LOVE MATCHES AND CONTRACTED MISERY: THOMAS OF BROTHERTON AND HIS DAUGHTERS (PART 1)

***by Brad Verity*[1]**

ABSTRACT

This two-part article explores the lives and marriages of Thomas of Brotherton (1300-1338) and his two daughters, Margaret and Alice. Part one is focused on the undistinguished career of Thomas, Earl of Norfolk and Marshal of England, younger brother of Edward II. He is remarkable only in matrimony – clearly choosing love over money and politics, as his two wives were far beneath him on a social level. The first one, Alice Hales, is unrivalled in the royal family of late medieval England for sheer obscurity. The lives and unhappy marriages of his two daughters, Margaret and Alice de Brotherton, will be examined in Part two.

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The brothers of England's medieval kings are a varied lot. Every monarch from Henry III through to Edward IV had at least one to contend with. Some, such as Henry IV's Beaufort half-brothers and Richard II's Holland half-brothers, were not in the line of succession but needed titles and estates to match their status as siblings of the king. Others, such as Edmund, Earl of Lancaster, younger brother to Edward I, and John, Duke of Bedford, younger brother to Henry V, were true, loyal, and close confidants of their crowned brethren. Then there were those such as George, Duke of Clarence, younger brother to Edward IV, who were difficult, contentious and outright rebellious. Thomas of Brotherton (1300-1338) and Edmund of Woodstock (1301-1330), the younger brothers of Edward II, straddle both the loyal and rebellious categories. Of the two, Edmund is the better known, mainly for his unfortunate end. Having become convinced that his brother Edward II had survived the summer of 1327 at Berkeley Castle, Edmund fell into a trap set by Roger Mortimer, Earl of March, was accused of treason in March 1330, and executed outside the city gates of Winchester[2]. Though characterized as gullible and inconsistent (Doherty, 2003, p.147) Edmund at least displayed a passion and sense of honour, however misguided, once he became convinced his elder brother was still alive. Thomas of Brotherton, on the other hand, displays gullibility and inconsistency, along with a quick temper (he was excommunicated at one point, for assault) plus limited abilities and a marked propensity to come out the worse in land transactions with fellow peers. Set against the most recent account of Thomas's political life (eg Waugh, 2004), I here explore in much greater detail the lives of his wives and his relationships with them.

Birth and youth

Brotherton, Yorkshire, a small village twenty-two miles outside of the city of York, was part of the honour of Pontefract. Prior to 1300, it had never been a royal residence, or the site of a royal birth, nor has it been one since. It was not even expected to have been one in 1300. Edward I, his new young wife Margaret, who

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[2] For detailed accounts of the events surrounding the execution of Edmund of Woodstock, see Doherty (2003) and Mortimer (2004, pp.228-232).

turned twenty-one that year and was pregnant with their first child, and the royal household, set out north from St Albans on 15 April 1300. The army had been summoned to Carlisle for mid-summer, for a new Scottish campaign. Queen Margaret parted company with the main household at Stamford on 5 May, and continued her own journey northward. Preparations had been made for her to use Cawood Castle, a residence of the Archbishop of York, for her confinement. She stopped in the village of Brotherton to hunt late that month, and went into labour, early and unexpectedly[3]. Margaret had married Edward I on 10 September 1299 and, if conception occurred immediately, she was in her 38th week, but as she was apparently hunting and had not yet reached Cawood, she may have been a week or two earlier in her pregnancy. The labour was difficult, and Margaret reportedly called on St Thomas of Canterbury for assistance. The baby was delivered on 1 June, and named for the saint. Edward I rushed over to the village as soon as he was given the news, and stayed there until 9 June (Waugh, 2004; Johnstone, 1946). Thomas was likely baptised in Brotherton's church of St Edward the Confessor (see figure 1), which lay very close to the original manor house.



Fig.1 ***Church of St Edward the Confessor, Brotherton, Yorkshire.***
Likely the site of Thomas's baptism. *Photograph © Peter Watkinson*

The chronicler William Rishanger, a monk at St Albans, recorded that Thomas rejected the milk of his original French wet-nurse, and folks feared for his life until he accepted the milk of an English nurse (Waugh, 2004). This tale put forward, plus the babe being named for one of the most renowned English saints, was part of an effort to downplay any French influence on the newborn. The marriage of Thomas's parents was highly unpopular in England. It had been negotiated by Pope Boniface VIII in June 1298 in order to bring an end to the Gascon war between Edward I and Philip IV, King of France, Margaret's elder half-brother. King Edward was aged sixty, and

[3] Gough (1900) p.154; Johnstone (1946); Prestwich (1988) p.131; Langdale (1822).

Margaret forty years his junior. In normal circumstances in the popular culture of the Middle Ages, a man who claimed to have fallen in love in old age was seen as abusing natural law, and became the butt of humour and contempt. If the object of his affection was young and nubile, she was seen as manipulating her foolish old husband. When the figures were those of authority, the common perception took on added meaning, and the young woman was viewed as distracting the old man from his proper responsibilities (Ormrod, 2001). Margaret, who wore a crown on formal occasions, but never had a coronation, like the other medieval English queens who were French by birth, had to face up to suspicions during her entire married life that her true allegiance was to France. Edward I's effort to cast her in the role of peacemaker by involving her in intercessionary activity, was successful in improving her image as a figure others sought for assistance (Carmi Parsons, 1997). In like manner, the children born to Margaret had to be perceived as English, first and foremost. Agnes, the midwife from Paris employed by the queen, was sent packing soon after Thomas's birth (Johnstone, 1946), and the baby was promptly assigned his own household as early as January 1301, where he was joined by younger brother Edmund of Woodstock, born later that year on 5 August (Johnstone, 1925).

The 1298 treaty of marriage between Edward I and Margaret of France had stipulated that any male issue born of the union would each receive lands valued at 10,000 marks a year[4]. So by 1302, the king was under pressure to settle immense lands on his two new sons. The earldom of Cornwall and all of its holdings, roughly valued annually at £5,000-6,000 (Altschul, 1965), had in October 1300 fallen into the hands of Edward I as the closest heir to his childless cousin Edmund, Earl of Cornwall. Yet the king did not immediately allocate that earldom for one of his young sons. Instead, he seized a different opportunity. Roger Bigod, fifth Earl of Norfolk and Marshal of England, was sixty years old in the spring of 1302 and childless. What is more, he was very upset with his immediate heir, his younger brother John Bigod, a cleric, who was demanding back money he had loaned the earl some years before. Earl Roger wanted to spite his brother, and the king was only too willing to oblige. A deal was struck – Bigod surrendered all of his lands, his earldom, and his office of marshal to the king, and received them back, with the provision that should he die childless, all would revert back to the crown. This was an incredible coup for the king. In 1297, he had suffered the opposition of Roger, Earl of Norfolk and Marshal of England, and that of Humphrey de Bohun, Earl of Hereford and Constable of England, who both refused to join the king's Flemish campaign as a protest over unfair taxation. In 1302, Edward I was assured that the office of marshal of England would be held by a member of the royal family after the death of the elderly Earl Roger. Later that year, he married the new young Earl of Hereford to royal daughter Elizabeth, thus bringing the office of Constable of England into the royal family fold as well (McFarlane, 1973). The king seems to have earmarked the earldom of Norfolk for Thomas of Brotherton from the beginning. At the end of August 1306, he bound himself and his heir Edward, Prince of Wales, to guarantee the earldom of Norfolk, worth about 6,000 marks (£4,000) annually, to Thomas if Earl Roger died without issue. The rest of the 4,000 marks annual income, which was Thomas's right per the 1298 marriage treaty, would come from other sources[5]. Earl Roger died aged 64 in December that year, as anticipated without issue, paving the way for young Thomas to hold a distinguished title and important office.

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4 CPR 1301-1307, p.450.

5 CPR 1301-1307, p.450.

Edward I died in July 1307. The new king Edward II was aged 23, and his immediate heir to the throne was half-brother Thomas of Brotherton, aged seven. Margaret, the first stepmother to an English king since before the conquest[6], was well aware she was in a precarious position and of the trials her own mother Marie of Brabant had faced as stepmother to Philip IV of France. She needed to see to the best interests of herself and of her children. Edward II granted the earldom of Cornwall to his favourite Piers Gaveston in August 1307. Many chroniclers reported that Edward I had intended the earldom for one of his young sons, Thomas or Edmund (Chaplais, 1994). If so, it had to have been Edmund, as Thomas had already been pledged the earldom of Norfolk. It is curious that the king never specifically stipulated so and bound the Prince of Wales to it, as he did with the Norfolk earldom for Thomas. Queen Margaret was in a position to know well the influence Gaveston had on the new king, and her opposition to him must have gone beyond his acquiring an earldom meant for her son. She joined her brother the king of France in financing the two earls, Lincoln and Pembroke, who were leading the call for the exile of Gaveston in the spring Parliament of 1308. Edward II clearly had no trust of his stepmother – in March he confiscated her dower castles of Berkhampstead, Devizes and Marlborough, and also deprived her of the marriage of the young earl of Gloucester, which she had held for some time[7]. The rift between them never seems to have been healed. She did receive from Edward II in March 1310 a confirmation of all of her original dower lands, but this was at the instigation of the Ordainers, formed the previous month[8]. Queen Margaret is little heard from afterwards, certainly in no political sense, and the 31-year-old widow and stepmother spent the rest of her life in retirement.

The distrust Edward II felt for Queen Margaret may be a reason why he made no effort to arrange marriages for her two young sons. The new queen Isabella, daughter of Philip IV of France and Margaret's niece, was aged 12 at her January 1308 marriage, and childbirth was postponed. During the early years of Edward II's reign, Thomas of Brotherton remained the immediate heir to the throne – a fact that would have been emphasized by arranging a marriage for him. He and brother Edmund of Woodstock (their sister Eleanor of Winchester was being raised in the convent of Amesbury, where she died aged four in 1310 (Carmi Parsons, 1977)) had their own household, based at Windsor Castle, far removed from political intrigues. The most important figure in their young lives was their steward John de Weston, who ran it. In July 1310, the king granted the revenues from all of the lands of the late Roger Bigod, Earl of Norfolk, to be allocated to the household of his young brothers[9]. Whether he did this of his own accord or at the insistence of the Ordainers is not known, but he did have Edward Balliol, the young son and heir of the former king of Scotland, placed in there later that year. The last account of the household of the brothers ends in September 1312 (Johnstone, 1925, p.45) when it was probably disbanded. It was time for Thomas aged 12 and Edmund aged 11 to assume more adult roles. The first child of Edward II and Isabella, the future Edward III, was born in November 1312, displacing Thomas as the immediate heir to the throne. Queen Margaret was present at court at the time, as was her brother of the full blood, Louis, Count of Evreux. He had been sent to England by their half-brother Philip IV of France, to help negotiate a truce between Edward II and his earls following their execution of Gaveston earlier that year, and a settlement was reached and signed in

6 Unless one counts Adelicia of Louvain, the young widow of King Henry I, who was stepmother to the Empress Matilda while she tried to claim the throne of England.

7 CPR 1307-1313, p.50; Maddicott (1970).

8 CPR 1307-1313, pp.216-219.

9 CPR 1307-1313, p.272.

December (Hamilton, 1988). It was no doubt out of a desire to please the count of Evreux that the king, on the 16th of that month, granted to Thomas the earldom of Norfolk and all of the lands in England, Wales and Ireland that had been held by Roger Bigod[10]. The twelve-year-old was now a peer of the realm, summoned to Parliament the following month, and in charge of an earldom and lands worth £4,000 a year.

Distinguished title

The inheritance of Roger Bigod, fifth earl of Norfolk, was extensive. The original Bigod lands mainly comprised manors in Norfolk and Suffolk, with the chief administrative seat being Framlingham Castle in the latter county. The Bigod earldom had been of both Norfolk and Suffolk, and Thomas of Brotherton styled himself this way until at least 1330[11], but the creation of a separate earldom of Suffolk in 1337 brought an end to the ancient coupling. A 13th-century marriage to the eldest daughter of William Marshal, Earl of Pembroke, brought a great inheritance to the Bigods. The manors of Hampstead Marshall in Berkshire, Great Chesterford in Essex, Weston in Hertfordshire and Bosham in Sussex all came from the Marshal inheritance. Even more important, the lordship of Carlow in Ireland and the castle and lordship of Chepstow in South Wales (see figure 2), made the East Anglian-based Bigods into Marcher Lords. Finally, the office of Marshal of England came from the Marshal inheritance. In the king's household, the marshal was in charge of horses and other animals of sport, which, by the beginning of the fourteenth century, had evolved into one of the officers of State and a leader of the king's army. To this great inheritance Thomas added nothing of significance or permanence during the twenty-five years he held it, and indeed a good portion of it was out of his hands at his death.



Fig.2 ***Chepstow Castle -*** *Photograph © Brad Verity.*
This castle and lordship qualified Thomas of Brotherton as a Marcher Lord.

[10] CChR, Vol.3, pp.205-206.

[11] CP, **9:** 597.

How the 12-year-old Earl of Norfolk set about administering his vast estates is not known for certain. He would have had a council of attorneys and other household officials that oversaw the daily operations, collected revenues from the many manors, allocated expenses, ran the manorial courts, and advised the young earl regularly. Perhaps he brought over some of the officials from his childhood household. More than likely, his brother Edmund became a part of his household, as there is no record of any separate accommodation made for him until 1315. What is important is that it was now Thomas, and not the king, who was ultimately in charge of his council and household officers, an amazing responsibility for one so young, even with him as a mere nominal leader.

Thomas received a summons for military service in Scotland in 1313, but it was shortly afterwards remitted by the king (Waugh, 2004) and the young earl of Norfolk appears to have missed completely the disastrous battle of Bannockburn in June 1314. On 10 February 1316, Edward II granted his brother the office of Marshal of England, and it was presumably from that point on that Thomas took an active role in the military affairs of the kingdom. Queen Margaret died on 14 February 1318, having named her two sons her executors. Thomas seems to have fulfilled his role as his mother's executor with characteristic lack of achievement, for sixteen years later in 1334, her debts were still not settled, and he petitioned Parliament to pay them off (Strickland, 1851). The peak of Thomas's career during the reign of Edward II was the year 1319, when that spring he served as keeper of the realm while the king was on a Scottish military campaign, followed by knighthood on 15 July. The following year, he accompanied the king to France in June and July, travelling with a large retinue. Thomas remained strongly supportive of Edward II during the baronial rebellion of 1321-1322, but failed in the one task he assumed on his own, an attempt to arrange negotiations with the earl of Hereford in March 1321. His other roles during that time were ceremonial and undertaken with fellow peers[12].

Thomas fell out of favour with Edward II once the rebellion was put down, and did not receive any role or favour from the king until 1326. When viewed against the string of offices and responsibilities granted to Edmund of Woodstock, who had been created earl of Kent in July 1321[13], the contrast is striking. What caused the king completely to lack confidence in the young earl of Norfolk? As there is no evidence that Thomas was ever anything but royalist during the baronial rebellion, it could not have been his politics or his loyalty that was in question. What is left then is Thomas's character and his abilities that the king must have seen fit to doubt. Considering that the king was Edward II, not exactly full of character and abilities himself, the doubt holds even more weight. It must have been evident that Thomas was acting with poor judgment regarding his own interests during this period, and there are two shining examples, which may be related – his excommunication and his first marriage.

Remarkable Royal Romance

"*And the said Thomas Brodirton, Erle of Norfolke, cam down into Norfolke and ther he wedded a knyght's doughter fast by Bungey.*" So writes 19th-century Norfolk historian Francis Blomefield (1808), quoting an ancient manuscript from the Book of Pleas[14]. The entry for Thomas of Brotherton in The Complete Peerage has little further to add: "*He m.,*

12 See, for example, CPR 1317-1321, pp.572-573.

13 See the entry for Edmund in CP, **7:**142-148, for a thorough account of his career.

14 John Millman, 'The Geneaology of the Jermy Family' http://myweb.tiscali.co.uk/tripartite/jermyhomepage.htm

1stly (probably circa 1320), Alice, da. of Sir Roger de Hales, coroner of Norfolk 1303 till his death in 1313."[15] Neither work comments on the obscurity of this marriage for an English prince, nor is any effort made to explain it. Luckily a few further details can be gathered on the background of Thomas's first countess.

Bungay Castle lies on the river Waveney in the northeast corner of Suffolk. Across the river in Norfolk, about six miles north, is the village of Hales. In the late 13th century, the village was part of a manor called Wrantishagh, which was held by Sir Roger de Hales in 1294. The manor house, and eventually the manor itself, came to be known as Loddon Hall, held by the Hales family since at least the reign of Henry II (Blomefield, 1808). It was one of the five manors within the chief manor of Loddon, which in turn was held by the Bigod earls of Norfolk until 1297, when Roger Bigod, fifth earl of Norfolk, granted it to John de Segrave, 2nd Lord Segrave, for his lifetime (Denholm-Young, 1965). It was Sir Roger de Hales (c.1274-1313) who seems to have achieved the greatest success for the family. Two 16th-century pedigrees in the British Museum[16] state that Roger was the son of one Ranulph de Halys by Demeta le Clauer, of Starston, Norfolk, and that his wife was Jane, daughter and heir of ---- Skogan. None of this information has been verified by 13th or 14th century sources. How exactly Sir Roger fits into the family of Hales that held manors in Norfolk is uncertain. What can be known is that he held two of the Loddon manors, Loddon Hall and Hales Hall, about 12 miles southeast of Norwich, as well as manors in Roughton and Metton, about 15 miles north of Norwich. There were other lands the family held, for example in Wacton and Forncett, several miles west of the Loddon manors, and all were held of the earl of Norfolk. The statement that Sir Roger de Hales was "of Harwich," which originated in Ralph Brooke's *Catalogue of Nobility* (1619) and is repeated in several genealogies, was perhaps a mistake for Norwich, the closest town to the majority of the Hales manors. It is believed Sir Roger was related to Walter de Suffield (d.1257), bishop of Norwich (Smith, 1935).

Exactly when Sir Roger de Hales was given the office of coroner of Norfolk is not known, but he is certain to have owed it to Earl Roger Bigod. The office was an important one in the medieval era, and involved collecting and guarding revenue, investigating violent deaths and accusations of felony, and confiscating goods, including shipwrecks. It could be dangerous as well. In May 1303, Sir Roger was assaulted by a gang of men in Norwich that disputed his jurisdiction to investigate a death within the town. 1303 was a busy year for the coroner: he witnessed a charter of the earl of Norfolk in March[17], sold land to Sir John Jermy[14], and undertook a fine regarding Loddon that provides a glimpse of his family: *"936. *Roger de Hales and Alice his wife and Johanna and Matilda, daughters of the said Roger, v. William fil' Roger de Hales, in Lodnes, Whetacre, Elingham juxta Kyrkeby, and Brom juxta Thweyt."* (Rye, 1885). From the lack of mention of his daughter Alice and his son and heir John de Hales, it may be presumed they were not yet born in 1303. The eldest daughter Joan de Hales was married to Sir John Jermy (c.1300-c.1345), grandson of the Jermy knight who purchased lands from Sir Roger. The fate of Matilda de Hales is not certain, perhaps she died unmarried. The 16th-century Harleian pedigrees give Sir Roger another son, Edmund de Hales, whose only child Margaret married William le Grys, but they have not been verified in 14th century sources. Sir Roger de Hales died in 1313, just a few months after Thomas of Brotherton was created Earl of Norfolk and given the Bigod inheritance. Since the Hales manors of Metton and Roughton were held of the earl of

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15 CP, **9:** 598.

16 Harleian MSS 5189 and 6093.

17 CChR 1300-1326, p.34.

Norfolk, Sir Roger's son and heir, young John de Hales, became a ward of Thomas, and the Hales estates fell under the administration of Thomas and his council until John came of age[18]. So Thomas could have been aware of Alice de Hales and her siblings as early as 1313, when he was aged 13 and Alice likely two to five years younger. Bungay Castle had been extensively restored and extended by the previous earl of Norfolk, Roger Bigod (Turner, 2002), and being so close to Loddon Hall, the chief seat of the Hales family, Thomas could have met Alice when he was in residence at the castle.

Technically, Thomas's marriage belonged to the king until Thomas came of age. There is no record of the young earl of Norfolk being granted his own marriage, as there is for the young earl of Gloucester[19]. Nor is there any record of Thomas having to pay a fine for marrying without licence of the king. So his marriage to Alice Hales must have occurred after he came of age in June 1321, and from the chronology of their children, probably very shortly after. If she was indeed born after 1303, then Alice was likely somewhere between age 16 or 19 at the marriage, which also fits well. 18th century antiquarian William Betham (1801) wrote, *"Alice was so beautiful as to captivate Thomas de Brotherton, earl of Norfolk."* This explains the attraction, but not the marriage. Alice, or anyone in her circle, could not have anticipated that a romance with the young earl of Norfolk would lead to a wedding. Alice Hales, from a Norfolk family of the lesser landowning class that would come to be known as the gentry, was of the social level that became royal mistresses not royal wives (Given-Wilson & Curteis, 1984). Thomas, Earl of Norfolk and Marshal of England, could have found a wife among the French nobility as Aymer de Valence, Earl of Pembroke, would do, or he could have married a young widow or potential heiress among the baronial class, as his brother Edmund, Earl of Kent, would do. Even better, Edmund Fitzalan, earl of Arundel, had daughters to choose from in 1320 who, though not yet of childbearing age, would have made a very appropriate wife for the young earl of Norfolk. Thomas had manors centered at Bosham in Sussex, the chief region of influence of the earl of Arundel. Alice Hales brought nothing to her marriage save her beauty. She was not the heiress of the Hales manors, as she had a brother, and the Hales family would have supported the young earl of Norfolk whether or not he married Alice, since he was their feudal overlord. On Thomas's end, there was no political or territorial advantage to the marriage – it was a love match, pure and simple. It was an impulsive, if not rash, step to take, and not the only one the young earl took at the time.

On 3 August 1321, Rigaud de Asserio, bishop of Winchester, wrote to Roger de Martival, Bishop of Salisbury, authorizing the latter to absolve Thomas of Brotherton from a sentence of excommunication. Thomas had incurred this by violently assaulting a clerk of the bishop – one Deodatus de Pyno – within the diocese of Winchester (Baigent, 1897). Unfortunately the date of the assault is not mentioned, so it is not known how long Thomas was under excommunication. The assault could have happened shortly before the date of the letter, or possibly as early as the spring of 1319, when Thomas was acting as keeper of the realm and working in close conjunction with John de Sandale, the prior bishop of Winchester who was also chancellor of England. However many weeks, or months, in the year 1321 that the

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[18] It is not certain when John de Hales came of age. He was knighted and administering the Hales estates by 1325, when the IPM of John, 2nd Lord Segrave found him holding 2 acres of land in Loddon of Sir John de Hales. Thomas of Brotherton no doubt saw to young John's knighting, and also could have given him seisin of his inheritance before he was of full age.

[19] CPR 1307-1313, p.50.

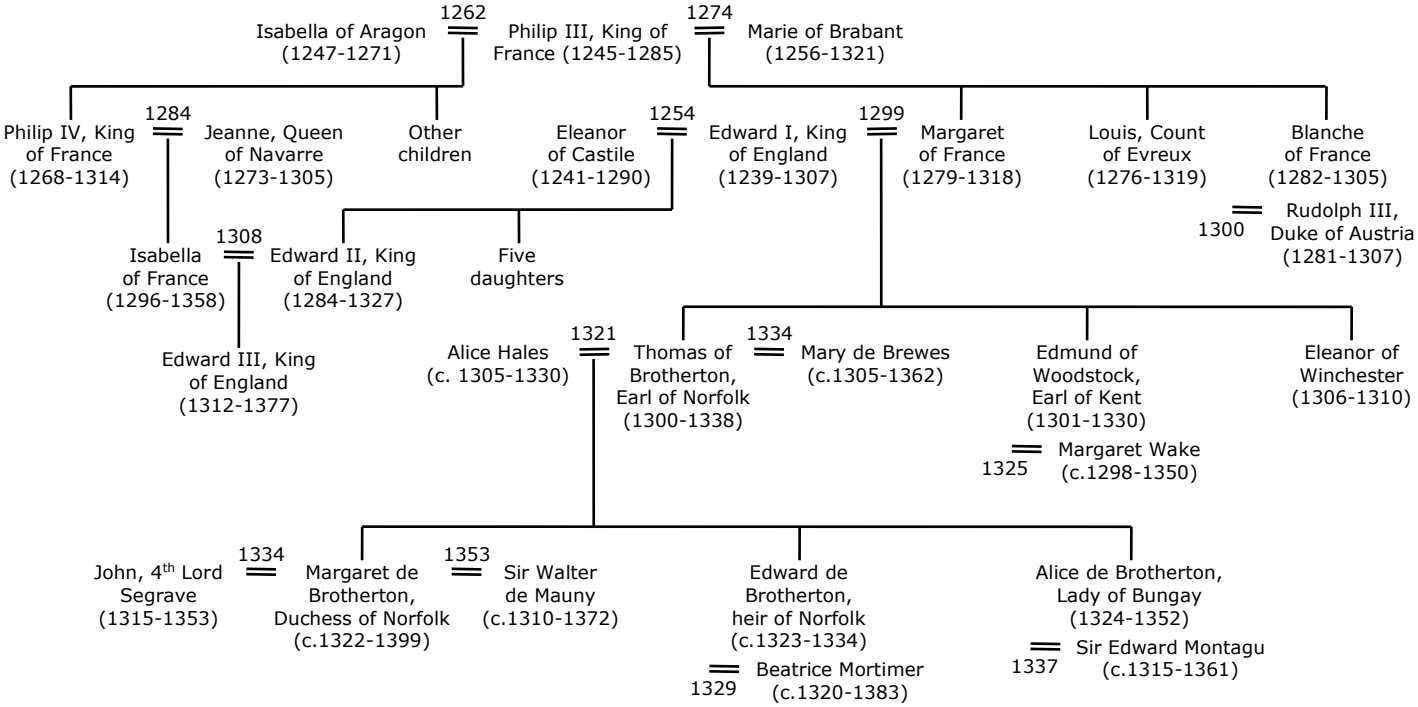


Fig 3. ***Origins of the Brotherton family***

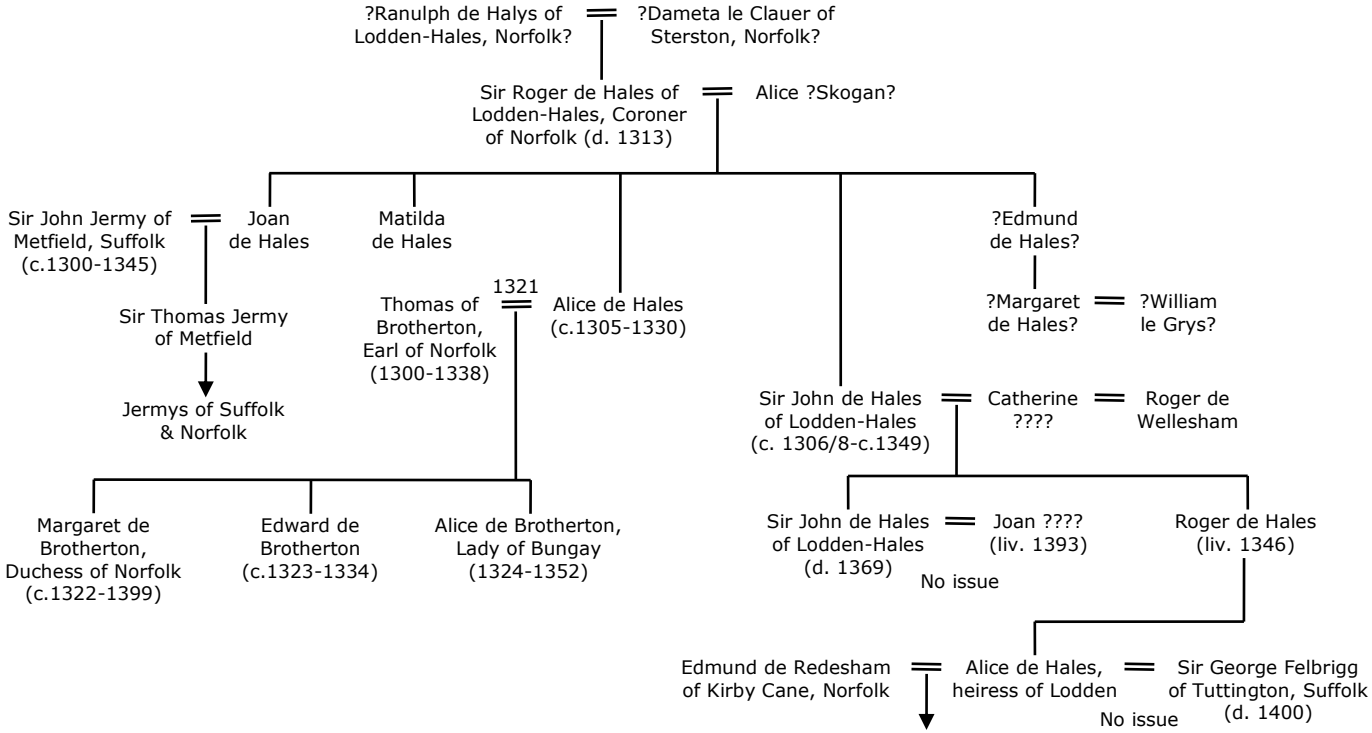


Fig 4. ***The pedigree of Alice de Hales***

young earl was under excommunication, it may have led to his decision to marry clandestinely and beneath his station. His wedding was not a public event and went unmentioned by chroniclers. It was private, and could have taken place at Loddon Hall, where the Hales had a private chapel dedicated to St. Andrew (Blomefield, 1808, p.20-21). In this day and age, Thomas of Brotherton can be viewed in a romantic light, bucking all expectations and marrying for love. But for his own era, his marriage was pure folly. Not only did he throw away an opportunity to gain lands and political influence, he married into a social level far beneath his own. The king and the other earls and barons undoubtedly saw the marriage as a very poor decision, especially during (or following upon) excommunication, and would have judged Thomas accordingly for it.

If Thomas's marriage to Alice did indeed take place in the summer of 1321, the king would have learned of it when Thomas joined the royalist forces against the barons that autumn. It may be significant that this seems to mark the period when Thomas lost favour with Edward II. Unlike brother Edmund, he received none of the confiscated lands of the baronial rebels, nor was he given any new office or authority. On the contrary, the king saw fit to take away some of what Thomas already had. Hugh Despenser the Younger, the king's favourite, was in the process of making himself the greatest Marcher lord ever by creating a virtual kingdom for himself in South Wales. In August 1323, he negotiated with the earl of Norfolk to take control for life of the lordship of Chepstow for a rent of £200 a year,[20] and the following year, purchased the lordship outright for only £800 (Waugh, 2004). Chepstow was worth far more, so Thomas came out much the worse in this transaction, and many historians surmise he was forced into it, another victim of the Despenser tyranny. Yet the rest of the victims of the Despensers were widows, minor heirs, and those lower down on the social order. The earl of Norfolk was a young man in his early twenties, a peer of the realm and the brother of the king. The fact that Despenser was able to take such advantage of him is another indication of the low regard in which he was held. Things grew worse for the young earl. The king confiscated the one office he was holding, marshal of England, because Thomas had failed to have someone execute the office on his behalf in Lancashire, when royal justices arrived there to hold the king's pleas. Thomas offered a fine of £100 to recover the office, which Edward II pardoned, but not without a public verbal rebuke, threatening his younger brother with punishment should he again fail to perform the duties of marshal properly (Waugh, 2004).

Then in early 1326, things changed. The king and Despenser had received intelligence that Queen Isabella was planning on the support of Thomas in her planned invasion and would land in his territories in Norfolk or Suffolk (Mortimer, 2004, p.284 n.22). Edward II traveled to East Anglia in late December 1325, starting at Bury St. Edmunds, then processed through Norfolk in January, spending some time in Norwich, and reached the shrine of Our Lady in Walsingham in early February, accompanied by the earl and countess of Norfolk. Thomas found himself wooed: he was given a gift of £200 from the bishopric of Norwich, appointed a supervisor of the array in Norfolk and Suffolk, and in May, was made captain and principal surveyor of the array in eastern counties ranging from Lincolnshire to Essex (Waugh, 2004). More tellingly, Alice, countess of Norfolk, appears in official records for the first time, and also received royal favours as "*the king's sister.*" Licence was given for Thomas to settle his manor of Redenhall, Norfolk, on the Waveney river, on himself and Alice jointly, and the king granted to Thomas and Alice jointly, for their lives, the manor of Ryburgh, Norfolk, which had been confiscated from rebel Robert de Walkefare.

[20] CPR 1321-1327, pp.341-342.

Through the intercession of Countess Alice, the king pardoned what was left of the 200 marks fine of rebel Sir Roger de Trumpyngton, and restored his lands. Finally, in May, the king granted to Joan Jermy, Alice's elder sister, at the request of Thomas and Alice, the marriage of John, son and heir of John Lovel[21]. By wooing Alice directly, the king recognized the influence she had on her husband and his decisions. With Queen Isabella in self-imposed exile in France, the countess of Norfolk, the younger daughter of the late county coroner, had become the highest-ranking lady in England!

Undistinguished Career

The king's efforts toward winning over his brother were in vain. Queen Isabella, her son the Prince of Wales, Edmund, earl of Kent, and Roger Mortimer, Isabella's lover, landed with a small force of mercenaries at the Colvasse peninsula on the Suffolk coast on 24 September 1326. Thomas immediately joined them and they spent their first night at his castle of Walton. The earl of Norfolk took an active role in Queen Isabella's usurpation of Edward II: he was at the baronial council at Bristol that declared Prince Edward keeper of the realm on 26 October. He sat in judgment at the trial of Hugh Despenser the elder, and also acted as a judge in the trial of Hugh Despenser the younger. But his role was never as a leader, nor does he appear to have acted in any way on his own initiative. He was rewarded for his support of the new regime by recovering Chepstow Castle and lordship, as well as other forfeited Despenser lands worth 1000 marks, and by serving as an overseer of the justices of peace in Norfolk and Suffolk, and on commissions of oyer and terminer (Waugh, 2004). But, again, in none of his official roles was he given the sole responsibility – always others were appointed in conjunction with Thomas. The best reward Thomas received was on 3 March 1327, when he was granted the wardship and marriage of John de Segrave, the 12-year-old heir to the barony of Segrave[22]. John's grandfather the 2nd Lord Segrave had held the chief manor of Loddon from 1297 until his death on 1 September 1325, and so was quite familiar to Alice, countess of Norfolk, and her family, and it is easy to see their hand in pushing for the Segrave wardship. As marshal of England, Thomas participated in Edward III's disastrous Weardale campaign against the Scots in the summer of 1328, but he appears to have been a mere nominal leader[23]. By this point it was quite clear that Roger Mortimer, created earl of March in November 1328, was running the realm through Queen Isabella, and Edmund, earl of Kent, had become convinced that Edward II was still alive. Thomas and Edmund issued a joint statement in December accusing the young Edward III of breaking his coronation oath and abusing Magna Carta. Joined in London by their cousin Henry, Earl of Lancaster, the Archbishop of Canterbury, and the Bishops of Winchester and London, they tried to decide the next step. It was Lancaster, however, who took the leadership role, and it was against him that Roger Mortimer declared war in the name of the king. Once that occurred, Thomas and Edmund quickly lost their nerve for rebellion and went to seek the king's pardon in January 1329, forcing Lancaster to capitulate as well (Mortimer, 2004, pp.216-218).

During the years 1329-1330, Roger Mortimer was at the height of his power, and just as the Despensers had, he abused it. Also, just as with the Despensers, Thomas of Brotherton was putty in the hands of stronger-willed man. Mortimer had eight daughters, and arranged marriages for the four youngest in 1328 and 1329. Three of

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21 CPR 1323-1327, pp. 205, 212, 215, 246, 267.

22 CPR 1327-1330, p.23.

23 "*His own contribution to the campaign may not have amounted to much more than the composition of a brief description of the privileges he claimed in his capacity of earl marshal*." (Waugh, 2004).

the husbands were royal wards whose marriages he had obtained, thus preventing the unpopular Mortimer from having to negotiate with the families of the young grooms. The fourth young husband was Edward de Brotherton, which did require negotiation by the shrewd new earl of March, but with Thomas at the other end of it, there was no doubt as to who would come out better. The wedding of Mortimer's daughter Beatrice and Edward de Brotherton likely occurred at either Wigmore Castle, the chief seat of Mortimer, or at Hereford, in September 1329 (Mortimer, 2004, p.323). The exact sum Thomas received as Beatrice's marriage portion is not known, but it was at least £1000[24]. The Mortimers were Marcher lords and one of the most important baronial families, related to most of the English nobility, so the Brotherton son made a far better match socially than his father. But if the earl of Norfolk believed he was gaining anything politically from the union, he was mistaken. He did not start receiving royal favour or offices as a result, and indeed seems to have been unwelcome at court for most of this period (Waugh, 2004). Allying his heir to the daughter of a man most viewed with fear and loathing, and who brought no inheritance to the union, was another demonstration of Thomas acting against the best interests of himself and his family. When in February 1330, Thomas of Brotherton and Edmund of Woodstock led Edward III's young wife Queen Philippa to her coronation dressed as simple grooms, it is easy to imagine Mortimer and Queen Isabella sharing a private chuckle. Finally the two brothers were publicly dressed appropriate to their true natures, for simple is exactly what they both were, lofty titles and royal blood notwithstanding. Mortimer was already well aware that the earl of Kent had fallen into the trap he had set for him, and within a month the poor misguided Edmund was executed. Thomas must have been devastated, as the brothers had grown up together and remained close, but any effort he may have made to save Edmund (and none is recorded) was fruitless, and Thomas was packed off to Gascony that summer on royal business, taking brother-in-law John de Hales with him[25]. 1330 would prove devastating for Thomas in another way: his wife countess Alice died that year, at some point before 12 October, when Thomas obtained licence to found a chantry for her soul at the church of Bosham, Sussex (see figure 5)[26]. As this was one of Thomas's manors, it may be

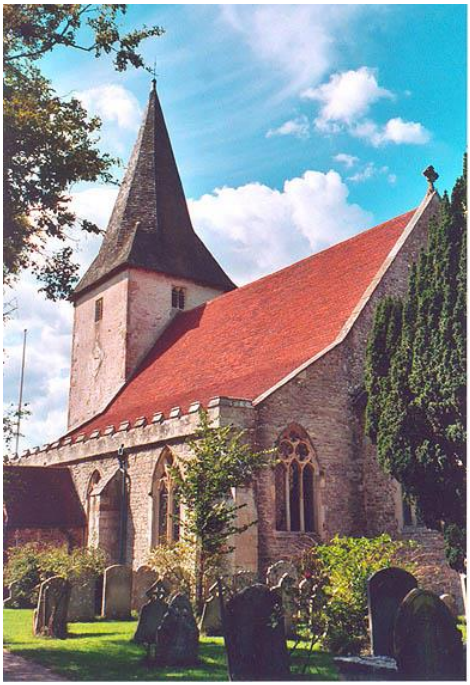


Fig.5 ***Holy Trinity church in Bosham, Sussex.*** *A chantry for Alice, Countess of Norfolk, was founded here in 1330.*

Photograph © Brad Verity.

[24] CPR 1327-1330, p.502. This was the amount covered by Edward III – Mortimer did not put out a shilling of it.

[25] CPR 1327-1330, p.508.

[26] CPR 1330-1334, p.11.

that Alice died there, though her burial probably occurred at a more prestigious religious centre in Norfolk or Suffolk. Around the same time, another chantry was founded for her soul at Carlton, Suffolk by John Framlingham, rector of neighbouring Kelsale, no doubt at the instigation of Thomas. What caused the death of Countess Alice, only in her late twenties, is not known. If it was childbirth, the baby did not survive either.

When young Edward III set in motion his successful coup that overthrew Mortimer in October 1330, he used his circle of household knights and the earl of Lancaster for support. The earl of Norfolk was not included, though he did have the satisfaction, in his office as marshal of England, of carrying out Mortimer's sentence of execution the following month (Doherty, 2003, p.162), which left his brother Edmund revenged and his young daughter-in-law Beatrice fatherless. From 1331 to 1333, the earl of Norfolk seems to have been viewed with some confidence by his royal nephew. Thomas joined the king's company for a tournament at Stepney in June 1331, was appointed one of the keepers of the peace in Norfolk and Suffolk in 1332, and was placed on several judicial commissions. The highlight of this period of favour was Thomas commanding a contingent of royal forces in the Scottish campaign culminating in the battle of Halidon Hill on 19 July 1333 (Waugh, 2004). It was on this campaign that a young yeoman from the king's chamber, Walter Mauny from Hainault, greatly distinguished himself and was knighted. The earl of Norfolk was impressed enough that he appointed Mauny his deputy marshal of the king's marshalsea[27].

Thomas continued to be taken advantage of in land transactions, except now it was the favourites of Edward III who were benefiting. In 1332 he surrendered to the king a group of forfeited Despenser manors he had been granted by Queen Isabella and Mortimer, which the king promptly granted to his cousin Sir William de Bohun[28]. Thomas was to receive a rent of £800 in return, but in 1336, he remitted Bohun of the payment (Waugh, 2004). Thomas voluntarily relieved himself of this large and valuable block of lands, as he made clear to Bohun a few months later (Holmes, 1957). The reason he did so is far less clear, but all evidence points to him being a poor administrator of his estates. The same year he surrendered the former Despenser manors, Thomas was ordered by the king to restore order on his Irish lands, chiefly the lordship of Carlow, or risk having them seized if a royal army should be sent theren (Waugh, 2004). Thomas handled this directive not by taking charge of it but by handing it off. In February 1333, while wintering at York during the Scottish campaign, Thomas and Sir William de Montagu, one of the heroes of the Scottish campaign and the best friend of Edward III, negotiated a marriage between Montagu's young son and heir and Alice de Brotherton, Thomas's younger daughter. Thomas granted the lordship of Carlow and the rest of his Irish lands, as well as his Berkshire manor of Hampstead Marshall, to Montagu to hold for life, with reversion to the young couple after Montagu's death[29]. Thomas was settling his daughter in marriage by permanently alienating a considerable portion of the Norfolk patrimony. Though the Irish lands may have been more trouble than they were worth, the transaction reduced the estates and revenue that his son Edward de Brotherton would inherit. The lordship of Carlow and the other lands would revert back to the Brothertons if Alice were to die childless, but that possibility could not be what

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27 CP, **8**: 572.

28 CFR 1327-1337, pp.323-324. The manors were Hinton and Spene in Berkshire; Haseley, Ascot, Deddington, Pyrton and Kirtlington in Oxfordshire; Wycombe in Buckinghamshire; Long Bennington in Lincolnshire; Kneesul in Nottinghamshire; Newnham in Gloucestershire; and Wix in Essex.

29 CPR 1330-1334, p.402.

anyone would hope to happen. As it turns out, it was Edward who died young and childless the following year.

Shortly after the marriage of Edward de Brotherton and Beatrice Mortimer, Thomas settled jointly onto the young couple his Sussex manors of Bosham, Stoke and Stoughton[30]. After the lordship of Chepstow, Bosham was the most valuable property in terms of revenue that Thomas held[31], so it would serve as a nice source of independent income for the couple once they came of age. Edward's death in 1334 before he had even reached age 13 was a crushing blow[32]. Thomas was faced with the Brotherton inheritance being divided into two after his death, plus the Sussex manors were now in the hands of young widow Beatrice, who was only in her late teens. If she lived a long time, the manors would not be in the hands of Thomas and his heirs for years, which of course is exactly what happened. Beatrice was a valuable young widow and a suitor for her hand must have appeared almost immediately in the person of 32-year-old Sir Thomas de Braose, of Tetbury, Gloucestershire. Braose was one of Edward III's household knights, but even better, he had a younger sister Mary, a widow of a few years standing, with some well-placed manors of her own. The earl of Norfolk was only aged 34, and there was time to father another son and heir if he remarried. It was likely Braose/Brotherton double marriages that took place in the latter half of 1334[33] (figure 6).

Final wife and final years

The second wife of Thomas, though not his equal socially, was a level above his first wife, and had connections to several baronial families. Mary de Braose was born about 1305/06[34], a younger daughter of Peter de Braose, a knight seated at Tetbury in Gloucestershire. Her father was himself a younger son of the baron William de Braose, lord of the rape of Bramber in Sussex and of Gower in Wales. Her paternal grandmother, Mary de Ros was of the Yorkshire baronial family, while her mother Agnes Clifford was of the Cumberland baronial family (Watson, 1932-34). Mary's father Sir Peter de Braose died early in 1312, leaving his wife Agnes, an eldest son and heir Thomas, younger sons John and Peter, and daughters Margaret and Mary[35].

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30 CIPM 1377-1384, p.368.

31 In 1394-5, Chepstow's reported revenue was £238 13s 4d, and Bosham's was £212 14s 1½d. (Archer, 1987).

32 Many sources have Edward dying in the year 1337, but Beatrice was remarried by December 1334. CPR 1334-1338, p.62.

33 It seems improbable that Thomas married Mary before the summer of 1334, given the Scottish campaign of 1332-1333 and the lack of urgency to remarry while his son and heir Edward was alive.

34 Age estimated from the birth of her son in 1324.

35 Peter de Braose, of Wiston, Sussex, and his sister Margaret have only recently been identified as children of Sir Peter de Braose of Tetbury. For Peter, see Craig (1996). For Margaret see Douglas Richardson and Paul Mackenzie, 'Identity of Margaret, Wife of Henry le Tyeys & Thomas de Monthermer' in the soc.genealogy.medieval newsgroup.

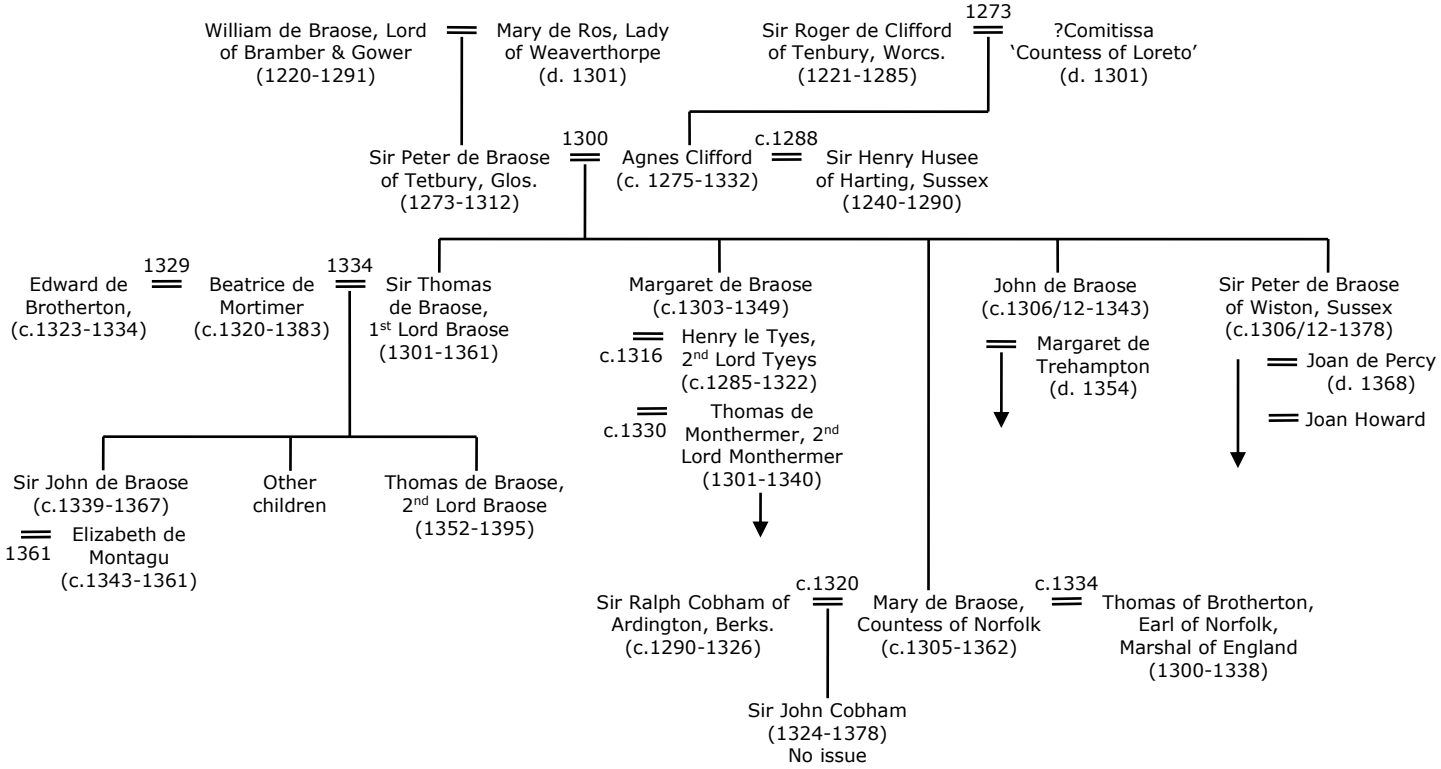


Fig 6. ***The pedigree of Mary de Braose***

Agnes did not remarry a third time, but raised her children on the estates she held in dower, which included lands in Gloucestershire, Sussex, Buckinghamshire and Berkshire. In 1316, Sir Henry le Tyeys was appointed guardian of Mary's eldest brother Thomas de Braose, and about the same year married her elder sister Margaret[36]. It was Tyeys, a Wiltshire baron firmly among the opposition to the Despensers, who led his ward Braose into joining the rebellion in 1322, which ended in execution for Tyeys and imprisonment for Braose. In the meantime, a marriage had been arranged for Mary. John de Warenne, earl of Surrey, who was the leading magnate in Sussex, was well-known to the Braoses. He likely had a hand in securing a respectable bride for one of his leading retainers, Sir Ralph de Cobham. The Cobhams were a family of relatively humble origin in Kent who had not yet attained baronial status. Ralph, the youngest of six sons of Sir John Cobham (d.1300), owed everything to his patron the earl of Surrey, and managed, with his help, to amass a decent estate (Saul, 2001, p.253). Ideally, Sir Ralph Cobham would have married an heiress who could bring lands to the union. Mary could only bring to the union money (in the form of a marriage portion) and kinship connections to prominent baronial families, but those must have sufficed. The marriage had been arranged before 1322, as it was Cobham who stood bail for the imprisoned young Thomas de Braose[37]. Mary, at least a dozen years younger than her husband, soon produced her only child, son and heir John Cobham, born in December 1324[38]. Sir Ralph Cobham died in February 1326, leaving his wife with two manors held jointly for life – Tyburn in Middlesex and Langney in Sussex – plus dower in the manor of Ardington in Berkshire and in scattered lands in Kent and Sussex. By far the most important manor Cobham had held was Thetford in Norfolk, a stop on the road between London and Norwich. These were not extensive holdings, though they must have provided secure enough revenue since Mary took over their administration and appeared in no rush to remarry. She would have received aid from her mother Agnes, who did not die until 1332, and her brothers, but as a whole, Mary, a younger daughter in a junior branch of a baronial family, had, at the most, done adequately in life and settlement. Adequate changed to spectacular with her second marriage.

Thomas must have known the Braoses prior to 1334, especially Thomas de Braose, who was only a year younger than himself[39], but how and when he met Mary is unknown. Her holdings as a widow were minuscule compared to the vast estates of the Norfolk earldom, and her family connections were strictly baronial, so Thomas was not motivated by financial or political considerations in his choice of her as a second wife. If anything, she was a young woman in her late twenties who had proven to be fertile, and could hopefully provide a much-needed son and heir. On top of that, there may have been mutual attraction. This second marriage was not a love match as his first had been, yet neither was it an arranged union – Thomas and Mary were adults who chose to wed. That the advantage was entirely on Mary's end is typical of all negotiations Thomas endeavoured. As for Mary proving to be an

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36 CP, **12(2):** 104-105; CPR 1313-1317, p.499.

37 CCR 1318-1323, pp.580, 603.

38 CIPM 1316-1327, p.438.

39 In December 1334, Sir Thomas de Braose was pardoned for the death of John Jermy the younger, and in general for all offences from the time of Edward II (CPR 1334-1338, p.62). How this John Jermy was related to the brother-in-law of Earl Thomas's first wife Alice Hales is not known, nor is the role Braose played in Jermy's death clear, but it would certainly have made Earl Thomas and his first wife's family well aware of Braose, and makes his marriage to the widowed Beatrice de Brotherton rather curious.

organised and effective administrator, it is easier to see fortune's hand than the ability of Thomas to recognise those qualities in her.

The new countess of Norfolk had a tremendous task ahead of her. The Brotherton household was a disaster. Complaints were filed against Thomas's retainers, charging them with unruliness and destruction, and it grew enough out of control that the earl of Norfolk was called before the king. In the spring of 1337, Edward III appointed Sir Constantine Mortimer, lord of Attleborough in Norfolk, to restore the Brotherton household to order (Waugh, 2004). The office of marshal was taken from Thomas on 25 May 1337[40], and at some point that year he also surrendered to the king the lordship of Chepstow, his chief seat of Framlingham, and the Suffolk castle of Walton and manor of Soham. The king appears to have taken his uncle under his wing, had him join the Scottish campaign that year, and named him keeper of Perth (Waugh, 2004). Yet he was not given a leadership position (there are no payments to him as a captain on the pay roll) (Ayton, 1998) which had to be humbling for the former marshal of England. At some point in December 1337, Thomas left the campaign and returned to England, apparently without first informing the king[41]. Countess Mary, meanwhile, must have been working closely with Sir Constantine Mortimer to restore order in the household. In May and June 1338, the king was impressed enough to re-grant Chepstow, Framlingham, Walton and Soham to Thomas and Mary jointly, with reversion to the heirs of Thomas[42]. The office of marshal of England was also restored about the same time. That Mary was receiving the chief part of the Brotherton inheritance in jointure was a sign of the respect that both Thomas and the king held for her.

Thomas may have already been showing signs of illness, which could be the reason he left the Scottish campaign at the beginning of winter. On 4 August 1338, he made his will at Framlingham[43], and he died, probably there, on 23rd August, aged 38[44]. Countess Mary, no doubt an executor of his will, took charge of his funeral[45], and he was laid to rest at the Abbey of Bury St Edmunds in Suffolk, the chief religious house in medieval East Anglia and a popular destination for pilgrims. The Abbey had suffered riots and destruction from the disaffected townspeople in 1327, and tremendous rebuilding efforts were needed. Thomas of Brotherton had assisted the Abbey at the time and likely contributed to its rebuilding as his coat of arms appears on the principal gatehouse, which still stands (Dugdale, 1821). His was the first royal burial at Bury St Edmunds since the Conquest, and the Abbey was no doubt grateful for the honour.

Countess Mary was assigned dower on 15 December 1338, but protested that she should be given dower in all of the Brotherton lands, even those missed by the

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40 CCR 1337-1339, p.79.

41 CCR 1337-1339, pp.232, 281.

42 CP, **9:** 598.

43 CP, **9:** 598. The will does not survive, but notes from it are preserved in the collections of a Tudor-era herald, Nicholas Charles.

44 Watson (1932-34). Many sources relay a date of September 1338, for Thomas's death, using testimony from the Proof of Age of his granddaughter Elizabeth de Segrave as a source (see CIPM 1352-1361, p.115). But Watson's date of 23 August appears to be correct, for the king ordered the seizure of Thomas's goods and chattels on 28 August (see Archer, 1987, p.205 n.9).

45 CCR 1339-1341, p.18. Sir John Jermy, his former brother-in-law, may have been another executor.

inquisitions following Thomas's death[46]. She was already proving to be sharper and more protective of her interests than Thomas had been of his. She must have assembled a strong team of administrators and attorneys as her council, for she pursued her rights vigorously. In 1339, she petitioned for her proper dower as laid out in *Magna Carta*, and the proper arrears of her dower in the revenues from Norwich Castle[47]. In 1344, the earl of Salisbury whom the king had appointed marshal of England following Thomas's death, died. Mary successfully petitioned for dower from the office of marshal, and that same year even pursued her rights to dower in three of the manors that Thomas had surrendered in 1332[48]. The king, impressed with the countess of Norfolk's abilities, granted her the wardship of the lands of Oliver de Ingham during the minority of one of his coheirs, and Mary took her responsibilities seriously enough to personally oversee the extent of the dower lands assigned to Ingham's widow[49]. Countess Mary continued officially to pursue and defend her rights into the early 1350s[50], and was such an effective administrator that her son John Cobham partnered with her in managing his estates even after he attained his majority[51]. By the time Mary died on 11 June 1362 in her late 50s (Watson, 1932-34), she had run the Brotherton inheritance on her own as countess of Norfolk for almost twenty-five years, just as long as her husband had overseen them, but with infinitely more efficiency. She set a tremendous example for her stepdaughters, and would play an active role in a crucial period of the life of Margaret de Brotherton, which will be examined in full in part two of this article.

Legacy

What can be said in general about Thomas of Brotherton? His coat of arms (see http://www.heraldique-europeenne.org/Accueil.htm for a nicely-drawn rendition) was England (three gold leopards/lions on a red background) differenced with a label of three silver points. It was, and continues to be, proudly displayed by his descendants the Mowbrays and Howards, linking their hereditary office of marshal of England to a royal Plantagenet past. Yet Thomas was inept enough in the office that it was confiscated from him twice, and after his death, Edward III appointed the trusted William Montagu, newly-created earl of Salisbury, to it, for life only, very pointedly removing its hereditary aspect[52]. As an estate administrator, Thomas was disastrous, and as a political figure, he was a non-entity. His royal birth and high station guaranteed him participation in the tumultuous events of his day, yet not one of them would have had a different outcome if Thomas had never existed at all. Some of them may have turned out far better had he shown any ability as a leader. On a more positive note, Thomas went from excommunication as he came of age to avid church building later in his life. The church of St Martin in Trimley, Suffolk, which he had built, still stands today[53], and his arms can be found on the tower of St Mary's church

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46 CCR 1337-1339, p.582.

47 CCR 1339-1341, pp.19, 293.

48 CPR 1343-1345, p.272; CCR 1343-1346, p.272.

49 CCR 1343-1346, pp.306, 500.

50 CCR 1343-1346, p.586; CCR 1349-1354, pp.123-124, 459.

51 CCR 1349-1354, p.90; CIPM 1361-1365, pp.306, 308-310. John Cobham pursued a military career, was knighted, and died without issue and apparently unmarried in 1378, leaving his estates to the crown out of love and affection for the Black Prince (Saul, 2001, p.24 n.79).

52 CPR 1338-1340, p.168.

53 *The National Gazeteer of Great Britain and Ireland* (1868), transcribed on www.genuki.org.uk.

in Bungay. Modern historians have mentioned his "*wild and disagreeable temper*," (Prestwich, 1980) and have commented on his apparent lack of initiative (Waugh, 2004), but what emerges from a closer look is a man of truly limited capabilities who was born to a position in life that he was barely able to maintain, let alone excel. Given his premature and traumatic birth, it may even be possible he suffered from mental limitations, though there will never be enough evidence for a diagnosis. His most lasting legacy is his marriages. The first, to a girl far beneath him in rank, was extremely inappropriate in the early fourteenth century, yet can at least today be admired in a romantic light as a marriage of love. And the second, though only somewhat better on a social level, proved to be far better for the Brotherton legacy, as his widow's very affective administration of the Norfolk lands no doubt helped to erase the memory and remove the stigma of Thomas's mismanagement. The village of Brotherton can have some pride in its one and only royal son, as the ensuing centuries have kept the focus on his lofty title and important office rather than his deficiencies of character and ability.

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