

# The Execution of the Earl of Desmond

## JOHN ASHDOWN-HILL AND ANNETTE CARSON

Thomas Fitzgerald, seventh Earl of Desmond<sup>1</sup>, former deputy governor of Ireland, the friend and ally of Edward IV, was beheaded at Drogheda in February 1468 at the hands of his successor as lord deputy, John Tiptoft, Earl of Worcester. His death apparently caused consternation in Ireland, and it sent his family into immediate armed rebellion. Subsequent assessments seem unanimous in condemning Desmond's execution as a serious error. Various explanations of the motives underlying this execution have been given. In the first place, that the earl had been engaged in treasonable negotiations with 'the Irish enemy'. Secondly, that he had imposed illegal exactions upon the Anglo-Irish community<sup>2</sup> and thirdly, that Tiptoft coveted certain lands held by the Desmond family, to which he had a remote claim which he thought it would be easier to advance if the earl were dead.<sup>3</sup> Lastly, that Desmond had told Edward IV that his marriage with Elizabeth Woodville was a *mésalliance* and that he should have chosen a more suitable bride, a piece of frank speaking which had earned him the undying hatred of the queen, 'a spightfull woeman [who] sought and studyed out meanes how to be revenged upon the Earle'.<sup>4</sup>

It may well be the case, of course, that more than one of these motives played a part in Desmond's execution, either as real reasons for his death, or as *post hoc factum* justifications for it. Only the first of these motives seems to have been publicly voiced at the time of the execution. The second seems to have been put forward for the first time in the early sixteenth century. The third is a relatively modern explanation, while the fourth, which ascribes responsibility to Elizabeth Woodville, is first encountered in writing in about 1541, though it comes from an Irish source, and the story may well have been current in Ireland at an earlier date. It has been argued that there is no strictly contemporary evidence for this fourth explanation, and some, though not all, writers on the topic have therefore dismissed it from consideration. In particular powerful voices such as that of Ross have declared that 'there is ... no truth in the later story that Elizabeth Woodville procured the death of the Irish earl of Desmond on the ground that he had urged against Edward IV's marrying her, and thought a divorce [*sic*] desirable. It can be dismissed as a Tudor fabrication'.<sup>5</sup> Other voices, however, have argued equally forcefully against the second claim, that Desmond was punished for exacting coyne and livery.<sup>6</sup>

This article attempts to reassess Desmond's execution and the motives which lay behind it. It will emerge that there is important fifteenth century source material relating to Desmond's execution, and that while this fifteenth century material does not mention Elizabeth Woodville, it is consistent with the more

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<sup>1</sup> Some pedigrees number Thomas as the 8th earl but this is incorrect. The enumeration followed here is that of the *Complete Peerage* (1916 edition) which argues persuasively that when Maurice, the 2nd earl, died childless in 1356, his next brother and heir, Nicholas, was not immediately recognised as earl by the king because his sanity was in question. After an official investigation which concluded that Nicholas was an idiot the next brother in line, Gerald was formally recognised as the 3rd earl of Desmond on condition that he care for Nicholas. Earlier pedigrees either mistakenly counted the unfortunate Nicholas as the 3rd earl, and Gerald as the 4th (see for example *Complete Peerage*, 1890 edition) or in some cases erroneously interpolated a younger brother, John, as the 3rd earl from 1358 until his death in 1369. It is certain that neither Nicholas nor John ever held the earldom, and that Gerald was being addressed as earl by 1363 at the latest. The title 'earl of Desmond', created by Edward III in 1329, derives from the Irish *Des-Mumba* ('South Munster'), for the earldom was based in the province of Munster.

<sup>2</sup> 'Coyne and Livery' were traditional exactions by Irish chiefs of food and billeting for their attendants and horses, or money taxes in lieu. A report of 24 June 1515 states that Desmond was executed for these 'abominable' exactions (*Calendar of Carew Manuscripts at Lambeth*, 2 vols. London 1868, vol. 1, p. 8) but no such charge is in the bill of attainder against him (see n. 20).

<sup>3</sup> This explanation was first advanced in the 19th century. John Tiptoft's ancestors apparently 'had claims upon the manors of Inchiquin and Youghal in the vicinage of the Munster Geraldines' and this 'may have had something to do with the execution' of the earl of Desmond. S. Hayman and J. Graves, eds., *Unpublished Geraldine Documents*, Dublin 1870-81, pp. 80-82.

<sup>4</sup> Thomas Russell, 'Relation of the Fitzgeralds in Ireland', 1638, in Hayman and Graves, *Unpublished Geraldine Documents*, p. 12. Thomas Russell's forebears had been in the service of the earls of Desmond.

<sup>5</sup> C. Ross, *Edward IV*, London 1974, p. 101, n. 2.

<sup>6</sup> Thomas Russell declared (1638) that 'this noble Earle ... ruled his country with greate vertue and manlike vallour, being unworthily cutt of for his tryed love to his Prince and King, and not for any kind of extortion and Coyne or Livery, as it pleased Sir John Davers to write downe in his book of Ireland'. Hayman and Graves, p. 13.

extensive sixteenth century accounts which allege that the queen played some part in the earl's death. It therefore seems a gross oversimplification to dismiss the sixteenth century accounts as 'a Tudor fabrication'. Moreover, those who have taken that stance will be shown to have done so little research on the source material that until now the most important sixteenth century account of the execution has been consistently misattributed.

The house of York was itself descended *via* the Mortimers from the Irish aristocracy of which, through its tenure of the earldom of March, it formed a part. Perhaps for this reason Richard, Duke of York, seems to have had a better idea of how Ireland worked than most of the English lords who tried to rule it on behalf of the English king. His rule was well-received at the time and was remembered later as something of a golden age. He appointed as his deputy, and as steward of the liberty of Meath, Thomas, seventh Earl of Kildare. The house of York was to remain popular in Ireland well into Tudor times and the two Yorkist pretenders who assailed Henry VII both based their bid for the crown on Ireland.

At the beginning of the reign of Edward IV it is not surprising, therefore, to find the new king on very friendly terms with the great Anglo-Irish lords. In particular James Fitzgerald, sixth Earl of Desmond and the godfather of Edward IV's brother, George, Duke of Clarence,<sup>7</sup> was *persona grata*, having provided help and succour to the late duke of York in his hour of need from his family's power-base in the south west of Ireland (the province of Munster). When James died in 1462, his son and successor, Thomas, in his turn enjoyed the royal favour. He attended Edward's court and received rewards for loyalty from the king. On 2 August 1462 came a 'grant for life to the king's kinsman Thomas, earl of Desmond, for his good service to the king and the king's father, of the office of steward of Connagh and all the other lordships belonging to the king's earldom of March in Ireland, with wages of 100 marks yearly from the revenues of the liberty of Meath'. On 15 April 1463 Edward confirmed the appointment (made by his brother, the duke of Clarence – then his lieutenant in Ireland) of the earl of Desmond as lord deputy in succession to William Sherwood, Bishop of Meath, and on 25 August 1464 Desmond was granted the manors of Trym, Rathwere, Kildalke, Rathtouth, Belgard and Foure, which would yield him an annual income of £103.<sup>8</sup>

However Desmond's rule as deputy was not free of problems, and his presence at the English court in 1464, followed by the king's grant of manors to him, has to be understood in the context of a degree of opposition to the earl amongst some members of the Anglo-Irish community. His father, the sixth earl, was later described as having been 'the first man that ever put coyne and livery on the king's subjects'.<sup>9</sup> These traditional Irish exactions were specifically prohibited by Edward IV, but far from abolishing them in his Irish lands, the seventh earl allegedly began to extend them to the anglicised 'Pale'. In 1463, soon after Desmond's appointment as lord deputy, a Drogheda merchant, James Dokeray, went to London to complain that coyne and livery were being levied on the king's subjects in Meath. An opposition to the deputy began to emerge, led by the English-born bishop of Meath, William Sherwood,<sup>10</sup> and the king's attention was drawn to the incipient conflict when both the earl and the bishop came to England to put their respective cases to him. Not all the Anglo-Irish were opposed to the earl, and 'letters in commendation of Desmond were ordered by the Parliament of the Colony to be transmitted to the King, his Council, the Chancellor and the Treasurer of England'.<sup>11</sup> On this occasion Edward IV was apparently satisfied with Desmond's account of affairs, and rewarded him with the grant of manors, after which 'the earl returned to Ireland as Deputy Governor with many tokens of royal favour'.<sup>12</sup>

It is noteworthy that Desmond's conflict with the bishop of Meath had brought him to Edward IV's court precisely at the time when the king's marriage to Elizabeth Woodville became public knowledge.

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<sup>7</sup> '21st of October 1449, the Duke of York's ninth child, George of York, afterwards Duke of Clarence, was born in Dublin Castle, and the Earls of Desmond and Ormonde stood sponsors at the font'. Hayman and Graves, p. 79. An example of the rather careless way in which some previous writers have handled the story of the earl of Desmond can be seen in R.J. Mitchell, *John Tiptoft*, London 1938, p. 113, where the author fails to make clear – and possibly fails to realise – that the earl who was Clarence's godfather was not Thomas but his father, James.

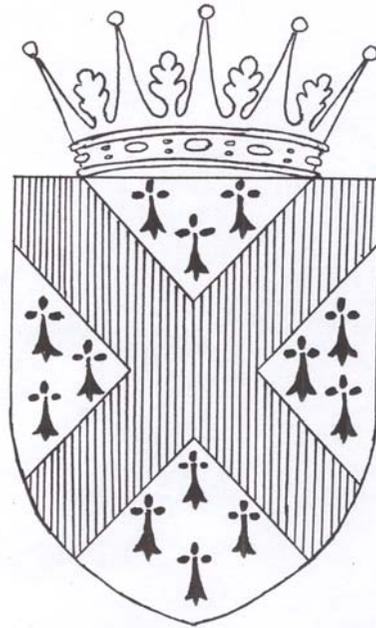
<sup>8</sup> *CPR 1461-67*, pp. 196, 270, 340. By contrast there are no mentions of the earl of Desmond in *CPR 1452-61*.

<sup>9</sup> *Calendar of the Carew Manuscripts at Lambeth*, vol. 1, p. 7.

<sup>10</sup> Although curiously the bishop co-operated with Desmond and his brother-in-law, the earl of Kildare, in the foundation of Fraternities of St Nicholas at Dunsany in 1465.

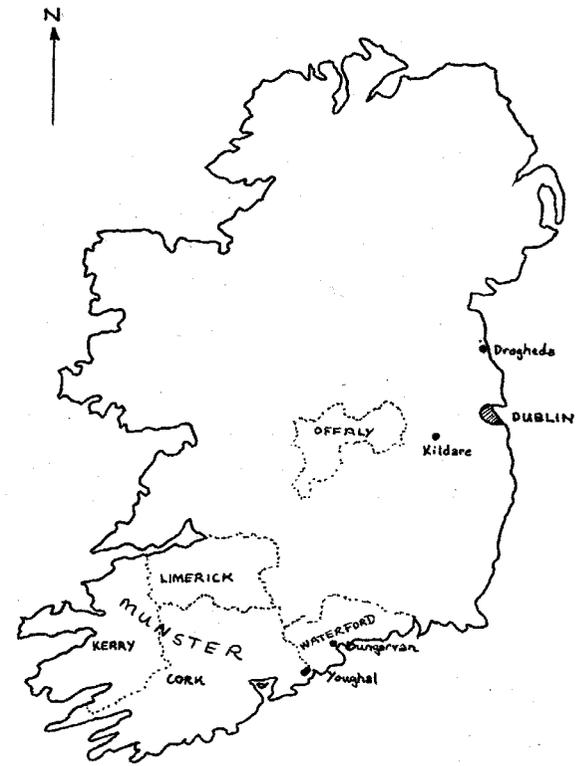
<sup>11</sup> Hayman and Graves, p. 80. Hayman and Graves go on to quote from the letters in question. Mitchell, *Tiptoft*, p. 114, also notes that 'the Anglo-Irish were inclined to like him', an observation which the letters confirm, but which Mitchell herself later, inexplicably, utterly contradicts when she claims (p. 119) without citing any evidence that 'the English settlers were alarmed by his [Desmond's] friendship and popularity with the Irish'.

<sup>12</sup> Hayman and Graves, p. 80.



The arms of Thomas Fitzgerald  
seventh Earl of Desmond

Fig. 1



IRELAND

Fig. 2

Under the circumstances it is by no means impossible that the king, who trusted Desmond, and who must have known that his marriage was being widely discussed, asked the earl what people were saying, just as the surviving sixteenth century accounts suggest.<sup>13</sup> Such a conversation may also have led the king subsequently ‘to suspect Desmond and his brother-in-law, Kildare, of favouring the projects of the earl of Warwick, which originated in dissatisfaction at the royal marriage with Elizabeth Grey, and the consequent advancement of her obscure relatives’.<sup>14</sup> We shall see later that specific links have been alleged between Desmond and the earl of Warwick and such links could well have undermined Edward IV’s confidence in Desmond. Also, although Desmond’s government was on the whole enlightened and impartial, and won the praise of the Irish (winning over O’Donnell and others), he had not succeeded in securing the backing of all the Anglo-Irish. As we have seen, his predecessor as lord deputy, the bishop of Meath, maintained a small Anglo-Irish opposition to Desmond. Moreover, in 1466 affairs in Ireland began to go badly from an English point of view. There was widespread unrest, and native Irish support rallied to the cause of Tadheg O’Brien, whose proclamation as king at Tara may only have been prevented by his untimely death. Desmond seemed to have lost control. When, very unluckily, he suffered a military setback and was defeated and captured by the O’Connors of Offaly, Edward IV decided to replace him.

The king’s choice for the new deputy fell upon John Tiptoft, Earl of Worcester, who since 1462 had pursued a fearsome career as Edward’s constable of England. Edward IV is said to have been ‘greatly impressed by Tiptoft’s qualities of firmness and integrity, and had such faith in him that he believed him able to handle any problem, however difficult’.<sup>15</sup> Indeed, Tiptoft was seen as quite ruthless in his devotion to the cause of the house of York. A contemporary chronicle described him as ‘*ille trux carnifex et hominum decollator horridus*’,<sup>16</sup> referring to his proclivity for imposing the most rigorous of penalties. He was to resume his activities as constable in 1470 after being recalled from the post of lord deputy, going on to earn particular condemnation for dismembering and impaling the bodies of rebels executed after the Warwick-inspired uprising. For practices such as these he was later known as the Butcher of England. His ultimate departure from the post of deputy was greeted in Ireland with universal rejoicing and only a few months afterwards it was to be remarked that ‘the peple of the londe [England] were gretely displeysyd’ by Tiptoft’s strong measures, which were perceived as unwarrantably cruel, so that ‘the Earle of Worcestre was gretely behatede emonge the peple for the dysordinate dethe that he used’.<sup>17</sup> But then, as his biographer has observed, ‘Tiptoft never made the slightest attempt to court popular favour, nor did he show any wish to justify or minimize his own severities’.<sup>18</sup>

Thus it was that in September 1467 Tiptoft arrived in Ireland accompanied by a well-established reputation for severe or even excessive tactics. Nevertheless, initially he set a conciliatory tone, co-operating with the earl of Kildare and other Anglo-Irish lords. When parliament opened at Dublin in December, everything proceeded peacefully until the house recessed for Christmas. However, the next session of Parliament was moved to Drogheda which had been at the heart of opposition to the earl of Desmond. When parliament opened on 4 February a bill was immediately brought forward attainting the earl of Desmond and his brother-in-law, the earl of Kildare,<sup>19</sup> together with the seneschal of Meath, Edward Plunket. The public accusation was of ‘horrible treasons and felonies contrived and done by Thomas Earl of Desmond and Thomas Earl of Kildare and Edward Plunket, Esq., as well in alliance, fosterage and alterage with the Irish enemy of the king, as in giving them horses and harness and armour and supporting them against the faithful subjects of the king’.<sup>20</sup> Other charges were also in the air, and informally levelled against Desmond, in particular the ridiculous and groundless allegation that he had been plotting to make himself king of Ireland.

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<sup>13</sup> Mitchell, *op. cit.*, p. 115, considers that ‘it is possible ... that Desmond let fall some criticism of the king’s recent marriage with Elizabeth Woodville’ but she is inconsistent, contending subsequently (p. 121) that any suggestion that this ‘indiscreet’ behaviour on Desmond’s part might have been a motive for his execution ‘is highly improbable’.

<sup>14</sup> Hayman and Graves, p. 80.

<sup>15</sup> Mitchell, *op. cit.*, p. 112.

<sup>16</sup> ‘That savage murderer and frightening cutter-off of men’s heads’. Mitchell p. 126, citing *Three Fifteenth Century Chronicles*, p. 183.

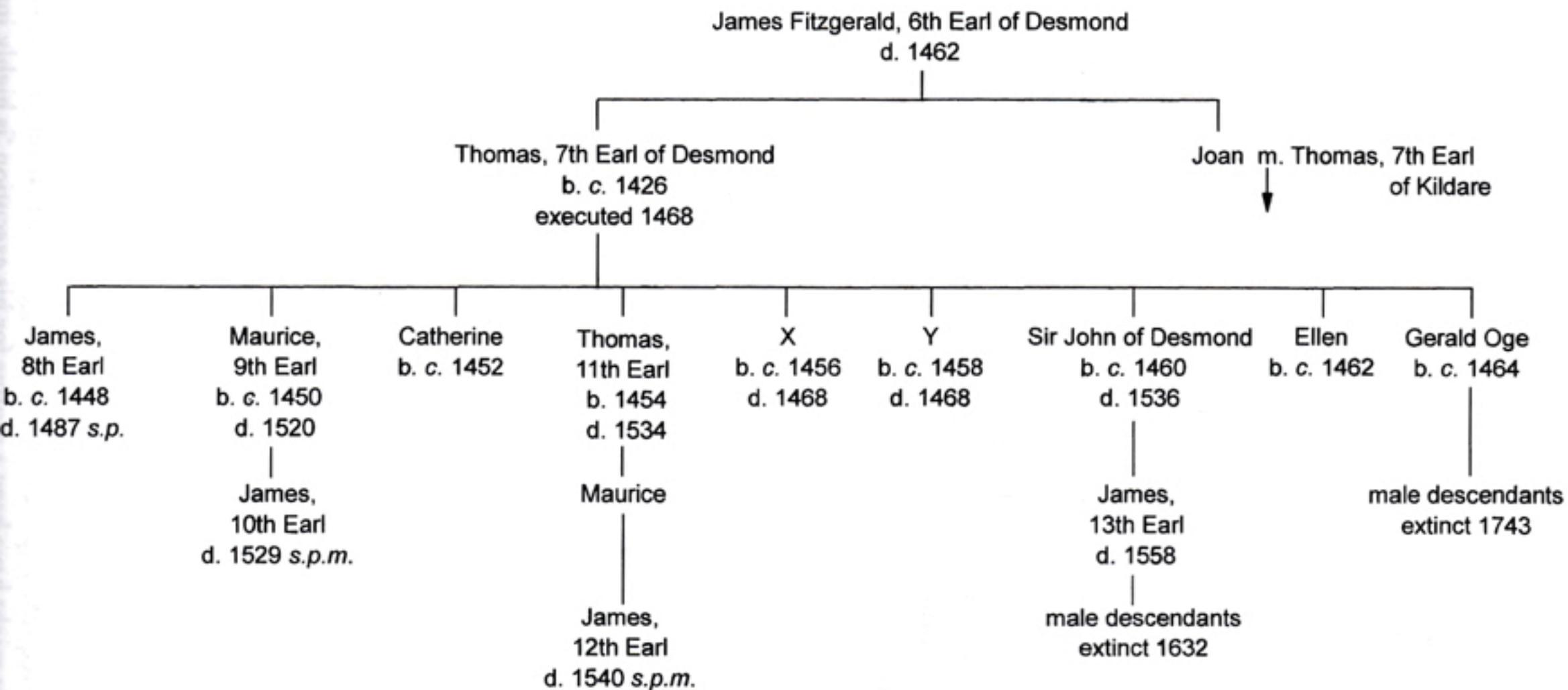
<sup>17</sup> Mitchell, p. 133, citing J.O. Halliwell, ed., J. Warkworth, *Chronicle*, Camden Society, London 1839, p. 9.

<sup>18</sup> Mitchell, p. 130.

<sup>19</sup> The earl of Kildare was married to Desmond’s sister, Joan.

<sup>20</sup> Act of attainder of the Irish Parliament, Edward IV year 7, *Calendar of Carew MSS*, vol. 5, p. 483.

# EARLS OF DESMOND



**Fig. 3**

On 15 February Desmond was extracted from the Dominican friary in Drogheda and summarily executed, profoundly shocking the whole of Ireland.<sup>21</sup> It is quite clear from several sources that the Irish reaction to the execution was that it was a betrayal, lacking any semblance of justice. The *Annals of Ulster* recorded: ‘A.D. 1468. A great deed was done in Droiched-atha this year: to wit, the Earl of Desmond, namely, Thomas, son of James, son of Earl Gerald, was beheaded. And the learned relate that there was not ever in Ireland a Foreign youth that was better than he. And he was killed in treachery by a Saxon Earl’.<sup>22</sup> Later Thomas Russell wrote that ‘as soon as the Earle of Desmond came [to Drogheda], without any kind of examination, or layeing any certaine criminall offence to his charge, he was made shorter by the head, to the great astonishment of the whole nobility of Ireland, beeing att that tyme there presente’.<sup>23</sup>

No reasons for the earl’s execution other than the accusation of treason were apparently made public at the time. Desmond was, however, the only one of the three accused to suffer the supreme penalty. Neither Kildare nor the seneschal was executed, and both ultimately received royal clemency.<sup>24</sup> There are various accounts of how they came to escape execution, but the key factor may have been that they evaded falling into the hands of Tiptoft until news of events in Ireland reached the ears of the king. This implies that in acting against them, Tiptoft cannot have been carrying out the king’s will, an impression which is reinforced by one surviving contemporary account. The *Annales* traditionally attributed to William Worcester, reporting Desmond’s death, place the responsibility squarely on Tiptoft, and state that Edward IV viewed the execution of his former friend with initial displeasure.

[1467/8] ‘Circa festum Purificacionis beatae Mariae in Hibernia Comes Wigorniae fecit decollari Comitem Desmond, unde Rex in principio cepit displicenciam’<sup>25</sup>

The importance of this evidence can hardly be over emphasised, for it makes nonsense of any suggestion that Desmond’s execution was an act of policy on the part of the king, although various writers have sought to imply this.<sup>26</sup> Clearly, however, Edward’s reported reaction to the news of the execution can only mean that he had neither ordered nor authorised it. That such a serious action could have been undertaken without the king’s knowledge or consent seems to be consistent with one writer’s assessment of Edward IV’s conduct at this period.

During Tiptoft’s absence in Ireland Edward IV had relaxed all his vigilance and allowed affairs to drift while he gave himself up to pleasure and dissipated his time in feasting and pleasant conversation and his energies in hunting.<sup>27</sup>

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<sup>21</sup> J. Lyddon, *The Making of Ireland*, London 1998, pp. 107-109. Hayman and Graves confirm that Desmond was executed on 15 February: *Unpublished Geraldine Documents*, pedigree facing p. 65.

<sup>22</sup> B. MacCarthy, ed., *Annals of Ulster*, vol. 3, Dublin 1895, pp. 219-21. Desmond was a ‘foreign youth’ because he was Anglo-Irish.

<sup>23</sup> Russell, in Hayman and Graves, p. 12.

<sup>24</sup> ‘Kildare fled to England to plead his case before Edward IV’. Mitchell, *op. cit.*, p. 119. He was pardoned a few months later and restored to his honours. He succeeded Tiptoft as Clarence’s deputy in Ireland later in 1468, but when Clarence was replaced as lord lieutenant by Tiptoft, Kildare was replaced as deputy by Edmund Dudley. When Clarence was restored to his post, however, Kildare again became his deputy, a post which he then held until 1475.

<sup>25</sup> ‘About the Feast of the Purification of the Blessed Mary [2 February], in Ireland, the Earl of Worcester had the Earl of Desmond beheaded, at which the king was initially displeased’. T. Hearne, ed., *Liber Niger Scaccarii, nec non Wilhelmi Worcestrii Annales Rerum Anglicarum*, 2 vols., London 1771, vol. 2, p. 513; J. Stevenson, ed., *Wars of the English In France*, RS 1864, vol 2, p. 789. As K.B. McFarlane has shown (‘William Worcester: a Preliminary Survey’ in G.L. Harriss, ed., *England in the Fifteenth Century*, London 1981, pp. 200-12) the *Annales* are a miscellaneous collection of which William Worcester was the owner rather than the author, though he contributed small sections. Further additions were made in about 1491 (after Worcester’s death in 1482). Both of the main published editions of the *Annales* are unsatisfactory: Hearne’s because he extensively reordered the material, and Stevenson’s because, despite his claim to have worked from the original manuscripts, he clearly simply copied from Hearne, introducing some inaccuracies in the process. Extracts from the *Annales* are also to be found in J. Bohn, ed., *The Chronicles of the White Rose of York*, London 1843, and Bohn may well have worked not only from Hearne but also directly from the original manuscript, as his published text differs from Hearne’s. However, Bohn does not include the reference to Desmond. In their account of Desmond’s death Hearne’s and Stevenson’s published texts are identical, and while we cannot be certain that the *Annales* report of the execution dates from 1468, it was written in the second half of the fifteenth century, probably within twenty years of Desmond’s execution. We are grateful to Dr Anne F. Sutton for drawing our attention to McFarlane’s work.

<sup>26</sup> Mitchell, *Tiptoft*, p. 116 onwards.

<sup>27</sup> Mitchell, *Tiptoft*, p. 128. Here again there is an underlying contradiction implicit in Mitchell’s account.

In Ireland Desmond's execution had led to an immediate and violent reaction. The dead earl's elder sons 'raised their standards and drew their swords, resolved to avenge their father's murder'. According to a later account, Edward IV 'admonished the Desmonds by letters, not to sully their father's escutcheon with the foul blot of rebellion; protesting at the same time that the Earl of Desmond had been put to death without his order, nay, without his knowledge'.<sup>28</sup> He promised them pardon if they would lay down their arms, which they did. The sequel indicates that the king felt the need to make amends to the dead earl's family, for in an attempt to conciliate the new (eighth) earl, Thomas' son, James – who was then about twenty years of age, and whose title to the earldom the king clearly acknowledged immediately and unequivocally, despite Tiptoft's act of attainder against his late father, – Edward IV granted him the palatinate of Kerry, together with the town and castle of Dungarvan. This grant may be thought to imply that in Edward's view an injustice had been done. He also extended to James and to his successors an extraordinary privilege: that of being free to choose not to appear in person before his deputy or the council in Ireland, but to send a representative instead. This privilege implies that Edward had understood and sympathised with the fact that inevitably the earl's family now felt very wary of risking putting themselves into the hands of the Anglo-Irish authorities.

In addition to the execution of the earl of Desmond himself, Tiptoft has also been accused of putting to death two of the earl's young sons and, according to one account, also a member of Desmond's household. An entry in the *Register of the Mayors of Dublin* records (erroneously under the date 1469) 'This yeare the Earle of Desmond and his two sonnes were executed by y<sup>e</sup> Earle of Worcestre in Drogheda'.<sup>29</sup> This supplementary issue of the murder of two of Desmond's sons is recounted in considerable detail in a sixteenth century source, which we shall consider later, but there is another important and almost contemporary piece of evidence which, without specifically identifying them as Desmond's sons, confirms that the killing of the two boys did take place. Although the insertion of this evidence here requires a slight departure from the chronological sequence of source material, it will be convenient to consider it at this point.

Desmond's executioner, John Tiptoft, Earl of Worcester, rather unusually, perhaps, for a fifteenth century English nobleman, had spent part of his life in Italy. While there he had made the acquaintance of Vespasiano da Bisticci, from whom he purchased books. But 'Vespasiano da Bisticci was something more than an ordinary bookseller, for he was the trusted friend and adviser of princes and scholars, of whom he has left an invaluable gallery of portraits'.<sup>30</sup> Bisticci's pen portraits include one of John Tiptoft, to whom he refers as 'duke of Worcester'. Bisticci died in 1498, so although we do not know when he wrote his account of John Tiptoft, it must have been before that date, and a late nineteenth century editor of his work confirms that the earliest surviving copies of the text are written in a late fifteenth century hand.<sup>31</sup> Bisticci gives the following account of Tiptoft's execution:

Going to his death, he went accompanied by numerous religious from that country [i.e. England] and Italian. There was among them one Italian who was of the order of St Dominic, a good man, and outspoken. And as he accompanied that lord, he said to him: "my lord, you are led here because of your unheard of cruelties". And chief among them [was] that he, wanting to eliminate certain enemies of the state, had brought about the death of two entirely innocent lads, neither of whom was yet a year old, being motivated simply by greed for power. The duke [*sic*] replied that he had done it for [the good of] the state. The friar answered him that for [the good of] the state one should only do what is just and honest.<sup>32</sup>

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<sup>28</sup> C.P. Meehan, trans., D. O'Daly, *The Rise, Increase and Exit of the Geraldines, Earls of Desmond*, Dublin 1878. Father O'Daly's original Latin text was published in 1655, and it seems possible that O'Daly, who spent part of his life in Portugal and Italy, may have had access to some of the last descendants of the Fitzgerald family of Desmond and their family traditions, for the 16th and 17th earls served in Spain during the first half of the 17th century.

<sup>29</sup> BL, Add. Ms. 4791, f. 134v, cited in Mitchell, *John Tiptoft*, p. 120 and p. 205, n. 21. Mitchell further notes that 'eighty years later the statement [of the boys' murder] was generally accepted and it heads the list of charges directed against Tiptoft in Sackville's *Mirroure for Magistrates*: 'The chiefest crime wherewith men doe me charge/ Is death of th'Earle of Desmond's noble sons'. (*ibid.*, and see J. Haslewood, ed., *Mirroure for Magistrates*, 2 vols., London 1815, vol. 2 part 1, p. 203, verse 9. The poem on 'The Infamous End of the Lord Tiptoft' was first published in 1559 see Haslewood, vol. 1, pp. xviii-xix). Haslewood attributes it to Baldwin. In addition, Mitchell (p. 119) notes a late tradition which asserts that Desmond's young page, Baggott of Limerick, was also killed by Tiptoft.

<sup>30</sup> Mitchell, *John Tiptoft*, pp. 67-68.

<sup>31</sup> 'Scrittura della fine del secolo XV', L. Frati, ed., *Vite di Uomini Illustri del Secolo XV scritte da Vespasiano da Bisticci*, 3 vols., Bologna 1892-93, vol. 1, p. xii.

<sup>32</sup> 'Andando a morire, andò accompagnato da più religiosi del paese e italiani. Eravene uno italiano, ch'era dell'ordine di

From this account it is apparent that, before 1498, Bisticci in Florence had heard that John Tiptoft had unjustly put to death two young boys, members of the family of a nobleman whom he wished to destroy. The fact that there were Italian priests in Tiptoft's entourage, even when he went to his death, and that at least one of them accused him of this crime, suggests a plausible chain of communication by which this story could have reached Bisticci in Italy, and although Bisticci does not name the earl of Desmond in his account, it seems unlikely that Tiptoft could have taken part in more than one such crime. It is therefore justifiable to assume that Bisticci was referring to the death of two of Desmond's sons which is recounted more explicitly in other sources.

Chronologically, the next piece of evidence in the case dates from about sixteen years after the execution. Soon after his accession Richard III sent conciliatory messages to James, eighth Earl of Desmond. There was a letter addressed from the king to the earl himself and dated 29 September 1484,<sup>33</sup> but the king's written message was to be amplified by his messenger, Thomas Barrett, Bishop of Annaghdown ('Enachden'), who was also to deliver to the earl 'a gold collar ... and a promise to find him a wife in England if he would come there, having given up the Gaelic Irish costume and customs'.<sup>34</sup> The gold collar was a livery collar of roses and suns, with a pendant white boar, and it weighed twenty ounces.<sup>35</sup> Fortunately the written instructions which Richard III sent to the bishop regarding what he was to say have survived. Richard wrote:

the said bisshop shall thank him ... as remembryng the manyfold notable service and kyndnesse by therle's fadre unto the famous prince the duc of York the king's fader ... Also he shalle shewe that albe it the fadre of the said erle, the king than being of yong age, was extorciously slayne and murdered by colour of the lawes within Ireland by certain persons than havng the governaunce and rule there, ayenst alle manhode, reason, and good conscience; yet, notwithstanding that the semblable chaunce was and hapned sithen within this royaume of Eingland, as wele of his brother the duc of Clarence as other his nigh kynnesmen and gret frendes, the kinge's grace always contynueth and hath the inward compassion of the dethe of his said fadre, and is content that his said cousyn now erle by alle ordinate meanes and due course of the lawes, when it shalle lust him at any tyme hereafter to sue or attempt for the punishment therof.<sup>36</sup>

Some modern writers have dismissed this letter as containing merely generalities and platitudes.<sup>37</sup> It is important to remember that what we have from Richard is only in the nature of notes for guidance, addressed to a messenger who was clearly intended to use them as a basis, amplifying them in the course of his interview with the eighth earl and not simply quoting them *verbatim*. Nevertheless even the notes are actually quite explicit on certain points. The bishop is specifically enjoined to communicate Richard's opinion that the execution of the earl's late father was murder under the form of law. This is a very strong statement for Richard III to make. Secondly a parallel is to be drawn explicitly between the execution of the seventh earl of Desmond and the execution of Richard's own brother, the duke of Clarence. This is a highly significant analogy, for we are told by Dominic Mancini that contemporary opinion ascribed the responsibility for Clarence's death to Elizabeth Woodville. Mancini, writing in November 1483, stated this quite specifically, telling us that 'the queen ... concluded that her offspring by the king would never come to the throne unless the duke of Clarence were removed; and of this she easily persuaded the king. ... He [Clarence] was condemned and put to death. The mode of execution preferred in this case was that he should die by being plunged into a jar of sweet wine'.<sup>38</sup>

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Santo Domenico, buona persona e larga nel parlare; e andando con quello signore, gli disse: Signore voi siete condotto qui per le vostre inaudite crudeltà; e massime che, volendo lui spegnere certi nemici dello Stato, fece morire dua fanciulli, che non avevano ancora uno anno per uno, innocentissimi, mosso solo dalla cupidità di dominare. Rispuose il Duca averlo fatto per lo Stato; rispuosegli il frate, che per lo Stato si debbono fare le cose giuste e oneste'. A. Mai and A. Bartoli, eds., *Vite di Uomini Illustri del Secolo XV scritte da Vespasiano da Bisticci*, Florence 1859, p. 404. Also Frati, vol. 1, pp. 325-26. We are grateful to Anna Busuttill for checking the above translation. Bisticci's text contains one implied contradiction. His use of the word *fanciulli* (lads) sits somewhat oddly with his statement that Tiptoft's victims were less than a year old. Perhaps Bisticci chose to imply that the boys were very young in order to emphasise the enormity of Tiptoft's crime.

<sup>33</sup> J. Gairdner, ed., *Letters and Papers Illustrative of the Reigns of Richard III and Henry VII*, 2 vols., vol. 1, London 1861, pp. 73-74.

<sup>34</sup> T.W. Moody, F.X. Martin and F.J. Byrne, *A New History of Ireland*, vol. 3, 1534-1691, Oxford 1976, p. 610.

<sup>35</sup> Hayman and Graves, part 2, p. 82; Gairdner, vol. 1, p. 74.

<sup>36</sup> Gairdner, vol. 1, p. 68.

<sup>37</sup> A.F. Sutton and L. Visser-Fuchs, 'A Most Benevolent Queen', *The Ricardian* vol. 10, no. 129, June 1995, p. 218.

<sup>38</sup> 'Regina ... estimavit nunquam prolem suam ex rege iam susceptam regnaturam, nisi dux Clarentie auferretur: quod et ipsi regi facile persuasit. ... Condemnatus fuit: et ultimo supplicio affectus. Supplicii autem genus illud placuit, ut in dolium

Thirdly the king specifically grants permission for the eighth earl to pursue by means of the law those whom he holds responsible for his father's death. There is even an underlying sense that Richard is encouraging James to take action in this way, and actually wants him to do so. Since Richard III did not name the person responsible for the seventh earl's execution, we are left to ponder against whom the king had it in mind for James to proceed. This is an important and curious point, for when this letter was written both Edward IV and John Tiptoft, Earl of Worcester, were themselves dead. Elizabeth Woodville, on the other hand, was alive. Moreover, degraded from her former status as queen to the rank of a private person, she was vulnerable when the letter was written. In fact, the eighth earl never instituted proceedings against her, but this is not surprising since in 1485, less than a year after Richard III sent his message to James, Elizabeth Woodville's status changed once again, when Henry VII reinstated her as queen dowager and espoused her daughter.

The next piece of evidence appeared about sixty years later, towards the end of the reign of Henry VIII, in the form of a memorandum addressed by James, thirteenth Earl of Desmond, to the Privy Council. This is the main sixteenth century account, which Ross and others have dismissed as a 'fabrication'. The earl was attempting to recover the manor of Dungarven (co. Waterford) of which one of his predecessors had been deprived, but he referred in his statement to the privilege granted to his family by Edward IV of not appearing before the Anglo-Irish authorities in person – a privilege which the earl now chose to waive – and he explained that this privilege was granted by the king because the execution of the seventh earl had been occasioned by the spite and envy of Queen Elizabeth Woodville. On 16 January 1541 was recorded the 'submission of James Fitz John of Desmond, now admitted to be earl of Desmond, [who] promises to take the king as his sovereign, renounce the bishop of Rome, and attend parliament (from which the earls of Desmond have claimed exemption ever since the beheading, at Drogheda, of his grandfather, coming to a parliament there'.<sup>39</sup> Or as the earl himself expressed it: 'as the king has pardoned all my offences, I renounce the privilege which my ancestors earls of Desmond have ever claimed since the beheading of my grandfather in Drogheda, coming to a parliament there holden, and which exempted them from appearing in parliaments and grand Councils, and from entering walled towns under the king's obedience'.<sup>40</sup>

The thirteenth earl's memorandum to the Privy Council is important, and the English version of it is quoted here at length:

This earl's grandfather was brought up in the king's house, and being well learned in all manner of sciences and an eloquent poet, as the author affirmeth, was in singular favour with his Highness, so far forth that his Grace took much pleasure and delight in his talk. And upon a day being in chase a hunting, his Majesty questioned him, and amongst other things said: "Sir cousin O'Desmound, for as much as I have you in secret trust, above others, and that ye are a man who doth both see and hear many things, as well in my court as elsewhere abroad, which shall not perchance be brought to mine ears, I pray you tell me what do you hear spoken by [about] me?" To the which he answered his Highness and said, "If it like your Grace nothing but honor and much nobility." The king, nevertheless, not satisfied with that answer, demanded of him again, three or four several times, what he had heard; and willed him frankly to declare the truth, not hiding one jot thereof from his knowledge; whereunto the Earl made answer as he did before. At last his Majesty, wading still in that communication as most desirous to grope the full, required him, for that he took him to be not only a man of a singular wit, but of a long experience and judgement withal, and none within this realm in whom he had more affiance, to declare his own opinion, and what he himself thought of him. To the which the said Earl lowly made answer and said, "If it shall please your Grace to pardon me and not to be offended with that I shall say, I assure you I find no fault in any manner of thing, saving only that your Grace hath too much abased your princely estate in marrying a lady of so mean a house and parentile; which though it be perchance agreeable to your lusts, yet not so much to the security of your realm and subjects". Whereunto his Majesty immediately condescended, and said that he had spoken most true and discreetly.

Not long after, the said Earl having licence to depart into his country and remaining in Ireland, it chanced that the said king and the queen his wife, upon some occasion, fell at

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mollissimi falerni mersus vitam cum morte commutaret'. C.A.J. Armstrong, ed., Dominic Mancini, *The Usurpation of Richard III*, Gloucester 1984, pp. 62-63. Mancini states at the end of his text that he finished writing it on 1 December 1483.

<sup>39</sup> *Letters and Papers, Henry VIII*, vol. 16, 1540-41, p. 224.

<sup>40</sup> *Calendar of the Carew Manuscripts at Lambeth*, vol. 1, p. 174, no. 153.

words, insomuch that his grace braste out and said: “Well I perceive now that true it is that my cousin, the Earl of Desmond, told me at such a time when we two communed secretly together;” which saying his Majesty, then in his melancholy, declared unto her; whereupon her Grace being not a little moved, and conceiving upon those words a grudge in her heart against the said Earl, found such a mean as letters were devised under the king’s privy seal, and directed to the Lord Justice or governor of the realm of Ireland, commanding him in all haste to send for the said Earl, dissembling some earnest matter of consultation with him touching the state of the same realm, and at his coming to object to such matter, and to lay such things to his charge, as should cause him to lose his head.

According to which commandment the said Lord Justice addressed forth his messenger to the said Earl of Desmond, and by his letters signifying the king’s pleasure willed him with all diligence to make his repair unto him and other of the king’s council; who, immediately setting all other business apart, came to them to the town of Droughedda, accompanied like a nobleman with eighteen score horsemen, well appointed after a civil English sort, being distant from his own country above 200 miles. Where without long delay or sufficient matter brought against him, after the order of his Majesty’s laws, the said Lord Justice (the rest of the council being nothing privy to the conclusion) caused him to be beheaded, signifying to the common people for a cloak, that most heinous treasons were justified against him in England, and so justly condemned to die. Upon which murder and fact committed, the king’s Majesty being advised thereof, and declaring himself to be utterly ignorant of the said Earl’s death, sent with all possible speed into Ireland to the said Lord Justice; whom, after he had well examined and known the considerations and circumstances of his beheading, he caused to be put to a very cruel and shameful death, according to his desert, and for satisfaction and pacifying the said Earl’s posterity, who by this execrable deed were wonderfully mated, and in manner brought to rebel against the sovereign lord and king. His Majesty, by his letters patent, gave liberty to the Earls of Desmond successively, to remain at home, and not at any time upon commandment to frequent the Deputy and Council, but at such times as they at their own pleasure, for declaration of their duties, should think it so meet. Sithens which licence, so granted, none of them came either to Lord Justice, Deputy or Council.<sup>41</sup>

Allowing for the inclusion of invented ‘reported speech’ (in accordance with the fashion of the period) this memorandum, which contains the earliest written allegation of Elizabeth Woodville’s involvement in Desmond’s execution, in almost every other respect can be shown to give an extremely accurate account of the course of events. As has been seen, the earl of Desmond was indeed at Edward IV’s court in 1464, and after a short stay there, returned home to Ireland. Moreover the memorandum confirms the contemporary evidence of the *Annales* (above) to the effect that Edward IV was taken by surprise by Desmond’s execution, and was not pleased by it. It links to the execution the extraordinary privilege of absenting themselves from government circles in Ireland, which was granted to the Desmond family by Edward IV, explaining the privilege as an attempt on the king’s part to conciliate the Fitzgeralds. The memorandum contains one demonstrable error, for Edward IV did not execute Tiptoft as a reprisal, although this was a popular misconception in Ireland. Nevertheless even on this point the memorandum is not totally wrong, for Tiptoft was indeed executed, two years and eight months later, by the seventh earl of Desmond’s former close friend, Richard Neville, Earl of Warwick, at the time of the restoration of Henry VI.

Regarding the story of Elizabeth Woodville’s wounded pride and of her quest for vengeance, some writers have argued that this must be apocryphal because it only appears in written form at such a late date. This is disingenuous. It is important first of all to realise that the earl who sent the memorandum was not some distant descendant of the executed seventh earl, but (despite his number) was in fact, as he himself plainly states in the memorandum, the seventh earl’s grandson. He could not, of course, have personally known his grandfather, and was not alive at the time of the latter’s execution. Thus he lacked first-hand knowledge of what had occurred. Nevertheless, his father, Sir John of Desmond, who died ‘an old man’ in 1536, cannot have been less than eight years old in 1468, and must have been very well aware of what took place and the reasons for it, at least in so far as they were understood by his family. Sir John

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<sup>41</sup> *Ibid*, vol. 2, 1575-88, London 1868, pp. cv-cvii. This memorandum is usually cited under this reference, as though it were actually one of the Carew Mss at Lambeth, but in fact it is not, and its date – apparently 1541-42 – does not correspond to the date parameters of the volume in which it is printed, and of which it does not constitute part of the main text, but rather figures in an appendix to the introduction by way of forming an explanatory note. No previous writer on this topic seems to have noticed this anomaly. The editor of the *Calendar* gives no source for the memorandum, and in fact it has so far not been possible to locate the original of this important document (said to have been written in the Irish language) despite having searched at the Public Record Office through the Irish State Papers, the documents of the Privy Council and the Letters and Papers Foreign and Domestic of the reign of Henry VIII.

could easily have transmitted this information to his son, and very probably did so. Nor was Sir John the only witness upon whose recollections the thirteenth earl could have drawn. At least three of the seventh earl's sons had lived into the reign of Henry VIII<sup>42</sup> and although all were dead by 1541, the thirteenth earl must have known all of them well. There is thus no unbridged gap of time to account for, separating the written record from the seventh earl's execution. An oral report, whether or not it represented objective fact, could easily have been passed on to the thirteenth earl.

How the account thus transmitted related to the actual events of 1468 is a question of some importance, which pertains to the debate upon the objectivity of oral history. The collection of oral evidence is now recognised as an entirely proper activity for the historian, but there has been some discussion as to whether the resulting evidence can be taken as accurately reflecting the real course of events. It has been noted by one writer that there are cases where the oral memory of past events seems to be at variance with the written record,<sup>43</sup> (although as we are well aware, the written record is itself by no means infallible). On the other hand a case study has indicated that whereas the subject's memory displayed minor errors in respect of chronology, it was generally clear and unambiguous in relation to those matters of fact which were capable of external verification. In particular, the association of an event with some very strong emotion (such as might, for example, attend upon the killing of a parent) is likely to ensure that a strong, clear memory is retained.<sup>44</sup> Similarly another authority questions the widely held assumption that accurate recall of the past is not possible, observing that although the memories of an individual may change with the passage of time, 'it is known that when memory fails it is the most recent memories which go first, while early memories remain clear or are even enhanced'.<sup>45</sup> This would imply that the thirteenth earl's father, Sir John of Desmond, who would have been about eight years old in 1468, may well have been able to recall accurately the circumstances relating to such traumatic events of his childhood as the killing of his father and the two brothers immediately senior to him.

In the case of the account of the seventh earl of Desmond's execution recorded by his grandson, one is dealing, of course, with memory at second hand, since the grandson's account must have been relayed to him *via* his father, his uncles and others, but this does not make it unacceptable as oral history, since, in addition to individual memories, the discipline comprises the study of group and race memories transmitted over generations. Moreover it seems clear that the essential criterion in determining the objective reality of a piece of orally transmitted history is considered to be whether or not it can be otherwise substantiated, either by a number of oral sources, or alternatively by written sources which stand closer chronologically to the actual event – though to demand that oral evidence always be confirmed by documentary evidence would be to nullify the value of the former.<sup>46</sup> It is significant, therefore, in evaluating the thirteenth earl of Desmond's account of his grandfather's execution, to remark that, as we have already seen, in general terms it is entirely consistent with the known course of events as established by other sources. In particular it receives implied corroboration from the combination of two fifteenth century written sources (Mancini's account of the death of Clarence, and Richard III's message to the eighth earl). Moreover, it derives potentially from not one but a number of witnesses.<sup>47</sup>

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<sup>42</sup> Maurice, the 9th earl (d. 1520), Thomas, the 11th earl (d. 1534) and the 13th earl's father, Sir John of Desmond (d. 1536). It may be of interest to note in passing that the 11th earl, who was born in 1454, was the husband of Catherine Fitzgerald, the 'old countess of Desmond', who died in 1604, and of whom it has been claimed that in her youth she had danced with Richard III, and that in her old age she recalled for posterity his handsome appearance. Catherine was the 11th earl's second wife (a wife probably very much younger than her husband) and unless she lived to a very great age indeed, it seems highly unlikely that she could ever have encountered Richard III in the flesh. But her husband, on the other hand, almost certainly did know him, as did, probably, his first wife (who may indeed have danced with Richard). If Catherine did comment on Richard's appearance, therefore, it seems most likely that she was passing on information which she had been given by her husband, who would have been in a position to know.

<sup>43</sup> G. Griffiths, 'Oral History' in D. Flemming, C. Paine and J.G. Rhodes, eds., *Social History in Museums*, London 1993, p. 113.

<sup>44</sup> P. Friedlander, 'Theory, Method and Oral History' in R. Perks and A. Thomson, eds., *The Oral History Reader*, London and New York 1998, p. 314.

<sup>45</sup> T. Lummis, 'Structure and Validity in Oral Evidence' in Perks and Thomson, *op. cit.*, p. 273.

<sup>46</sup> 'If we are only to accept oral evidence when confirmed by documentary sources, then we might as well only use the documents in the first place. But to do so would mean closing our eyes to a valuable and ... unique historical resource.' Patrick Denney, tutor in oral and local history, in a personal communication to the authors.

<sup>47</sup> The father and two uncles of the 13th earl, not to mention the possibility that the story was also known to numerous retainers of the Fitzgeralds.

Furthermore, if the thirteenth earl's story about Elizabeth Woodville was invented, it seems to be an entirely pointless and astonishingly inept invention. The earl was seeking in his memorandum to curry favour with the king and the Anglo-Irish authorities. Surely no-one in their right mind would imagine that the most effective way of achieving this end would be by gratuitously inventing a story which traduced the memory of a former queen who happened also to be the grandmother of both the former lord deputy (Lord Leonard Grey, a younger son of the marquess of Dorset)<sup>48</sup> and of King Henry VIII himself. Where oral history diverges from reality it has been observed that this frequently produces the effect of enhancing the status or prospects of the person or group transmitting the account. Yet in the case of the Desmond family it is difficult to see how their prospects could have been enhanced by falsely attributing responsibility for the seventh earl's execution to Elizabeth Woodville, and indeed overall, in the specifically Irish context in which they lived the greater part of their lives (if not in the particular circumstance of the thirteenth earl's negotiations with the English crown) it might well have been more advantageous for the Fitzgeralds to have perpetuated Tiptoft's public accusation that the seventh earl had, in fact, been put to death for treason against his English overlord. It is interesting, indeed, that they evidently did not do this.

There is a further point to consider. In addition to the memorandum from the thirteenth earl of Desmond to the privy council another piece of sixteenth century written evidence exists relating to the execution of the seventh earl. It is recorded in the *Book of Howth*, and dates probably from some years later than the memorandum,<sup>49</sup> which it supplements by the addition of further information relating to the actions of both Elizabeth Woodville and John Tiptoft.

John Typtofte, Earl of Worcester, being Lord Lieutenant in Ireland, the queen, King Edward's wife, did hear say and credently was informed that the Earl of Warwicke and the Earl of Desmound was greatly offended and also was grieved with the marriage of the queen, and said openly that better it were for the king to follow his friends' counsel, which went about to prepare for him a convenient and a meet marriage, not inconvenient for his estate, rather than to marry a traitor's wife, which thing at length said they were assured should come to an evil end and a success. The queen, offended with these sayings, often did move the king thereof, which little he did regard, considering it was spoken for very love they bare to their assured friend and prince.

When that the queen did so perceive that the king did make no more account thereof, she sought all the means she could to bring the earl of Desmound to confusion. She feigned a letter which the king should have sent to the earl of Worcester, being in Ireland, and she, resting with the king in his bed a night, did rise before day, and conveyed his privy signet which was in the king's purche and did assign the letter withall, and after went to bed: within which letter was the earl of Desmound should have been apprehended and taken, and his head struck off as sampull of other which rebelliously would talk of the queen as he did; which in fact was done accordingly, and so executed at Dublinge, then being called thereunto for a parliament for the foresaid cause.

Immediate after the earl of Worcester went to Drogheda, where as was two of the earl of Desmound his sons at learning. The eldest, scarce at the age of 13 years, there was beheaded. The youngest brother, being like case to be executed, having a bill of fellone<sup>50</sup> upon his neck, said to the persecutor these words: "Mine own good gentle and beloved fellow, whatsoever else ye do with me, hurt not nor grieve not this sore that is upon my neck, for it troubleth me and grieveth me much; therefore take keep thereof". And with that this innocent's head was stricken off, for which cause those that stood by did much lament.<sup>51</sup>

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<sup>48</sup> *DNB*, vol. 23, pp. 196-97. Grey was initially sent to Ireland as marshal of the English army there in July 1535, and in October of the same year was raised to the Irish peerage as Viscount Grane. On 1 January 1536, following the death of Sir William Skeffington, he was appointed deputy governor. He returned to England in the summer of 1540, being succeeded as deputy in Ireland by St. Leger, who finally effected a settlement which brought about the submission of the 13th earl of Desmond. On Grey's arrival in London he attempted to represent his period of governorship as a triumph, but his cousin the king was unconvinced. He imprisoned Grey in the Tower and ultimately executed him for treason.

<sup>49</sup> It has been said – though it is not clear upon what evidence – to have been 'apparently written after 1552'. G.H. Orphen, review of H.F. Berry, ed., *Statute Rolls of the Parliament of Ireland*, 1-12 Edward IV, Dublin 1914, in *English Historical Review* 1915, p. 342.

<sup>50</sup> Medieval term for an abcess. In the text published in *Carew Mss at Lambeth*, vol. 5, the editor proposes the reading 'bill of felony', which makes no sense. It is more likely that 'bill' is one of the many 17th-century variant spellings of 'boil', and that both 'bill' and 'fellone' refer to the sore on the boy's neck, which he himself later mentions. We are grateful to Christina Mackwell, Sub Librarian, Lambeth Palace Library, for checking the original text of the *Book of Howth*, and confirming that this reads 'having a Bill of fellone'.

<sup>51</sup> *Calendar of the Carew Manuscripts at Lambeth*, vol. 5, *The Book of Howth*, pp. 186-187.

This account, although it is said to be later than the memorandum, includes some interesting points. Firstly it specifically links the earl of Desmond with the earl of Warwick in opposition to Edward IV's Woodville marriage. As previously noted, it was, of course, Warwick who was later responsible for the execution of Tiptoft. Secondly it adds details of the murder of two of Desmond's sons, a story which, as we have seen, was also outlined in the *Register of the Mayors of Dublin* and by Vespasiano da Bisticci (above). And thirdly, while mistakenly locating Desmond's execution in Dublin (where only the pre-Christmas parliamentary session had been held) it correctly places the killing of the two boys in Drogheda. Finally it claims that there were witnesses to the murder of the children, since 'those that stood by did much lament'.

The story of the murder of the children is credible and the *Complete Peerage*, in its entry on John Tiptoft, accepts it as 'likely'.<sup>52</sup> Moreover, the *Book of Howth* contains a marginal note cross-referencing the account of the murder of Desmond's sons to yet another (and slightly earlier) source for this story: a similar account in Hall's *Chronicle*.<sup>53</sup> The latter has the following entry for Edward IV year 9 (1470):

Jhon (*sic*) Typtoft, erle of Worcester leuetenant, for king Edward in Ireland exercising ther more extreme crueltie (as the fame went) then [than] princely pity or charitable compassyon, and in especial on ii enfantes, being sonnes to the erle of Desmond, was either for treason to him layed or malice agaynst hym conceyved, atteinted and behedded.<sup>54</sup>

This account by Hall was probably written down in about 1530.<sup>55</sup>

The birth year of only one of the seventh earl's children is actually recorded, but on the pedigree which accompanies this article his other known children (whose sequence of birth is known) have been assigned approximate birthdates at two-year intervals. Space has been left for the two allegedly murdered sons (shown as X and Y), indicating that it is chronologically possible that they existed. In addition to his five named and two anonymous and possibly murdered sons, the seventh earl of Desmond also had two daughters, Catherine and Ellen (or Ellys) Fitzgerald.<sup>56</sup>

In order to reach a conclusion, let us examine again the circumstances surrounding the seventh earl's execution. Was he, along with Kildare and Plunket, guilty of treason? Doubt is cast on this by a number of known facts. For example, why did Edward IV apparently know nothing of these charges? Several sources assure us that he was surprised and displeased at the news of the execution, which in itself was such a political blunder that it plunged all Ireland into turmoil, as the Irish annals show.

The haste with which the earl was despatched also adds to our suspicions that knowledge was deliberately kept from the king. Such haste was well considered, since it seems Edward gave scant credence to the treason charges when they came to his notice; he exonerated the earl's two co-accused who had been the subjects of identical charges. Are we to suppose he would not have shown similar royal favour to Desmond, with whom he enjoyed a close friendship? On the other hand, if the earl was guilty of treason and deserved to be executed, why did Edward conciliate his family with the grant of additional lands and privileges? (Including the unique and highly significant privilege of being allowed to decline to attend parliament and council meetings in person.)

Two other possible explanations suggested for Desmond's execution may also be discounted. One of them, the 'coyne and livery' charge, is not mentioned at all in the bill of attainder, so it obviously did not constitute any significant part of the official accusation against him. In fact it had already been raised in

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<sup>52</sup> *Complete Peerage*, vol. 12, part 2, London 1959, p. 844. See also above, n. 29.

<sup>53</sup> *Calendar of Carew MSS*, vol. 5, p. 187.

<sup>54</sup> E. Hall, *The Union of the Two Noble Families of Lancaster and York*, facsimile of the 1550 edition, Menston 1970, Edward IV, f. 21v, also published as *Hall's Chronicle*, London 1809, p. 286. The text quoted reproduces the spelling and punctuation of the 1550 edition but abbreviations have been expanded.

<sup>55</sup> Hall's account was first published posthumously in 1548 by Richard Grafton, Edward Hall having died in 1547. Grafton had completed the chronicle up to the death of Henry VIII from Hall's notes, as Hall had ended his account in 1532. It is likely, therefore that Hall's version of the murder of Desmond's sons was written before 1532 (although Hall does not, in fact, specify that the boys were killed). See Hall, 1550 (facsimile 1970), introduction p. vii and *DNB* vol. 24, p. 63.

<sup>56</sup> See *Letters & Papers, Henry VIII*, vol. 16, p. 129. Also the pedigree in Hayman and Graves, part 2, facing p. 65. The latter state (p. 82), without citing any source, that James, 8th Earl of Desmond, was twenty-five years old when Richard III wrote to him (1484). This would place his birth in 1459, which is clearly impossible, since he would then have been only nine years old when he took up arms to avenge his father in 1468, and it would make him younger than his younger brother, Thomas, who was born in 1454. Thirty-five is a more likely age for him in 1484, and would mean that he was born in 1449, which accords well with the estimate in the pedigree published here.

1463-64 and the earl had given his response personally to Edward, who not only accepted his word but rewarded him and continued him in his post.

The third explanation, the suggestion that Tiptoft coveted some of Desmond's lands, falls down upon examination: first, there is no record that Tiptoft advanced any such claim once his victim was executed, and second, those manors to which he is supposed to have had a claim are known to have remained in the hands of the eighth and subsequent earls of Desmond at least until 1543, when Inchiquin was granted as a barony to Murrough O'Brien, Earl of Thomond.

We are consequently left with the fourth alternative suggested at the start of the article: that Queen Elizabeth Woodville somehow found a way to wreak terrible vengeance on the earl for daring to question her suitability as a royal consort. We would argue that the sixteenth-century evidence for this scenario has, in the past, been too readily dismissed; particularly, perhaps, by English (as opposed to Irish) writers. The sixteenth-century narratives are neither so remote from the events to which they refer, nor so unsubstantiated by fifteenth century evidence as has been implied. No less a witness than Richard III evidently harboured suspicions of Elizabeth Woodville's culpability. At the very minimum, the thirteenth earl's memorandum of *circa* 1541-42 clearly represents not 'a Tudor fabrication' but the translation to written form of a previously oral source, potentially based on the first-hand evidence of at least three witnesses. While this written account of Elizabeth Woodville's involvement may be of sixteenth century date, it is transmitted to us by none other than the executed earl's grandson. An analogous situation would be to imagine the discovery of an account of the death of the duke of Clarence from the hand of his grandson, Cardinal Pole, based on what the cardinal had been told by his mother, Margaret Plantagenet, Countess of Salisbury, Clarence's daughter. If we possessed such an account of Clarence's death, surely it would be highly regarded as a source, its sixteenth-century date notwithstanding.

Significantly, nothing in this fourth explanation conflicts with the known facts of the case. Desmond was indeed in England at the time when he might well have been quizzed by Edward IV on the subject of his controversial marriage, and from the earl's close association with Warwick and Clarence it is reasonable to suppose that he shared their opposition to the match. The 'coyne and livery' accusations levelled against him carried no weight with the king, just as the treason charges against his co-accused, who lived to appeal them, were similarly set aside. And, most important of all, Desmond was a key player in the volatile Irish politics of the day, which meant that Edward, had he been consulted, would have known that to execute him would be a serious miscalculation. The king's position in the matter is clearly reflected in his remarkable largesse to the surviving Desmond family.

There is, however, one burning question that must now be answered: how can we give credence to accounts of actions on the part of the queen which were, supposedly, carried out in utter secrecy?

For our answer we must look to the *Book of Howth* quoted above. While making allowance for the Tudor penchant for gratuitous embellishment and invented dialogue, we must not overlook an important point made by the writer: that Desmond's death was to be a warning to others who would talk slightly of the queen. To achieve the intended effect, it would thus need to be known that there was a hidden reason for Desmond's execution, and that Elizabeth Woodville was behind it. Obviously these facts could not be broadcast to the detriment of the queen, so the message would need to be conveyed with subtlety. Who better to perform this task than the obsessively loyal Tiptoft, a man of unusual intellect and burning ambition<sup>57</sup> who owed his preferment to Yorkist favour?

It is the very character of Tiptoft – fanatical, merciless and well versed in Italian statecraft – which lends credibility to the notion that he not only was complicit in this act of revenge, but also added his particular flourish by murdering two of Desmond's sons. On reviewing our sources for the latter, we have a striking variety of dates, locations and types of document to confirm the story: the *Register of the Mayors of Dublin*, a prosaic Irish civic record for 1468-69; the pen portraits of the Italian Bisticci writing in Florence *circa* 1480-90; the Irish chronicle the *Book of Howth* dating from the early 1550s, which also quotes Edward Hall's earlier chronicle (England 1548); and the cautionary verses in *Mirror for Magistrates* (England 1559).

The thread common to all is that John Tiptoft commits the murders and bears the odium for doing so. True, the sources differ as to certain details, but at least they can be said to be unambiguous, independent, and not influenced by political pressure or propaganda. They make a persuasive case that two of Desmond's sons were indeed executed, and for no greater crime than that of being the sons of a father who spoke too plainly to a king.

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<sup>57</sup> Mitchell, *op. cit.*, p. 131: 'Vespasiano, who knew him well, believed that he was blinded by ambition.'



**Fig. 4 Seal of John Tiptoft, Earl of Worcester. Photograph courtesy of Colchester Museums Service**

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