Tenements extended at £179/0/6d in 1324 yielded £205/15/1 1/2d revenue when in royal hands in 1324-5 (full year): C.47/88/7/150.
either Thomas of Lancaster, whose revenue in 1313-14 was £6,661/17/11d.,
1 or Gilbert de Clare, whose lands were extended in 1317 at £6,532/5/7 3/4d.,
2 but in comparison with the majority of magnates he would certainly have ranked very high, his likely peers in wealth being men like Hereford, Arundel or Warenne. The complete absence of any of Pembroke's household or manorial accounts
3 prevents any study of the administration of his estates. It is however possible to give a general idea of the administrative structure of the county of Pembroke where Pembroke exercised palatine rights, although little of the available material relates directly to Aymer's period as Earl.
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3. The account roll of 1320 ascribed to Pembroke in the P.R.O. list (E.101/372/4) in fact belonged to Hugh Audley junior. However the account rolls of Joan de Valence, 1295–7, (E.101/505/25-7) and the scattering of private correspondence (S.C.1) and deeds relating to Pembroke in the Public Record Office may be the remnants of a much greater bulk of Pembroke records.
4. Most of the surviving evidence is printed in the Calendar of Public Records relating to Pembrokeshire: ed. H. Owen: Cymmeradorion Record Series, 7.
The first point to emerge is that Aymer de Valence controlled directly only a relatively small part of the county. In 1246 the last Marshal Earl had held the lordship of Pembroke itself and also the lordships of Haverford, Narberth and Cilgerran, but after the partition William de Valence held only the lordship of Pembroke with its members, Tenby, St. Florence, Castle Martin and Coytraeth. Pembroke therefore remained the only base of the earldom in Wales until Aymer recovered Haverford. In 1246 Haverford had been assigned to Roger Mortimer, Humphrey de Bohun junior and William de Cantilupe, the husbands of William de Braose's three co-heiresses. By 1276 Cantilupe had exchanged his third of the lordship with Humphrey de Bohun and Bohun himself exchanged these two thirds with Queen Eleanor by May 1289. The remaining third, whose composition is not clear, was still in Mortimer control as late as 1354. After Queen Eleanor's death Haverford came into royal hands.

1. C.P.R., 1364-7, p. 275.
2. K.B.27/21/m.28.
4. Cal. I.P.M., 10, no. 188.
until it was given to Prince Edward in 1301. In 1308 the lordship was granted for life to the Earl of Pembroke and in 1317 in perpetuity, but after Pembroke's death in 1324 it was retained in royal control and in 1327 Pembroke's widow gave up her rights there to Edward III. But during his lifetime Pembroke appears to have had complete control of the lordship and its steward's court, despite the residual Mortimer interest there.

The status of the remaining lordships within the county shows a number of variations. The commote of Oysterlowe which was under Aymer's direct control had originally been annexed to the county of Pembroke by Gilbert Marshal but when granted to William de Valence in 1292 had been made dependent on the county of Carmarthen, and is technically therefore beyond

1. C.Ch.R., 1300-26, p. 6.
2. C.P.R., 1307-13, p. 145; ibid., 1317-21, p. 47.
4. For the boundaries of the lordships see W. Rees: Historical Map of South Wales & the Border in the Fourteenth Century: Ordnance Survey, 1933.
the scope of this survey. The barony of Walwayn's Castle, held in Aymer's time by Guy de Brian, was held from the earldom of Gloucester; the lordship of Cilgerran was held in chief as a free baron of Wales by John Hastings who also controlled the commote of Emlyn which, like Cysterlowe, was territory disputed between Pembroke and Carmarthen; William Martin's lordship of Cemaes was also held in chief. All three lordships however owed suit at the Pembroke county court and Cilgerran's link with Pembroke was strengthened by the fact that Hastings was Aymer's nephew. Most of the remaining lordships were held directly from the earldom of Pembroke and in consequence owed suit at the county court. These were Carew held by John de Carew, Manorbier held by John de Barry, Roche held

2. Ibid., 6, p. 388; Cal. Inquis. Misc., 1, nos. 1443, 1800.
4. Ibid., 5, p. 33; ibid., 9, p. 128: suit is not expressly mentioned in the case of Cilgerran but may reasonably be assumed.
5. Ibid., 9, pp. 128-9 (Carew & Manorbier); C.P.R., 1281-92, p. 331 (Roche).
by William de Roche,¹ and probably also Deugleddau.²
There remained in addition a substantial area of land
in the county, including the cantref of Pebidiog,
which was held by the Bishops of St. Davids and for
which they owed no services of any kind to the county.³

In its administration of the county of Pembroke
was much like any royal county or nearer still to
another marcher area like Glamorgan. The county was
governed by a sheriff and a steward appointed by the
Earl, the latter of whom presided over the sessions
of the county court at Pembroke⁴ which remained the
the administrative centre until after 1536.⁵ All
executive and legal orders issued from the county
chancery under a special seal.⁶ Heverford also had

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¹. Cal. I.P.M., 6, p. 336.
². Loc. cit.; its lords were probably Walter Wogan & Walter de Staunton who held 2 1/2 fees from Aymer at Wiston within the lordship.
its own steward, who in Aymer's time was probably the same as the steward of Pembroke, and a seal for internal business,¹ but of the business performed in the stewards' courts of Haverford and Pembroke little trace has survived apart from a few final concords and releases.²

It is fortunately possible to describe in some detail the nature of the palatine rights held by the Earls of Pembroke and to give at least a general idea of the relations between the county and its component parts. The existence of such rights seems never to have been disputed either by the crown or by the tenants of the county and in the Parliament of 1290 it was declared that Walter Marshal had exercised all royal rights within the county, that is that the county's free tenants, in obedience to writs from the county chancery, had been accustomed to plead in the county court all pleas of the crown and all pleas that were pleadable before the sheriff and steward, while the Earl's bailiffs and ministers

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2. There are many such documents in the National Library of Wales among the Haverfordwest Deeds & Picton Castle Mss.
had made summonses and attachments anywhere within the county and had received the profits and amercements of pleas. More precise evidence on the dividing line between the jurisdiction of the Earl and of the local lords within the county is given in the I.P.M. of Laurence Hastings in 1358. This information applies to the lordships of Walwayn's Castle, Cemaes, Carew and Manorbier but is probably true of the other lordships also. In addition to suit of court the Earl held all pleas of free tenement and trespasses impleaded by writ, trespasses in which fines and ransoms were impleaded without writ, pleas of debt under letters of obligation with or without writ, and all pleas of the crown except pleas with mainour at the suit of the party; the lords and their tenants were bound to assist the Earl or his ministers at the county court and at the court of the castle gate of Pembroke for pleas of obligation and fresh force; twice a year the sheriff of Pembroke held his tourn within the lordships, attached those indicated before.

1. Rot. Earl., 1, pp. 30-2; see also George Owen of Henllys: Description of Wales, 3, pp. 395-6: ed. H. Owen: Cymmerodion Record Series, 4. The rights were again recognised by Edward III in 1339: C.P.R., 1338-40, p. 395.
him and took them to Pembroke castle for judgement according to law and custom, and acted as coroner when necessary.\(^1\)

On occasions however these liberties of the earldom were not willingly recognised by its tenants. In 1358, for example, Guy de Brian withdrew his suit and Nicholas Audley of Cemaes did the same in 1376.\(^2\)

In the case of Cemaes at least this reflected a good deal of past dispute over the bounds of the Earls' jurisdiction. In an agreement with Nicholas Martin of Cemaes in 1277 William and Joan de Valence had allowed Nicholas and his heirs cognisance of pleas of wounding, of thieves caught with stolen goods, wreck, and of homicide provided the murderer were caught red-handed and tried promptly. In return William and Joan kept the right to hold inquests on outlaws who escaped into Cemaes from Pembroke, and all pleas of the crown, that is homicide, arson in peacetime, rape, treasure trove, and all writs of course.\(^3\)

This agreement was confirmed in 1290 between

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William de Valence and Nicholas's son, William.¹

The most serious difficulties over the county court's jurisdiction came in a series of thirteenth-century disputes between the lords of Haverford and the burgesses of Haverford town on one hand and the lord of Pembroke, William de Valence, on the other.

It had been agreed in the royal curia by the co-heirs of the Marshallands in Pembrokeshire that the assignment to William and Joan de Valence of the lordship of Pembroke included possession of the county court and the suit of its tenants, and the co-heirs had informed their tenants of this in a series of letters between 1249 and 1256, two of these being addressed to Haverford.² This agreement did not however settle the matter and in 1276 Humphrey de Bohun junior was summoned by the King to Kingston to answer Joan and William for impeding circulation of their writs for pleas within Haverford and for holding Haverford pleas before his own steward. Judgement was given in Joan and William's favour that the pleas of the county belonged to them and

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¹. C.C.L.R., 1288-96, p. 188 (1291).
². S.C.1/47/44.
was accompanied by a recognition by Bohun that within Haverford there were two separate courts held on different days, that of the lordship and that of the sheriff of the county.¹ In 1285 a further case was heard at Haverford following complaints by the burgesses that Joan and William were forcing them, against custom, to answer pleas outside the borough and were imprisoning, outlawing or amercing those who refused. At the same time Humphrey de Bohun and Roger Mortimer's widow, Maud, who between them held the lordship, claimed that the 1246 partition had not assigned the pleas of Haverford to Joan and William as part of the pleas of the county.² The first part of the case ended with judgement by the royal justices that the burgesses did enjoy freedom from suit at Pembroke and that until the 1276 decision they had attended inquests or taken oaths only before the bailiff of Haverford and had been imprisoned there.³ The decision in the second part of the case is not recorded but it

¹. K.B.27/21/m.28.
³. J.I.1/1148/m.3d.
is likely that William and Joan succeeded since they based their counter-claim against Humphrey and Maud on the 1276 decision in their favour. Nonetheless the 1285 case confirmed the distinction between the internal and foreign jurisdictions of Haverford.

The case has also a wider significance both as an example of an appeal to the King by the tenants of a palatine liberty against their lord and in what it reveals about the royal attitude to such liberties, even when held by a confirmed royal supporter like William de Valence. Following his tenants' appeal William visited the King at Llanbadarn Fawr to ask him not to send justices to Haverford since it was within his palatine county of Pembroke. In reply the Council said that since William, Humphrey and Maud held their lands in chief and did not hold from one another, they were incapable of judging one another. Furthermore since all lands in the kingdom were held in fee from the King, the latter was entitled to send his justices to hear pleas wherever he wished. In consequence royal justices were sent to hear the case.

1. Ibid./m.58.
2. Loc. cit.
at Haverford. William however did his best to hinder their activity by rejecting all the 200 men proposed as members of an inquest jury to settle the facts of the case, so that the justices finally ordered the royal sheriffs of Cardigan and Carmarthen, who were present, to select the jury themselves.¹

In later disputes William and Joan were themselves the injured parties and took the initiative in inviting royal justices to enter their lands. In 1289, after Bohun's exchange of his two thirds of Haverford with the Queen, the latter tried to hold pleas at Haverford by writs from her own chancery in cases from the lordships of Walwayn's Castle and Roche which had previously done suit at Pembroke.² In 1290 it was revealed that the Queen had also tried to obtain the suit of the lordship of Cemaes and of the foreign jurisdiction of Haverford. At Parliament in 1290 the Queen received judgement by default³ but in 1295, after her death, William reopened the case and laid claim to jurisdiction over the foreign pleas

¹. Ibid./m.3d.
². C.P.R., 1281-92, pp. 330-1.
of Haverford and of Roche and other places. The issue was still alive in 1297 when Joan de Valence complained about the usurpation by the King's bailiffs in Haverford of her jurisdiction in Walwayn's Castle, but so far as is known no formal solution of the problem was ever reached. Whether there was any deliberate royal attempt to seize jurisdiction within the county of Pembroke is not clear, but the disputes between 1289 and 1297 and the King's intervention in Haverford in 1285 do show the potential weakness of even palatine rights if a concerted attack were ever to be made upon them. Under these circumstances Edward II's grant of Haverford to Aymer de Valence in 1308 can be seen as a particular mark of favour.

1. S.C.8/152/7553; Rot. Parl., 1, pp. 138-9. and a
2. S.C.1/47/92. ble guide to any particular individual's
CHAPTER TEN

PEMBROKE'S RETINUE

Pembroke's active career of nearly thirty years gives an opportunity to study the structure and development of an important baronial retinue in the late thirteenth and early fourteenth centuries. Although smaller than that of the Earl of Lancaster, for example, Pembroke's retinue was probably typical of those of the leading magnates of the period and there is fortunately a great deal of material for its study in the form of protection lists for the retainers who were involved with Pembroke in royal campaigns and embassies. Although such lists are probably not exhaustive, except in the cases when figures are drawn from the records of wage payments in royal household accounts, it is possible by collating them to produce fairly comprehensive information as to the size of the retinue at any given date and a generally reliable guide to any particular individual's connection with it. For ease of access and simplicity much of this and other material which is discussed below has been cast in tabular form. Attention will
also be given to the various ways in which retainers became connected with Pembroke, personal and other relationships between retainers, official posts held by them, and to those whose length of service with Pembroke makes them of special interest. No attempt will be made to provide biographies of Pembroke's leading retainers since outlines of the careers of most of these can be found in such works as the Complete Peerage and C. Moor's Knights of Edward I.

As might be expected Pembroke's retinue shows great variations in size during his career, there being in particular a marked contrast between its inflated numbers on campaigns and its size on diplomatic or personal missions when Pembroke's companions represented the hard core of his permanent retainers.¹

There were however considerable differences in its size even on campaigns. Thus in 1297-9 Pembroke's personal retinue comprised between 40 and 50 knights and men-at-arms but had risen to 60 by 1307 when the next full figures are available. The renewal of the Scottish campaigns after 1314 saw an increase even beyond the levels achieved under Edward I with a

¹. See detailed figures in appendix 2.
total of 81 in 1314 and a peak figure for his career of 124 in 1315. Pembroke's indenture in 1317 by which he promised to provide the King with 200 men-at-arms in future campaigns¹ ought to have produced a further increase but the figures of 55 and 78 in 1318 and 1319 do not reflect this,² and the nearest approach to the required total was 108 men in the 1322 Scottish campaign.³ The reason for this failure is unknown but may have been caused by a scarcity of the necessary trained manpower as well as perhaps by Pembroke's shortage of ready money after 1317.

One means of enlargement for a campaign was by the enlistment of other smaller retinues, such as that of William Latimer and his 23 men in 1307.⁴ In the same year Pembroke's retinue was increased from 60 to 90 by the attachment at royal orders of the retinues of Robert de Clifford, John Hastings and

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1. E.101/68/2/42d.

2. 1318 campaign was abandoned. Both figures are those of protections at the campaign's start and would have increased as it progressed.

3. This is the maximum figure for the campaign.

4. C.67/16/m.1; C.81/1736/25.
Robert fitz Marmaduke. Similar accessions were provided by the presence of the retinues of Thomas and Maurice de Berkeley in 1297 to 1299 and 1314, of John Hastings in 1313 to 1315 and 1319, and John Mowbray in 1319. Another method was the recruitment for just one or two campaigns of individual knights and valets, a process which is particularly noticeable in 1314, 1315, 1318 and 1319. This method sometimes involved the attachment for a single campaign of royal knights, such as John de Kingston and Nicholas de la Beche in 1314. Pembroke's retinue also included men who had made contracts with him for long-term service. Only those made with the Berkeleys in 1297, John Darcy in 1309 and 1310, and an unknown Sir John in 1317 have survived but it is reasonable to suppose that there many more such contracts, in common with the extensive use of the practice by the King and by other magnates such as Lancaster, Hereford, the Younger

1. Add. Ms. 35093/f.3, 3d.
2. See tables showing individuals' service: appendix 2.
3. See appendix 2, 1224; D.L.25/1981; Cat. Anc. Deeds, 4, p. 252; Egerton Roll 8724/m.6 (4 examples).
Despenser and Badlesmere. Most if not all of the dozen or so life grants of land by Pembroke to his retainers were probably made in fulfilment of indentures of service.\(^2\)

Examination of protection lists and other sources shows that over Pembroke's whole career between 40 and 50 men could be regarded as regular retainers, of whom perhaps 15 to 20 might be active at any particular time. The detailed tables which have been included to show the periods of service of individual retainers are intended as a general guide and cover only those years when service can positively be proved. In many cases service was certainly more continuous than would at first appear since the evidence is naturally most complete in the years of campaigns or embassies.

Analysis of the home districts of regular retainers shows that the great majority came from England. There appear to be none from France or Ireland. Only about six, Nicholas and John de Carew, and Walter de Huntingfield from Suffolk. The only

1. E.g., Ms. Dugdale 18/f.39d (3 examples); Ms. Dodsworth 94/f.122d; D.L.25/1981; Cat. Anc. Deeds, 4, p. 252; Egerton Roll 8724/m.6 (4 examples).

2. See appendix 2.
Philip and Thomas de Stackpole, and Ralph and John de Castle Martin, were from Pembrokeshire and even these were not active together. It is probable however that some Pembrokeshire retainers, such as Richard Simond, spent most of their careers in Pembroke's service within the county and are hence rarely traceable. John Hastings of Abergavenny was the only important retainer with Welsh connections, although a large part of his lands was in England. A large number of the English retainers, such as John and Richard de la Ryvere, the Berkeleys and their dependents, came from Gloucestershire, Wiltshire and other western areas. Others like Roger Ingpen, Percival Simeon and John Lovel were from Berkshire and Oxfordshire. John Hastings, John Lovel and John Pabenham had important interests in Northamptonshire and Bedfordshire. A substantial number came from eastern England, John Darcy from Lincolnshire, William de Munchensy, William Lovel, Constantine de Mortimer and Richard Flaiz from Norfolk, and William de Cleydon and William and Walter de Huntingfield from Suffolk. The only retainers with a northern background were John and Gilbert de Stapleton from Yorkshire and John de Eure from Northumberland.
Apart from the making of a formal contract,
service in Pembroke's retinue followed from a variety
of causes. A few retainers, such as Pembroke's natural
son, Henry de Valence, his nephews, John Hastings¹
and John Comyn,² and William and Richard de Munchensy,³
had family connections. Others such as William de
Wauton, Thomas de Gurney, William de Brom and Thomas
Murdach served because of their connections with
Thomas and Maurice de Berkeley and John Hastings.
In a few cases, those of Nicholas de Carew, Alan
Plokenet, Roger Ingpen senior, and the Berkeleys;
there had been an earlier link with William de Valence
which had survived his death.⁴ In William Cleydon's
case there had been a previous connection with John
Hastings senior;⁵ William de Huntingfield's first
wife was Pembroke's niece, Joan, the daughter of

1. His regular service began after his father's death
   in 1315.
2. His mother was Aymer's sister Joan.
3. They were from Aymer's mother's family.
4. C.67/10/m.7-6; C.81/1736/49 (1294); C.P.R., 1292-
   1301, pp. 177-9.
5. C.P.R., 1292-1301, p. 36; C.67/10/m.2 (1294).
Hastings senior; Philip de Columbiers, the son of Pembroke's knight, John de Columbiers, married Eleanor, the widow of William Hastings, John Hastings senior's eldest son. Another retainer, Walter de Huntingfield, had some connections with Pembroke's sister, Agnes.

A few retainers, such as John and Nicholas de Carew, served because of their inheritance of land held from the earldom. It was also common for several members of one family to serve as retainers, either together or on separate occasions. This category includes the brothers John and Richard de la Ryvere, the brothers William and Walter de Huntingfield, William and Percival Simeon, Roger Ingpen senior and his nephew Roger Ingpen junior, John, Walter and Edmund Gacelyn, William and John Paynel, Baldwin and Walter de Insula, and

2. C.P.R., 1317-21, p. 126.
the brothers Aymer and Alan la Zouche.\(^1\)

Richard de la Ryvere is a striking example of a retainer serving two lords. He can be traced with Pembroke until 1300, and again in 1313, 1318 and 1322, but there is also record of him as Henry of Lancaster's steward at Kidwelly in 1308, 1319, and 1332, and as his knight in 1329.\(^2\) After Pembroke's death several of his other retainers formed new associations. Aymer la Zouche and Thomas West entered royal service;\(^3\) Constantine de Mortimer, William Lovel and a clerk, Thomas de Goodrichcastle, joined the Younger Despenser;\(^4\) and by 1327 John de Wollaston was with the Earl of Lancaster.\(^5\)

During their service with him several of Pembroke's retainers held official posts as sheriffs

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1. For the complex Zouche family relationships see G.E.C., 12, part 2, pp. 934–41.


5. C.71/11/m.6.
or in other duties. 1 These have already been discussed in context and fitted into the pattern of Pembroke's political career so it is unnecessary to discuss them again in detail.

Among the large number of men who served as Pembroke's retainers a few stand out as of especial importance. Aymer la Zouche was one of these and for the last four years of Pembroke's life acted as his lieutenant as constable of Rockingham and keeper of the forest between Oxford and Stamford. John Hastings, Pembroke's nephew and executor 2 and father of Laurence Hastings, Pembroke's eventual successor as Earl, was another, as was John Darcy who was in Pembroke's service continuously from 1307 to 1323.

The most important of Pembroke's retainers was probably William de Cleydon who appears to have acted as a kind of general business manager for his English affairs. 3 In 1314 Cleydon acted as Pembroke's attorney in business arising from Pembroke's inheritance of

1. See appendix 2.


3. There is no record of his holding any defined position, such as Steward, or of any legal training.
Denise de Vere's lands; in 1315 he received payments of wages on Pembroke's behalf in London; and in 1319 he presented Pembroke's accounts for his unpaid wages for the 1307 Scots campaign and 1309 Avignon mission. Later he acted as Pembroke's lieutenant as Justice of the Forest, as one of his fellow justices of the forest pleas in 1324, and as a mainpernor for his debts after his death. Cleydon's reputation was apparently however an unsavoury one since there exist two letters, one from the Earl Marshal to Pembroke himself and the other to an unknown recipient, which warn of his malevolence. There also exist several petitions complaining of his conduct. In 1317 an action of novel disseisin was issued against him and Pembroke for dispossessing John de Freston with his retainers is very slight but he appears to

2. E.404/485/20/10; E.403/174/m.2.
4. Add. Ms. 15568/f.23d. (Newent Priory Cartulary) has a writ of June 9th. 1323 from Cleydon in this capacity. Cleydon was the real offender:
5. C.P.R., 1321-4, p. 351.
of lands in Essex. On another occasion he was accused of imprisoning certain tenants of Sandon in Essex at Pembroke's manor of Hanningfield until they surrendered their deeds and did fealty to him. Later the community of Essex alleged he had exceeded his authority as Justice of the Forest and his tenants at Sandon complained he had forced them to do unaccustomed services by distraining on their property. Cleydon's most spectacular achievement in dishonesty was the occasion when he stole the goods and land of Thomas de Witnesham at Cleydon in Suffolk and then acted in conspiracy with the Sheriff's clerk, William Waffre, to delay the resulting assize of novel disseisin by three and a half years.

Evidence on Pembroke's personal relations with his retainers is very slight but he appears to have done his best for them and they to have responded with loyalty and respect. In 1318, for example, Pembroke took special steps to prevent Aymer la

1. D.L.10/227. Cleydon was the real offender: C.C.L.R., 1313-18, p. 610.
Zouche's affairs from suffering while he was held hostage for the payment of Pembroke's ransom.¹ The last word may be left for John Darcy whose reaction on being appointed to the important office of Justice of Ireland in 1323 was one of regret at having to leave the service of Pembroke, son bon maistre e seigneur.²

¹. C.81/1706/16.
². S.C.8/239/11949.

In the process of making an assessment of these and other opinions to determine Pembroke's real importance it has been necessary to examine in as much detail as possible the course of his career between the crisis of 1312 when he first became of marked prominence in his own right and his death in 1324. In its turn this purpose has required a comprehensive reassessment of existing accounts of the reign's politics and the reconstruction of the reign which have never before.

During most of his lifetime Pembroke appeared to have been a respected figure; even the Scottish writer describing the English disaster at Bannockburn

¹. Davies: op. cit., pp. 441, 354; Tout: op. cit., p. 17.
CONCLUSION

Modern writers have seen Pembroke as the one attractive political figure of Edward II's reign, a man of moderation with "the ability of the moderate" and "a leader of consummate ability" who in consequence was often able to take a predominant and determining role in political affairs. In the process of making an assessment of these and other opinions to determine Pembroke's real importance it has been necessary to examine in as much detail as possible the course of his career between the crisis of 1312 when he first became of marked prominence in his own right and his death in 1324. In its turn this purpose has required a comprehensive reassessment of existing accounts of the reign's politics and the reconstruction of those periods of the reign which have never before been treated in order to determine the political background within and against which Pembroke operated.

During most of his lifetime Pembroke appears to have been a respected figure: even the Scottish writer describing the English disaster at Bannockburn...
could refer to him in friendly terms, despite his earlier leadership of invading armies under Edward I. The only person of significance with whom he was on bad terms, apart from Gaveston early in the reign, was Lancaster, but even he never viewed him with the hostility which he reserved for Gaveston, Roger Damory or the Despensers. The bad relations between Pembroke and Lancaster were however to be of enduring importance in chroniclers' assessment of Pembroke as a consequence of Pembroke's participation in Lancaster's trial and execution. The pro-Lancastrian Flores described him, along with Richmond, as *trahentibus genus a Gwemlone* and as *virum siquidem ad quaeque nefaria peragenda iuxta suae propinquitatis nequitiam continue paratum* whose sudden death was divine vengeance for his share in shedding the blood of the just. The author of the *Brut* also saw his death as divine judgement. Even over sixty years later a writer describing the death in 1389 at a tournament of John Hastings, Earl of Pembroke, could ascribe the accident to Hastings's

1. Pembroke that wes vorthy: *The Bruce, 1*, p. 264.
relationship to Aymer de Valence and the latter's judgement of Lancaster.¹

Study of Pembroke's career rather than such prejudiced and irrational remarks reveals two fixed points which governed most of his political actions. The first of these was the close personal regard and trust in which he was held by Edward I and more especially by Edward II. It has been shown that the latter's faith in Pembroke survived his allegiance to the Ordainers in 1310 and lasted throughout the remainder of his career, apart from the probably temporary cooling of relations in 1321 and 1322 because of Pembroke's hostility to the Despensers. A consequence of this relationship with the King was that Pembroke remained an active political figure throughout the reign and at times when other rivals such as Lancaster and Warwick or the Despensers were weak he was able to exercise a considerable degree of real political and administrative authority. The second point, the corollary and part cause of the first, was Pembroke's loyalty to the crown and its interests and to the person of the King, so continuing the tradition begun

by his father, William de Valence. This loyalty accounts for Pembroke's participation in the Boulogne agreement of 1308 and the recall of Gaveston in 1309. His allegiance to the Ordainers between 1310 and 1312 was caused by his antipathy to Gaveston and by his desire for the reforms which he saw as in the King's interests, rather than by personal leanings towards Lancaster or Warwick. The circumstances of Gaveston's execution served to bring him back to his normal course of open and active co-operation with the King and bound him even more closely to the King than before. Apart from his support in 1321 of the exile of the Despensers, whose removal, like his support of the Ordinances, he considered to be in the King's real interests, Pembroke remained consistently loyal until his death.

A third point should however be added, Pembroke's position as a leading magnate which affected his conduct on several important occasions. Loyalty to his fellow magnates was certainly one reason for Pembroke's allegiance to the Ordainers after 1310 and for his conduct in the crisis of 1321. Of the two loyalties that to the King was uppermost, as Pembroke's behaviour in 1312 after Gaveston's death
and his part in the return of the Despensers and the destruction of Lancaster in 1322 demonstrate; but wherever possible he attempted to reconcile the two. This worked well enough as an Ordainer in 1310 and 1311 and again in 1318 when, in common with all the leading magnates, he wanted a settlement with Lancaster; but on other occasions it led him into a political balancing act, particularly when he became involved in the pursuit of Gaveston in 1312 and more especially in 1321 when he committed himself to the magnates’ demands for the Despensers' exile. Edward II's reign was no time for the exercise of such delicate scruples of conscience and consequently his behaviour was sometimes ambiguous, with the result that in 1321 and 1322, for example, both the contrariants and the Despensers considered themselves betrayed by him. Therefore recovered much of his earlier importance but his: Because of the nature of his relations with the King Pembroke must be considered as primarily a royalist in sympathies and he was in consequence closely involved in royal affairs throughout the period from 1312 to 1324. The period of Pembroke's greatest individual political and administrative authority was without doubt from the death of Gaveston
in June 1312 until Bannockburn in June 1314 during which time he was the most important magnate supporter of the King and took a leading and probably dominant role in the creation of royal policy, the performance of negotiations and embassies and in a mass of administrative detail. This was followed in 1315 by a period of political uncertainty during which first Warwick's and then Lancaster's influence grew, resulting in a corresponding reduction in that of Pembroke, though not in his total exclusion from administrative activity. Lancaster's appointment as chief councillor in February 1316 was followed at the end of March 1316 by his abandonment of his duties and the creation of a political vacuum which the King tried to fill by pointedly recalling Pembroke in May 1316 to be a prominent member of the Council. By the end of 1316 Pembroke had therefore recovered much of his earlier importance but his individual authority was not as great as between 1312 and 1314 since he now had as colleagues the Earl of Hereford and Badlesmere who, like himself, were primarily at this time royal sympathisers. The situation was also significantly different through the appearance at the end of 1316 of three new royal favourites, Roger Damory, Hugh Audley, and William
de Montacute, who were able to consolidate their position in the first half of 1317 during the absence of Pembroke at Avignon and in captivity in the County of Bar. In the course of 1317 and 1318 Pembroke's personal wish was to see the achievement of a settlement between the King and Lancaster, a wish which was shared by Hereford and Badlesmere and also by the clergy. This aim was however opposed by the King's favourites and by the Despensers and all efforts to make a settlement were frustrated by their actions, notably by those of Damory. It was therefore in order to restrain the favourites and not to form a so-called "middle party" that in November 1317 Pembroke and Badlesmere made their famous indenture with Damory. Pembroke's actions thus helped to facilitate a settlement but in the negotiations that produced the Leake agreement of 1318 Pembroke, though important, took part as a leading royal councillor and not as an independent party leader seeking power for himself and his associates. The group chiefly responsible for mediating with Lancaster and overcoming the many obstacles during the negotiations were the prelates of the province of Canterbury who in doing so were acting at the request and with the continued co-operation of Pembroke and others of the
The Leake settlement did not put Pembroke in a position of dominance over the King and his administration as has been asserted in the past, although, as before 1318, he did continue to be an important member of the Council. The period between 1318 and 1321 was not that of the rule of a "middle party" led by Pembroke but was, like 1315, a time of transition in which new political lines were being drawn. During this time the Despensers, aided by the removal from effective influence at court of the earlier favourites, Damory, Audley and Montacute, gradually by the end of 1320 became the dominant influence upon the King and in consequence the majority of the leading magnates united in opposition to them in 1321. Pembroke being in sympathy with the magnates although he tried as far as possible to avoid abandoning his primary loyalty to the King. Partly because of this loyalty to the person of Edward II and because he was not wholly trusted by Lancaster and the Despensers' other opponents, Pembroke in October 1321 came down whole-heartedly on the King's side and took a prominent part in the Boroughbridge campaign of 1322 which produced the destruction of the contrariants. The effect of the royal victory
was to install the Despensers firmly in power and this fact, combined with the Despensers' hostility to him for his part in urging their exile in 1321, meant that, although Pembroke remained active in royal affairs, the last two years of his life were only an epilogue to his career.

Previous opinions of Pembroke's ability also require revision. There is no question that Pembroke was a very experienced and honest royal adviser and that his French origins and social contacts and his diplomatic experience made him a very important figure in the frequent negotiations with France, the Papacy or the Scots. But his value would be limited severely if he did not also possess the powers of political leadership which the troubles of the reign so urgently demanded and so rarely obtained. Unfortunately it was precisely in these latter qualities that Pembroke was lacking and hence it is necessary to disagree with Davies's remark that he "had the ability of the moderate".¹ He was most certainly a moderate who always tried to avoid extreme solutions to the political crises of the reign, but there is

¹ Davies: *op. cit.*, p. 441.
no logical connection between moderation and ability as a political leader. Pembroke was well able to carry on the routine functions of government and diplomacy, but his abilities were essentially those best suited to an untroubled and peaceful scene and he was consequently unable to prevent the development of dangerous political situations or to dominate once a crisis had occurred. In this way he was unable to save either his own honour or Gaveston from the unscrupulous Warwick and Lancaster in 1312; he could not prevent Roger Damory from wrecking the hard-won understanding with Lancaster of September 1317; nor could he curb the behaviour of the Younger Despenser which caused the crisis of 1321. Pembroke was not alone in his lack of political ability, the criticism being equally applicable to Lancaster and all the leading magnates. But because past writers have singled him out as a leader of particular authority it is essential to see him in a truer perspective. This basic weakness in Pembroke's character is also of great importance in assessing the validity of the "middle party" interpretation, since, quite apart from the fundamental implausibility of such a political grouping in a medieval setting, Pembroke was clearly incapable
of making himself a party leader even had he wished to do so. There was in fact a strong residue of loyalty. Pembroke's real contribution was to bring honesty to the politics of his time, coupled with a devotion to the King through his services as councillor, administrator, diplomat and soldier that was such that we may agree with his wife's claim that il despendi tut le son en les services les Rois.\footnote{1} But his weaknesses make it impossible to agree with Tout and Davies that had he lived the final disaster of 1326 might have been averted.\footnote{2}

Examination of the political background to Pembroke's career also shows how misleading it is to see the baronial opposition under Edward II as a coherent and continuing force with a clear-cut policy of opposition. Only on rare occasions during the period under review, that is to say in 1312 and 1321, was there anything approaching a united opposition. But even at these times not all the magnates were engaged in opposition and there were important differences of outlook and motive even among those who were. The only permanent...
opposition was made up of Lancaster himself and his personal retainers. There was in fact a strong residue of loyalty to the King on the part of the magnates which first became apparent after the removal in 1312 of Gaveston, the greatest stumbling block to magnate support of the crown. Between 1313 and 1321 this loyalty was strengthened both by the external threat from the Scots and by the distaste of the leading magnates for Lancaster's attempts to gain political authority at the expense of the King and of themselves, the King's traditional and natural advisers. Never are these feelings more clearly seen than in the rallying of the magnates to the King's service and their making of indentures with him in 1316 and 1317. Pembroke's loyalty to the King, although particularly strong and continuous in nature, was not an exceptional magnate reaction and the reality was that even in the disturbed conditions of Edward II's reign the normal political alignment of the magnates was that of co-operation with and service of the King. For most of the magnates opposition was both a rare and a short-lived experience.
Appendix One.

Pembroke's Officials.

Steward.
(Acting).

1320: April: Herman de Brickendon: E.101/371/8/96
(prob. Steward of only part of lands)

1321: Feb. 23rd.: Walter de Nesse: E.368/91/m.154
(prob. Steward only in Gloucs.)


Receiver.

(Joan de Valence's Receiver) B.43.

1302: Sept. 28th.: Ralph de Sutton: Harleian Ch. 57.
(Joan de Valence's Receiver) B.47.

1315: July 3rd.: W. de Levenham: E. 403/174/m.5

1319: Sept. 2nd.: W. de Levenham: Gough: Sepulchral

Chamberlain.


1312: Oct. 29th.: J. Merlyn: Cotton Ch. XXVII, 29.
Officers in County of Pembroke.


1301: July 13th.: Philip Abbot  W. de Trylleg: Cat. Anc.


Officers of Lordship of Haverford.

Steward.

(Acting).


1312: Aug. 22nd.: Hugh de Panton: H. 1137

until

1321: Nov. 3rd.: Hugh de Panton: H.1109

1322: Nov. 16th.: Rich. Simond: H,1158

1323: June 28th.: Rich. Simond: H. 1170

1324: April 3rd.: J. de Neyvile (Neville?): H. 1081

Deputy Steward.

(Acting).


1315: June 24th.: Walter Seuer: H. 944.


Officers in County of Wexford.

Steward.

(Acting).


1299: Sept. 30th.: Adam de la Roche: Ibid., p. 312.


1302: June 1st.: Adam de la Roche: Cal. of Justiciary Rolls of Ireland, 1295-1303, p. 398.

1304: Nov. 22nd.: Gilbert de Sutton: Cal. of Docs. relating to Ireland, 1302-7, p. 124.

1306: Jan. 27th.: Adam de la Roche: Ibid., p. 190.

1306: April 3rd.: Maurice de Rochefort: Cal. of Docs. relating to Ireland, 1302-7, p. 150.


Sheriff.
(Acting).


Officers in French Lands.

Seneschal (of Bellac, Rancon, Champagnac).
(Acting).

1320: May 19th.: Girard Guyon: Titres de Bourbon, no. 1545.


: Bertrand de la Vergne: Loc. cit. (Lieutenant)

Receiver.


1313: July 3rd.: H. de Stachesden: S.C. 1/50/58.

Auditors.

1312: July 20th.: H. de Stachesden & Citard de Penna (date of appt.) Varia: Add. Ch. 19835.

Proctor-General for French Affairs.

1318: Nov. 23rd: Citard de Penna Varia: E. 30/53. (date of appt.)


Constables of Pembroke's Castles.

Bothwell.

(Acting).


Castle Acre.


Goodrich.


Hertford.


Mitford.


1316: Nov. 15th.: J. d'Eure: E. 101/68/2/36. (date of appt.)
Appendix Two.

Rockingham.

Length of Service by Pembroke's Retainers.


1320: Nov. 3rd.: J. Pabenham, junior: Ibid. /m.55.

The members of Pembroke's retinue and the years in which such service can be proved are recorded in the table below. The table which follows is not an exhaustive one of every single person who can be shown to have been in Pembroke's service but it does include all his regular retainers as well as the majority of those who served on only one or two occasions. It should also be borne in mind that in the case of some regular retainers, such as William de Clydion and John Darcy, service was certainly continuous, the gaps in the tables being caused by the lack of evidence rather than by gaps in service. The main sources from which the table is composed are the lists of letters of protection for Pembroke's retainers which were issued before campaigns and embassies and which are to be found on the Patent Rolls (C. 66), Supplementary Patent Rolls (C. 67), Scotch Rolls (C. 71), and Chancery Warrants (C. 81). Use has also been made of surviving lists of retainers and horse valuations preserved among the Exchequer records (X. 101). Full details of the material concerned can be found in the references attached to the table of retinue strengths. In a few cases membership of
Appendix Two.

Pembroke's Retinue.

Length of Service by Pembroke's Retainers.

The material available to show details of individual membership of Pembroke's retinue and the years in which such service can be proved has been condensed for ease and clarity of presentation into tabular form. The table which follows is not an exhaustive one of every single person who can be shown to have been in Pembroke's service but it does include all his regular retainers as well as the majority of those who served on only one or two occasions. It should also be borne in mind that in the case of some regular retainers, such as William de Cleydon and John Darcy, service was certainly continuous, the gaps in the tables being caused by the lack of evidence rather than by gaps in service. The main sources from which the table is composed are the lists of letters of protection for Pembroke's retainers which were issued before campaigns and embassies and which are to be found on the Patent Rolls (C. 66), Supplementary Patent Rolls (C. 67), Scotch Rolls (C. 71), and Chancery Warrants (C. 81). Use has also been made of surviving lists of retainers and horse valuations preserved among the Exchequer records (E. 101). Full details of the material concerned can be found in the references attached to the table of retinue strengths. In a few cases membership of
Pembroke's retinue has also been proved from miscellaneous sources, such as the witnessing of charters. In making the table those retainers who were certainly knights are marked as such. The major sub-retinues in Pembroke's service, those of the Berkeleys and John Hastings, are placed separately at the end of the table.
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<tr>
<td>(includes 12 Hastings and 6 Berkeley retainers)</td>
<td></td>
</tr>
<tr>
<td>1315</td>
<td>29</td>
</tr>
<tr>
<td>(includes some Hastings retainers)</td>
<td></td>
</tr>
<tr>
<td>1316</td>
<td>15</td>
</tr>
<tr>
<td>October</td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>6</td>
</tr>
<tr>
<td>1318</td>
<td>22</td>
</tr>
<tr>
<td>(not held)</td>
<td></td>
</tr>
<tr>
<td>1319</td>
<td>23</td>
</tr>
<tr>
<td>(includes J. Mowbray with 7 men and some Hastings retainers)</td>
<td></td>
</tr>
</tbody>
</table>
DATE KNIGHTS MEN-AT- ARMS TOTAL OCCASION

1320 7 9 16 Private Mission C.P.R., 1317-21, p. 521; C.81/1750/14.

1321 May 10 10 20 Private Mission C.P.R., 1317-21, p. 590; C.81/1750/21.

1322 July 22 22 44 Campaign C.P.R., 1321-4, p. 185-6; C.81/1736/20.

28 80 108 Campaign Ms. Stowe 553/1256.

1324 6 11 17 Embassy C.P.R., 1321-4, p. 427; C.81/1750/2.

Himself, 2/- for each knight and 1/- for each squire.

If Thomas fights in Pembroke's service elsewhere than in

England, Wales or Scotland, he is to draw 100 marks per

year for himself and wages and diet for himself and his men. If Maurice de Berkeley serves as a banneret,

Thomas is to bring 4 knights (3 apart from himself), and
to have a total of 15 men. Maurice is to have a banner

of 3 knights (2 apart from himself), and to have a total

of 10 men. Maurice and Thomas shall then draw 200

and 150 per year each in peace and war in England, Wales

or Scotland, and 40 marks and 50 marks elsewhere, besides

wages as agreed above. (The original is E.101/69/1/1).
Indentures between Pembroke and his Retainers.

1297: July 2nd.: Thomas and Maurice de Berkeley.

Thomas de Berkeley promises to serve in peace and war in England, Wales and Scotland in return for £50 per year and robes for his knights. Thomas is to have in Pembroke's service a banner, 4 knights (excluding himself), 6 squires and 3 valets, and is to bring a total of 24 men with barbed horses in war. His wages in wartime are to be a banneret's pay of 4/- a day for himself, 2/- for each knight and 1/- for each squire.

If Thomas fights in Pembroke's service elsewhere than in England, Wales or Scotland, he is to draw 100 marks per year for himself and wages and diet for himself and his men. If Maurice de Berkeley serves as a banneret, Thomas is to bring 4 knights (3 apart from himself), and to have a total of 15 men. Maurice is to have a banner of 3 knights (2 apart from himself), and to have a total of 11 men. Maurice and Thomas shall then draw £20 and £30 per year each in peace and war in England, Wales or Scotland, and 40 marks and 60 marks elsewhere, besides wages as agreed above: Bain: op.cit., vol. 2, no. 905 (the original is E.101/68/1/1). Bain: op.cit., vol. 2, nos. 981, 1004, relate to the performance of the terms of the indenture.
1303: November 8th.: Robert fitz Payn.

Robert promises to serve with 2 bachelors at a tournament at Christmas 1303, from then until Easter 1304 and for a year from that date. He is to have diet at the tournament for himself, 4 bachelors, 3 valets and 2 squires. He is to receive £100 for his service during the agreed period. He is to accompany Pembroke to any other tournaments, to Parliaments and elsewhere on his affairs during this term: Bain: op.cit., vol. 2, no. 1407.

1309: November 29th.: John Darcy.

John promises to serve for life as Pembroke's valet in peace and war, receiving in peacetime his keep and robes, and in war his keep, mount and armour. He is to attend Pembroke's person. He is free to choose his own lord at tournaments in peacetime when Pembroke does not attend. In return Pembroke grants him 100/- rent in tail at Gainsborough town. On his taking knighthood Pembroke will enfeoff him of 13½ marks of land and rent and he will serve Pembroke as one of his bachelors on both sides of the sea and in the Holy Land: Cat. Anc. Deeds, 5, A.11547.

1310: April 10th.: John Darcy.

Pembroke promises to enfeoff John in tail of the
fords of the Trent at Gainsborough and Dunham until he shall enfeoff him of 20 marks of rent and land elsewhere.

John is to take knighthood by the quinzaine of Easter next (May 3rd, 1310) and will serve Pembroke for life in peace and war, at home and abroad and in the Holy Land: Cat. Anc. Deeds, 4, A.6404.

1317: November 25th.: John de ... ...

John promises to stay with Pembroke in peace and war and to serve against all men, saving the King, as one of his bachelors. He is to receive £20 per year with diet and the replacement of horses lost in war:

E. 101/68/2/41 (damaged).
Grants of Land by Pembroke to his Retainers.

<table>
<thead>
<tr>
<th>GRANTEE</th>
<th>EXTENT OF GRANT</th>
<th>TERMS OF GRANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Hastings</td>
<td>INKBERRY manor, Worcs.</td>
<td>In tail, but regranted to Pembroke for life.</td>
</tr>
<tr>
<td>J. de Oxhey</td>
<td>COMPTON manor, Dorset.</td>
<td>In tail, but regranted to Pembroke for life.</td>
</tr>
<tr>
<td>Maurice de A of Aure</td>
<td>Unknown, Berkeley</td>
<td>Unknown</td>
</tr>
<tr>
<td>J. Darcy</td>
<td>Fords of the Trent at GAINSBOROUGH and DUNHAM</td>
<td>In tail.</td>
</tr>
<tr>
<td>J. Pabenthal</td>
<td>RIDLINGTON manor, Suffolk.</td>
<td>For life.</td>
</tr>
<tr>
<td>W. de Cleydon</td>
<td>SANDON manor, Essex.</td>
<td>Unknown.</td>
</tr>
<tr>
<td>J. de Wollaston</td>
<td>ICKLINGTON manor, Cambs.</td>
<td>For life.</td>
</tr>
<tr>
<td>Miles de NORTHMORTON</td>
<td>Stapleton manor, Berks.</td>
<td>For life of Earl of Pembroke.</td>
</tr>
<tr>
<td>Gilbert de Reversion of the Stapleton above</td>
<td>For life of Earl of Pembroke.</td>
<td></td>
</tr>
<tr>
<td>Thomas West</td>
<td>SHARNBROOK manor, Beds.</td>
<td>For life.</td>
</tr>
<tr>
<td>GRANTEES</td>
<td>EXTENT OF GRANT</td>
<td>TERMS OF GRANT</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Mr Stephen de la WALLE manor, Cheshunt</td>
<td>For life.</td>
<td>C.P.R., 1307-13, p. 326.</td>
</tr>
<tr>
<td>J. de Cadomo</td>
<td>Reversion of above.</td>
<td>In tail.</td>
</tr>
<tr>
<td>W. de CLEYDON</td>
<td>Constable of BERNWICK.</td>
<td>April 18th 1313-</td>
</tr>
<tr>
<td>MAURICE de JUSTICE of BERKELEY and W. WALES</td>
<td>June 24th 1316-</td>
<td>C.P.R., 1307-12, p. 383.</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>Constable of NORFOLK.</td>
<td>Jan. 20th 1317-</td>
</tr>
<tr>
<td>MAURICE de JUSTICE of BERKELEY and W. WALES</td>
<td>Jan. 25th 1317-</td>
<td>C.P.R., 1317-19, p. 516.</td>
</tr>
<tr>
<td>RICH. de la REVERE GLOUCESTER</td>
<td>Nov. 1st 1317-</td>
<td>C.P.R., 1317-23, p. 380.</td>
</tr>
<tr>
<td>RICH. de KEEPER of the STANMORE and MERTHYP</td>
<td>Nov. 29th 1317-</td>
<td>C.P.R., 1307-19, p. 309.</td>
</tr>
<tr>
<td>J. PAYNE</td>
<td>SHERIFF of HARRINGHAM.</td>
<td>Dec. 27th 1317-</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>SHERIFF of NOTTS. and DARBY</td>
<td>Nov. 5th 1319-</td>
</tr>
</tbody>
</table>
### Official Posts held by Pembroke's Retainers.

<table>
<thead>
<tr>
<th>RETAINER</th>
<th>POST</th>
<th>LENGTH OF TENURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. PABENHAM, jun.</td>
<td>SHERIFF of BEDS, and BUCKS.</td>
<td>April 24th 1313 - Nov. 1st 1314</td>
</tr>
<tr>
<td>W. de CLEYDON</td>
<td>KEEPER of TEMPORALITIES of CANTERBURY</td>
<td>May 13th 1313 - Jan. 3rd 1314</td>
</tr>
<tr>
<td>RICH. de la RYVERE</td>
<td>SHERIFF of GLOUCESTER</td>
<td>Nov. 16th 1314 - May 20th 1318</td>
</tr>
<tr>
<td>MAURICE de BERKELEY</td>
<td>CONSTABLE of BERWICK</td>
<td>April 18th 1315 - spring of 1316</td>
</tr>
<tr>
<td>W. de CLEYDON</td>
<td>CONSTABLE of OXFORD</td>
<td>Oct. 7th 1315 - c. Nov. 1319</td>
</tr>
<tr>
<td>MAURICE de BERKELEY</td>
<td>SHERIFF of S. BERKELEY and W. WALES</td>
<td>June 24th 1316 - Oct. 7th 1317</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>CONSTABLE OF NORHAM</td>
<td>Jan. 20th 1317 - pre May 13th 1320</td>
</tr>
<tr>
<td>MAURICE de BERKELEY</td>
<td>SHERIFF of ST. DAVIDS</td>
<td>Jan. 25th 1317 - Oct. 7th 1317</td>
</tr>
<tr>
<td>RICH. de la RYVERE</td>
<td>CONSTABLE of GLOUCESTER</td>
<td>Nov. 1st 1317 - May 20th 1318</td>
</tr>
<tr>
<td>RICH. de GLYN</td>
<td>KEEPER of the STANNARIES and DARTMOUTH</td>
<td>Nov. 29th 1317 - May 26th 1319</td>
</tr>
<tr>
<td>J. PAYNEL</td>
<td>SHERIFF of CARMARTHEN</td>
<td>Dec. 27th 1317 - July 15th 1318 &amp; July 29th 1318 - March 23rd 1319</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>SHERIFF of NOTTS. and DERBY.</td>
<td>Nov. 5th 1319 - Nov. 26th 1322</td>
</tr>
</tbody>
</table>

C.F.R., 1307-19, p.221, 360.
E.101/68/2/35
C.F.R., 1313-17, p.616; ibid., 1317-21, p.571.
C.F.R., 1319-27, p.6, 183.
<table>
<thead>
<tr>
<th>Retainer</th>
<th>Post</th>
<th>Length of Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>AYMER la ZOUCHE</td>
<td>SHERIFF of CAMBS. and HUNTS. and CONSTABLE of CAMBRIDGE</td>
<td>Nov. 3rd 1320- April 24th 1327.</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>SHERIFF of LANCASTER</td>
<td>Feb. 10th - July 15th 1323.</td>
</tr>
<tr>
<td>J. HASTINGS</td>
<td>CONSTABLE of KENILWORTH</td>
<td>Feb. 27th - Easter 1323.</td>
</tr>
<tr>
<td>W. de GLEYDON</td>
<td>LIEUTENANT of PEMBROKE'S ROCKINGHAM and KEEPER of FOREST between OXFORD and STAMFORD</td>
<td>Acting by May 25th 1321.</td>
</tr>
<tr>
<td>J. DARCY</td>
<td>JUSTICE of IRELAND</td>
<td>Nov. 18th 1323- 1327.</td>
</tr>
</tbody>
</table>

1. Hastings was succeeded by his son, J. Hastings junior, after 1313.
2. Lovel was killed in 1314.
3. The Berkeley connection with Pembroke ceased after 1318.
Parliamentary Summons issued to Pembroke and his Associates.

(The years are those in which a summons was issued not those in which a resulting Parliament was held.)

1307: Pembroke; J. Paynel; J. Hastings; Th. de Berkeley.
1308: Pembroke; Hastings; Th. & Maurice de Berkeley.
1309: Pembroke; Hastings; Th. & Maurice de Berkeley;
J. Lovel; J. Paynel.
1311: Pembroke; Hastings; Th. & Maurice de Berkeley.
1312: Pembroke; Hastings; Th. de Berkeley.
1313: Pembroke; Hastings; Th. & Maurice de Berkeley;
J. Lovel.
1314: Pembroke; Hastings; Th. & Maurice de Berkeley;
J. Lovel².
1315: Pembroke; Hastings; Th. & Maurice de Berkeley.
1317: Pembroke; Hastings; Th. & Maurice de Berkeley;
J. Paynel.
1318: Pembroke; Hastings; Th. & Maurice de Berkeley³;
J. Paynel.
1319: Pembroke; Hastings.
1320: Pembroke; Hastings.

1. Hastings was succeeded by his son, J. Hastings junior, after 1313.
2. Lovel was killed in 1314.
3. The Berkeley connection with Pembroke ceased after 1318.
1321: Pembroke; Hastings.
1322: Pembroke; Hastings.
1323: Pembroke; Hastings.

The indentures made with Edward II by many of the leading magnates for service of the crown in peace and war show that these agreements give clear proof, together with private indentures between magnates and their retainers which are referred to in Chapter Ten, that the practice of indentured service was already widespread in the early decades of the fourteenth century. The concentration of these indentures in the period between the autumn of 1316 and that of 1317 is of great political significance, showing that most of the leading magnates were bound in royal service and hence providing a major argument against the existence of a "middle party".

Of the indentures described, that made by the Earl of Pembroke has survived and a transcript of it is therefore included. Details of the other indentures have been reconstructed from a variety of sources, notably the records of the royal household and unsecurable materials.
Appendix Three.

Indentures of Service made with the King by Leading Magnates.

The indentures made with Edward II by many of the leading magnates for service of the crown in peace and war and which are listed here give clear proof, together with private indentures between magnates and their retainers which are referred to in Chapter Ten, that, as has long been suspected, the practice of indentured service was already widespread in the early decades of the fourteenth century. The concentration of these indentures in the period between the autumn of 1316 and that of 1317 is of great political significance, showing that most of the leading magnates were bound in royal service and hence providing a major argument against the existence of a "middle party".

Of the indentures described, that made by the Earl of Pembroke has survived and a transcript of it is therefore included. Details of the other indentures have been reconstructed from a variety of sources, notably the records of the royal household and Exchequer materials.
DATE | MAGNATE | TERMS
---|---|---
1314? | E. of HEREFORD | War service with 60 men-at-arms at fee of 400 marks/yr. (short-term agreement).
1316: Sept. 10th | J. de MOWBRAY | Service for life at 150 marks/yr.
1316: Sept. 29th | BARTHOLOMEW de BADLESMERE | Service for life in peace and war with 100 men-at-arms. Fee of 400 marks/yr. Granted lands worth 400 marks for staying with King on Nov. 12th 1317. (But in Oct. 1318 his fee is given as 500 marks.)
1317: Aug. 3rd | BARTH. de BADLESMERE | Retained by King for value of his counsel at fee of 1,000 marks/yr.
1316: Oct. 10th | HUGH le DESPENSER, junior. | Service in war with 30 men-at-arms for 2 yrs. at 400 marks/yr.
1317: Nov. 18th | HUGH le DESPENSER, junior. | Life grant, in satisfaction of his 600 mark fee for staying with King, of 500 marks land in Wales (this is clearly in fulfilment of an indenture for life service.)
1316: Nov. 1st | E. of HEREFORD. | Service in peace and war, at a fee of 1,000 marks in peace and 2,000 marks in war, and with 100 men-at-arms. Wardrobe accounts of 1317-18 and 1319-20 give his fee as 600 marks for life in peacetime. On Sept. 20th 1317 he received Builth in return for past and future services.
<table>
<thead>
<tr>
<th>DATE</th>
<th>MAGNATE</th>
<th>TERMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1316:</td>
<td>J. GIFFARD</td>
<td>Service for life in peace and war at a fee of 200 marks/yr. and with 30 men-at-arms.</td>
</tr>
<tr>
<td>Dec. 30th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>ROGER DAMORY</td>
<td>Granted 200 marks/yr for life to maintain him in King's service.</td>
</tr>
<tr>
<td>Jan. 15th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>W. de MONTACUTE</td>
<td>Granted 200 marks/yr for life to maintain him in King's service.</td>
</tr>
<tr>
<td>Jan. 15th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>J. de SOMERY</td>
<td>Service with 30 men-at-arms for fee of 200 marks/yr.</td>
</tr>
<tr>
<td>June 10th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>J. de SEGRAVE, senior</td>
<td>Life service at fee of 150 marks/yr.</td>
</tr>
<tr>
<td>July 29th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>H. FITZHUGH</td>
<td>Service in peace and war at fee of 200 marks/yr.</td>
</tr>
<tr>
<td>Sept. 6th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>W. de ROS HAMELAK</td>
<td>Granted 400 marks/yr. in return for surrender of WARK castle to King, 100 marks of this being his fee for staying with the King. Agreement terminated at his request on Aug. 22nd 1322.</td>
</tr>
<tr>
<td>Sept. 25th.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1317:</td>
<td>E. of PEMBROKE</td>
<td>Life service in peace and war with 200 men-at-arms in return for 500 marks of land and a fee of 2,000 marks. Pembroke received the 500 marks land on Nov. 4th in form of grant in tail of Haverford and Hertford which he had previously held only for life.</td>
</tr>
<tr>
<td>Nov. 1st.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Indenture for Life Service of Edward II by the Earl of

<table>
<thead>
<tr>
<th>DATE</th>
<th>MAGNATE</th>
<th>TERMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1317:</td>
<td>J. CROMBEWELL</td>
<td>Service with 30 men-at-arms.</td>
</tr>
<tr>
<td>before</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 3rd.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>HUGH AUDLEY,</td>
<td>Life service of the King in all matters, on pain of forfeiture if</td>
</tr>
<tr>
<td>unknown</td>
<td>junior.</td>
<td>failed to perform terms.</td>
</tr>
<tr>
<td>Date</td>
<td>J. BOTETOURT</td>
<td>Life service with 20 men-at-arms. Agreement terminated at his own</td>
</tr>
<tr>
<td>unknown</td>
<td></td>
<td>request on March 13th 1323.</td>
</tr>
<tr>
<td>1317:</td>
<td>J. de WYSHAM</td>
<td>Grant of 200 marks/yr. for life because of his service to the late</td>
</tr>
<tr>
<td>Aug. 3rd.</td>
<td></td>
<td>King.</td>
</tr>
<tr>
<td>1317:</td>
<td>GILES BEAUCHAMP</td>
<td>Grant of £40/yr. for life because of his good service and to enable</td>
</tr>
<tr>
<td>Aug. 16th.</td>
<td></td>
<td>him to continue better in King's service.</td>
</tr>
</tbody>
</table>

Soc.of Antiqs. Ms.121/f.29d.  
C.P.R., 1321-21, p.572; ibid., 1327-30, p.30.  
C.P.R., 1317-21, p.10.  
C.P.R., 1317-21, p.14.
Indenture for Life Service of Edward II by the Earl of Pembroke. November 1st, 1317.

1. .....le iour de touz seintz len du regne notre seigneur le Roi Edward unzisme acovint par entre notre seigneur le Roi de Valence Counte de Pembrok dautre part, cest a savoir qe le dit Counte est demorez od le dit notre seigneur le Roi outre qe porront vivre e morir a terme de la vie le dit Counte, et si nul eit désobei ou desobeist notre seigneur le Roi en sa roiaume le dit Counte de Pembrok mettra tote sa peine e son loial poair a faire le désobeissant obeir sicome fair devient leur lige seigneur. Et notre seigneur le Roi dorra au dit Counte de terre a li e a ses heirs de son corps engendrez, et sil moerge sanz heir de son corps engendrez, adonges les (marc) hees de terre doivent revertir a notre seigneur le Roi e a ses heirs. Et voet le Roi qe le dit Counte eit e par an a Lescheker as termes de la Pasqe, de la Seint John, de la Seint Michel, et du Noel par oweles tant qe notre seigneur le Roi li eit fait chartre de feffement e mys en seisine de certeines terres qe vaillent par an et outre ce le Roi doit donner cynk centz marchees de terre a avoir au dit Counte de Pembrok, a ses heirs ....ses assignez a touz iours et
ce doit estre dedeinz l'an après la date de ceste
endenture. Et en temps de guerre le dit 12. Counte
servira notre seigneur le Roi à deux centz hommes darmes
en tout lieux là ou le corps notre seigneur le Roi irra
et seront tous ses 13. chevaux darmes prisez le premier
jour qu'il sera venuz au mandement notre seigneur le Roi
pour la guerre et aura rester de ceux qu'il se 14. en
service le Roy, le quel restor li sera paiez dedeinz les
quarrente jours après que nul des ditz chevaux soit mort
en le service 15. notre seigneur le Roi ou liverez en
sa garderobe. Et prendre de notre seigneur le Roi por
les avantditz deux centz hommes darmes 16. deux mille
marcs par an en temps de guerre, les queux li seront
paiez de quarter en quarter en oweles portions. Cest a
savoir le primer 17. le lieu où il sera venuz au
mandement notre seigneur le Roi od chevaux e arms serra
il paiez por un quarter 18. la des gentz darmes qu'il
amerra, e issint de quarter en quarter si qu'il soit totes
foitz paiez por un quarter devant 19. Et si le dit
Counte mesne plus de gentz darmes qu'il ne soit contenuz
en ceste endenture, il prendra a lafferant pur tantz
20. il amerra outre le noumbre des deux centz hommes
darmes avantditz. Et a ces covenantes bien a loisement
21. scomplir en le forme dessusdite le dit Counte
oblige lui ses heirs e ses executeurs a touz ses 22. moebles e noun moebles a la volunte notre seigneur le Roi.
Et si notre seigneur le Roi lui faillle de nul des ditz covenantès 23....le dit Counte deschARGEZ vers notre seigneur le Roi e ses heirs de tout dont covenant ne li serre tenuz issint qe por 24....ntes qe li seront tenuz il face au Roi ce qil devera selonc lafferent des païementz qil avera receu de notre seigneur 25. le Roi avantdit. En tesmoignence de queu chose la partie de ceste endenture demorante devers le dit Counte est sealee 26. du prive seal notre seigneur le Roi e lautre en la garderobe meisme notre seigneur le Roi du seal le dit Counte de Pembrok. 27. Donne e Westmoster le iour e lan dessusditz. Later note added at foot of indenture: ......CCL mars ...... e guerre MMD mars.

Endorsed: Com. Pem. ..... fac. mense Nov.... a terme de vie: E. 101/68/2/42D.
Appendix Four.

Documents.


A tous ceux, etc. Antoni per la grace de Deu Patriarche de Jerusalem et Evesque de Duresme, Henri de Lesci Counte de Nicole, Johan de Garenne Counte de Surreie et Sutsexe, Eymar de Valence Counte de Penebrok, Unfrei de Bohun Counte de Hereford et de Essex, Robert de Clyfford, Paen Tybetot, Henri de Grey, Johan Botetourt, Johan de Berewyk saluz en nostre seigneur. Come al honer de Deu et de Seint Eglise et au profit de nostre seigneur le Roy D'angleterre et de son Royame soions tenuz au dit nostre seigneur le Roy par la Foy que nous ly devons a garder son honer et les dreits de sa Coronne, nous touz avant-nomes d'une volente et de commun assent sumes acorde que de tout nostre leal pooir mettrons peine et eide en quant que nous porrons et severons l'onour du dit nostre seigneur le Roy garder et maintenir, e les choses que souft feites avant ces hours countre soen honer et le droit de sa Coronne, et les oppressiouuns que ouunt estre feit et uncore se fount de jour en jour a soen people de redrescer et mettre pur amendement al honour de Deu et de nostre seigneur le Roy et detout son poeple avantdit. E a ceste chose bien et lecument faire (en tous poins si come est desusdit, nous trestous avantnombres et chescun de nous
avons jures sur seins et sumes soumis et nous sous
motsins nous et chescun de nous a la jurisdicition del
honourable pere Sire Antoni par la grace de Deu Patriarche
de Jerusalem et Evsque de Duresme q'il puisse escuminger
et mettre hors de communion de Saint Eglise cely ou ceux
que vendreient countre les covenantes susdits, etc.)
En tesmoigne de queu chose chescun de nous want nomes
ad mis son seal a ces lettres. Escrites a Boloigne le
darrein jour de Janver l'an de grace MCCC et septisme:
Ms. Dugdale 18/f.80 (transcribed by Dugdale from an auto-
graph in the Cotton Library).
Examination of early catalogues of the Cotton
Charters (Ms. Smith 90 made c. 1680-1700 (now Bodleian
Ms.15695) and Ms. Harleian 7647 made in 1703) shows that
this document was originally known as Cotton Charters.
Faustina 24. There is however no trace of it in
catalogues made since 1703 and it was probably destroyed
in the Cotton Library fire of 1731 or lost in some other
way. A further transcript of the document exists in
Ms. Dugdale 18/f.1 and was copied by Dugdale from volume 5
of the Miscellanea of Robert Glover, Somerset Herald.
This version is identical to that in Ms. Dugdale 18/f.80
except for the omission of several lines which are
indicated between brackets in the transcript above.
2. Agreement between the Archbishops and Bishops and the Earl of Lancaster regarding the Latter's Attendance at Parliament: April 1318?

Une accordé entre Ercevesques et Evesques dun parte et le Conte de Lancastre daltre parte de dicto comité veniendo ad parlimentum.

Il est accordé entre les honurables pères en dieu les Ercevesques et Évesques dun parte et le Conte de Lancastre daltre parte qe le dit Conte ad gráunte e lealment promise qe par ley ne par les soens ne chiveuchera as armes sur nuly en damage fesant encuentre la pees, ne sur querra apertement ne privement par malice fors qe en forme de ley, si home ne ly surquerque ou les gens. Et en totez le foiz qil vendra au parlement il vendra duement et en peisible manere com pere de la terre, sicom son estat demande. Et eussi est accordé qe covenable surte seít fait pour ly et pour les soens en avaunt qil veigne au parlament, e qe le dit Count, quant il vendra, fet reverence a son seyneur le Roy, sicom il fere doit a son seigneur lige. Et fet a remembrer qe a tut la parlaunce le dit Count de Lancastre ad reserve devers ly totes les maners des actions et des querels qil ad devers le Count de Garenne tant qe au procheyn parlament. Et les prelatz avançomes ount grante au dit Count de Lancastre pur eus et pur lez autres prelatz de la province de
Canterbery que tant com le dit Cont veut les choses
aventnomes tenir et continuer lez ditz prelates li tèndrent
le bon lieu qil purront en ben et en resou. Et si le
dit Count voet lez chosez aventditz enfreynner, lez ditz
prelates per autorite de Saint Eglise feront la
execution qil purront ou deyvent per ley de Saint Eglise
auxi com a cely qi serra destourbeur de la pees. Et
si nul del realme vousit le dit Count ou les soens
privement ouapartement surquer, les prelatz aventditz
feront semblable execution encounter ceus. (Serement
qe le dit Count de Lancastre fit as ditz prelatz) qe ie
unques ne pensei de ostir le real poer de la dignite
nostre seyneur le Rey E. qi ore est en desheritaunce de
ly ne de ses heires, si me eide deus et ses seyntes.
Unqore le serment fit il, si me eide deus et ses seyntes,
ieo voyle garder et meyntenir les ordinances fet par les
prelatz, contes et barons e affermes de par le Rey, et
les choses qe ne sont mie duement alienes du Rey e de la
corounne encontre les aventditz ordinances voyle a mon
poer qil seent reprises e retournes au Rei selonq-le
serement qe ie fesoi a la fesauce des ditz ordinances,
extc.: Ms. Dodsworth 8/f.262.

This document comes from a volume of Dodsworth's
transcripts of charters, etc., which is headed: Monasticon
Boriale Tomus Secundus: Cartas de Estriding prescipue
continens. The source of the document is not stated but it is flanked by charters from Monk Bretton Priory near Pontefract and may well also have come from there. For discussion of the document's date and significance see Chapter Five, Part 2.

2. Agreement of June 2nd. 1318 between the Royal Council and Prelates.

1. Fait e remembrer que come les honorables pieves en dieu, Wauter par la grace de dieu Ercevesque de Caunterbir primat de tote 2. Engleterre, Alisaundre Ercevesqe de Dyvelyn, etc., et les nobles hommes; monsieur Aymar de Valence Counte de Pembrok, etc., le secunde 2. iour de Juin lan du regne nostre seigneur le Roi Edward fuiz le Roi Edward unzime feissent assembletz au conseil.....4. pur conseiller sur les busoignes le Roi e lestat e la salvation du roiaume contre la malice e mevoiste de ses enemis ..... 5. adonk furent entretz la terre Engleterre es grandz ostz iesqes en le Counte Deverwyk endestruantz ..... 6. e terres du Roi e des autres occupantz e gastenz et grant tens devant estoient entretz se terre Dirlaunde ..... 7. et pur hastif conseil e avisement aver e aide mettre en le bon giement (i.e. gouvernement) du roiaume, se ..... 8. fraude ou feintise a cee que chescun diseit endroit de sei sur les choses
suthescrites en la forme qe ..... 9. tout jointement e chescun de eus pur li a son poer ben e loialment con­seilleront nostre seigneur ........ 10. ... de .. mesmes bon giement de son poeple e commun profit sanz essarde de (avoir regarde a) malevolences ........ 11. profit e de ben e loialment a leur poer sanz feintise mettre adressemement en ses busoignes ........ 12. le ben qil porront qe choses noundues si nules seient al honur e profit du Roi seient adrescees e ............ 13. menees. Dautre part pur ceo qe les ditz prelatz e grantz ne veent pas qe si covenable e hastive remedie e aide ........ 14. estre mises es ditz perils e autres busoignes touchantes lestat du Roiaume come si le Counte de Lancastre ........ 15. busoignes du Roi e du Roiaume des queux il se est esloigne ia une piece par grosseur e malevolence ........ 16. qi sont pres du Roi, a ce qe homme entente, et qe entre li e eux sur mesmes la grosseur e ............ 17. les ditz prelatz e grandz se accordent en la manere qe sensuit. Cest assavior qe apres les.... ........ 18..... come del esloigner de sa femme hers de sa garde e dautres queux il vedre (ou as aucuns de eux a ceo deputetz) .......... 19. peine qil porront qe le dit Counte resceive acquittance due de ceux qi acquit ...... ........ 20. -bles amendes et si le dit Counte voille tailler laquittance ou les amendes ........ 21. acquittance due e amendes resonables (a leur avis) enpriant,
conseillant, e amovestant qil ............ 22. Counte de Lancastre les refuse e se tiegne a la lei adonk seitt requis dassu ............ 23. ..... a .... issint moustre ses grevances par serment ou en autre manere al avisement ............ 24. apertement ne les pursura ne mal fera ne procurs estre fait si noun par la lei e solom ............ 25. assurer, adonk les ditz prelatz (tesmoigneronrets dereson e eus e les dit) grandz unielement emprendront les busoignes nostre seigneur ............ 26. sainte eglise e du Roi e a la salvacion du poeple e de lestat le Roi sanz attendre ou r........... 27. de Lancastre (si le seitt desresonable) et ne seoffrent tent come en eux est qe le dit Counte face as autres choses e fois qe par ............ 28. A ceo les ditz prelatz e grandz se accordent qe le dit Counte de Lancastre par coeur des ordenances nadgoires ...... 29. des gentz darmes ne force use (e noun covenable manere) plus qe un autre grant du Roiaume si noun par commun assent ............ 30. de eux et qe es parlements e ailllours au conseil le Roi le dit Counte de Lancastre sera (selom sous cît dit sera) come ............ 31. soveineute outre les (autres) piers du roiaume. Estre ceci par aventure les ditz prelatz e grantz ou aucun de eux ............ 32. ou del dit Counte de Lancastre pur cestes busoignes eux touz e chescun de eux a tout leur poer garder ............ 33. sera encuru tieu maugre desicone il se ieignent (sont
acordetz) en cestes choses pur le commun profit du Roi e du roiaume ........... 34. encheson. Et volent les ditz prelatz e grantz qe cest acord e icindre se tiengent (se tiegne) vers chescun de eux tent ........... 35. solonc les pointz susecritz et qe si nul de eux venist lencontre qe dieu defende qe les autres ne li ........ 36. en cest acord.


This document is badly damaged along its right-hand side. There are several erasures and alterations in its wording made during drafting which latter are indicated by phrases in brackets. The document bears a close relation to that already printed as A Political Agreement of June 1318 (E.H.R., 1918) (C.49/4/26) and both are clearly drafts of an unknown final agreement.

4. Notarial Instrument of June 23rd, 1318 recording the handing-over of the Articles discussed at Tutbury.

1. Per presens publicum instrumentum cunctis appareat evidentere quod vicesimo tertio die mensis Junii

Where there are gaps in the Latin text the missing words have been supplied in brackets according to the sense of the document. Some of the missing French words have been supplied by reference to the text of the Tutbury articles (Knighton, 1, p. 413-21) which the instrument quotes.
1. Source Material.

A: Manuscript Sources.

I: Public Record Office.

Chancery.

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D.L.34: Ancient Charters.

D.L.36: Miscellaneous Charters.

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I: Public Record Office.
D.L.34: Ancient Correspondence.
D.L.36: Miscellaneous Charters.
D.L.41: Miscellanea.

Exchequer.
E.30: Diplomatic Documents.
E.40: Ancient Deeds (Series A).
E.101: Various Accounts: Bundles 6, 13, 14, 15, 68, 127, 309, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 381, 505. (This material includes records of major importance such as the Wardrobe Accounts of the royal household).
E.149: Inquisitions post mortem.
E.159: Memoranda Rolls (K.R.).
E.163: Exchequer Miscellanea.
E.329: Ancient Deeds (Series B.S.).
E.357: Escheators' Accounts.
E.358: Miscellaneous Accounts.
E.401: Receipt Rolls.
E.403: Issue Rolls.
Lead Miscellaneous Ms. 529: This is a previously unused chronicle of 1066-1320, of which the part relating to Edward II bears a close relation to the chronicle of Adam Burimuth. Extracts from this Ms. appear in Vol. 20 of the notebooks of William Dugdale who thought its place of origin might have been Evesham (there is a Book of 25 Edward I).

J.I.1: Assize Rolls.

K.B.27: Coram Rege Rolls.

Special Collections.

S.C.1: Ancient Correspondence: Volumes 10, 13, 30, 31, 32, 33, 34, 35, 36, 37, 38, 45, 47, 48, 49, 50, 58, 60. (Prominent in this very valuable class are a group of 13 letters from Edward I & II to the Earl of Pembroke in Volume 45 and a block of 53 such letters in Volume 49. It is possible that this material represents the remnants of Pembroke's personal archives which came into royal hands after his death.)


II: Other Repositories.

a. Bodleian Library.

Dodsworth Mss. 8, 94 (These are volumes of Yorkshire & northern charters.)

Dugdale Mss. 14, 15, 18, 20 (Original notebooks of W. Dugdale containing a wide variety of material.)
Laud Miscellaneous Ms. 529: This is a previously unused chronicle of 1066-1390, of which the part relating to Edward II bears a close relation to the chronicle of Adam Murimuth. Extracts from this Ms. appear in Vol. 20 of the notebooks of William Dugdale who thought its place of origin might have been Evesham (there is much material on this part of England and the Welsh March).

Tanner Ms. 90: A miscellaneous collection mainly of sixteenth-century material.

Kent Rolls 6: A fourteenth-century roll of documents from Tonbridge priory, Kent.

b. British Museum.

Additional Ms. 7965: Wardrobe Book of 25 Edward I.

Additional Ms. 9951: Liber Cotidianus Garderobae, 14 Edward II.

Additional Ms. 15568: Newent priory cartulary.

Additional Ms. 17362: Wardrobe Book of 13 Edward II.

Additional Ms. 28024: Besuchamp Cartulary.

Additional Ms. 35093: Liber Cotidianus Garderobae, 1 Edward II.
Cotton Mss.

Julius E.I: Register of Gascon documents.


Claudius A.XIV: Poem of James Nicholas of Dacia, 1363, in honour of Aymer de Valence, Earl of Pembroke.


Nero C.VIII: Liber de compotis diversorum reddituin in garderoba Regis: from 4 Edward II.

Nero D.X.: This fourteenth-century ms. contains a chronicle of 1287-1323 attributed to Nicholas Trivet and which formed a major source of Holinshed's account of the civil war of 1321-2. This work is followed by a version of the chronicle of Adam Murimuth which is printed in the Rolls Series edition.

Vespasian F.VII: Folio 6 contains a letter from the Younger Despenser.

Cleopatra C.III: Extracts from chronicle of Dunmow priory.

Cleopatra D.III: Hales abbey chronicle.

Faustina B.VI: Croxden abbey chronicle.

Harleian Ms. 530: Miscellaneous collection including extracts from chronicle of Dunmow Priory.

Harleian Ms. 636: Polistorie del Eglise de Christ de Caunterbyre.
Lansdowne Ms. 229: Collections of Robert Glover.

Royal Ms. 16 E.V: *Miroir de L'Ame*: translation made for Marie de St. Pol, Countess of Pembroke.

Royal Ms. 20 A.III: A text of the French Brut.

Stowe Ms. 553: Account book of the Wardrobe, 15-17 Edward II.


Cotton Charters II.26: Bundle of 48 original letters, temp. Edward II.

Cotton Charters XVI.59: Letter of Seneschal of Gascony, 1323.

Cotton Charters XXVII.29: Acquittance to Chamberlain of Earl of Pembroke, 1312.

Egerton Roll 8724: Roll of Badlesmere & Mortimer muniments.


Harleian Charters 56.F.40: Letters of attorney of J. de Stuteville, 1315.


Sloane Charters XXXII.14: Grant by Philip de Angulo, 1298.
c. Cambridge University Library.
Ms. Dd. V.5: Breviary of Marie de St. Pol, Countess of Pembroke (see corrigenda attached to vol. 5 of catalogue).
Ms. Ee. V.31: Register of Henry of Eastry, Prior of Christ Church, Canterbury.
Ms. FF. II.33: Register of Bury St. Edmunds abbey.

d. Cambridge: Pembroke College.

e. Cambridge: Trinity College.
Ms. R.5.41: This is a chronicle of 303 A.D. to 1385, originating in Canterbury. Extracts from it appear in the Collectanea of J. Leland: vol. 1, p. 271-. This ms. has much original information on the civil war of 1321-2.

f. Poljambe Charters.
Appendix 4: Osberton Hall, Worksop.
Archives départementales de la Charente, Bundle G.138.

Hustings Roll 53.
h. Lambeth.

Register of Walter Reynolds.

i. National Library of Wales.

Haverfordwest Deeds.

Muddlescombe Deeds.

Picton Castle Papers.

Slebech Papers and Documents.

Microfilm 30: Chronicle of the Mortimers (Chicago University Ms. EX.2592.f.D.88).

j. Society of Antiquaries.

Ms.120: Wardrobe Book of 10 Edward II.

Ms.121: Wardrobe Book of 11 Edward II.

k. Westminster Abbey Muniments.

No. 5110.

l. French Archives.

Archives Nationales: J.374; J.633; J.918; KK.909; PP.19

Archives départementales de la Charente: Bundle G.138.

Archives départementales de la Meurthe-et-Moselle: B.439.
B. Printed Sources.

I: Calendars and Transcripts.


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Calendar of Hereford Cathedral Muniments: typescript made at National Library of Wales.

Calendar of Inquisitions post mortem, vols. 4-6 (1291-1326); Stationery Office, London.


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Inventaire-sommaire des archives départementales de la Haute-Vienne: ed. M.A. Leroux: Limoges, 1862-.

Inventaire-sommaire des archives départementales de la Meuse: ed. A. Marchal: Bar-le-Duc, 1875-.


Régistres du Trésor des Chartes: ed. Glénisson, etc.: Paris, 1858-.


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II: Narrative Sources.


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R. Brooke: *Catalogue of the Succession of the Kings, Princes, etc. from the Norman Conquest to 1619*: London, 1619.


I.A. Lyubimenco: *Jean de Bretagne, Comte de Richmond*: Lille, 1908.


T.F. Tout: Chapters in Administrative History: Manchester, 1923-35.


