

Gavaston guardian of the realm,^e with more ample powers than had usually been conferred;^f and, on his return with his young queen, renewed all the proofs of that fond attachment to the favourite, of which every one so loudly complained. This princess was of an imperious and intriguing spirit; and finding that her husband's capacity required, as his temper inclined, him to be governed, she thought herself best entitled, on every account, to perform the office; and she contracted a mortal hatred against the person who had disappointed her in these expectations. She was well pleased therefore to see a combination of the nobility forming against Gavaston, who, sensible of her hatred, had wantonly provoked her by new insults and injuries.

A. D. 1308. Thomas, Earl of Lancaster, cousin-german to the king, and first prince of the blood, was by far the most opulent and powerful subject in England, and possessed in his own right, and soon after in that of his wife, heiress of the family of Lincoln, no less than six earldoms, with a proportionable estate in land, attended with all the jurisdictions and power, which commonly in that age were annexed to landed property. He was turbulent and factious in his disposition; mortally hated the favourite, whose influence over the king exceeded his own; and he soon became the head of that party among the barons, who desired the depression of this insolent stranger. The confederated nobles bound themselves by oath to expel Gavaston; both sides began already to put themselves in a warlike posture; the licentiousness of the age broke out in robberies and other disorders, the usual prelude of civil war; and the royal authority, despised in the king's own hands, and hated in those of Gavaston, became insufficient for the execution of the laws, and the maintenance of peace in the kingdom. A parliament being summoned at Westminster, Lancaster and his party came thither with an armed retinue; and were there enabled to impose their own terms on the sovereign. They required the banishment of Gavaston, imposed an oath on him never to return, and engaged the bishops, who never failed to interpose in all civil concerns, to pronounce him excommunicated if he remained any longer in the kingdom.^g Edward was obliged to submit;^h but even in his compliance gave proofs of his fond attachment to his favourite. Instead of removing all umbrage by sending him to his own country, as was expected, he appointed him Lord Lieutenant of Ireland,ⁱ attended him to Bristol, on his journey thither, and before his departure conferred on him new lands and riches both in Gascony and England.^k Gavaston, who did not want bravery, and possessed talents for war,^l acted during his government with vigour against some Irish rebels, whom he subdued.

Meanwhile the king, less shocked with the illegal violence which had been imposed upon him, than unhappy in the absence of his minion, employed every expedient to soften the opposition of the barons to his return; as if success in that point were the chief object of his government. The high office of hereditary steward was conferred on Lancaster; his father-in-law, the Earl of Lincoln, was bought off by other concessions; Earl Warrenne was also mollified by civilities, grants, or promises; the insolence of Gavaston being no longer before men's eyes, was less the object of general indignation; and Edward, deeming matters sufficiently prepared for his purpose, applied to the court of Rome, and obtained for Gavaston a dispensation from that oath which the barons had compelled him to take, that he would for ever abjure the realm.^m He went down to Chester to receive him on his first landing from Ireland; flew into his arms with transports of joy; and having obtained the formal consent of the barons in parliament to his re-establishment, set no longer any bounds to his extravagant fondness and affection. Gavaston himself, forgetting his past misfortunes, and blind to their causes, resumed the same ostentation and insolence; and became, more than ever, the object of general detestation among the nobility.

The barons first discovered their animosity by absent-

ing themselves from parliament; and finding that this expedient had not been successful, they began to think of employing sharper and more effectual remedies. Though there had scarcely been any national ground of complaint, except some dissipation of the public treasure: though all the acts of mal-administration, objected to the king and his favourite, seemed of a nature more proper to excite heart-burnings in a ball or assembly, than commotions in a great kingdom: yet such was the situation of the times, that the barons were determined, and were able, to make them the reasons of a total alteration in the constitution and civil government. Having come to parliament, in defiance of the laws and the king's prohibition, with a numerous retinue of armed followers, they found themselves entirely masters; and they presented a petition, which was equivalent to a command, requiring Edward to devolve, on a chosen junto, the whole authority, both of the crown and of the parliament. The king was obliged to sign a commission, empowering the prelates and barons to elect twelve persons, who should, till the term of Michaelmas in the year following, have authority to enact ordinances for the government of the kingdom, and regulation of the king's household; consenting that these ordinances should thenceforth, and for ever, have the force of laws; allowing the ordainers to form associations among themselves and their friends, for their strict and regular observance; and all this for the greater glory of God, the security of the church, and the honour and advantage of the king and kingdom.ⁿ The barons, in return, signed a declaration, in which they acknowledged that they owed these concessions merely to the king's free grace; promised, that this commission should never be drawn into precedent; and engaged, that the power of the ordainers should expire at the time appointed.^o

The chosen junto accordingly framed their ordinances, and presented them to the king and parliament for their confirmation in the ensuing year. Some of these ordinances were laudable, and tended to the regular execution of justice: such as those, requiring sheriffs to be men of property, abolishing the practice of issuing privy seals for the suspension of justice, restraining the practice of purveyance, prohibiting the adulteration and alteration of the coin, excluding foreigners from the farms of the revenue, ordering all payments to be regularly made into the exchequer, revoking all late grants of the crown, and giving the parties damages in the case of vexatious prosecutions. But what chiefly grieved the king, was the ordinance for the removal of evil counsellors, by which a great number of persons were by name excluded from every office of power and profit; and Piers Gavaston himself was for ever banished the king's dominions, under the penalty, in case of disobedience, of being declared a public enemy. Other persons, more agreeable to the barons, were substituted in all the offices. And it was ordained, that, for the future, all the considerable dignities in the household, as well as in the law, revenue, and military governments, should be appointed by the *baronage* in parliament; and the power of making war, or assembling his military tenants, should no longer be vested solely in the king, nor be exercised without the consent of the nobility.

Edward, from the same weakness both in his temper and situation, which had engaged him to grant this unlimited commission to the barons, was led to give a parliamentary sanction to their ordinances: but as a consequence of the same character, he *secretly* made a protest against them, and declared, that, since the commission was granted only for the making of ordinances to the advantage of king and kingdom, such articles as should be found prejudicial to both, were to be held as not ratified and confirmed.^p It is no wonder, indeed, that he retained a firm purpose to revoke ordinances which had been imposed on him by violence, which entirely annihilated the royal authority, and above all, which deprived him of the company and society of a person, whom, by an un-

e Rymer, vol. iii. p. 47. Ypod. Neust. p. 499.

f Brady's App. No. 49.

g Trivet, cont. p. 5.

h Rymer, vol. iii. p. 80.

i Ibid. p. 92. Murimuth. p. 39.

k Rymer, vol. iii. p. 87.

l Heming, vol. i. p. 248. T. de la More, p. 593.

m Rymer, vol. iii. p. 167.

n Brady's App. No. 50. Heming, vol. i. p. 247. Walsing. p. 97. Ryley, p. 526.

o Brady's App. No. 51.

p Ryley's Placit. Parl. p. 530. 541.

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