

paraphrase Bridlington: the makers of laws had become their corruptors; the earl of Lancaster had forced the king to pardon him and some thousand others – the same earl who had sworn that certain Ordinances should be upheld, whereby the king was prevented from doing just that.³⁰³

THE CRUSHING OF REBELLION 1321–22

After an interval in Essex, where he may have been concerned with Badlesmere's lands there, Edward left for the West to confront the Mortimers, Giffard, the earl of Hereford, and their allies. The *Vita* states that the king's young half-brothers, Thomas of Brotherton, the earl marshal, and Edmund "of Woodstock," newly created earl of Kent, came to his aid. Despite their youth – they were barely twenty years of age – he considered them to be competent (*strenui*) soldiers. He adds that Pembroke went over to the king's side because, so it was said, Lancaster accused him of faithlessness (*infidum et varium*). There was a degree of truth in this as Pembroke, having responded to the king's command to move against his former ally Badlesmere at Leeds, was now committed not only to the king but also to the Despensers.³⁰⁴ From Reading Edward journeyed through the Cotswolds by way of Cricklade, reaching Cirencester by 20 December, where he spent Christmas. About this time his men destroyed John Giffard's castle at Brimpsfield.³⁰⁵ By 6 December the barons had captured Gloucester, thus obstructing the passage of the River Severn. The Canterbury-based Gervase continuator states that the barons were unwilling to oppose the king directly, even though their force was allegedly four times greater.³⁰⁶ Instead, they retreated before him, leaving a trail of devastation in their wake.³⁰⁷ A later indictment, of 1324, claims that as the younger Mortimer advanced – presumably from Worcester – by way of Bromyard towards Ledbury, he stopped, probably in late November, at Orleton's manor of Bosbury where he held secret conclave with the bishop, allegedly one of his adherents. On the following day the bishop was said to have sent reinforcements to Ledbury consisting of armed men and equipment, comprising his marshal and eight other men. With these reinforcements Mortimer then went back on his tracks and marched to Gloucester. It is easy to accept this indictment at face value, but some of the background is revealed in a collection of manuscripts discovered at Hereford, conveniently dubbed the bishop's "defence brief." There can be no doubting Orleton's closeness to Mortimer, his parishioner, whose secular influence was prominent in the diocese, but whether he was responsible for "sending" members of his entourage is questionable. No doubt Mortimer's intention was to insist, with threats if need be, that certain men join him. Some of those named can be shown clearly to have had affiliations other than with the bishop, for instance with Roger d'Amory and Gilbert Talbot. There is plenty of evidence for the Mortimers' use of coercion to secure compliance with their wishes.³⁰⁸

The only other bridge between Gloucester and Bridgnorth was at Worcester, towards which the royal forces now proceeded. But the Worcester crossing was

also defended. The baronial forces are said to have arrived at Bridgnorth on 5 January yelling “Wesseheil” in their maternal tongue. For a time a royal contingent – an advance guard under Fulk FitzWarren sent to prepare for the king’s crossing – defended the gate, but others burned it down and forced the king’s men to flee.³⁰⁹ Thereupon the rebels helped themselves to the king’s horses and provisions and sacked the town.³¹⁰ By the time of the king’s arrival Bridgnorth had been fired and the bridge in the lower town burned down. It was now evident that Edward was in earnest and likely to prevail, so the Mortimers were doubly unwilling to risk a battle without support from Lancaster, who remained stubbornly at Pontefract. There were other factors in the king’s favour: the capture by Sir Gruffydd Llwyd of the castles of Welshpool, Chirk, and Clun, whose wardens had been appointed by the elder Mortimer, and the volatile Robert Ewer’s ravaging of the Mortimer lands.³¹¹ Meanwhile the barons had sent emissaries to Lancaster,³¹² asking for his counsel and assistance. He is said to have replied that he wished the “statutes or Ordinances” made in Archbishop Winchelsey’s time to be observed, and that the barons be given such help as he could, but he declined to accompany them until Badlesmere had been completely removed from among them. This was done and the baron was abandoned to the king’s persecution.³¹³

With the convergence of the royal army on Shrewsbury the Mortimers, despairing of assistance from Lancaster, their power crippled by the attacks of Gruffydd Llwyd and Robert Ewer, decided to come to an accommodation with the king rather than to dispute his passage of the Severn. A safe conduct in the names of the king’s two half-brothers, and of the earls of Pembroke, Richmond, Arundel, and Warenne was issued on 13 January at nearby Newport in Shropshire. This was twice extended for further negotiation. The Wigmore chronicler states that the barons’ surrender (on 23 January at Ross) was in expectation of the king’s grace (*gratiam inde sperantes*) and there are suggestions in a number of chroniclers that the mediation was fraudulent.³¹⁴ Instead of being pardoned the Mortimers were attached and imprisoned in the Tower of London. Others followed their lead and submitted, for instance the elder Hugh d’Audley, Maurice de Berkeley, and Rhys ap Hywel, the first two being imprisoned at Wallingford, while Rhys was sent to Dover.³¹⁵ The king took their lands into his hands, including Berkeley Castle, and according to one account provided them with a daily subsistence allowance of two shillings (*unicuique eorum iis. quotidie precepit*). Allegedly the earl of Hereford was on the point of coming to the king, but hearing what had happened to his former allies, he fled to the north, where he acquainted the other Contrarians with what had occurred, so that they likewise despaired of gaining the king’s pardon.³¹⁶ But Edward did not at once move to the North. He travelled by way of Ludlow to Hereford where he remained between 29 January and 4 February and upbraided the bishop (*acriter increpavit*) with the accusation that he had supported the barons against their natural lord.³¹⁷ In revenge he confiscated many of his goods. How unjust this

action was it is difficult to say, but Edward well knew of Orleton's sympathy for Mortimer, which would have provided irritation enough. Certainly these charges were not pursued at the time and Bishops Castle was restored as early as 6 February, followed on the eighth by the grant of protection for a year.³¹⁸ From Hereford the king travelled quickly to Gloucester, arriving there by 6 February.³¹⁹ While there Sir Roger de Elmbridge, sheriff of Herefordshire, was brought before him and condemned to death for riding with the barons and wearing their livery while holding the pleas of the county. He was hanged in the same livery, doubtless as an example to others.³²⁰ It must have been during his advance that Edward received news of the besieging of the royal castle of Tickhill.³²¹

It has been argued that up to that point the king had not envisaged a full-scale campaign against the barons, merely skirmishing in the Marches, but that the siege of Tickhill, which began on 10 January, "provoked in Edward a new resolution to crush Lancaster finally" and marked the commencement of "open conflict" between king and earl – a view supposedly endorsed by the perspicacious author of the Lanercost chronicle.³²² In fact this northern chronicler asserts that the Lancastrians only acted upon hearing a report of the Despensers' recall. In his view, then, that was the underlying cause of the civil war and final showdown with the king's overmighty cousin.³²³ In the opinion of the Gervase continuator the king acted on the advice of men envious of Hereford, Lancaster and the barons – that is to say, on that of the Despensers rather than of the Holy Spirit!³²⁴ One possible interpretation of Edward's actions in 1321–22 is that he demonstrated no long-term strategical objective; instead he took every tactical advantage that came his way. Faced with the Marcher threat at Kingston he capitulated to the demand for the Despensers' exile, but then discerning Badlesmere's isolation he acted with unwonted energy. Seizing upon the weakness of the barons' legal position he then forced the prelates to impugn the judgment against the Despensers. Having thus achieved the bishops' grudging support for a reconsideration of the matter in parliament, and having also disposed of the weakest and least-supported of the barons, he determined to restrain the Marchers, who had originated the attack on the Despensers' lands. When they proved unwilling to do more than impede his progress, and when Lancaster showed himself reluctant to come to their aid, those accompanying king were able to persuade the waverers to accept terms that in the event do not seem to have been observed. Even when the king's forces progressed to the north they acted with great circumspection, advancing "*lente pede*," as the Lanercost chronicler expressed it.³²⁵ That eventual success lay with the king was equally due to the failure of the barons to combine against him with any sense of ordered purpose. Lancaster, defending the Ordinances to the last and heavily influenced by hatred of the Despensers on the one hand, of Badlesmere on the other, lost support in the North and even turned to the old enemy, the Scots, for aid. He too, had no strategic plan.

The end was clearly in sight and there is no need to recapitulate it in any detail. The fact that the Marchers had so readily collapsed proved a disincentive

to others whom Lancaster attempted to muster in his support. From Archbishop Melton and the northern clergy he succeeded in raising two thousand marks, ostensibly for defence against the Scots. In view of the archbishop's administrative experience and his record of consistent loyalty to the king, and after his death to his name, this concession comes as somewhat of a surprise,³²⁶ even though at about that time Andrew Harclay had told the king that there was nothing to impede the Scots' depredations given the expiry of the truce.³²⁷ Attempts to raise recruits from the towns met with prevarication, even at Leicester; clearly townsmen were unwilling to risk their future by lending support to rebellion, unless coerced. Some of the best evidence for Lancashire is provided by the pleas held at Wigan recorded among the *Coram Rege* Rolls.³²⁸

The weather was not conducive to campaigning. According to the *Historia Roffensis* it began to freeze on 10 January and only ceased on 23 March.³²⁹ But despite the difficulties of weather, scarcity, and hazardous roads,³³⁰ the king left Gloucester on 17 February and reached Coventry by the twenty-seventh, where he awaited the arrival of further levies.³³¹ As he moved northwards the Despensers are said to have joined him at Lichfield.³³² From there he advanced to Burton-on-Trent, which he reached by 10 March. According to the Gervase continuator David Strathbogie, the earl of Atholl, was appointed constable, and the army advanced in three sections.³³³ Meanwhile, Mowbray and Hereford had preceded him to the North. They claimed – as did Lancaster himself – that their banners were not raised against the king but rather against the enemies of king and kingdom, the Despensers. Lancaster, on hearing of the king's setting off for the north, moved south to Tutbury Castle, where the fleeing Marchers found him at table.³³⁴ Arrived at the River Trent, an advance party from the royal army was sent to test the defences of the bridge. The resulting encounter lasted some three days before a viable ford was discovered higher up, where a crossing was effected on 10 March, compelling the baronial forces to withdraw with some losses.³³⁵ "Why had the earl done so?" was the question posed by the sympathetic author of the *Vita*. After all, in times past Lancaster had many times resisted the king, but now he had the earl of Hereford with him and the finer part of the English chivalry.³³⁶ One reason – despite the assumption of the *Vita* that the earl's retreat was inexplicable – was probably the size of the royal army;³³⁷ another was the fact that Sir Robert Holland had failed to arrive with expected reinforcements of five hundred men. As soon transpired, he was in process of changing sides, together with a number of armed men – two hundred, thought the Gervase continuator, who termed him "principalis consiliarius comitis Lancastrie." This betrayal, says the *Brut*, prompted the earl to exclaim: "He hath ful evil yielded me my goodness, and the worship that I to him have done, and through my kindness have him advanced, and made him high from low; and he maketh me go from high to low; but yet shall he die in cruel death."³³⁸ And so it proved. Holland, whatever his expectations, was not received into the king's peace, his lands had already been confiscated, and he was escorted to prison at Dover.³³⁹ But he was a great survivor and secured

the return of his lands in Edward III's reign, despite the opposition of Lancaster's brother and heir, Henry, only to be murdered in 1328, possibly at Henry's instigation or by Lancastrian sympathizers bent on avenging what they doubtless considered to have been his ingratitude and treachery.³⁴⁰

Baker's interpretation of events is that the barons, seeing the writing clearly on the wall, began to waver, some of them suggesting that it would be wiser to enter the king's peace. But this suggestion was hateful to Lancaster, foolishly secure in the belief that as a close relative of the king he had nothing to fear, having armed himself only against the traitor Hugh Despenser. As for Humphrey de Bohun, earl of Hereford, a vigorous and warlike knight, he had no intention of being reconciled to the king and the Despensers, preferring to die in battle than by the withdrawal of his knights to suffer incarceration, exile, or even the penalty of death.³⁴¹ Another source claims that he had a contingency plan to take refuge in Hainault with the count, his kinsman.³⁴²

The Lancastrian forces were pursued to Tutbury, where the castle had been abandoned, leaving Roger d'Amory, who had been mortally wounded in the previous action, to linger a few days longer in Tutbury Priory.³⁴³ Warenne and Atholl were sent to pursue the fugitives to Pontefract, where the town and castle were invested, although Lancaster's constable – like the constable of Kenilworth – would not surrender until he heard of the defeat at Boroughbridge.³⁴⁴ The Lancastrians during their brief stay at Pontefract were in a quandary as to their best course of action. They consulted together in the Dominican convent. The general opinion was that they should go to Lancaster's fortress of Dunstanburgh on the Northumbrian coast, but the earl argued that were they to do so they would be assumed to be associating themselves with the nearby Scots and be taken for traitors. He declared that he would go no further than Pontefract. But Sir Roger Clifford angrily drew his sword and declared that either Lancaster went or he would slay him then and there. Thereupon the earl consented to go wheresoever they chose to lead.³⁴⁵ If this is an accurate reflection of the situation it points to the great earl's abject weakness at a time of supreme crisis in his affairs. Admittedly he had been severely affected by Holland's treachery, and his force had been reduced to such a degree that there was no hope of meeting the royal army in open battle.

Meanwhile, Sir Andrew Harclay had been ordered to gather a force from the counties of Cumberland and Westmorland, a process that according to the *Brut* had determined the barons to go south to prevent the king's forces crossing the Trent. While at Ripon, Harclay learned of Lancaster's approach and by night went to nearby Boroughbridge to hold the bridge over the River Ure.³⁴⁶ At a preliminary parley Lancaster tried to win him over to his side by bemoaning how the king was being led by the false counsel of the Despensers, Arundel, and that "false pilede clerk" Robert Baldock. He offered him "the best part of five earldoms" and made the equally unlikely promise that he would always abide by his counsel. Harclay's response was unequivocal, nothing would tempt him

to act without the king's authority for fear of being regarded evermore as a traitor. To this response the earl allegedly prophesied "that or this year be gone, that thou shall be taken and held for a traitor, and more than ye hold us now; and in worse death ye shall die, than ever did knight of England." The *Brut* makes no bones about its prejudices. Harclay was a false traitor, a forsworn man, for it was through the earl that he had taken the arms of chivalry; through him that he had been made a knight.³⁴⁷ It may be added that on 11 March the rebels had already been denounced as traitors by the king and accompanying earls of Kent, Richmond, Pembroke, and Atholl.³⁴⁸

The ensuing battle was joined on 16 March for possession of the wooden bridge over the Ure, too narrow a structure to take a mounted knight equipped for battle. As a result, the dismounted Hereford, advancing boldly with Clifford "more leonum," was ungallantly pierced to death on his unprotected fundament by a Welsh pikeman hidden beneath the planking. Lancaster tried to ford the river, but Harclay protected each crossing with men-at-arms. Roger de Clifford, badly wounded, sought refuge in the town.³⁴⁹ The Lanercost chronicle, knowledgeable about campaigning in the North, explains the encounter in more technical fashion. Harclay, though with a smallish force, was using Scottish tactics. He dismounted his men to defend the north side of the bridge with lances. Others, similarly equipped with lances, were arranged in a close-packed Scottish-type schiltrun (*in scheltrum secundum modum Scotorum*). The archers were arranged so as to send a dense mass of arrows into the crowded knights on whom Lancaster relied. Thus the earl was forced to withdraw from his attempt to cross the river and dared not approach again. Such tactics were murderously successful.³⁵⁰

Eventually, according to among others the Lanercost chronicler and the author of the *Vita*, a truce until the following day was arranged with Harclay at Lancaster's request, the understanding being that on the morrow the earl would resume the fight or surrender. Meanwhile, each returned to his lodging, but Harclay, accustomed to the guerrilla tactics of the Scots, was careful to maintain his guard on the bridge and river crossings. That same night the sheriff of York arrived with a substantial force and with his aid Harclay entered the town early in the morning and captured the earl and most of the other knights. The Lanercost chronicler observes that following the death of Hereford his knights all slipped away, together with others attached to Lancaster and the wounded Clifford. The only option for the earl, Clifford, Mowbray, and the remainder was to surrender to Harclay. The *Vita* claims that some hundred knights were captured, another chronicler gives, more precisely, seventeen barons and eighty knights and armigers.³⁵¹ The earl was initially taken to York, but on the king's arrival at Pontefract he ordered him to be brought there, where he was incarcerated in a recently built tower, intended by the earl, rumour had it, to cage the king himself. According to the strongly pro-Lancaster *Anonimale Chronicle* the younger Despenser took the opportunity of reviling the earl to his face.³⁵² The next day

he was led into the hall “bareheaded as a thief in a fair hall within his own castle that he had made therein many a fair feast both to rich and eke to poor.”³⁵³ There seven comital judges were arrayed: Kent, Warenne, Richmond, Pembroke, Arundel, Atholl, and Angus – the most reliable list, only two of whom, Warenne and Arundel, could justifiably be labelled Lancaster’s enemies. Sir Robert Malberthorpe, a justice of King’s Bench, gave the judgment in the king’s name. “Thomas,” he said, “our lord king put upon you that ye have in his land ridden with banner displayed against his peace as a traitor.”³⁵⁴ To which the “gentle Thomas” replied, “Nay lords, forsooth and by St Thomas I was never traitor.” The court condemned him to be drawn, hanged, and finally beheaded, but on account of his royal blood this was commuted to beheading – the hanging was remitted, according to a version of the *Brut*, “for the love of Queen Isabelle.” He was not permitted to speak in his defence. He is said to have exclaimed ironically: “This is indeed a powerful court, greater in authority, where no response is heard nor any mitigation admitted.”³⁵⁵

What had been adopted was a summary process of martial law, although it has been claimed that the king, at the younger Despenser’s specific urging – worried by his own possible fate in case of defeat – had not in fact unfurled his banners, so that technically no state of war had existed.³⁵⁶ It was the earl’s rank that produced a widespread feeling of revulsion: the Lanercost chronicler thought that but for his abuse of Gaveston he would have been either imprisoned or exiled.³⁵⁷ On the other hand, the largely sympathetic *Vita* declared that Lancaster had disgraced the royal stock (*regalem prosapiam tuam quam infamas*), and that traitors justly suffer the ultimate penalty (*proditores tamen iuste maxima p̄na plectuntur*).³⁵⁸ After the sentence Lancaster was placed on a mule and taken to the place of execution, a hill outside the town where on 22 March, the morrow of the feast of St Benedict, he was beheaded like a common felon.³⁵⁹ The moral could easily be drawn that Lancaster had cut off Piers Gaveston’s head, with even less semblance of judicial propriety, and now he had lost his own.³⁶⁰ Lancaster had been hoisted with his own petard: the king had gained his revenge at last. The *Vita* was not slow to cite the biblical precedents of Abner and Judah.³⁶¹ Put to death at the same time as Lancaster, and likewise “per recordum regis,” were William Tuchet, Henry de Bradbourne – Lancaster’s retainers, together with Warin de Lisle (*Insula*), William FitzWilliam, William Cheyne, and Thomas Mauduit.³⁶²

It is not easy for us to comprehend the intensity with which Lancaster’s death was lamented – though not apparently in York;³⁶³ a man so noble, so wealthy, so powerful.³⁶⁴ As Stubbs aptly summed up: “The cause was better than the man or the principles on which he maintained it.”³⁶⁵ Lancaster felt that he was treading in the steps of Simon de Montfort, his predecessor as earl of Leicester, and those of Robert Winchelsey, the upholder of the Ordinances. But what sort of a reformer was he? And what sort of an influence would he have exercised had he been able to establish his extensive claims as steward? The concept of permanently controlling even an unfortunate king – such as Edward undoubtedly was

– by a resident council of barons and prelates was scarcely a viable one for other than the shortest of terms. He had inherited a concept of “reform” but no capacity to effect it. He had himself been given the opportunity to act as leader of the council, only to prove inadequate and no better an administrator than the king. He complained of Edward’s unjust actions, but he himself was capable of equal injustices, personal aggrandizement, and maladministration. On a number of occasions he sacrificed his principles to his own advancement. His part in Gaveston’s summary execution, in the Middleton affair, the despoiling of Warenne, and with respect to the Despensers’ exile highlight his resort to violence and illegality when thwarted. He was unable to retain the loyalty of his own men, notably Adam Banaster and Robert Holland, and permitted them and others to indulge in the kind of violence that he would have deplored in the king or his ministers. His personal hates were permitted to cloud his judgment, as is so noticeable in the cases of Gaveston and Badlesmere. He claimed to abhor traitors, but he was one himself, raising rebellion against the king, even cooperating with the Scots,³⁶⁶ and appearing armed at parliament. His record as a defender of the northern parts is abysmal. Doubtless he was not a hypocrite by intention, but he was one nonetheless. Worse still, for one who held five earldoms, he was no soldier, neither a strategist nor a tactician. He failed to put in an appearance at Bannockburn, and when the baronial revolt of 1321–22 broke out he could not determine at what point, if any, he wished to join it effectively, preferring to give advice and make promises from a safe distance. When the Marchers had been defeated for lack of support, he showed an equal lack of resolution in preventing the mobilization of royal forces. His campaign was little more than a feeble response to a clearly perceived threat. At Boroughbridge itself, his performance can only be compared adversely to the professionalism of Harclay. He too could surely have made himself as aware of the distinctive tactics employed by the Scots. In normal circumstances with a reasonably competent king his death would shortly have been regarded as a benefit, but circumstances were not normal and the king was incompetent and vicious to boot.

- 294 *Flores* 3, pp. 191, 199. Maddicott, *Lancaster*, pp. 264, 293–4, 300, discusses this hostility to Badlesmere, which seriously weakened the baronial cause.
- 295 *Vita*, p. 116: “plures transgressiones sibi imposuit.”
- 296 See also Baker, *Chronicon*, p. 12, who provides a more compressed account.
- 297 “B. de Badlesmere faciente verbum quod archiepiscopus et episcopi regem adirent comitante eis comite predicto [Pembroke], castrumque de Ledes, salvis sibi uxore filiis parentibus amicis omnibusque aliis in castro existentibus, cum catallis et custodia castri usque ad proximum parlamentum regi liberarent. Dicebat insuper quod prerogativa que regi debetur si ingressus castri ei negetur. Regina non est nisi uxor et sponsa regis, non potest neque debet vindicare, adiciendo quod forisfactum castri per denegacionem ingressus regi factam, in parlamento et non aliter secundum Magnam Cartam per pares regni adiudicari debet.” *Historia Roffensis*, fo. 37^v.
- 298 *Ibid.*, fos. 37^v–8^r: “Tandem animo mitigati [barones] miserunt duos milites, scilicet dominos Hugonem de Knowle et Willelmum Wyne cum episcopis ad interessendum securitati faciende de expositis per prelatos, quibus libenter annuerunt, comiti Lancastrie dum placeret, illis nichilominus de capcione castri de Ledes et suspensione hominum plurimum conquerentes, totum quod accidit comiti de Penbrok. imputabant minas ei inferendo.”
- 299 Compare *Vita*, p. 116 and TCC R.5 41, fo. 116^v (117). It is arguable that Maddicott, *Lancaster*, p. 294, uses the latter chronicler’s statement to the effect that Lancaster would not help the barons unless they abandoned Badlesmere, citing the printed version in Leland, *Collectanea* I, p. 274, slightly out of context. The context was the revolt in the Marches, not the siege of Leeds. In a somewhat confused account the *Anonimale Chronicle*, pp. 104–5, states (after the fall of Leeds) that Hereford and others went to Pontefract to seek Lancaster’s help.
- 300 Haines, *Church and Politics*, pp. 132–3.
- 301 *CCR 1318–21*, p. 410; *CPR 1321–24*, p. 37.
- 302 *Bridlington*, pp. 70–1. This is undated but was presumably used to influence the prelates in the December 1321 convocation mentioned below.
- 303 *Ibid.*, p. 73. “Ecce! nunc qualiter legum conditores facti sunt legum corruptores. Comes namque Lancastriae in parlamento Eboraci induxit dominum regem ad pardonandum sectam pacis suae versus ipsum et alios malefactores suos ad numerum circiter mille personarum, et tamen idem comes prius juraverat super quibusdam ordinationibus tenendis ne dominus rex in casibus emergentibus de morte ulli remitteret sectam pacis.”
- 304 *Vita*, p. 117; Phillips, *Pembroke*, pp. 217, 220.
- 305 *Itinerary Ell*, p. 219; *Ann. Paul.*, p. 301; Baker, *Chronicon*, p. 12; *Trokelow*, p. 111. TCC R.5 41, fo. 116^{r-v} (117). This last states that Giffard intercepted six wagons full of arms and kept them. Edward allegedly then destroyed Brimpsfield Castle on his way to Cirencester, although it is situated to the north-west of that town: “versus castrum dicti Johannis [Giffard] videlicet Bremmesfeld prope-
ravavit et funditus demollivit.” On 26 December, while Edward was enjoying the

- Christmas festival, a writ of aid was issued in favour of the sheriff of Gloucester and Robert de Aston, appointed to destroy the castle. *Parl. Writs* 2 i, p. 270 (cited in Butler, “Last of the Brimpsfield Giffards”).
- 306 *Vita*, p. 117, states that the king had an “exercitum copiosum.” This chronicler in recording the help given by the king’s half-brothers suggests that they were dexterous knights considering their age (*pro etate strenui*) – both had recently reached their majority.
- 307 TCC R.5 41, fo. 116^v (117): “Et barones apud Gloucestr. innumerabili exercitu quasi in quadruplo plus quam rex habuit in comitiva sua ibi fuerunt. Postea dominus rex processit versus Gloucestr. Quo audito barones a villa recesserunt et sic in partibus illis ante regem semper fugerunt totam patriam devastantes, nec regi voluerunt resistere licet manum tunc forciolem et populum valenciolem habuerunt.” According to this account the king spent the whole of Christmas at Shrewsbury, which was certainly not the case. He seems to have been at Worcester by the end of January and at Shrewsbury only on the fourteenth. *Itinerary EII*, pp. 219–20.
- 308 PRO Just. 1/1388/mm. 2v, 5r; KB27/255/Rex m. 87d. *Rot. Parl.* 2, pp. 427–8, is an *inspeximus* of the King’s Bench record. For further details of this intriguing episode and Orleton’s defence see Haines, *Church and Politics*, pp. 134–7; “A Defence Brief for Bishop Orleton.” Maddicott, *Lancaster*, p. 204, is content to accept the indictment at face value. For Mortimer’s and the other barons’ behaviour see Waugh, “Profits of Violence,” pp. 848–51, who did not realize that the unnamed sheriff (*Vita*, pp. 119–20) was Roger de Elmbridge – see n. 255 above. “Hambury in Saltmarsh” (Waugh, p. 850) should be “Henbury,” “Minchampton” (p. 857) “Minchinhampton.”
- 309 *Vita*, p. 118, states that FitzWarin (FitzWarren) commanded the cavalry of the royal army.
- 310 TCC R.5 41, fos. 116^v–17^r (117–8); Maddicott, *Lancaster*, pp. 304–5.
- 311 BL MS Nero D. X, fo. 111^v – supplemented, despite chronological inaccuracy, by TCC R.5 41, fo. 116^v (117) – provides a surprisingly detailed account. See also *Melsa* 2, p. 340; *Vita*, p. 119. For that interesting but violent character, Robert Ewer, who according to the *Vita* (pp. 117–18), commanded the king’s infantry, see the editor’s thumbnail sketch, *Vita* p. 117 n. 4 and, for this chronicler’s detailed account of his last days, pp. 127–9. Captured in Southampton, he had died from the rigours of imprisonment before January 1323. His erratic later career can be followed in the many entries in *CPR 1317–21*, *ibid.*, 1321–24, index s.v.
- 312 The Gervase continuator rather deliberately mentions Lancaster’s position as steward: “dominum Thomam comitem Lancastrie et Leycestrie senescallumque Anglie.”
- 313 TCC R.5 41, fo., 116^v (117): “in societate eorum nullo modo venire.”
- 314 *Murimuth*, p. 35, gives “Salopiam,” allegedly “per mediationem fraudulentem.” Fryde, “Tyranny and Fall,” p. 54, gives 22 January at Shrewsbury, but without

reference. *Historia Roffensis*, fo. 38^v, supplies Ross [-on-Wye] as the place of their surrender. TCC R.5 41, fo. 117^r (118), states that the Mortimers “credentes certive graciam et favorem similiter et terras suas optinuisse, salutato rege missi sunt statim a rege custodiri.”

- 315 See *inter alia*, *Wigmore Chronicle*, p. 352; BL Cotton MS Nero D. X, fo. 111^v; *Anonimale Chronicle*, pp. 106–7 (somewhat garbled); *Melsa* 2, p. 340; *Flores* 3, p. 202: allegedly the Mortimers were “carcerali custodiae artius mancipari.” For modern accounts with fuller references, Haines, *Church and Politics*, pp. 134–5 nn. 3–4; Phillips, *Pembroke*, pp. 221–2; Maddicott, *Lancaster*, pp. 305–6; Edwards, “Sir Gruffydd Llwyd,” pp. 589–601; Parry, “Note on Sir Gruffydd Llwyd,” pp. 316–18.
- 316 TCC R.5 41, fo., 117^r (118), *Vita*, p. 119.
- 317 *Vita*, p. 119.
- 318 Haines, *Church and Politics*, p. 137.
- 319 *Itinerary EII*, pp. 220–1.
- 320 *Vita*, pp. 119–20, which does not give his name. TCC R.5 41, fo. 118^r (119), after details of Boroughbridge, names him Roger de Elmesbregge, mentioning his hanging at Gloucester (by royal grace he was not drawn as a traitor). He then describes the terrifying death of Badlesmere. See also n. 255 above.
- 321 Maddicott, *Lancaster*, p. 306, considered this to have been a tactical move in view of the actions of its constable, William de Aune, who had kept his master informed of what was happening in the North. Surely, however, the news must have reached the king well before he reached Gloucester (*ibid.*, p. 307), very nearly a month later.
- 322 Maddicott, *Lancaster*, p. 307.
- 323 *Lanercost*, p. 242: “rex, per industriam aliquorum sibi adhaerentium, cives Londoniae et alios australes tam comites quam barones et milites cum magnis donis et promissis parti suae attraxit, et dictis duobus exulibus reditum et suam pacem concessit, et eam fecit apud Londonias publice proclamari. Quo rumore audito pars comitis Lancastriae castrum regis de Tykehil cum magno exercitu obsedit, et sic mota et incepta est guerra in Anglia.”
- 324 TCC R.5 41, fo. 117^r (118): “habito consilio cum emulis comitum et baronum videlicet cum dicto H[ugone] Spencere patre et H[ugone] filio et non cum spiritu sancto.”
- 325 *Lanercost*, p. 242.
- 326 *Parl. Writs* 2 i, p. 566 (cited by Maddicott, *Lancaster*, p. 308). For Melton’s activities see Haines, *John Stratford*, index s.v.
- 327 *Vita*, pp. 120–1. The king’s response was to the effect that he preferred first to deal with the internal rebels. For details of the Scottish raids see chapter 9 below.
- 328 PRO KB27/254, printed in Tupling, *South Lancashire*.
- 329 *Historia Roffensis*, fo. 38^v.
- 330 *Ibid.*, fo. 39^r: the royal army advanced “magna penuria et angaria ac magno discrimine viarum cum paucis apud Burton super Trente pervenit.”

- 331 *Vita*, p. 122.
- 332 Bodl. Lib. MS Laud Misc. 529, fo. 107^r. Lichfield does not feature in *Itinerary EII*, p. 222.
- 333 TCC R.5 41, fo. 117^{r-v} (118).
- 334 *Ibid.*, fo. 117^v; Baker, *Chronicon*, p. 13.
- 335 *Brut*, p. 216, gives the precise date with a flourish, and names the leaders of the royal forces as the Despensers, Pembroke and Arundel.
- 336 *Vita*, p. 122.
- 337 The *Vita* is hardly realistic with respect to numbers. The copyist gave the size of the royal army as 300,000, clearly a mistake (for 30,000?), but he did not (*pace* his editor) estimate the baronial force as 30,000 strong. What he suggests is that this number offered to renounce their fealty to Despenser and to obey the orders of those occupying his lands (*obedire mandatis vestris*). At Boroughbridge he suggests that Lancaster's force was more than seven times that of Harclay. *Vita*, pp. 110–11, 122 and n. 4, 125. Compare Maddicott, "Thomas of Lancaster and Sir Robert Holland," p. 467.
- 338 *Brut*, pp. 216–17. Maddicott, "Thomas of Lancaster and Sir Robert Holland," p. 472, shows that Holland had received many manors (some twenty-five), thanks to the earl; he was not only the "manager of Lancaster's affairs" but also "his closest friend and confidant."
- 339 TCC R.5 41, fo. 117^r (118), gives the name of his escort as Nicholas de Cryel.
- 340 For a lengthy notice of Holland's life see Tupling, *South Lancashire*, pp. xxix–xxxiii. See also Maddicott, *Lancaster*, p. 310, and index s.v.; "Thomas of Lancaster and Sir Robert Holland."
- 341 Baker, *Chronicon*, p. 13. For a discussion of this chronicler see Haines, *Church and Politics*, pp. 105–7, and Maunde Thompson's introduction to his edition of the *Chronicon*. The Bodleian Library's transcript was at one time in possession of the Bohun family and Baker was an ardent admirer of Hereford, sympathetic to Lancaster and antagonistic to the Despensers but not to Edward II. His baronial sympathies appear to have landed him in prison by 1326.
- 342 Maddicott, *Lancaster*, p. 310, citing PRO DL 34/1/25.
- 343 *Brut*, p. 216.
- 344 TCC R.5 41, fo. 117^v (118); *Vita*, p. 123. The former source suggests that because the earls' banners were still flying from a tower of Pomfret Castle, the besiegers initially thought that they were still there.
- 345 *Brut*, p. 217.
- 346 *Lanercost*, p. 243.
- 347 *Brut*, pp. 217–19.
- 348 *CCR 1318–23*, p. 522.
- 349 *Lanercost*, p. 243; *Brut*, pp. 219, 245; *Vita*, p. 123–4. The account in the *Vita* suggests that Lancaster's men were already settling into their lodgings, which they then left to confront Harclay.
- 350 *Lanercost*, pp. 243–4.

- 351 Haskins, “Chronicle of Civil Wars,” p. 78.
- 352 *Lanercost*, p. 244; *Vita*, pp. 123–6; *Anonimale Chronicle*, pp. 106–7. The *Brut*, pp. 219–20, makes Lancaster retire into a chapel to place himself upon God’s mercy, whereupon he was leaped upon and taken prisoner. This source is particularly anxious to expound the earl’s piety.
- 353 *Brut*, pp. 221–2.
- 354 *Ibid.*, pp. 221–3; *Ann. Paul.*, p. 302; *Foedera* 2 i, pp. 478–9. However, Haskins, “Chronicle of the Civil Wars,” p. 78, lists Richmond, Pembroke, Arundel, Kent, both Despensers, with whom Malberthorpe – “in cuius ore verba fuerunt posita” – was associated. Malberthorpe, justice between 1320 and 1331, was among the justices who served on the commission of January 1324 to enquire as to the Contrariants in Herefordshire, Worcestershire and Gloucestershire. PRO Just. 1/1388. He was present at the council that met at Bishopthorpe (York) on 30 May 1323. The full list of those attending is given in Davies, *Baronial Opposition*, App. 94, pp. 584–5, and see *ibid.*, p. 292. See also Fryde, *Tyranny and Fall*, p. 60, citing *Le Livre de Reis*, p. 343; *CPR 1327–30*, p. 32.
- 355 *Brut*, p. 222 (and BL Harl. MS. 2279 cited in Baker, *Chronicon*, notes p. 191); *Vita*, p. 126: “Fortis est hec curia, et maior imperio, ubi non auditur responsio nec aliqua admittitur excusatio.”
- 356 The Bridlington chronicler says that after the Trent had been crossed Despenser prostrated himself and asked the king’s pardon for his people, arguing that were Edward to unfurl his standard general war would pervade the country. It was, however, alleged that the earl had unfurled his banners (*vexillis explicatis*). *Bridlington*, pp. 75, 77. Bishop Orleton also made the point, when accused of aiding Mortimer, that it was not a time of war. Haines, “Defence Brief,” p. 235. For the procedure see Keen, “Treason Trials”; *Laws of War*, pp. 104–7.
- 357 *Lanercost*, p. 244
- 358 *Vita*, p. 98.
- 359 *Lanercost*, p. 244: “in perpetuo carcere detentus vel in exilium missus, nisi causa alia praecessisset.”
- 360 *Vita*, pp. 125–7.
- 361 *Lanercost*, p. 244: “decollatus, sicut fecerat idem Thomas comes Petrum de Gaverstoun decollari”; *Vita*, pp. 126–7, citing 2 Samuel. 2:23, 3:27; Judges 1: 6–7.
- 362 TCC R.5 41, fo. 118^r (119); *Foedera* 2 i, pp. 478–9. The *Brut*, p. 224, adds John Page, an esquire, as does *Anonimale Chronicle*, pp. 108–9 (*vadlet al dite counte*). And see Maddicott, *Lancaster*, p. 312.
- 363 Where the crowd, mocking his pseudonym “King Arthur,” shouted traitor and snowballed him. *Brut*, p. 221.
- 364 *Lanercost*, p. 244: “homo generosior, ut dicebatur, et unus nobilior inter Christianos et ditior comes mundi.”
- 365 Stubbs, *Const. Hist.* 2, p. 349.
- 366 On 7 March Archbishop Reynolds published at St Paul’s letters – said to have

been forged – containing details of an agreement between the earls and the Scots. They were recited by a clerk of his, T. de Stowe, although no clerk of this name is recorded by Wright, *Reynolds. Ann. Paul.*, p. 302. *Bridlington*, p. 78, reports evidence of a confederation with Bruce vouched for by one John de Denum, a royal agent, but concludes: “non affirmo, sed an sit verum nec ne nescio. Deus novit.” It is also claimed that an incriminating indenture was found on Hereford’s body at Boroughbridge: *Foedera* 2 i, p. 479. Certainly Harclay’s strategy was to prevent the rebels’ juncture with the Scots. Maddicott, *Lancaster*, pp. 301–3, examines the evidence for Lancaster’s collusion and considers it “very strong.”

CHAPTER SIX

- 1 *Brut*, pp. 224–5 (somewhat modernized); CCC MS 174, fo. 134^r.
- 2 “... dstringent et gravabunt nos modis omnibus quibus poterunt, scilicet per captivonem castrorum, terrarum, possessionum et aliis modis quibus poterunt.” Cap. 61 (completed by cap. 63). I have used the text in Holt, *Magna Carta*, App. IV.
- 3 *Ibid.*, cap. 39 (compare 1225 reissue, cap. 29).
- 4 Stubbs, *Const. Hist.* 2, p. 351.
- 5 *Vita*, pp. 124–6; chapter 1, n. 98 above, where the *Scotichronicon* records that the young prince witnessed hangings at Durham.
- 6 Fryde, *Tyranny and Fall*, p. 60.
- 7 *Vita*, pp. 116–17.
- 8 Fryde, *Tyranny and Fall*, p. 60.
- 9 *Bridlington*, p. 78. Fryde, *Tyranny and Fall*, p. 61, adds William Suly, who elsewhere is said to have been killed at Boroughbridge.
- 10 For his trial see Haskins, “Chronicle of Civil Wars,” p. 80 n. 1; “Judicial Proceedings against a Traitor.” Butler, “Last of the Brimpsfield Giffards,” pp. 94–5, suggests on the information provided by Fane, “Boyton Church,” pp. 237–8, that he may in fact have been decapitated rather than hung, as suggested by a skeleton discovered in 1853 below an indent for a fourteenth century brass in Boyton church. However, this is no more than conjecture.
- 11 A local source, *Historia Roffensis*, fo. 39^r, is highly critical of him: “ignobilis Thomas Colpeper de novo factus miles non immeritus.”
- 12 Not “Cambridge,” as in Fryde, *Tyranny and Fall*, p. 61.
- 13 Badlesmere was captured at Stowe Park, a manor of the bishop of Lincoln, his nephew Henry Burghersh. *Brut*, pp. 220–1. His particularly brutal treatment is detailed in TCC R.5 41, fo. 118^r (117): “xviiiio kalen. Maii [14 April 1322] iudicatus fuit ad mortem per recordum domini regis et ipsa die extra castrum Cant. ad caudas equorum miserabiliter per mediam civitatem usque ad furcas [gallows] de Bleen trahitur, et ibi suspensus est, et postea decollatus corpore sine capite ibidem iterum suspenso, et caput eius in hasta positum super portam fuit civitatis Cant. que Burgate appellatur, iudicium pronunciantibus iusticiariis ad hoc assignatis.”
- 14 The *Brut*, p. 224, TCC R.5.41, fo. 118^r (117), *Historia Roffensis*, fos. 39^{r-v}, and