

SIR THOMAS GURNEY OF ENGLISHCOMBE IN THE COUNTY OF SOMERSET, REGICIDE?

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*Mark the year, and mark the night,
When Severn shall re-echo with affright
The Shrieks of death, thro' Berkley's roofs that ring,
Shrieks of an agonizing king!*

Thomas Gray, *The Bard, a Pindaric Ode*

One of the most abiding mysteries of 14th-century English history is the death of King Edward II. It intrigued contemporaries, puzzled later investigators such as Froissart, and from the Middle Ages until modern times has been the subject of scholarly enquiry, conjecture, fiction and fantasy, or a mixture of these.¹ Christopher Marlowe (1564–93), much influenced by the chronicler Geoffrey le Baker, though probably not at first hand, in his *Edward the Second* mixed fact and fiction, while in modern times the theme has attracted the attention of Bertolt Brecht (1898–1956) as well as of choreographers of ballet.²

The reported manner of Edward's death has been taken to be symbolic of his sexual proclivity – as in the case of the younger Hugh Despenser,³ but perhaps the most elusive problem has

¹ Most recently Ian Mortimer, *The Greatest Traitor: The Life of Sir Roger Mortimer*, London 2004. The author purports to show that Sir Roger secretly kept Edward of Caernarvon alive after his supposed death (no satisfactory sources are cited in support of this theory) and that his son Edward III was aware of the fact. But it has to be said that much of his argument does not square with the available historical evidence (including the *Brut* on which he places considerable reliance – see n.104 below) and that there is a plentiful admixture of conjecture. It may be significant that the Berkeley muniments do not figure in Mortimer's bibliography.

² See, for instance, J. Voss, 'Edward II: Marlowe's Historical Tragedy', *English Studies* lxxiii (1982), 517–30; J. Svendsen, 'Queen is Dead: Brecht's Edward II', *Tulane Drama Review* x (1960), 160–76, and response of H. Schmidt, *ibid.* xi, 242–4. Marlowe matriculated at Cambridge as a pensioner of Bene't College (Corpus Christi) in 1581 where he later graduated. He was indebted to the Tudor chroniclers Holinshed and Stow for his material, as they were to Baker. His college benefited from many historical manuscripts as a result of the Parker bequest, but whether he took advantage of these is unknown. At the time William Camden was working on manuscripts for his edition of the *Vita et Mors* of 'de la More' (n.18 below).

³ The chronicler Le Bel provides a vivid picture of the younger Despenser's agonising death. He was in England at the time and possibly an onlooker. His version was subsequently copied by Froissart. *Jean le Bel*, ed. J. Viard and E. Déprez (2 vols, Paris, 1904), i. 27–8; *Chroniques de Froissart* (ed. Siméon Luce (11 vols, Paris, 1869–99), i 2. 34–5. For the latter's somewhat

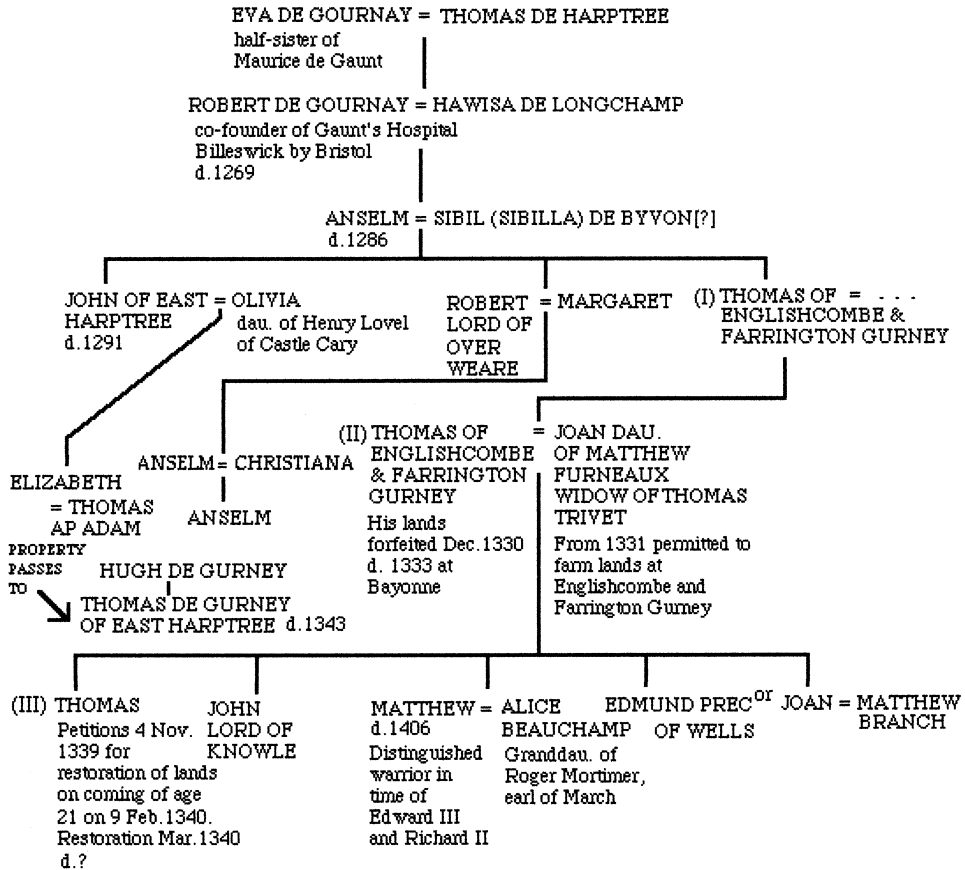


Fig. 1 Genealogical table of a branch of the Gurney (Gournay) family of Somerset

concerned the agent of his destruction. In short, who killed the king? Coupled with that is the question of who actually gave the orders. The culpability of those deputed to act as his custodians at Berkeley is the subject of much of what follows, but more particularly our concern is with the principal suspect, then and now, Sir Thomas Gurney, a Somersetshire knight.

Daniel Gurney's *Record of the House of Gournay*, the fourth part of which is devoted to the Gournays or Gournays of Somerset, is by any standard a monumental endeavour;⁴ this regardless

unrewarding visit to Berkeley in 1366: *ibid.* i 2. 247 (MS de Rome). Although the story of Edward's death by means of a red-hot spit is widespread, it remains possible that in fact Edward was suffocated, a method which would have left few visible traces, a desideratum suggested by most chroniclers. Pierre Chaplais, in *Piers Gaveston, Edward II's Adoptive Brother* (Oxford, 1994), argues against the idea that Edward had a homosexual relationship with Gaveston, considering his behaviour wholly explicable in terms of a *fedus fraternitatis*. It seems to me that the argument is ingenious but not wholly convincing. One must also take into account Edward's later close relationship with Despenser and contemporary opinion, e.g. Bishop Orleton's.

⁴ *Record of the House of Gournay* (London, 1848, 1858. Four parts and supplement with continuous pagination). All references are to the fourth part of this work. The name is variously spelled. In more recent times Gurney has been the regular form. In what follows for ease of reading I have used the familiar '£' sign rather than the 'livres' or 'librae' of the manuscripts.

of the fact that, as he himself admits, he owes much to Anderson's *History of the House of Yvery*, produced under the aegis of the second earl of Egmont who wished to advance his claim to the barony of Gurney of Harptree.⁵ Gurney enumerates four Thomas de Gurneys as direct descendants of Anselm de Gurney (d. 1286),⁶ but it may be that Thomas IV arises from a confusion with his father.⁷ My particular concern here is with Sir Thomas Gurney II, as I shall call him for convenience of identification. He is dubbed unequivocally by his family's historian as 'regicide' and, whether justly or unjustly, as 'a man of savage and cruel disposition', but more convincingly as 'a strong partizan of Queen Isabella and the Mortimers, in opposition to Edward II'.⁸ It was a turbulent age and Gurney cannot be taken to be exceptional, that is until his implication in Edward II's death.⁹

As will be seen from the genealogical table (Fig. 1), Sir Thomas I was descended from Eva de Gournay, half sister of Maurice de Gaunt. Her son Robert may be regarded as co-founder in 1259 with his uncle, Maurice, of the reconstituted house of St Mark Bonhommes thereafter known as Gaunt's Hospital, Billeswick by Bristol. Their freestone effigies lie side by side in the 16th-century south aisle chapel.¹⁰ 'St Mark's church', as Daniel Gurney knew it, is now designated the Lord Mayor's Chapel.¹¹ It is this Sir Thomas, whose existence is vouched for,¹² but about whom virtually nothing is known, neither the date of his death nor apparently the name of his wife.¹³

⁵ Gurney, *Record*, pp. 588, 590–1, 592. John Perceval, the second earl, being 'obsessed with creating a feudal enclave in rural Somerset, constructed the massive Enmore Castle, complete with dry moat and patent mechanical drawbridge'. Robin Bush in *Somerset: the Millennium Book*, ed. T. Mayberry and H. Binding, Tiverton 1999, pp. 84–5 (with illustration).

⁶ *Calendar of Inquisitions Post Mortem*, ii no. 600, p. 357; *Calendar of Fine Rolls 1272–1307*, p. 233. There is a summons dated 14 June 1287 to an Anselm de Gurney to attend Edmund, earl of Cornwall, in Wales with horses and arms. *Foedera* (ed. T. Rymer ed. A. Clarke and others, 4 vols. in 7, Rec. Comm. 1816–69), i 2. 675. This edition is cited unless otherwise stated.

⁷ *Ibid.*, 688 and nn.

⁸ *Ibid.*, 644.

⁹ See, for example, R.W. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988); S.L. Waugh, 'The Profits of Violence . . .', *Speculum* lii (1977), 843–69. At this time from the greatest downwards there are numerous examples of violent behaviour. For instance, the Irbys of the Forest of Dean, the Kingscots of Gloucestershire, the Folvilles of Leicestershire, and the Coterels of Derbyshire, are by no means isolated examples of gangs devoted to murder, theft and violence, not to mention the lawlessness of men such as Sir Robert Holland, Sir Gilbert de Middleton, the mercurial Robert le Ewer, and even Thomas, earl of Lancaster, himself.

¹⁰ W. Dugdale rev. J. Caley and others, *Monasticon Anglicanum* (6 vols in 8, London, 1817–30) vi 2. 687–8; *Cartulary of St. Mark's Hospital Bristol*, ed. C.D. Ross, Bristol Record Society xxi (1959), nos 2, 5. The Latin text of calendared entry no. 2 (Robert de Gournay's foundation charter) is in the appendix, pp. 266–7; Gurney, *Record*, pp. 620–1 (with engravings of the chapel and the monument to Gurney and Gaunt), and App. CVIII pp. 623–29; D. Knowles, R.N. Hadcock, *Medieval Religious Houses* (London, 1953), p. 258 and n.; R. M. Clay, *The Mediaeval Hospitals of England* (London, 1909), p. 206 and index s.v. Rose Graham contributed the account of the hospital in *Victoria History of the County of Gloucester* ii. 114–21.

¹¹ A fairly detailed description of the building as it now stands is in *The Buildings of England: North Somerset and Bristol*, ed. N. Pevsner (London, rep. 1990), pp. 392–5. He does not identify the two 13th-century knights as Robert de Gurney and Maurice de Gaunt. See also E. Ralph and H. Evans, *St. Mark's The Lord Mayor's Chapel Bristol* (Bristol, 1950), which contains details of the armorial glass, including the arms of Gournay.

¹² There is a somewhat convoluted entry (jurors' presentment) in the calendared close rolls (*Cal. Close Rolls 1339–41*, p. 378), which seemingly posits a fourth Thomas. It is more clearly expressed in the patent rolls (*Cal. Pat. Rolls 1338–40*, p. 368). These entries arise from the petition in

It is difficult to be certain whether entries in sources of the late 13th century refer to father or son. This problem stems from the fact that the son's date of birth is nowhere recorded. Admittedly this is not unusual at the time. Failing a statement when an heir comes of age and petitions to take possession of his ancestral lands we are regularly left in the dark.¹⁴ One surmises, however, that he was born within the last two decades of the 13th century. This would tally with the birth of his eldest son, Thomas III, in 1319.¹⁵ Thus, as a child Thomas II may well have known his grandfather, Anselm.

Unfortunately Daniel Gurney's context for the second Sir Thomas's life is seriously flawed. True, he relies on extracts from the *Foedera*, of which he provides copies in the original Latin (Appendix CXII), and from other public records, such as the Liberate Rolls (Appendix CXIII with Record Commission abbreviations) – as well as on Joseph Hunter's meticulous article in *Archaeologia*.¹⁶ Now Hunter's article is addressed to 'Hudson Gurney, Esq. F.R.S., V.P.'. Published in 1838, it precedes Daniel Gurney's book by a decade. Gurney's extracts from the Liberate Rolls are identical to those in the article. But although he adopted these, he took no notice of Hunter's observations about the dichotomy between the chroniclers and the records. He allows himself to be excessively influenced by that pattern of events leading up to Edward II's death disseminated by Paul Rapin de Thoyras (1661–1725) and Sharon Turner (1768–1847), as well as by Anderson's genealogical work published in 1742. Rapin and Turner, although well acquainted with original sources – Rapin even edited an abridgement of the *Foedera* – were grossly misled by the opinions of certain chroniclers which had been accepted by literary men, such as Christopher Marlowe and Thomas Gray,¹⁷ and equally by historians and antiquarians, including William Camden. Hunter was principally concerned to demonstrate that what he termed 'the old chroniclers de la Moore and Walsingham' gave an account which diverged from that provided by the administrative records, indeed at some points he regarded them as 'entirely undeserving of credit'.¹⁸

November 1339 of Thomas de Gurney III (eldest son of Thomas de Gurney II the reputed regicide) for the restoration of the manors of Englishcombe, Farrington and West Harptree, 'in the king's hands by forfeiture of the *Thomas last deceased*' (my italics). He claimed that his father held them by grant in tail to his father, i.e. Thomas de Gurney I, by his father Anselm de Gurney (who held in 1284–5, *Feudal Aids 1284–1431*, p. 279). See also *Notes and Queries Somerset and Dorset* ix (1905), 119–22. Thomas III of this line was said in March 1340 to have been 21 in the octave of the Purification last, i.e. 9 February. *Cal. Inq. Post Mortem* viii. no. 239, p. 176. When he died is not known, but it has been thought that he did not long survive the assumption of his lands. However, payments to a Thomas de Gurney, knight, were made in May 1349 for being in royal service at Perth, and again in November 1352 for escorting Isabella [of Woodstock], the king's daughter going to Gascony. *Issues of the Exchequer Henry III–Henry VI*, ed. F. Devon (1837), pp. 152–3, 158. This man cannot be Thomas Gurney of East Harptree, who had died by August 1343 (*Cal. Fine Rolls 1337–47*, pp. 324, 401), nor the Thomas of Over Weare, son of Anselm, who is clearly later. Gurney, *Record*, pp. 640–1, 689–91. A Thomas de Gurney is said to have married c. 1350 and to have had a daughter Joan who became the wife of George de la More. *Notes and Queries Somerset and Dorset* 27 (1961), 77.

¹³ Gurney, *Record*, p. 631; *Cal. Inq. Post Mortem* ii. 89.

¹⁴ The entry in C. Moor's *Knights of Edward I* (F–K), (Harleian Soc. lxxxi 1929), ii. 163–4, seemingly assumes that all dates from 1286 (the earliest cited) refer to the same man. The author does not proceed beyond 1326.

¹⁵ See n. 12 above.

¹⁶ J. Hunter, 'On the Measures taken for the apprehension of Sir Thomas de Gournay, One of the Murderers of King Edward II, and on their final issue: in a letter to Hudson Gurney', *Archaeologia* xxvii (1838), 274–97.

¹⁷ Gray in his *The Bard, a Pindaric Ode* is influenced by 'de la More'. For Marlowe see n.2 above.

¹⁸ Hunter, 'Apprehension of Gournay', 274, 277. BL Lansdowne MS 229 (extracts) has a note in

The unwitting concealer of the truth was the author of what came down to such scholars as William Camden, and as late as the 19th century to that highly experienced editor of chronicles, Bishop Stubbs, as the *Vita et Mors Edwardi Secundi*. Ostensibly the original of this Latin chronicle was written in French by Sir Thomas de la More whose relative eminence clearly impressed the lowly Baker.¹⁹ It is now possible to trace this supposed author of a non-existent French original of the *Vita*. Thomas Laurence de la More, to give him his full name, was a kinsman (nepos) of Archbishop John Stratford – at the time of Edward II's death bishop of Winchester – and was in the bishop's entourage when he travelled to Kenilworth early in 1327 to persuade the captive king to surrender his crown. The bishop subsequently made him constable of Taunton Castle.²⁰ Now Thomas Laurence apparently came from Northmoor in Oxfordshire, hence was a near neighbour of two chroniclers: Geoffrey le Baker, a humble 'clericus' from Swinfield, who remained unbeneficed, and the laconic Adam Murimuth, a highly respected doctor of civil law from Fifield, but a bishop manqué with somewhat of a chip on his shoulder. Baker wrote both a *Chronicon* and a *Chroniculum*, the latter scarcely more than a bare chronological list of events. Both have been edited by Maunde Thompson who demonstrated that the reputed More chronicle was none other than a version of Baker's *Chronicon* confined to Edward II's reign.²¹ More's sole contribution was an eyewitness account of the dramatic scene at Kenilworth. This sketch admittedly had been in French, as would be expected of someone of that status who was no clerk.

Baker, as I have argued at length elsewhere, was so far as the reign of Edward II is concerned, a propagandist.²² Sympathetic to the king, he was a virulent critic of Queen Isabella and of Bishop Orleton, whom he considered to be engaged with the queen and Bishop Burghersh of Lincoln in a clandestine plot to overthrow the king. This, together with the ambiguous letter which precipitated the king's death – supposedly sent by Orleton – is pure imagination.²³ The difficulty about Baker is to determine at what point fact gives way to propaganda or undiluted fiction. For Edward III's reign he can be an invaluable source.²⁴

But we need to retrace our steps. A Thomas de Gurney is twice mentioned in the printed records in 1286: on the first occasion as an attorney of Thomas FitzMaurice in pleas concerning his land in Ireland; on the second, about a fortnight later, as receiving pardon for the death of one Thomas Sweyn, the justice for gaol delivery at Bath having found him not guilty.²⁵ In 1307, the first year of Edward II's reign, Thomas de Gurney, whom we will assume to have been the second of that name, was deputed with a colleague to assess in Somerset county the sums due for the fifteenth and twentieth granted respectively by clergy and laity at the

Camden's handwriting: 'Ex historia Thomas de la More quam mihi accommodavit J. Stowe 1577'. Stow's *Annales* transmitted many of Baker's passages to a wider audience. See next note.

¹⁹ Stubbs edited this chronicle under the title 'Vita et Mors Edwardi Secundi Regis Angliae conscripta a Generosissimo milite Thoma de la Moore' in his *Chronicles of the Reigns of Edward I and Edward II*, ed. W. Stubbs (2 vols, Rolls ser. lxxvi, 1882–3), ii. 297–319. He collated Camden's printed text with BL MSS Cotton Vitellius E5, Harl. 310, and with Bodleian MS 761 (Baker).

²⁰ R. M. Haines, *Archbishop John Stratford, Political Revolutionary and Champion of the Liberties of the English Church ca. 1275/80–1348*, (Toronto, 1986), index s.v. Laurence, Thomas, de la More. For a lengthy discussion of de la More, Baker, and the *Vita et Mors* see Bishop Stubbs' introduction to the second volume of *Chronicles of the Reign of Edward I and II*, pp. lvii–lxxv.

²¹ *Chronicon Galfridi le Baker de Swynebroke*, ed. E. Maunde Thompson, (Oxford, 1889). Baker addresses More somewhat oddly as 'miles reverende'.

²² R. M. Haines, *The Church and Politics in Fourteenth-Century England: the Career of Adam Orleton c. 1275–1345*, (Cambridge, 1978), chap. 4; idem, *Archbishop Stratford*, index s.v. Baker.

²³ *Church and Politics*, p. 109.

²⁴ My articles on Baker and More will appear in the *New DNB* (2004).

²⁵ *Cal. Close Rolls 1279–88*, p. 416; *Cal. Pat. Rolls 1281–92*, p. 248.

Northampton parliament in October. This was the first parliament of Edward II's reign and one of its principal concerns was to provide money, not only for the funeral of Edward I but also for the marriage and coronation of his son. Two years later this same Thomas was employed in a similar capacity, on this occasion with respect to raising a twenty-fifth for the war in Scotland.²⁶ All this was routine for prominent landholders in the counties.

Parliamentary writs serve to show that between 1295 and 1325 a Thomas de Gurney, whom we may for the moment take to be either Thomas I or II, was summoned to serve in the wars of Edward I and his son. He was required to join the forces raised against the Welsh in 1295 and as possessing lands worth £20 in Somerset and Dorset to join the army which was required overseas as a consequence of the war that erupted in 1294 between Edward I and Philip IV, the French king. As a possessor of lands worth £40 he was summoned to serve in the perennial struggle against the 'rebel' Scots in 1300, 1301, and again in 1316 and 1319.²⁷ However, no Gurney is recorded on the Roll of Caerlaverock at the time of the 1300 siege,²⁸ and the chronological gap after 1301 seems to mark the time of death of Thomas I.²⁹ It was in 1316 that Gurney, whom we can by now assume to be the second of that name, is described as 'yeoman' of Maurice de Berkeley (senior), then a keeper of Berwick-on-Tweed anxious about his lack of resources. The occasion was a claim for £16 arising from Gurney's loss during war service of a dappled bay horse with a star.³⁰ Although by this time there can be little doubt that the Thomas in question is Thomas de Gurney II, there could be confusion with a Thomas de Gurney of East Harptree. Elizabeth Gurney daughter of John de Gurney and Olivia married John ap Adam from whom Thomas de Gurney, of another branch of the family, inherited East Harptree.³¹

It is certain that Thomas de Gurney II was the man involved with, among others, his relative Anselm de Gurney of Over Weare, in an attack at Langridge, near Bath, on the property of Roger Leger, who was fighting against the Scots and had recently been captured. The attackers, joined by the parson of Langridge, drove off horses, oxen, cows, sheep and swine. Not content with that they took away chests containing charters and muniments concerning the inheritance of Roger's wife Katherine, a theft that seems to indicate some local controversy about property or land.³²

An incursion on an even larger scale took place on 31 July 1318, when a band of marauders broke into the park of Painswick manor, a property belonging to Aymer de Valence, the earl of Pembroke, at the time much preoccupied with political matters – negotiations with Lancaster

²⁶ *Cal. Pat. Rolls 1307–13*, pp. 22–3, 185.

²⁷ *Parliamentary Writs* (ed. F. Palgrave, Rec. Comm., London, 1827–44), i. 265, 292, 335, 350; *ibid.* ii 2, 478, 514; *Foedera* ii 1. 295; for musters at Newcastle. These summonses are itemised without page references by Moor, *Knights of Edward I*, p. 163.

²⁸ *The Roll of Arms of the Princes, Barons, and Knights who attended King Edward I to the Siege of Caerlaverock, in 1300*, ed. Thomas Wright (London, 1864).

²⁹ J. Manco, *The Parish of Englishcombe, A History* (Englishcombe Parish Council, 1995), p. 3, reasonably argues that because there was no summons for a Thomas Gurney in 1303 for the Scottish campaign, he could have died meanwhile. But, if this had been the case, surely his son would have been summoned in his stead? Could it have been that Thomas II was not yet of age?

³⁰ *Cal. Close Rolls 1313–18*, p. 353.

³¹ Thomas ap Adam's charter of the second year of Edward III (1328–29) has for witnesses two Thomas de Gurneys, both knights, described as senior and junior. Thomas of East Harptree was steward to Thomas ap Adam and, thought Gurney, 'representative of the eldest branch of the Gurneys of Somersetshire', *Record*, pp. 638 (App. CX [2]), 689–90. The other Thomas would then be Thomas de Gurney II, in possession of Englishcombe at that time and until his forfeiture in 1330, but he is also termed 'the elder' in 1331: *Cal. Pat. Rolls 1330–34*, p. 89.

³² *Cal. Pat. Rolls 1313–17*, p. 238; Gurney, *Record*, pp. 639–40, 642 (full Latin text). Appointment 3 November 1314 *gratis* of a commission of oyer and terminer on complaint of Roger Leger.

leading to the Treaty of Leake. The earl claimed extravagantly that damage had been done to the tune of £3000 and that, among other depredations, 200 deer had been killed. Official action to redress his grievances was slow, so at the end of December 1318 he complained to the royal chancellor. On 11 January 1319 Pembroke was granted the goods that stood to be forfeited to the king by those involved. Two commissions of oyer and terminer were appointed in succession, the second of which added a further 30 names to the 22 already declared. The composition of the raiding force shows it to have been very much associated with the Berkeley retinue. Thomas and Maurice de Berkeley, sons of Maurice de Berkeley, were there, so too was Thomas de Gurney II, John Maltravers junior, of Lytchett in Dorset, and Thomas de Bradeston from Gloucestershire.³³ As for Gurney, he had earlier served in the Berkeley retinue. But in February 1317 he was granted protection with Jordan Bishop for accompanying Fulk Fitzwarin to Ireland,³⁴ and on 27 April 1318 at the royal castle of Wallingford was admitted a knight of the king's household with the usual fees and robes. How long he served is unclear but, as we shall see, he continued to be closely associated with the Berkeleys.³⁵

Such incursions, though usually on a smaller scale, were common enough, but in this case the Berkeleys seem to have had a particular grievance against Pembroke, possibly – it has been suggested – associated with his failure to advance Maurice de Berkeley senior's claim to a share in the lands of Gilbert de Clare's earldom of Gloucester. Gilbert had lost his life at Bannockburn but the final division of the property was not effected until November 1317.³⁶ So powerful were the offenders, so great their self-confidence, that they declined to attend numerous sessions of the justices, or to respond to the sheriff of Gloucester's summonses to the county court. Eventually they were outlawed at the October 1319 session. However, the sentence could not be declared because the Berkeleys, Thomas de Gurney and John Maltravers, among others, took the precaution of kidnapping the royal coroners in the county, an offence for which they were pardoned in March of the following year.³⁷ Eventually on 20 February 1320 the accused did appear at Lechlade, only to deny the charges. Attempts to empanel a jury failed, presumably because men were reluctant to testify for fear of the Berkeleys and their hangers-on. Eventually what may have been private arrangements were made by individuals

³³ J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke 1307–1324* (Oxford, 1972), pp. 262–5, 281, gives a full account of the Painswick affair and its ramifications. Bradeston (Breadstone) is near Berkeley and the Sir Thomas de Bradeston who died in 1360 was a close companion of the younger Maurice de Berkeley. See N. Saul, *Knights and Esquires: the Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981), index s.v. Bradeston. Professor Saul estimates the value of the Berkeley property in 1327 to have approached £800 a year and discusses the extent of the family's retinue. Gurney, as letters of protection show, regularly served in the Berkeley retinue at times of war. *Ibid.*, pp. 67–70, 83 n.102 and n. 35 below.

³⁴ *Cal. Pat. Rolls 1313–17*, p. 618.

³⁵ Phillips, *Aymer de Valence*, App. 1, p. 305, lists Gurney as a member of the Berkeley sub-retinue 1297–1299 and again in 1314. See also *ibid.* p. 256. In 1306 he was one of the mainpernors of Thomas de Gorges eventually pardoned at the intervention of Eleanor Maltravers, Thomas's sister. Fellow mainpernors were Maurice de Berkeley and Matthew de Furneaux, seemingly Gurney's father-in-law. *Cal. Close Rolls 1307–13*, p. 285. Society of Antiquaries MS 121 (*Liber Contrarotulatoris 1317–18*), p. 71: 'admissus fuit Thomas de Gurneye ad feuda et robas regis ut miles simplex [de hospitio ipsius domini regis].

³⁶ Pembroke's biographer, *Aymer de Valence*, pp. 263–4, elaborates this explanation. The inquisition on Gilbert de Clare's death found that Thomas de Gurney held Englishcombe manor, a knight's fee. *Cal. Inq. Post Mortem* v. no. 538 p. 339: valued in *Cal. Close Rolls 1313–18*, p. 136, at £10 a year.

³⁷ Phillips, *Aymer de Valence*, p. 265; *Cal. Pat. Rolls 1317–21*, pp. 265, 276, 308, 364–5, 497, 451–2.

to enter into recognisances in Pembroke's favour.³⁸ This reticence of local juries to convict the Berkeleys was to save Thomas de Berkeley's life when under suspicion of connivance in Edward II's death, but that is to anticipate events.³⁹

It was at this juncture that the Berkeleys moved decisively into the orbit of Roger Mortimer of Wigmore.⁴⁰ In May 1319 Thomas de Berkeley, eldest son of Maurice, married Mortimer's daughter, Margaret.⁴¹ Gurney migrated in the same direction and this became particularly significant in 1321 when the barons moved in martial array to Kingston-on-Thames, thus threatening London. Following the capture of Leeds Castle in Kent on 31 October, where Lady Badlesmere had refused entrance to Queen Isabella, King Edward moved to the west to confront the two Roger Mortimers,⁴² the earl of Hereford, the Berkeleys, and others who had not only devastated the lands of the unpopular Despensers in the Marches, but also attacked and burned Bridgnorth. Gurney was among these rebels and on 7 December 1321 the sheriff of Devon was ordered to seize his lands, goods and chattels, as well as those of John Maltravers and others.⁴³ By a writ of 18 February 1322, when the irate but unusually effective king was in arms at Gloucester, the manors of Maurice de Berkeley senior, Thomas de Gurney, Hugh Audley the younger of Thornbury, and of John Giffard of Brimpsfield, among others, were committed during pleasure to the custody of Richard Lovel.⁴⁴ The earl of Hereford, Humphrey de Bohun, fled northwards to join Thomas, earl of Lancaster, but the Roger Mortimers, uncle and nephew, of Chirk and Wigmore respectively, surrendered and were lodged in the Tower of London, where the uncle died four years later. Maurice de Berkeley was incarcerated at Wallingford Castle, though under a relaxed regime.⁴⁵

The belated involvement of the earl of Lancaster ended in his defeat and the death of the earl of Hereford at Boroughbridge in 1322. With Lancaster and many of his supporters put to death the king ostensibly became fully master of his realm, thus inaugurating a period

³⁸ Phillips, *Aymer de Valence*, p. 265, citing the proceedings in PRO J.I. (Justices Itinerant) 1/299/2 mm. 1–4d. This section (2) of the Gloucester Assize Roll deals with trespasses against the earl of Pembroke for the regnal years 12–14 Edward II (1318–21). Also *Cal. Close Rolls 1318–23*, pp. 222–4, 227, 241.

³⁹ Haines, *Archbishop Stratford*, pp. 215–16.

⁴⁰ What remains of this stronghold has recently been consolidated by English Heritage.

⁴¹ G.E. Cokayne, *The Complete Peerage* (14 vols, London Stroud 1910–1998), ii. 130. Margaret's mother was Joan, heiress of Sir Piers de Joinville. She died in 1337 when under 30.

⁴² The elder Mortimer was lord of Chirk, where the castle's outer enceinte remains virtually intact.

⁴³ *Cal. Fine Rolls 1319–27*, p. 85. *Ibid.*, pp. 85–6, 2 Jan. 1322: a lengthy list of those whose lands were confiscated as a consequence of their rebellion. Gurney's lands in Englishcombe, Farrington and Harptree were subsequently farmed by Simon de Walleye, John de Buttone and Hugh de Gornay: PRO SC6 (Ministers' and Receivers' Accounts) 1148/2, 1148/8.

⁴⁴ *Cal. Fine Rolls 1319–27*, p. 97. The receiver, Richard de Tissebury, through his attorney Richard de Blanford, rendered account for the period 18 February until 24 March 1322, for manors and lands formerly held by Maurice de Berkeley senior, Thomas de Gurney, Richard de la Mare, John Chaumpeneys, Henry de Greyvill, Hugh Audley, John Giffard and John de Wroxhale: PRO SC6/1145/9. He 'responded' for the sum of £148 3s. 111/2d received from Lovel and accounted for it in 'the particulars' at the Exchequer. In recent times the manor of Englishcombe has been intensively surveyed. The report contains a map providing a conjectural reconstruction c. 1300 (fig. 5) and another illustrating the ground plan of the Gurneys' stronghold, Culverhay Castle (fig. 6), the earthworks of which are still clearly visible across the valley to the north-east of the church. *County of Avon Historic Landscape Survey of the Manor of Englishcombe*, M. Stacey and R. Iles (St. James Barton, Bristol, 1983) esp. pp. 7–10, and personal observation. For Giffard's involvement in the insurrection see R. Butler, 'The Last of the Brimpsfield Giffards and the Rising of 1321–22', *Bristol and Gloucestershire Arch. Soc. Transactions* (hereafter *B&GAST*) vi (1957), pp. 75–97

⁴⁵ For the abortive attempt to escape see *Vita Edwardi Secundi*, ed. N. Denholm-Young (London, 1957), pp. 129–31.

categorised as ‘the years of tyranny’.⁴⁶ But the rebels were not yet cowed. Early in 1323 Wallingford Castle was temporarily occupied and prisoners were freed from the Tower of London and Windsor Castle. Yet more disturbing – indeed potentially catastrophic – was the daring escape of Roger Mortimer from the Tower on 1 August 1323, appropriately the feast of St. Peter *ad vincula*. In his subsequent examination the constable, Sir Stephen Segrave, acknowledged the indenture by which he had undertaken to guard named prisoners, among them Thomas Gurney, but alleged that in his absence he had been deceived by a ‘valet’ in whom he had full confidence. This man, being (secretly) of Mortimer’s covin, had – the constable claimed – ingeniously contrived to disable his custodians by means of a sleeping draught. As we shall see, the blaming of trusted subordinates is an excuse similar to that later advanced by Thomas de Berkeley with respect to his royal prisoner.⁴⁷

Mortimer’s evasion served to resuscitate the activities of the judges who during the following year reopened enquiries in the west concerning the contrariants of 1321–22. On 1 July 1324 Thomas de Gurney was pardoned and allowed to make a fine of £100 so that he could have his life and lands. His mainpernors or sureties from the county of Somerset were Hugh Poyntz, John Teyssant and Thomas de Rydon.⁴⁸ Later that month Roger de Guldon, keeper of forfeited property in Somerset, was directed to restore Gurney’s lands, with provision that should they have been farmed out he was to satisfy the farmers for any expenses occurred. They might, for instance, have planted crops for the following harvest.⁴⁹ Precisely what happened thereafter is not clear, but in January 1325 Thomas was required for service in Gascony – he being a pardoned rebel – as a consequence of a deteriorating situation between Charles IV of France and Edward II, the latter having repeatedly postponed his duty of homage. The practice of sending pardoned rebels to war was not unusual, indeed it was a condition regularly imposed at this time.⁵⁰ In March 1326 the Exchequer was instructed to permit Gurney to pay £10 a year, in equal instalments at Easter and Michaelmas, towards his recognisance.⁵¹ If this was a concession designed to keep him loyal it was not effective. Like many others he must have been under suspicion at a period when an incursion from the continent was daily expected, but it is doubtful whether, as has been suggested, he escaped abroad for a brief while before returning with the other exiles.⁵²

With the success of the virtually unopposed landing of Queen Isabella and Roger Mortimer in September 1326, the royal government collapsed. Edward II became first a fugitive, adrift in the Bristol channel,⁵³ then a captive at Kenilworth under the charge of Thomas of Lancaster’s brother, Henry. Following Edward’s deposition and the accession of his son, Edward III, orders

⁴⁶ E.g. by N. M. Fryde, *The Tyranny and Fall of Edward II, 1321–1326*, (Cambridge/New York, 1979).

⁴⁷ For the ‘three castles conspiracy’ see *Foedera* ii.1. 514; *Cal. Pat. Rolls 1321–24*, p. 234. Segrave’s examination is in Public Record Office KB27 (Assize Rolls)/254/Rex m. 37: ‘ipse seductus fuit per quendam vallettum suum in quo fiduciam habuit et se confidit’.

⁴⁸ *Cal. Fine Rolls 1319–27*, p. 280; *Cal. Pat. Rolls 1324–27*, p. 5.

⁴⁹ *Cal. Close Rolls 1323–27*, pp. 202–3. Similar instructions were sent to escheators in the counties of Wiltshire, Southampton (Hampshire), Berkshire, Bedford. and Buckinghamshire.

⁵⁰ *Parl. Writs*, ii 2. 691–2. Gurney’s name is at 692 col. 1.

⁵¹ *Cal. Fine Rolls 1319–27*, pp. 382–3; *ibid. 1327–37*, p. 20 (*Cal. of Memoranda Rolls 1326–27*, no. 466 p. 66).

⁵² Cambridge University Library, Ee. IV. 32, fols 132v–3r. This version of the English *Brut* chronicle thought that he did so.

⁵³ Society of Antiquaries MS 122 (Chamber account), p. 90. On Sunday 19 October he was at Chepstow, between Monday and Friday at sea (possibly attempting to take refuge on Lundy Island, as Baker, *Chronicon*, p. 22, suggests) and then on 25 October at Cardiff. Prayers were said to St. Anne to send a favourable wind. Lundy, which had escheated to the crown by forfeiture of John de Wilington, from whom an exceptionally high recognisance had been exacted, was granted

were given to the Exchequer – 14 February 1327 – for the discharge of Gurney, together with many others of the ‘quarrel’ of the earl of Lancaster, from any obligation to pay their recognisances. This was all part of a general process of rehabilitation of those who had rebelled in the previous reign. Official pardon did not come until 24 October 1328 when Gurney’s original recognisance and another of the same amount which had been forced from him by Hugh Despenser, the king’s favourite during the latter part of his reign, were formally rescinded.⁵⁴

Gurney found favour during what has been dubbed the Isabella-Mortimer regime – the regency during Edward III’s minority. As early as February 1328 he was granted free warren for himself and his heirs in his demesne lands of Englishcombe, Farrington, West Harptree and Stratton Sancti Vigoris (on-the-Fosse).⁵⁵ He also became the custodian of the younger Despenser’s heir, named Hugh like his father, who, thanks to the courageous conduct of its constable, John de Felton, had been kept safe in Caerphilly Castle until its surrender in March 1327 under terms which spared the life of his young charge.⁵⁶ In mid-December 1328 Roger Mortimer, by then earl of March and justice of Wales, was directed by letters patent to deliver the youth to Bristol Castle for imprisonment there under the surveillance of Sir Thomas Gurney, the constable – an office he doubtless owed either to Mortimer or Queen Isabella.⁵⁷ Thus did one of the most violent opponents of the younger Despenser assume temporary custody of his heir.

So far the life of Thomas de Gurney II has scarcely been distinguishable from that of a host of others who had supported the rebels in 1321–22 and subsequently either made their peace, at a price, with the administration of Edward II or fled abroad to join the queen and Roger Mortimer of Wigmore in Paris. They now stood to benefit not only from a remission of fines imposed in the time of the Despensers but also from a share of the available patronage. John Maltravers, for instance, became steward of the king’s household and loyally supported the government at the disturbed parliament of Salisbury in October 1328 and again at Bedford when confronted by the supporters of Henry of Lancaster. For this he was well rewarded.⁵⁸

by Edward to the younger Despenser. *Cal. Pat. Rolls 1330–34*, p. 364. John de Wilington held the manor of Yate and four other manors in Gloucestershire. Saul, *Knights and Esquires*, index s.v.

⁵⁴ *Cal. Close Rolls 1327–30*, pp. 20–1; *Cal. Pat. Rolls 1327–30*, p. 328; *Foedera* ii 2. 689, 690–1.

⁵⁵ *Cal. Charter Rolls 1327–41*, p. 67: 6 February 1328, York. For Gurney’s land in Knoll (Knowle) by Bristol and Stratton. *Cal. of Inq. Post Mortem* vii no. 512 p. 357; *Cal. of Inq. Miscellaneous* ii no. 1332. Thomas de Bradeston (Breadstone) was possibly with the army in the north when his tenancy of Knowle and Stratton was upheld despite Gurney’s forfeiture and consequent escheat of his lands to the crown. *Cal. Pat. Rolls, 1330–34*, p. 457, Tweedmouth 20 May 1333. Joan Furneaux, Gurney’s widow, brought an action in 1337 to recover the manor. *Ibid.* 1334–38, pp. 561–2.

⁵⁶ W. Rees, *Caerphilly Castle* (Cardiff 1937), p. 28. Earlier terms had not included a guarantee of Hugh’s life. The new government was clearly not anxious to continue a long-drawn-out siege of a well equipped castle which had been one of Hugh Despenser’s proud possessions. The young Hugh was to appear before the Council. He had received a pardon ‘de gracia speciali’ dated 20 May 1327, but continued under constraint with sureties for his good behaviour. *Rotuli Parliamentorum* [*Rot. Parl.*], 6 vols. London 1783 (index ed. J. Strachey *et al.* 1832), 2, p. 61.

⁵⁷ *Cal. Close Rolls 1327–30*, p. 352. It is interesting to note that in 1327 Maurice de Berkeley and John de Berkeley were joint keepers, the latter being sole keeper later in the year. M. Sharp, *Accounts of the Constables of Bristol Castle*, Bristol Rec. Soc. xxxiv (1982), p. 83. Roger Mortimer, was granted the keepership of the castle for life on 16 August 1330, *Cal. of Fine Rolls 1327–37*, p. 187. These men, with Gurney, had a stake in upholding the Isabella-Mortimer regime.

⁵⁸ PRO E404 (Wardrobe debentures) /2/9, where he is described as a banneret. The ‘expeditions’ in which he took part to Salisbury and to Leicester and then Bedford (in pursuit of Lancaster) are termed *chevauchées* (armed sweeps) in this manuscript. He held office 3 March–12 April 1328 and again 1 March 1329–29 July 1330. *Handbook of British Chronology*, ed. E.B. Fryde and others (3rd ed. London, 1986), p. 76.

It is Gurney's involvement in the custodianship of the captive king that has besmirched his reputation both at the time and for posterity. Edward was transferred from the reasonably benign regimen of Kenilworth Castle under the eye of Henry of Lancaster. According to Murimuth this took place about Palm Sunday (5 April) 1327, the reason for the transfer being that he had been too delicately treated (*fruit nimis delicate tractatus*).⁵⁹ The Canterbury-based 'Gervase continuator' gives a precise date, 3 April, which accords with the administrative records. On 24 April the sum of 100s a day was allotted to Thomas de Berkeley and John Maltravers for expenses of the king's household from the 4th: a further writ for £200 is dated 5 July.⁶⁰ Another reason for Edward's transfer was a fear that an attempt at rescue would be made. The Dunheveds, a family later implicated in such an attempt, had property at nearby Dunsmore in Warwickshire.⁶¹ Yet even at the relatively remote Berkeley the captive was not secure and there is evidence to support Murimuth's statement that he was taken from place to place and for a time was at Corfe and Bristol,⁶² to which the Pauline annalist adds Llanthony Abbey [sic],⁶³ returning after an interval to Berkeley. The author of a version of the French *Brut* who, like Baker, was favourably disposed to the former king, writes of a stay at Corfe and another in Selwood Forest, where allegedly the king was left for two days without food and drink while Gurney hunted in the woods. On his return Gurney is said to have roughly shaved the king with his knife – an incident also in Baker. Edward, in words put into his mouth by the *Brut* chronicler, complains of such debasement of an anointed king, denouncing it as an outrage forbidden by Holy Writ.⁶⁴ This tale of deliberate cruelty to the king echoes Baker's account – though he does not mention Gurney in this connection – and it is probably equally fanciful.⁶⁵

⁵⁹ *Adae Murimuth Continuatio Chronicarum*, ed. E. Maunde Thompson (Rolls ser. xciii, 1889), p. 52.

⁶⁰ Trinity Coll., Cambridge, MS R. 5 41, fo. 126v (125); *Foedera* ii 2. 704, 708.

⁶¹ Dunheved (Downhead) was a name current in Somerset. For instance, a Walter de Dunheved held half a knight's fee in Almsworthy, Exford, at the end of the 13th century. *Feudal Aids 1284–1431*, p. 296.

⁶² The Berkeley Castle muniments, which I was able to see while they were at the Gloucester Record Office by kind permission of D.J.H. Smith, the archivist. Select Roll 39 (40 is a copy by W.F. Shrapnel sometime steward of Berkeley) shows that letters were sent to Maltravers in Dorset and specifically to Corfe at a cost of 3s. 1d. and 4s. respectively. He was paid £258 8s. 2d. for the expenses of the king's father in Dorset. 48s. was allowed for conducting the king from Bristol. According to John Smyth, ed. Sir John Maclean, *The Berkeley Manuscripts* (vols 1–2 *The Lives of the Berkeleys*, Gloucester, 1883–5), i. 293, £700 was paid out of the royal Exchequer for expenses while Edward was at Berkeley. The accounts show that a plentiful supply of food was delivered 'for the king's father'.

⁶³ *Annales Paulini in Chronicles of the Reigns of Edward I and II*, i. 333: 'cum multis armatis qui duxerunt eum de castello de Kenelworthe usque castellum de Berkeley ubi mansit in custodia J. Maltravers'. Llanthony-by-Gloucester was an Augustinian priory.

⁶⁴ V.H. Galbraith, 'Extracts from the *Historia Aurea* and a French *Brut*', *English Historical Review* (EHR) xliii (1928), 203–17. 'Thomas, contre vostre foy moy faites celle dishonour, pur quelle fait vous sourdera vengeance, qar ile est defende par seint escrit qe roy ne chapelle ne soient touchez par malice pur ce qils sunt enointez' (p. 216). This version of the *Brut* is from Corpus Christi College, Oxford, MS 78.

⁶⁵ T.F. Tout, 'The Captivity and Death of Edward of Carnarvon', *Bulletin of the John Rylands Library* vi (1921–2), 69–114 (reprinted in his *Collected Papers* (Manchester, 1932–4) iii. 145–90), at p. 87 (163) terms Baker's story of Edward's indignities 'picturesque romance'. Obviously, though, there is a common source behind Baker, who states that Edward was shaved in ditch water, and the French *Brut*. Baker claimed a certain penitent William Bishop as the source of his information some quarter of a century later: 'Ista mihi retulit vivens post magnam pestilenciam Willelmus Bischof, qui ductoribus Edwardi praefuit'. No mention here of Gurney being in command. Baker, *Chronicon*, pp. 30–1.

It is worth stressing that both sources effectively exonerate Berkeley from any responsibility for such inhumanity.⁶⁶

Murimuth states that Edward's new gaolers, Thomas de Berkeley and John Maltravers, took turns, alternate months, to guard their prisoner, but there is no confirmation of this elsewhere.⁶⁷ The queen's attitude, he claims, was hypocritical. She sent her husband fine raiment and caressing letters, while feigning that the 'community of the realm' would not permit her to visit him.⁶⁸ This policy of isolating the king from his wife was subsequently to be attributed to Bishop Orleton by his detractors,⁶⁹ but to Mortimer in the parliamentary indictment of 1330.⁷⁰

The heavily biased Baker has a more elaborate not to say highly-coloured story to tell. The queen, that 'iron termagant' (ferrea virago), he declared, motivated not by love but by anger, fearing that the church might force her to return to her repudiated husband, turned for advice to that 'priest of Baal', Adam Orleton, the bishop of Hereford. He pointed out that the blood relationship of Lancaster with the king stimulated his compassion. And so, on the advice of that wily master, the bishop, it was determined that two evil knights, Thomas de Gurney (Thomas de Corneye in the text) and John Maltravers, should have custody and take Edward wherever they wished, to prevent anyone friendly to him, or even indifferent, to approach or to know where he might be for any length of time. He then proceeds to give his harrowing account of the 'passion' of the king under the subjection of these men as they moved their captive from place to place.⁷¹

Exactly when Thomas Gurney arrived at Berkeley is not known, there being no early mention of him among the Berkeley manuscripts. When in 1330 Thomas de Berkeley, under suspicion for his part in the death of Edward II, was interrogated in parliament, he admitted readily enough that with Maltravers he had been entrusted with the former king's safe custody in his castle of Berkeley. Asked whether he had acquiesced in the murder, he declared that he had

⁶⁶ Compare Baker, *Chronicon*, p. 33: 'Edwardus per dominum feodi Thomam de Berkeleye fuerat humaniter et benigne receptus et tractatus', with the French *Brut* (Galbraith, 'Extracts', 217): 'a Berkeley, y fust il receu a graunt honur de seigneur et de dame sauve la compassement de sa mort avaut sa venue' [!]. However, although he was treated 'roialment au table' a poison was allegedly administered (ils mistrent en sa potage hautif venyme).

⁶⁷ Although from the Berkeley muniments it appears that some payments were made to Maltravers individually. Indeed the allowances from the Exchequer for the former king's expenses were to be paid to one or other of his custodians, i.e. Berkeley or Maltravers. *Foedera* ii 2. 704.

⁶⁸ *Murimuth*, p. 52: 'Regina vero misit sibi indumenta delicata et literas blandientes, sed ipsum videre nolebat, fingens quod regni communitas non permisit'. Compare Corpus Christi Coll., Cambridge, MS 174 (*Brut*), fo, 152: The queen would not come for fear her husband 'wolde hire strangle and quelle'. According to a version of the *Chroniques de Flandre, Recueil des Historiens des Gaules et de la France* xxii. 425 n.4, Isabella knelt before her husband to persuade him 'reffroidier son yre', but he refused even to look at her. Thereupon she caused him to be taken to Corfe.

⁶⁹ Orleton's responses (his 'Responiones' or 'Apologia') were drawn up following his translation to the diocese of Winchester in 1333. Their purpose was to refute allegations relevant to his conduct in 1326–27 contained in an appeal to the Holy See against his promotion. They are printed in *Historiae Anglicanae Scriptores Decem* (ed. R. Twysden, London, 1652), cols. 2763–68 and in an appendix of contemporary documents in *The Register of John de Grandisson, Bishop of Exeter A.D. 1327–1369* (ed. F.C. Hingeston-Randolph, 3 vols, London/Exeter, 1894–9) iii (App.) 1540–47 (from the Winchester Cartulary). Details are in my 'Note and Document' entitled 'Looking Back in Anger, A Politically Inspired Appeal against John XXII's Translation of Bishop Adam Orleton to Winchester (1334)', *EHR* cxvi (2001), 389–404.

⁷⁰ *Rot. Parl.* ii. 53 (item 1).

⁷¹ *Chronicon*, pp. 29–31. 'Hiis duobus nequissimis proditoribus diabolus confederavit'. Compare n.63 above.

not consented to it or given assistance. He claimed that he did not know about the death until the present parliament (*nec unquam scivit de morte sua usque in presenti parlamento isto*), by which we must understand him to mean that he had known nothing of the details. Any other interpretation would have entailed a charge of treason in view of the burial of Edward on 20 December 1327, not to mention Berkeley's earlier custody of the corpse. As his alibi he claimed that he could recall nothing because he was extremely ill at the time at Bradley, his house near Wotton (*tanta infirmitate apud Bradleie extra castrum predictum detentus, quod nichil ei currebat memorie*). He had placed wardens in the castle to effect such custody, in whom he had as much trust as in himself (*in quibus se confidebat ut de se ipso*). These men, then, together with Maltravers exercised custody. This defence was put to a jury, not of his baronial equals but of knights, who swore on oath that Berkeley was in no way culpable of the death of the king's father (*in nullo est culpabilis de morte*). But because Berkeley had placed Thomas de Gurney and William de Ockle (or Ockley) in charge, by whom he had been murdered (*per quos idem dominus rex extitit murdratus et interfectus*), the case was adjourned until the next parliament.⁷²

The interrogators had assumed that Ockley and Gurney were the murderers, but what of Maltravers? He could not have been ignorant of what had been going on during the night of September 21–22. Yet at no time was he accused of Edward's murder, but instead of contriving the death of Edmund, earl of Kent. Unlike Berkeley he was not available for examination. As for Berkeley's alibi, Smyth, the historian of the Berkeleys, declared he could not have been at Bradley at the time suggested, because the account of his steward showed that he did not arrive there even by Michaelmas (29 September). As for his loss of memory, it was not so great as to prevent his writing letters on 22 September for Gurney to carry to Mortimer, Isabella and the young king, Edward III. 'And of all others', he asks, 'why was Sir Thomas Gurnay made the messenger, unless it was (as it was) to take him from the earth, for telling tales in this world[?]'.⁷³

Without doubt Berkeley was lying, thus putting Gurney on the spot and incriminating Maltravers. He was saving his own skin, effectively as it proved, by claiming that his underlings had betrayed his trust. Who, then, gave the orders? Not Bishop Orleton as Baker claimed, for he was abroad on a diplomatic mission, and in any case could wield no political authority. Mortimer had been accused, also in the 1330 parliament, of moving the king to Berkeley, thus facilitating his murder (*par lui et ses soens*), but although at the point of death he admitted responsibility for the fate of Edmund, earl of Kent, he did not confess to instigating the former king's demise.⁷⁴ Yet as late as 1337 he was incriminated by Howel ap Gruffydd's appeal before Sir John Wysham, the justice in Wales. This claimed that Mortimer's confederate William Shalford, acting as justice in North Wales, had sent a letter to Mortimer at Abergavenny claiming that the Welsh were planning insurrections which might produce an attempt to free Edward. He counselled appropriate remedy. Mortimer is then supposed to have despatched Ockley to Berkeley with the letter and an oral message. On receipt of these Ockley himself and the others who had custody of Edward traitorously murdered him. The case was referred to the court of [King's] Bench where it fizzled out.⁷⁵ There is no confirmation of the story enshrined

⁷² *Rot. Parl.* ii. 57.

⁷³ Smyth, *Lives of the Berkeleys*, i. 291–301, the final quotation at 296–7. Berkeley muniments Select Roll 41 records a payment 'ad hospicium domini in fine autumpni apud Bradel'. At 301 Smyth cites the account for Michaelmas 1326–7 of William Capell' steward of the household to the effect that Lord Thomas left Berkeley on 28 September and remained at Bradley until 22 October.

⁷⁴ *Rot. Parl.* ii. 52 (2nd item of indictment).

⁷⁵ Tout, 'Captivity and Death', 110: 'le dit sire Rogier montra la dite lettre a Willame Docleye, et lui commaunda de porter la dite lettre a Berceleye a ceux qauoient le dite sire Edward en garde; et

in the appeal or of Mortimer's presence at Abergavenny: there is plenty of evidence for dislike of Mortimer and his associates by the Welsh.

If not Mortimer, could it have been Queen Isabella who ordered Edward's death? Alternatively, was Berkeley covering his own tracks and planning a deed that – as he well knew – would be a relief to those currently in political authority who saw Edward of Caernarvon as a potential focus of rebellion for the discontented, or for subjects who had been reluctant to break their oaths of fealty and allegiance? When parliament met in September 1331 Berkeley sought a discharge for himself and his sureties. This was granted, but to enable the Council to hear the evidence of Gurney, believed to be still alive and who clearly knew what had occurred (*qi savoit pleynement coment le murdre se fist*), he was to appear at the next parliament.⁷⁶

Naturally the situation changed radically with the overthrow of Mortimer. It was essential for Berkeley's own safety that Gurney who, if anyone, knew the truth, should not be found. Much the same might be said of Maltravers. Smyth believed that Berkeley helped Gurney to escape. 'This lord concealed him with wonderful secrecy' until after the November 1330 parliament 'and then upon a private lease and lettre of attorney of his lands of Beverston, Over and others,⁷⁷ for his life and his wives' provided him with money for his flight – apparently he could not make use of what he had left in store in Keynsham Abbey. He also had an undated feoffment from Gurney of lands in Beachley and elsewhere which demonstrated, thought Smyth, 'with what art this lord shuffles his cards'.⁷⁸

On 3 December 1330, writs were issued to the sheriffs of counties and to various ports with orders for the arrest of Maltravers, Gurney, John Wyard, whom Mortimer had allegedly sent to spy on the young king, William of Exeter, formerly constable of Wallingford Castle, John Deveril, of Hill Deverill in Wiltshire, the constable of Corfe who had participated in the deception of the earl of Kent, which led to the latter's death and, lastly, William Ockley.⁷⁹ Further writs tested on 15 December ordered the sequestration of the lands of Maltravers, Gurney, Deveril, Ockley and Bogo de Baiocis – likewise involved in Kent's deception.⁸⁰ Attempts to prevent the passage of Maltravers and Gurney to the continent proved ineffectual. On 15 July 1331 a commission was ordered to enquire into a report that Cornishmen at Mousehole had assisted the fugitives to escape, even providing them with provisions and armour.⁸¹

At this juncture a version of the French *Brut* provides a piece of evidence not to be found elsewhere. It tells of a widow, Isolda de Belhouse, who, as we know from the patent rolls, on 3 February 1331 had nominated an attorney during her pilgrimage to St. James at Compostella.

lui chargea qe les chargeast de part lui qils soient consaillaunt sur les pointz contenez deinz la dite lettre et qils feisseit hastiue remedie pur greindre peril eschuer' (109–10).

⁷⁶ *Rot. Parl.* ii. 62 (item 17).

⁷⁷ But it was Hugh de Gurney of East Harptree who held lands in Beverstone from Thomas ap Adam, lord of Beverstone. Berkeley Castle mun. general charters 2683, 2729 (cancelled). These are dated 1329. Gurney, *Record*, pp. 637–8, shows that Thomas Gurney of East Harptree was Thomas ap Adam's steward. According to him ap Adam alienated Beverstone and other property to Berkeley.

⁷⁸ Smyth, *Lives of the Berkeleys* i. p. 297; Berkeley Castle muniments general charter 2597 [early Edward III] is a grant to Thomas de Berkeley by Gurney of lands in Beachley, Tidenham and Aust (Gorste). Hunter, 'Apprehension of Gurney', 278, states that on 23 April 1331 a writ authorised the opening of a chest and certain casks which Gurney had sent to Keynsham Abbey for safe-keeping. A further writ directed that the contents be sold in the presence of the mayor of Bristol, where Gurney had been constable.

⁷⁹ *Foedera* ii 2. 801 (printed Gurney, *Record*, app. CXII, nos 1–2, p. 657).

⁸⁰ Hunter, 'Apprehension of Gurney', 278.

⁸¹ *Foedera* ii 2. 801; *Cal. Pat. Rolls 1330–34*, p. 144.

Recognising Maltravers and Gurney at Burgos, she notified the authorities that they had killed the English king. Maltravers disappeared, but Gurney was seized and placed in irons by the highway so that all could view so dishonourable a traitor. The pilgrim is said to have hastened back to England to inform the king, who promptly despatched messengers to Burgos to attach Gurney. Before they arrived he had escaped into Aragon.⁸² The subsequent narrative is kaleidoscoped and it is necessary to fill in the gaps from the public records. The story has been told a number of times, both by Hunter and Daniel Gurney and, briefly, more recently.⁸³ Only the essential details will be given here (Fig. 2).

By about mid-May intelligence of Gurney's detention had reached Edward III and on 23 June the Exchequer was ordered to pay £50 to Ferandus Ivaynes de Greynoun, for his passage from Spain and back again with information about the captive. The king sent a letter to Alfonso, king of Castile, to inform him of what he had learned and asking that Gurney be delivered to John de Haustede, seneschal of Gascony, or persons deputed by him. Another letter to Alfonso requested that the authorities in Burgos examine the captive in the presence of the king's sergeant-at-arms, Bernard Pelegryn, to whom a sealed report of the interrogation was to be handed. To John de Leynham, chamberlain of the King of Spain, the king wrote with a further request that Gurney be taken to Bayonne where Giles of Spain would make arrangements for his passage to England. To facilitate his journey a letter was sent to ask the cooperation of the King of Navarre.

Giles of Spain left the king at St. Edmundsbury (Bury St. Edmunds) on 31 May 1331, but only crossed the channel to Wissant or Whitsand on 11 June. From there he travelled via Paris to Bordeaux intent on securing an interview with the king of Navarre. This he did at Tudela, whence he proceeded to Burgos. But Gurney was not delivered to him so he went in search of John Martyn de Leyna, to whom £300 was offered for the surrender of the captive. Clearly there was resistance to the English king's request, despite some months trailing the court of the king of Spain. Eventually an agreement must have been concluded for Giles returned to Bordeaux to collect the £300. Too late: Gurney had eluded his captors, even though information reached England that he was by then incarcerated at Bayonne. After fruitless searches throughout Navarre Giles returned to Gascony with Gurney's 'valet', John Tilly – from a Somerset family,⁸⁴ who also escaped and had to be recaptured. Arriving back in England on 17 June 1332, Giles spent his energy pursuing a number of persons accused of the king's death: William de Kingsclere, Sir Richard de Well, and John Spicer. Of these men there had been no previous mention. Were they the actual perpetrators of the crime?

The next mention of Gurney is his presence in Naples, the realm of King Robert of Sicily, where he had been apprehended by William of Cornwall. Hearing of this in January 1333 the king sent a Yorkshire knight, William de Thweng, to bring back the captive. Proceeding by way of Nice and Pisa, Thweng travelled on horseback to Naples. Clothes and shoes were purchased for the captive, as well as a bed. A ship was chartered for Aigues-Mortes, near Maguelonne and not far from the inland town of Montpellier. In the event they landed at Coloure near Perpignan. But here the party was held up, indeed physically detained, by a claim for compensation for alleged piracy by English merchants in the reign of Edward II.

⁸² Galbraith, 'Extracts', . 217; *Cal. Pat. Rolls 1330-34*, p. 70.

⁸³ Gurney, *Record*, pp. 647–55, and App. CXII–CXIII (dependent on Hunter, 'Apprehension of Gurney', 277–86, App. A–C). See also Baker, *Chronicon*, notes pp. 211–12; R.M. Haines, 'Edwardus Redivivus: the 'Afterlife' of Edward of Caernarvon', *B&GAST* cxiv (1996), 76–7; idem, *Death of a King*, Lancaster 2002. Detailed references and copies of relevant documents can be found in the first two, while the last is a more 'popular' investigation of the affair.

⁸⁴ At the end of the 13th century a John Tylly held half of the vill of West Harptree from Anselm de Gurney, who held it of the earl of Gloucester. *Feudal Aids 1284–1431*, p. 297.



KEY

Sir Thomas Gurney's escape route from Berkeley - - - - > - - - - >

Route taken by Sir William Thweng and the captive Gurney. ······ > ······ >

(1) Gurney imprisoned at Burgos.

(2) Arrest of Gurney at Naples.

(3) Gurney dies at Bayonne after illness unsuccessfully treated by his captors.

(4) His body embalmed prior to shipment from Bordeaux to Sandwich.

(5) Thweng makes landfall at Tynemouth and reports to Edward III at Berwick.

Fig. 2 The pursuit and capture of Sir Thomas Gurney

Eventually release came with the intervention of King Alfonso IV of Aragon. But Gurney fell ill at Mount Blaunk near Tarragona. Finally Gurney and his escorts travelled through Aragon, crossed the Pyrenees, and from Sordes hired a boat for the short journey to Bayonne. Here Gurney again fell ill and despite the efforts of physicians he died.⁸⁵ Two small boats were hired for victuals and another for transporting Gurney's body along the coast and up the Gironde to Bordeaux, from which port Thweng sailed to Sandwich and thence to Tynemouth. At last on 7 July 1333 he presented himself to the king at Berwick. His final account exceeded £350. What happened to the corpse thereafter is unknown, but if it had been treated as that of a traitor it is strange that no chronicler has vouchsafed that information. Such happenings are regularly reported in macabre detail. From one of Thweng's accounts we learn that he remained with the army at Berwick for 14 days and claimed expenses for 30 men, sailors and others, who stayed with the boat and Gurney's corpse.⁸⁶

The French *Brut* at Corpus Christi College (Oxford) adds a questionable detail to the effect that Gurney was taken to Sir Oliver Ingham at Bayonne,⁸⁷ who declared that whatever happened he would never gain pardon. Whereupon Gurney openly confessed that he had *assented* to the king's death (significant phrasing?) and recounted the manner of this treason. After that Ingham supposedly had Gurney's head cut off and sent to the king in England.⁸⁸ How true can this be? Edward III would have been angered by such unsanctioned action: he wished to learn the truth at first hand. More important, it does not accord with the evidence of the documents. Where the chronicler's sympathies lay is clear: 'the king lies at Gloucester, for love of whom God performs miracles'.⁸⁹ To accommodate the suggestion of decapitation some have hypothesised that it could have been Gurney's corpse that was beheaded – a traitor's fate administered posthumously. What we do know is that Thweng accounted for two sums, totalling £5 15s. 4d. for separate stages in the preparation (presumably embalming) of Gurney's corpse.⁹⁰

It was not long after Sir Thomas's demise that an esquire called Gurney in the army of Edward Balliol – crowned king of Scots 24 September 1332 – was killed by the Marchers on the assumption that someone *of that surname* had consented to the former king's death.⁹¹

⁸⁵ *Acta Aragonensia* (ed. H. Finke, Berlin/Leipzig, 1908–22) iii. 747–8; Hunter, 'Apprehension of Gurney', 293: 'Item duo fisisis apud Bayon' pro statu dicti Thome emendand' at a fee of £3 8s. A further £5 6s. 8d. was 'pro apothecis emptis ibidem [Bayonne]'.

⁸⁶ Hunter, 'Apprehension of Gurney', 292: 'tam naute quam alii morabantur in quadam navi cum corpore Thome de Gournai mortui cap' ut supra. vii li'.

⁸⁷ Ingham had been appointed seneschal 7 October 1325 by the future Edward III (as duke of Aquitaine or Gascony). For this and his activities see *The War of Saint-Sardos (1323–1325)*, ed. P. Chaplais, Camden Soc. 3rd ser. lxxxvii (London 1954), index s.v. Galbraith ('Extracts', 217 n.6) notes Oliver Ingham as seneschal. John de Haustedede took office in November 1327 and was seneschal in 1331 during the pursuit of Gurney. See the documents in Gurney, *Record*, App. CXII nos 3–6; *Foedera* ii 2. 819–20. However, Ingham was reappointed seneschal in the summer of 1331 in Haustedede's place and was in office when Gurney body was consigned to the ship for return to England. GEC, *Complete Peerage* vii. 60 s.v. Ingham.

⁸⁸ Galbraith, 'Extracts', 217: 'et sire Oliver fierment ly areseua et ly dit que iames nest hapist, ne iames null pardon navereit; et dunc il confessa ovementement coment il assenti al mort le roy et counta trestont le maner de celle treson. Et maintenant apres la confession, sire Oliver ly fist decouper le teste et le manda a roy en Engleterre'. Both *Murimuth*, p. 54, and Baker, *Chronicon*, p. 34 (following him closely) state that he was beheaded at sea, lest he should incriminate powerful persons.

⁸⁹ *Ibid.*: 'et gist a Glouc' pur amur de qy Deu fet miracles'. Although this is apparently written (at a later date?) over an erasure.

⁹⁰ Baker, *Chronicon*, notes pp. 211–12; Hunter, 'Apprehension of Gurney', 293.

⁹¹ John Leland (*Collectanea*, ed. T. Hearne, i. 555) translated this passage from the *Scalacronica* (cf. English edition by H. Maxwell, Glasgow, 1907, p. 99), which records the incident as taking

Who was this Gurney? We do not know. Because a Thomas de Gurney of Somerset was summoned from Roxburgh in December 1334 to a muster in the following February, it has been thought that he was the father of the Thomas born in 1319 and the man mistakenly killed by soldiers in Balliol's army. In other words he was the eldest son of Thomas II, and his son a grandson of the supposed regicide. This cannot be. The man I have designated Thomas III is without doubt the son of Joan Furneaux and Thomas II, as is clear from the patent and close roll entries. In any case the father of Thomas III – or of a hypothetical Thomas IV – would have had to be born at the latest by 1300 or so (as Thomas II certainly was), hence he would have been about 35 at the muster, neither a (young) esquire nor, despite his age, an inheritor of, or known claimant to, his father's property.⁹² It could be that the man summoned to the 1335 muster was Thomas de Gurney of East Harptree, who was active at this time though certainly not killed by the Marchers.⁹³

Of those known to have had custody of the king, Gurney was unique in being pursued to his death, though that does not seem to have been intentional. Ockley disappeared without trace: if there was long-term pursuit it is not attested by the records so far printed. Berkeley on 16 March 1337, during the Westminster parliament, was finally acquitted of all but a slight degree of negligence; while in 1351 Maltravers, after a protracted sojourn in Flanders, where he had a record of good service to the English king, had his outlawry annulled and his lands restored.⁹⁴ From this we might be tempted to conclude that Gurney did indeed have the most accurate and intimate knowledge of what happened at Berkeley. His notarially attested 'confession', if he made it, has not survived, but there are two items in Thweng's expense account of 3s. 4d. paid to notaries, one apparently at Bayonne the other at Bordeaux, for 'charters' (notarial instruments), presumably in connection with the captive's demise.⁹⁵

Even if Gurney did despatch the king, he did not do so single-handed, still less on his own initiative. Berkeley, Maltravers and Mortimer (or even Isabella)⁹⁶ must surely have known all about the intended murder and one or more of them must have given the signal for it to take place. Yet only Mortimer was officially accused of authorising Edward's death and he was nowhere near Berkeley at the time. Could the appeal of Howel ap Gruffydd have been an attempt to make up for this deficiency? It is worth remembering that although Gurney was condemned in the 1330 parliament, and that the sum placed on his head 'du don le roi' was £100 alive, 100 marks (£66 13s. 4d.) dead, as against the 100 marks and £40 for the supposedly

place at Glasgow, while the opposing armies faced each other on the banks of the Clyde. This incident is noted by Hunter, 'Apprehension of Gurney', 286 n. f, and by Gurney, *Record*, p. 668. The latter suggests that the Thomas de Gurney of *Rotuli Scotiae* 1, p. 306, summoned in 1334 to a northern muster, was 'probably' the son of Thomas de Gurney II, or alternatively one of the Norfolk Gurneys.

⁹² Jean Manco, *Englishcombe*, inserts a Thomas in her genealogical table as the eldest son of Thomas II, the reputed regicide, giving 1334 [*recte* early 1335?] as the date of his death. The entry in Gurney, *Record*, p. 668, is confusing. The Gurney of 13 Edward III (1339–40) said to be of 'the eldest male line of the family' (but see n.31 above) is Thomas III. In 1338 and 1339 a Thomas de Gurney (of Harptree?) was named in the levying of a tenth and fifteenth granted at the Westminster parliament of September 1337. *Cal. Fine Rolls 1337–47*, pp. 96–7, 142. See n. 100 below.

⁹³ See previous note.

⁹⁴ Tout, 'Captivity and Death', 99–102 (174–78); *Foedera* ii 2. 960; *ibid.* iii.1. pp. 56, 146.

⁹⁵ Hunter, 'Apprehension of Gurney', 293. The first 3s. 4d. was paid 'cuidam notario ibidem', but the immediate antecedent is 'Burdeux'. Hunter assumes that this payment was made at Bayonne. Either that or it is a duplication, which is unlikely.

⁹⁶ According to Baker, *Chronicon*, p. 31, she was 'impacienter ferens quod vita sui mariti, quem nimium odivit, erat ita diu protelata'.

less culpable Ockley, he was never in a position to answer the charge in court, an essential feature of medieval justice, though admittedly overlooked at times of crisis.⁹⁷ Was he merely a fall guy? In fairness there should be a not proven verdict.

There is a final twist to this story. Embedded in an episcopal cartulary in the *Archives départementales d'Hérault* at Montpellier is what can only be described as an alien entry. Purportedly it is a copy – albeit marked ‘vacat’ – of a letter allegedly written by Manuele de Fieschi, later bishop of Vercelli, to Edward III.⁹⁸ It incorporates a ‘confession’ of Edward of Caernarvon, who had become a hermit in Lombardy following his escape from Berkeley Castle by killing the gatekeeper, a man subsequently buried in his stead. It has even been tentatively suggested that the reason why Edward III was willing to act leniently with regard to Berkeley and Maltravers was that he had indeed received the original letter. One could add that the supposed regicide’s wife was also treated surprisingly gently, though this argument should not be pressed too far in view of the speedy rehabilitation of so many former rebels or their widows.⁹⁹ At the same time it has to be acknowledged that forfeiture of the property of so dire a criminal, if such he was felt to be, could well have been permanent. What actually happened was very different.

Between December 1330 and March of the following year Gurney’s lands, goods and chattels had been taken into the king’s hand. On 10 March 1331 John de Nevill had been given custody of his lands at a yearly rent – a grant that was shortly vacated on surrender. A mere ten days later Gurney’s widow, Joan Furneaux, was permitted to have the confiscated lands in Somerset and Wiltshire which constituted her dower from her former husband, Thomas Tryvet, and in addition the manor of West Harptree. On 8 May 1331 the manors of Englishcombe and Farrington were also committed to her at a fixed rent together with the winter corn sown by her husband. This grant was renewed on 16 October for three years at an annual rent of £24 in instalments at Easter and Michaelmas plus an increment of £6 8s. A further renewal for five years at the same annual rent was made on 15 July 1334, followed by another on 20 July 1339, for an equivalent period.¹⁰⁰ Shortly after this last renewal Thomas de Gurney III, as we have seen, petitioned for the manors inherited by his father and these were duly conceded to him.¹⁰¹ So much for stringency.

But to return to the Fieschi letter. My own view, elaborated elsewhere, is that its contents have more to do with the cult of Edward of Caernarvon which may have been stimulated in the Mediterranean region by the news percolating from the passage of the captive Gurney from Naples, past Aigues Mortes, to Spain. This cult, as it developed in England, was instrumental

⁹⁷ *Rot. Parl.* ii. 54.

⁹⁸ For a summary of Fieschi’s career: Hemingby’s Register, ed. H. M. Chew, Devises 1963, pp. 198–9. A readable copy of the manuscript document is in Mortimer, *The Greatest Traitor* opposite p. 205. He accepts it as a copy of a genuine letter brought to Edward III, *ibid.* p. 263.

⁹⁹ E.g. in *Foedera* ii 2. 690–2. There were numerous petitions for redress during the 1327 parliament: *Rotuli Parliamentorum Anglie hactenus inediti*, ed. H. G. Richardson, G.O. Sayles, Camden 3rd. ser li (London, 1935), pp. 99–179. Much the same happened following Mortimer’s fall in 1330.

¹⁰⁰ *Cal. Fine Rolls 1327–37*, pp. 206–7, 217–19, 226, 235, 243, 254, 283 (by mainprise of Hugh de Langelond and Simon de Fourneaux of co. Somerset), 410; *ibid.* 1337–47, p. 143; *Cal. Pat. Rolls 1330–34*, p. 89. In Gurney, *Record*, Joan’s first husband is called John.

¹⁰¹ *Cal. Inq. Post Mortem* viii. no. 239 p. 176, and see n. 12 above. In *Cal. Pat. Rolls 1338–40*, pp. 283, 365, 482, a Thomas de Gurney was deputed (4 May 1339) to survey the defective gaol at Somerton, to act (28 November) as collector of arrears in Somerset of the tenth and fifteenth granted at the council of Nottingham in September 1336, and by writ of 27 January 1340 to take men suspected of homicide into custody at Somerton. In the last case Thomas is said to be ‘of Harptree’, and it is possible that all three entries refer to the East Harptree branch of the family. See n. 92 above.

in providing resources for the rebuilding in the perpendicular style of the choir of St Peter's Abbey in Gloucester, the present cathedral.¹⁰² What is more, the abbey stood to benefit financially from a royal licence permitting the appropriation of the churches of Wraysbury (Bucks.), Chipping Norton (Oxon.) and Cam (Glouc.), the first two in Lincoln diocese, the last in that of Worcester, in consideration of the expenses it had incurred with respect to the exequies of the king's father. The avowed purpose was to provide three priest-monks to say Mass daily for the soul of the deceased king. Edward III also conceded certain benefits at times of the interregnum following an abbot's death, when abbatial lands would come into the king's hand. Young Edward's feelings were predictable; it was Isabella and Mortimer's government or assumed regency that strove to dissociate itself from any taint of complicity in regicide and to impress everyone, the pope included, with its respect for the memory of the late king.¹⁰³

The idea that Edward of Caernarvon had not died in September 1327 was made more credible by reason of the rumours earlier circulated by Mortimer's *agents provocateurs* to entrap the earl of Kent and the many others who kept green the memory of an unfortunate king: a deception heightened by a simulated appearance of the former king at Corfe Castle. Thanks to the credulity of the earl of Kent the story even permeated as far as the ear of Pope John XXII, who subsequently discredited it.¹⁰⁴ The 'Time-table' appended to an article in *Speculum* devoted to Edward's possible survival is designed to illustrate a connection between this story of Edward's 'afterlife' and the relaxation of the measures against Berkeley and Maltravers. Where does that leave the so-called regicide Sir Thomas Gurney?¹⁰⁵ The more sober medieval commentators were not prepared to accept either Edward's earthly existence after his imprisonment at Berkeley or his status as a martyr:

¹⁰² The Norman pillars were encased by the new work but fragments of them remain visible, notably at the head and foot of Edward II's tomb. During his supposed 'afterlife' Edward of Caernarvon, as he was then termed, is said to have visited the shrine of the Three Kings at Cologne (the Magi). Is it mere coincidence that as late as 1492 Forster's hospital at Bristol was founded in honour of the Three Kings of Cologne – the sole dedication in England? Allegedly the title was chosen by an abbot of Tewkesbury – a neighbour of St. Peter's, Gloucester. The perpendicular chapel of c. 1500 is still in existence. See Clay, *Medieval Hospitals of England*, p. 247; *Buildings of England: North Somerset and Bristol*, p. 434.

¹⁰³ *Foedera* (Hague ed.) ii 2. 198; ii 3. 6, 12 (letter to the pope). The annual worth of these rectories circa 1291 was respectively £33 6s. 8d., £26 13s. 4d., £13 12s. 6d. *Taxatio Ecclesiastica* (Rec. Comm. London, 1802), pp. 33, 32, 220b. In the event Cam was not appropriated. Since 1974 Wraysbury is in Berkshire. For the concessions during vacancies and other details: W. Dugdale, *Monasticon Anglicanum*, i. 534–5.

¹⁰⁴ *Cal. Papal Letters 1305–42*, p. 499. According to some versions of the *Brut* chronicle, e.g. British Library Harleian MS 2279, cited by Maunde Thompson, Baker, *Chronicon*, notes p. 221 (also Corpus Christi Coll., Cambridge, MS 174, fo. 158v–9), the pope initially believed the story and absolved the earl and others in advance of any fault they might incur in securing the king's deliverance. The Dominican friars are supposed, according to this source, to have persuaded the earl that Edward, the former king, was in Corfe 'under ye keeping of Sir Thomas Gurnaye'. Subsequently the earl attempted to persuade Sir John Deveril (constable of Corfe) to let him see the king, but he had already been 'ladde unto ye castel of Berkelee thur sir Thomas Gurnay thur ye commandement of ye Mortymer, til that he was dede'.

¹⁰⁵ G.P. Cuttino, T.W. Lyman, 'Where is Edward II', *Speculum* liii (1978), 522–43. Compare Haines, 'Edwardus Redivivus' and *Death of a King*. Another aspect of the story is the theft of Edward's bones from their supposed resting place in Lombardy and their transfer to Gloucester. A necessary concomitant in view of the cult that developed in the abbey.

Wherefore many peple say that he diede a martir and did mony miracles; neverthelesse keypyng in prison, vileness and obprobious dethe cause not a martir, but if the holynesse of lyfe afore be correspondent.¹⁰⁶

One further instance of Berkeley's ingratitude towards the man he had so unceremoniously shipped abroad – a man whom he had allowed to shoulder the whole blame for the king's death – is provided by the series of Berkeley and Syde chantries established in the late 1330s and 1340s, for which Sir Thomas was largely responsible. The Berkeleys apart, prayers were to be said for the good estate of John Maltravers (among others), for the souls of John de Wilington and his wife Joan, as well as for those of John and Margaret Giffard of Brimpsfield. These men and their families had joined Sir Thomas and his father Maurice in vigorously opposing the Despensers and supporting Lancaster. Sir Thomas Gurney, a conspicuously loyal member of the Berkeley retinue, was abandoned without benefit of intercession.¹⁰⁷

Finally, something about the ethos of the times. Edward came to the throne on a wave of expectancy. How would he measure up to his father, eulogised in the *Commendatio Lamentabilis*?¹⁰⁸ Nominal leader of the fourth squadron at the brief siege of Caerlaverock in 1300, he is delineated favourably as a 17-year-old newly bearing arms, desirous of finding an occasion to prove himself. May God permit him to be no less valiant than his father, was the wish of the heraldic poet: 'Or li doint Dieus grace ke il pere/ ausi vaillans, e non pas meins'.¹⁰⁹ Intense speculation followed, heightened by the prevalence of prophesy – some of it clearly retrospective, and the embroidered narratives of certain chroniclers, notably Geoffrey le Baker. Time brought first disillusion then disaster, the unprecedented spectacle of a post-Conquest English king dethroned for incompetence.¹¹⁰ Catharsis ensued. Popular canonisation of political figures was not uncommon: witness the case of Thomas of Lancaster, whose life no more merited it than did that of Edward II. Miracles were soon being performed both at Leicester – as they had been earlier in St. Paul's – and Gloucester.¹¹¹ As for the agents of destruction of these unfortunate men, on them fell the blame for acts that in retrospect appeared doubly heinous. Hence Gurney's name would be execrated amid the first flush of pity for the inadequate king whom he was commonly, indeed conveniently, believed to have brutally murdered.

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¹⁰⁶ *Polychronicon Ranulphi Higden . . . with English Translations of John Trevisa and of an Unknown Writer in the 15th century*, ed. C. Babington and J.R. Lumby (Rolls ser. xli, 9 vols, 1865-86), viii. 325-7 (from BL MS Harl. 2261).

¹⁰⁷ *A Calendar of the Register of Wolstan de Bransford, Bishop of Worcester 1339-49*, ed. R.M. Haines (London, 1966), pp. xxxv-xxxviii, and index s.v.

¹⁰⁸ The *Commendatio* is to be found in various places. See *Chronicles of Edward I and II*, intro. p. xiii-xviii, text pp. 3-21.

¹⁰⁹ *The Roll of Caerlaverock*, p. 17.

¹¹⁰ There were continental precedents, such as those of Adolf of Nassau, king of the Romans (1292-98) and Henry II, king of Cyprus, for whom see E.M. Peters, 'Henry II and Cyprus, *Rex Inutilis*: a footnote to the *Decameron* 1.9', *Speculum* lxxii (1977), 763-75. For Edward's reign in general, see now R.M. Haines, *King Edward II: Edward of Caernarfon, his life, his reign, and its aftermath, 1284-1330* (Montreal & Kingston/ London/Ithaca, 2003). *A Catalogue of the Medieval Muniments at Berkeley Castle*, ed. Bridget Wells-Kirby, is to be published as vols. 17 and 18 of the B&GAS Record Series (2004).

¹¹¹ Edwards, J. 'The Cult of 'St.' Thomas of Lancaster and its Iconography', *Yorkshire Archaeological Journal* lxiv (1992), 103-22; lxvii (1995), 187-91.