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THE
Herald and Genealogist.

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ADVERTISEMENT.

THE contents of the Fourth Volume of THE HERALD AND GENEALOGIST will be found not inferior in originality, nor (it is trusted) in interest and importance, to those of the preceding Volumes. Some of the same subjects have been further pursued, whilst others presenting fresh features of attraction have been introduced for the first time to the notice of our readers.

That part of our design which is directed to the investigation of the ancient Art of Heraldry has not been neglected. It has been pursued in various ways, and more particularly by several articles upon Seals, those invaluable memorials of contemporary usage.

But the substantial materials of Genealogy necessarily occupy the greater share of our pages.

Besides the descent of the family of Temple (which is intended to be further continued), the present volume contains detailed genealogical memoirs of the several families of Gravenor or Grosvenor, Lawrence, Scargill, Swillington, Tichborne, and Whitmore. Mr. Chester's paper on the pedigree of Washington is one of peculiar importance. Mr. Robinson's collections on the Careys, Lord Hunsdon, are as copious and complete as were those he before communicated on the Falkland branch of the family; and we are happy to add that we are expecting from another friend a similar compilation on the Devonshire house of Cary, the original stem from which so many eminent branches were derived.

The present volume contains several valuable articles in regard to titles of honour. Upon the peerage generally, catalogues have

been given of Royal Titles, and of Semi-Royal Titles ; and an official Return of the existing Peerages of Ireland ; whilst, of particular dignities—the Dukedom of Chatelherault, the Earldom of Mar, and that of Breadalbane, and the Barony of Hylton, have all been discussed ; and the revival of the Viscounty of Netterville has given occasion to an authentic account of that family. The history of the Order of Baronets has been suspended, but will shortly be resumed. In the mean time numerous instances of Doubtful Baronetcies have been submitted to examination in nearly every Part.

Nor have we hesitated to show how frequently the pages of genealogy are impaired by fictitious statements. If we can in some measure shame their fabricators, or if at the least we can teach our readers to discriminate between the true and the false, we shall congratulate ourselves on having rendered some service in the cause of historic truth ; and we shall therefore pursue our purpose on public grounds, but with no wish to pass censure where it is not well deserved.

During the past year the Lyon office of arms in Scotland has been regulated by act of parliament ; and in the present volume will be found all the information regarding its constitution and practice that can be desired.

We continue our *HERALDIC CHRONICLE*, which forms a contemporary record of no little importance.

Nor do we relinquish our collections for a *BIBLIOTHECA HERALDICA*, although the number of new works on Heraldry and Genealogy have so far preoccupied our attention during the present volume as to leave no room for those of earlier date.

Dec. 31, 1867.

The Herald and Genealogist.

ON DOUBTFUL BARONETCIES.

Extracted, with the Author's permission, from a paper entitled, "That the Assumption of Surnames and Armorial Ensigns should be subject to some Legal Control and Restriction; and that (as in the case of Peerages) there should be some competent Tribunal to decide the Rights and Claims to Baronetcies. By PETER BURKE, Serjeant-at-Law." Read on the 30th April, 1866, at a meeting of the Department of Jurisprudence and Amendment of the Law, being a branch of the National Association for the promotion of Social Science.

Of all these infringements, with which the law does not at present interfere, that of the title of Baronet is the most grievous. I need not here dilate on the well-known importance of the rank and dignity of a Baronet, or what a splendid roll of names that honour includes; how it has been the reward of the highest merit for now more than two centuries and a half; how at this day it is sought after and esteemed. To every profession the title is proudly familiar. The law can point to the first Baronetcy of all, which was given to Sir Nicholas Bacon, no doubt in mark of the merits of his father the Lord Keeper, and his illustrious brother, Sir Francis. The law abounds in further Baronets, including Sir Francis Buller, and Sir Alexander Cockburn, the present Chief Justice of England. From Baird to the heroes of the Crimea, and to Havelock and his gallant companions, who vindicated the majesty of Great Britain and saved the Indian Empire, the army has had a numerous Baronetcy. The navy can tell, among others, of Borlase-Warren, Pocock, Duckworth, Rodney, Geary, Parker, and Masterman-Hardy; science has had Sir Humphry Davy and Sir John Herschel; and in medicine, from the times of Hulse and Sloane to those of Cooper and Brodie, and of Ferguson, Simpson, and Corrigan, just raised to the dignity,¹ Baronetcies are legion. Last, not least, literature may boast of Sir Walter Scott and Sir Edward Bulwer-Lytton.

¹ To which names may now be added Watson.

From the peculiar constitution of a Baronetcy, being an hereditary honour, with no office or privilege attached to it, its inheritance or assumption calls for no public notice or proof. Not so the other titles and dignities of the realm. Peerages are protected by the House of Lords, and no one can assume them without a certainty of detection. The non-sitting in the House of Lords, or, in case of a Scotch or Irish peerage, the non-exercise of the right to vote for a representative peer, must lead to the eventual subversion and confusion of a self-dubbed noble. Claims to peerages are now invariably tried and settled by the House of Lords, and consequently, in the Committee for Privileges, its tribunal for the purpose, there has arisen a system of genealogical jurisprudence which is unrivalled. I need not here describe how jealously, and yet how justly, the House of Lords preserves its own dignities; how admirably the Law Lords of that illustrious assembly search into, sift, and weigh each claim. Their care and caution, the attendance also of the legal officers of the Crown, of a bar, and of a high class of agents and solicitors, render fraud or falsity next to impossible. With such a safeguard the peerage of these realms is an institution certain and secure.

Knights of the different orders, knights bachelors, and all other bearers of non-hereditary dignities, cannot be pretenders, from the simple fact that their patents or other modes of creation are of recent record, and are capable of immediate reference and proof.

Not so with a Baronetcy. The succession to that hereditary honour occurs without the slightest public control; and, as sometimes happens, if that succession be disputed, each claimant coolly takes the title, and, there being nothing to hinder the assumption, two Baronets arise instead of one. In support of this statement, I need only refer to the present condition of the Baronetcy of Codrington.¹

Sometimes the real Baronet, or, at any rate, the apparently better claimant, is put back altogether by the quicker action of an opponent. For instance, a Baronet dies; his title is snapped up by some one, and when he who has the real right comes, after

¹ See note, p. 7.

a lapse of time, upon the scene, he finds himself too late to contend against what has been already publicly acknowledged and accepted. The history of the Payne Baronetcy² is a sad example of this kind of confusion.

In other cases, where there is no member of the family to interfere, the title, at the death of a Baronet, is sometimes assumed by his illegitimate issue, and this may be easily and safely managed; for where is the public authority to gainsay the birth or parentage? I obviously avoid naming instances of this nature, though I could, if I chose, point to one of very recent occurrence.

Some protection against these improprieties is in England provided by the Heralds' College, an institution which was most unfairly cried down by Sir William Blackstone, but which is, especially at the present day, one of high integrity and importance. False Baronets are, of course, not allowed to be registered in the Heralds' College; but true ones, also, from neglect or inadvertence on the part of parties succeeding, have not been registered there. A search, therefore, in the College may raise a doubt, but it does not set the question at rest. I may add, that what is everybody's business is done by no one, and a search is there seldom made. Moreover, beyond the registering, the authority of the College of Arms is powerless, and by the false assumers of titles its rules and directions are easily set at defiance. It may not be now possible to restore the ancient Court of Honour that appertained to the College of Arms, but it would be well if this honourable and useful heraldic corporation, the Heralds' College, were invested with more means of acting efficiently than it has at present.

In Ireland, owing probably to the comparatively small number of Irish Baronetries, and to the great publicity arising from the constant alliances and communication between the higher families of the country, there are few if any instances of false baroneties. Much regularity, indeed, prevails at present in Ireland with reference to peerages, baroneties, and other dignities and heraldic matters, owing to a cause upon which it would be egotistical for me to dilate; but I am sure I shall be borne out by all at this day familiar with Ireland, when I affirm that cause to be

² See note, p. 7.

the able administration, in his office, of Sir Bernard Burke, the Ulster King of Arms.

In Scotland, matters I am sorry to say are widely different, and unauthorised assumptions of Baronetcies greatly abound. The Baronetcies of Scotland have usually patents with very extensive limitations. It is rare to find in England or Ireland a Baronetcy with a limitation beyond to the heirs male of the body of the original grantee, while a Scotch Baronetcy goes oft in favour of all heirs male whatsoever, and is now and then with wider and very eccentric modes of hereditary succession. For instance, the patent of regrant by Queen Anne of the title of Baronet to Sir John Maxwell of Pollok,¹ extends the limitation to his heirs of entail whatsoever in his lands and estates! Such latitude being the case, the inheritance of a Scotch Baronetcy demands even more than ordinary investigation; for, without that, is open to be assumed by any party calling himself of the blood, or within the patent of the first grantee. I am not here to state who or who are not rightly Baronets in Scotland, but I am sure I am safe in referring to the following Baronetcies as particularly requiring looking into: viz., Campbell, of Auchencbreck; Campbell, of Aberuchill; Campbell, of Ardnamurchan; Hay, of Alderston; Hay, of Smithfield; Richardson, of Pitfour; Turing, of Foverham; Brown, of Colstoun; Wallace, of Craigie; Hamilton, of Preston; Hay, of Park; Malcolm, of Balbedie; and Wemyss, of Bogie. Most of these are borne by distant collateral descendants, one through an heir female, and all by questionable inheritance, or, at all events, by pedigrees requiring investigation and confirmation by a competent tribunal. I may be met here with mention of the process known in Scotland of serving heir before a jury; but that, as every one cognisant with Scottish law is aware, is, in such cases, a very feeble and ex-parte mode of proceeding, and of little authority—a farce in fact when compared with the investigation of a peerage claim in the House of Lords, or of a pedigree in any superior court of justice in the realm. Of late, would-be successors to Scottish Baronetcies have even dispensed with being served heirs, and have confined them-

¹ See its terms in our vol. iii. p. 546. (EDIT. H. & G.)

selves to publicly stating that, on the advice of their counsel and law agents, they have assumed the dignities in question! I may be further asked if there be not a competent heraldic appeal in Scotland. There is certainly the Lyon Court, presided over by the Lord Lyon, King of Arms; but, added to the powers of that Court being limited, it has of late years had for Lord Lyon an octogenarian nobleman, the Earl of Kinnoul, who could be scarcely expected to meddle in the business. He died this year, aged eighty-one; and the place is not yet I believe filled up, and it is to be hoped, when there are such heralds and genealogists in Scotland as Mr. Sinclair and Mr. Seton, the appointment of Lord Lyon, King of Arms, will no longer become a mere aristocratic and well-paid sinecure post.

To a person having a *bonâ fide* claim to a Baronetcy, and yet too honourable to assume the title without public proof, the want of a tribunal to hear and decide his suit is a very great injury. A question for instance exists as to the extinction of the Baronetcy of Woolrych, but for want of a tribunal, the right cannot be decided; and as the present head of the family disdains assumption, the matter must drop altogether.

One observation may naturally arise which I think I am bound to meet. It may be remarked that all these doubtful Baronetcies, or at least the greater part of them, appear in every work on the "Baronetage" that is published. That certainly is so, but the explanation is obvious. These Baronets, though doubtful, have been publicly accepted as such; as such also they are received at Court, and some of them are appointed high sheriffs, deputy lieutenants, and magistrates, by the titles they have assumed. Were a "Baronetage" to exclude them, the book would be deemed imperfect; and further, in putting them out, the author would be constituting himself a judge over a question which, however doubtful it may be, he has not the means of trying. His business is simply to set the pedigree and pretensions forth; and thus the reader, in any case—in such an one for instance as that of the Baronetcy of Temple of Stowe—can form his own opinion. I should add that there will not of course be found in any "Baronetages" those Baronetcies which are so notoriously false as to have no public recognition; and that is really all that can be expected from such publications.

Remedies there surely should be for preventing the false assumption of Baronetcies. One suggestion, which comes from a learned and experienced quarter, deserves serious consideration:—

“That on the creation of a Baronetcy the estate, or part of the estate from which it takes its derivation, be declared to be inalienable from the title during such title’s legal existence. This would secure a certain test, by which false aspirants would be excluded. No one, unless he had a legal right, would be permitted to hold this estate, and a court of law would thus intervene to protect the order of Baronets.”

The plan I would myself humbly propose is as follows: That the principal Kings of Arms of England, Scotland, and Ireland respectively, publish forthwith lists of all Baronetcies, marking those thought doubtful or requiring investigation; and that thereupon the Crown issue a Commission to inquire into and report on such doubtful Baronetcies. That such Baronetcies as the Commission would not preserve be effaced from the Kings of Arms’ rolls, and that such rolls for the future be annually published, adding alterations as to successions and new creations as they of course occur. That any claimant, who at the time of the Commissioners’ report, or at any time afterwards, feels himself aggrieved by not being included in the Kings of Arms’ rolls, have leave to appeal to the Privy Council, before whom his case might be heard and decided as a peerage case now is in the Committee for Privileges of the House of Lords. One advantage of this plan is, that it might be adopted at once, since it does not I believe want an Act of Parliament to carry it into effect.

Possibly the Society may think that a Crown Commission might be instituted to inquire generally into the subjects of Surnames, Arms, and Baronetcies; but at any rate I am sure the Society will agree with me, that frivolous name-changing, false *armigeri*, and doubtful Baronets, ought not to be tolerated in this high-spirited nation, where rank and distinction are so hard to win, and, when rightly won, are so proudly and so properly cherished and preserved.

NOTES.

The CODRINGTON Baronetcy is practically split into two. In Debrett's *Baronetage* for the present year we find two articles, one describing the family of Sir Gerald William Henry Codrington, 4th [meaning the 6th] Baronet, together with his mother Lady Georgiana, daughter of Henry 7th Duke of Beaufort, K.G. and widow of Sir Christopher William Codrington, M.P. for East Gloucestershire, 3rd [meaning 5th] Baronet, who died 1864; and the other describing the family of Sir William Raymond [properly Raimond] Codrington, 4th Baronet, who is said to have succeeded his father in 1816. To the former is appended this note, "The Heralds' College does not recognise this baronetcy, but that of Sir William Raymond Codrington."

In Burke's *Peerage and Baronetage*, &c. for 1866 the particulars are more fully explained, as follows: "On the demise, in France, of Sir William Codrington, the 3rd Baronet, [in 1816] the title was assumed by the cousin of the deceased, who styled himself Sir Christopher Bethell Codrington of Dodington Park, under the allegation that Sir William left no legitimate issue; Sir William's son has, however, established his right in Doctors' Commons; and has been acknowledged by the Heralds' College." A similar statement is given in Dod's *Peerage, Baronetage*, &c.

Nevertheless, the descendants of the other branch have continued to use the title. Sir Christopher Bethell Codrington (so called) died in 1843; his son, Sir Christopher William Codrington, (whose title was acknowledged in the House of Commons, where he sat as a County Member,) died in 1864; and (according to Debrett) it has not been relinquished by his son and heir, Gerald William Henry, born in 1850.

The PAYNE Baronetcy was created in 1737 in favour of Sir Charles Payne, knt. Major-General of the Leeward Islands. His son, the second Baronet, was Sir Gillies Payne, of Tempsford in Bedfordshire, who served sheriff of that county in 1771, and died 1801; when his eldest son, John, entered into possession of the estates and assumed the title; leaving it, on his death in 1803, to Sir Charles Payne, his eldest son, who is stated to have enjoyed it without dispute until it was assumed by his uncle Sir Peter, in the year 1828, in consequence of a decree made in the court of Chancery, finding him the eldest son born in wedlock of Sir Gillies Payne. Sir Peter, who was M.P. for Bedfordshire in 1831, died in 1843, and was succeeded by his son the present Sir Charles Gillies Payne. The Sir Charles Payne (before named) did not, however, relinquish the title, not acquiescing in the decision of the Master in Chancery, and he is said to have been yearly received at Court as a Baronet until his death in 1841. The title was then assumed by his younger brother the Rev. Coventry Payne; who, dying in 1849, left a son of the same name, who now claims the dignity. Fuller particulars will be found in p. 870 of Burke's *Peerage and Baronetage* for the present year.

THE FAMILY OF TEMPLE.

No. III.

THE DESCENT OF THE AMERICAN FAMILY.

ON the death of Sir Richard Temple in 1786, the title of Baronet was assumed by John Temple, esq. then resident at New York, as agent and consul-general from this country to the United States of North America. The dignity was immediately attributed to that gentleman by his friends in England;¹ and, among them, the foremost was the Marquess of Buckingham, who fully admitted his claim to be the next heir-male of the old family at Stowe, in the following very remarkable letter, which is directed

To Sir John Temple, Bart. Consul Gen^l, New York.

Stowe, Dec^r 3^d 1786.

DEAR SIR,—By the address upon this letter you will have learnt that you are in possession of a rank which you so much wished. I should, in consequence of your letter, which I have received by the Nov. packet, have earnestly pressed for that mark of distinction from his Majesty, but our worthy kinsman S^r Richard Temple had died only in the preceding week, and having left no issue, the title devolves upon you as heir male to S^r Peter Temple, my great-great-grandfather, and your great-grandfather. I have taken care to notify this to L. Carmarthen, in order that you may be acknowledged as Baronet in his addresses to you, which is the only mode in which it is ever done; and I trust that you will do credit to one of the oldest titles now extant in the Baronetage, and one which has been never disgraced by any of the many generations through which it has passed. I know that a great mind wishes to rest its pretensions upon its own merit, rather than upon those of an ancestry, however illustrious; but the policy of all governments has annexed a respectability to the descendants of those who have deserved well from their country; and perhaps it may seem contradictory to the spirit of republicanism, but in fact in no governments has this system been more generally admitted to its utmost extent than

¹ This is evident from the statement appearing in the Gentleman's Magazine for Nov. 1786, the month of Sir Richard Temple's decease.

in the purest times of the Greek and Roman republics, and of those of more modern date in Europe. In every point of view, then, I am truly glad of your accession to this hereditary title, in preference to one of more modern date.

Dear Sir, your very faithful and obed^t serv^t,

NUGENT BUCKINGHAM.

(Copied from the Original in my possession,)

Boston, U.S. 9 Feb. 1866.

ROBT. WINTHROP.

This letter (which has not hitherto been published) shows very clearly in what manner Sir John Temple's claim was acknowledged; but it does not, beyond the *ipse dixit* of the Marquess, afford any genealogical evidence sufficient to substantiate that gentleman's inheritance of the dignity as heir male.

The Marquess accepted Mr. Temple as a cousin, and told him that Sir Peter Temple (the second Baronet) had been his great-grandfather. We find that Sir John Temple himself claimed to be derived from the same ancestor, but by one further remove. This appears from the following memorandum in his own handwriting, still remaining in a copy of Johnson and Kimber's Baronetage, now in the possession of the Hon. R. C. Winthrop:—

Sir John, the present Baronet, is the son of Robert, eldest son of Thomas, the son of Purbeck, who was second son of the aforementioned Sir Peter Temple, Bart. of Stowe.

A decisive objection to this scheme of descent is that Sir Peter Temple had no son named Purbeck,—that name having originated in the Temple family with Purbeck son of Sir John Temple, the younger brother of Sir Peter (as shown in our last volume, p. 530.)

In the Baronetages (after 1786) the name of Sir John Temple was admitted as having succeeded to the dignity, and the statement was also adopted that he was descended from the second Baronet, but no attempt was made to set forth the line of his descent.¹ At length Mr. Courthope (the late Somerset Herald), when

¹ The Rev. William Betham, in his *Baronetage of England*, 1801, 4to., i. 199, excuses himself thus—"as this branch of the family have resided at New England in America, for more than a century, I have not been able to procure information what relation he (Sir John) was to his predecessor."

editing Debrett's Baronetage in 1835, made the following remarks:—

In 1786 the title was assumed by (viii.) Sir JOHN, whose descent or right to the title has never been ascertained. The statement in the former editions of this work that he was great-grandson of the 2nd Baronet must be incorrect, inasmuch as Sir Peter, the second Baronet, left an only son Sir Richard, third Baronet, whose male issue has become extinct; and the 5th, 6th, and 7th Baronets were more remotely descended, being from a younger son of the first Baronet. Nevertheless, the title has been allowed to remain [*q.d.* is still retained in these pages], from a presumption of his descent from Edmund, nephew of the first [*this should have been second*] Baronet.

The suggestion thus advanced that the descent of the recent occupants of this dignity might be derived from Edmund Temple of Sulby, has since been adopted and positively assumed in *Burke's Peerage and Baronetage*. It does not, however, stand the test of examination; for the descendants of that line have now been traced in the previous division of this article, and (as we shall have occasion to remark before we conclude) the investigation leads to another conclusion.

The genealogists of America¹ have recently attached this line to the main tree in a third and different way. They have made Sir John (the assumer of the Baronetcy in 1785) the son of Robert, son of Thomas, and that Thomas not a grandson of the second Baronet, but the son of Sir Purbeck Temple, the son of Sir John Temple of Stanton Barry, and grandson of the first Baronet. The futility of this alternative will be seen by referring to Vol. III. p. 543, where it has been shown that Sir Purbeck had no children.

From the annexed pedigree of Nelson (which is upon record in the College of Arms) it is evident how Sir John Temple, the consul at New York, was brought into relationship with the Temples of Stowe through his mother Mehitabel Nelson. Her grandfather and grandmother were Robert Nelson and Mary

¹ Account of the Temple Family, by W. H. Whitmore, in *The New England Historical and Genealogical Register*, vol. x. where Sir Purbeck Temple is made the father of 1. Thomas, 2. Sir John Purbeck Temple, of Edscombe, co. Surrey, who died 1694. The real Sir Purbeck Temple, who had no children, is thus divided into two generations. The same statements have been repeated in *The Heraldic Journal*, 1865, vol. i. p. 93.

third daughter of Sir John Temple of Stanton Barry. But was Robert Temple, the husband of Mehitabel, a scion of the Temples of Stowe? Upon a satisfactory answer to that question, and proof that he descended in the male line from the first Baronet, depends the issue whether his posterity have actually and legitimately inherited the Baronetcy.

In this pedigree, which appears to have been made in 1769, the future "Sir John Temple" is named as one of the three sons of "Robert Temple of Boston in New England, descended from Ireland."

That such was Robert's extraction is confirmed by the account which Hutchinson gives of his emigration. The passage is as follows:

"Capt. Temple was a gentleman who came over from Ireland, with an intent to settle the country with a great number of families from the North of Ireland; but this rupture with the Indians broke his measures; and, having been an officer in the army, Col. Shute gave him a command here"—*i.e.* in the fort upon Arowsich island, in the year 1723.—*The History of the Province of Massachusetts Bay*, from 1691 to 1750. By Thomas Hutchinson, Esq. Lieut.-Governor.

To these particulars the following may be added, extracted from a letter which Captain Robert Temple himself published in 1753, in regard to a dispute about the title to his land in Maine:—

In Sept^r 1717, I contracted with Capt. James Luzmore of Topsham, to bring me, my servants, and what little effects I had, to Boston; his vessel then lying in Plymouth, where lived *an uncle of mine, one Mr. Nathaniel White, a merchant, and an old inhabitant of that town*, who told me he was acquainted with several New-England gentlemen, to whom he would recommend me, as they might be of service to me by their advice, especially in my settlement as a farmer, and taking up a tract of land in that country.

Captain Robert Temple married Mehitabel Nelson,¹ at Boston, August 11, 1721; and they had issue four sons and six daughters, whose baptisms are recorded in the register of Christ Church, Boston, from the years 1723 to 1735 inclusive,—excepting the eldest, Mary, who was born before 1723, when that register begins. Their father died at Charlestown, April 14, 1754, aged

¹ "It is possible that he had a previous wife, Dorcas Courtney, and a son buried in 1717: at least, there was a Robert Temple who thus figures." (W. H. Whitmore.)

PEDIGREE OF NELSON.

As recorded in the College of Arms.

Robert Nelson, of London, Esq. also of Barnard's Inn, bur. at St. Dunstan's-in-the West, 21 Dec., 1641. Will dated 14 Dec. 1641, proved 31 Jan. following (8 *Campbell*)

Hellen, dau. of , executrix of her husband's will 1641. Living Sept. 1678.

Robert Nelson, of Gray's Inn, where he was admitted 11 March 1630. Will dated Sept. 1678, proved 4 Aug. 1698.

Mary, third dau. of Sir John Temple, Knt.

John Nelson, eldest son, went to America. Executor of the will of his uncle Sir Tho. Temple; ob. 1734, bur. at Boston.

Elizabeth, dau. of [William] Taylor, of Dorchester near Boston, New England.

Temple Nelson, of Gray's Inn, Esq. eldest son, d. 1671, s.p. Will proved 15 Nov. 1671 by Tho. Fines, esq. Exec. (136 *Dvake*.)

Margaret Nelson, heir by will to her brother Temple Nelson, anno 1671.

Temple Nelson, ob. July 1739, æt. 39; bur. in the King's Chapel at Boston.

Mary, dau. of John Wentworth, Lt.-Gov. of New Hampshire.

Paschal Nelson died in London unm. in St. Margaret's, bur. at St. Martin's in the Fields; will dated 19 July, 1757; proved 19 Sept. 1760. (366 *Lynch*.)

2. Mehitabel [mar. 11 Aug. 1721.

Robert Temple, of Boston, New England, descended from Ireland.

1. Margaret, m. [Capt. Thomas] Steele of New England.
3. Elizabeth, m. [Nathaniel] Hubbard of Connecticut; both dead.
4. Rebecca, m. Henry Lloyd, of New York, both deceased.

John Nelson, Esq. born at Boston, 12 Dec. 1730. Collector of Nevis. [died in Grenada, W.I.]

2. Temple, died inf. Mary, m. Jonathan Warner, of Portsmouth, in the province of New Hants. She is dead, he living 1769.

Margaret, m. Nathaniel Warner, of Portsmouth, brother of Jonathan: both died there, s.p.

Robert. John. William.

Note.—It is stated in *The Heraldic Journal*, vol. i. p. 94, that John Nelson was in Boston so early as 1685; that his wife was the daughter of William Tailer, esq. of that city, and sister of Lieut.-Governor Tailer, and that her mother was sister of Lieut.-Governor Stoughton. The insertions in the pedigree in the [] are from the same source.

60, and was buried at Christ Church, Boston. In his will, which is extant, he mentions his slaves Duchess, Jumbo, Limerick, Bandon, Kerry, and Mallow, the four last names evidently borrowed from Ireland. His widow died on the 23rd December, 1775, aged 84.

It appears pretty certain, from statements made at various times, that the father of this Robert Temple of Boston was named Thomas, and that his mother's maiden name was White. Among the MSS. of Sir Isaac Heard, Garter, preserved in the Office of Arms (J. P. 89), a draft pedigree of Temple occurs, showing that the attention of that Herald was directed to this subject so early as the 13th June, 1785. That draft pedigree (to which additions were made in 1792 and 1798, and perhaps at other times,) begins thus—

Edmund Temple, Colonel of a Regt. =

Thomas Temple of died in Ireland. = dau. of White of Ireland.

Robert of Boston. = Mahitabel Nelson.

By a subsequent addition, Edmund, placed above as the father of Thomas, is suggested to have been a “younger son of Peter, son of Sir Thomas the first Baronet.”

As Peter son of the first Baronet was his eldest son and successor, this was evidently not a well-considered assertion: and it may well be doubted whether the appropriation of the name of “Colonel Edmund Temple” was better founded. There was such a person, a soldier of the Commonwealth, but he has been noticed (in our Vol. III. p. 540) as identical with Edmund Temple of Sulby, who had no son named Thomas. We have, however, in the genealogical details which follow the page just referred to, shown that there really was living in the year 1786, when the title was assumed by the consul at New York, a descendant in the male line from that Colonel Edmund Temple, named Edward Temple, of Sibbertoft, which Edward in all probability was actually entitled to the inheritance of the baronetcy, and who survived until 1796.

The assumption of the title by “Sir John Temple” in 1786 has thus been proved to have been at least premature: and we are still at a loss for its justification at a later or any date.

(*To be continued.*)

ANCIENT SCOTTISH SEALS.

Descriptive Catalogue of Impressions from Ancient Scottish Seals, Royal, Baronial, Ecclesiastical, and Municipal, embracing a period from A.D. 1094 to the Commonwealth. Taken from original charters and other deeds preserved in public and private archives. By HENRY LAING, Edinburgh. Edinburgh, MDCCCL. 4to, pp. xxxi. 292. Plates 29.

Supplemental Descriptive Catalogue of Ancient Scottish Seals, Royal, Baronial, Ecclesiastical, and Municipal, embracing the period from A.D. 1150 to the Eighteenth Century. Taken from original charters and other deeds preserved in public and private archives. By HENRY LAING, Edinburgh. Edinburgh: Edmonston and Douglas, 1866. 4to. pp. xxvii. 237. Plates 15.

The Catalogues comprised in these two handsome volumes form the most important contribution to the study of our sigillistic antiquities that has hitherto appeared in the English language. They have been executed with great care and competent knowledge, and the author has had the aid of many antiquaries who are among the best informed upon the subject. The first volume was issued sixteen years ago, partly under the patronage of the Bannatyne Club, and partly by private subscription; the second is produced entirely upon the latter arrangement, in consequence of the dissolution of the Bannatyne Club.¹

The original Catalogue described all the Scottish Seals which had then been accessible to Mr. Laing. Subsequently the ingenious author has been indefatigable in collecting others, and the result is a supplemental Catalogue of almost equal extent to its predecessor. It forms indeed a volume of greater bulk, but that is owing to its being printed on thicker paper; the pages, as we have above stated, are not so numerous, but the Seals actually described are more in number. The first volume contains the descriptions of 1,248 seals; the second, of 1,360.

The engravings are generally effectively done, and all by Edinburgh artists. They are in various styles of wood and line engraving, and tinted lithography. Those of the last kind, though not attractive at first sight, improve greatly upon examination, when they present a striking resemblance to the originals, particularly if viewed by the light of a strong lamp. We notice this the rather because the apparent obscurity of many of them is evidently owing to the impressions from which they are taken being much blunted.

¹ The remaining copies of the new volume are published by Messrs. Edmonston and Douglas at Three Guineas. The impression of both volumes was limited to 350 copies.

A large collection of ancient seals which was formed by General Hutton (chiefly with the view, it is believed, of forming a history of the monasteries and religious houses of Scotland,) was recovered in 1851, and presented to the Society of Antiquaries of Scotland. An account of this collection is given in Mr. Laing's second Preface, p. xiv. He has of course availed himself of it wherever it afforded him new information, and the same with Dr. Rawlinson's collection in the Bodleian Library.¹ He has also had free access to the Treasury at Durham,—a storehouse fully deserving its name in an archaeological sense, which furnished so many fine and beautiful examples of seals to Surtees's History of the County Palatine, and the works of the late Rev. Dr. Raine.

The whole of the Scottish seals preserved in the Record Office in London have been examined by Mr. Laing, and many of them were photographed at the expense of four noble admirers of mediæval art. They are for the most part of early date, and certainly of great historical value. Among them are the numerous seals of Scotchmen appended to the acts of homage² exacted by King Edward I. during the years 1292 to 1296, which afford fuller information than can be derived from any other sources regarding the earliest armorial devices adopted in Scotland.

¹ "It consists of several hundred original matrices, in excellent preservation, embracing, however, very few seals connected with Scotland or England,—Italy and other continental countries supplying the chief examples. The Rev. Henry Coxe, the learned and obliging Librarian of the Bodleian, is, we believe, arranging and compiling a Catalogue of this interesting Collection."

² Of these remarkable documents we gather the following particulars from Mr. Laing's Preface, p. xvi.; "They are mostly drawn up in Norman French, in a cautious form of phrase. Not content with receiving the homage of the barons and magnates of the land, Edward insisted also on the commonalty or inhabitants of burghs, counties, or districts, giving homage respectively, with the attestation of their respective seals. Hence we find deeds containing between one and two hundred names of the inhabitants of certain districts, comprising a number of most extraordinary ones, and affording a rich field for ingenious speculation to any who are fond of the study of surnames. Among them are many still known and common, after the lapse of nearly six centuries, while others have quite disappeared. It is possible, indeed highly probable, that some of these homages were taken from corporate bodies—one in particular, now unfortunately almost illegible, to which are still appended nearly a hundred seals; while many have evidently dropped off. Some of these deeds are still in good condition, and are excellent specimens of the caligraphy of the age; others are more or less injured, while of many nothing remains but the seal, and tag by which it was appended. Most of these detached or loose seals will be found described in the Appendix."

It may indeed be generally remarked that Seals form the most abundant class of armorial monuments, and they are the best authority for early armory, because they are contemporary. In Scotland they are especially valuable, because there are no very ancient rolls or other records of the arms of the Scottish nobility.

They also determine, by the most authoritative evidence, the real era of the rise and origin of our present system of Armory. Upon these monuments may be frequently traced the same devices, anterior to coat-armour, which subsequently formed the hereditary bearings of families, and were used by them for centuries, in some instances to the present day. Thus, the arms of Montgomerie (Earls of Eglintoun), which are Azure, three fleurs-de-lis or, are traced to the seal of their ancestor John Mundegumri, which is appended to a charter of the date *circ.* 1176. It bears a single fleur de lis, not however placed upon a shield.

Again, the seals of Sir Walter Lindsay, early in the twelfth century, and of Sir David Lindsay early in the thirteenth (Nos. 629, 630, Suppl.), exhibit an eagle standing with wings displayed, not upon a shield, and it is remarked that they afford a satisfactory confirmation of the statement that the Eagle, the heraldic charge of the Norman Limesays, was the cognizance of the Lindsays, ere heraldic science had attained a definite form in Scotland. Subsequently, they adopted the fess chequé; which, with the lion of Abernethy, has for centuries held its place on the family shield.

An early seal of an Innes, appended to the homage deed of William Innes, July 10, 1295, has a star, not upon a shield. It is inscribed *s. WILL'I DE YNAYS.* This star led to the mullets of the coat of Innes,¹ which appear alone on the seal of Walter Innes 1431; and quartered with Aberkerdour on that of Robert Innes, of Innes, 1592.

Other seals of Innes exemplify the frequent Scottish practice of forming composite coats in lieu of quartering. In the seal of Alexander Innes, of that ilk, 1542, the three mullets are placed in chief, above the three boar's heads of Aberkerdour. In that of Robert Innes, of Rothmakenzie, 1531, second son of James Innes, of Innes, a single boar's head (*contourné*) is placed in base, below two mullets. This may be regarded as the properly distinctive coat of a second son, composed of the charges of his ancestry.

¹ On the stars or mullets of the cognate families of Murray, Innes, and Douglas, see our last volume, p. 503, in the article on *The Crowned Heart of Douglas.*



WALTER INNES, 1431.



ROBERT INNES, 1531.



WILLIAM DE YNAYS, 1295.



ALEXANDER INNES OF THAT ILK, 1542.



ROBERT INNES OF THAT ILK, 1592.

A much earlier instance of a composite coat is that of David Stuart, the son of Robert Earl of Stratherne, by Euphemia Countess of Moray. The arms of Stratherne, which occur in 1280 upon the seal of Malis Earl of Stratherne (Catalogue, pl. xiii. fig. 1,) were two chevrons. David (A.D. 1374) placed between those chevrons the fess chequé of Stuart, bordering the whole with a double tressure. (Catalogue, No. 768.)

Alan Stuart, of Ochiltree (1377) surmounted his fess chequé with a bend charged with three buckles. This denoted his marriage with the heiress of Bonkle. (Catalogue, No. 1241.)



The signet of Hugh Montgomery, sixth Earl of Eglinton, 1620, gives a late and fanciful combination of the charges of his two quarterings. The fleurs-de-lis of Montgomerie are here placed within the gemmed annulets of Eglinton.



A HENRY DE PRENDERGAST (on a seal appended to a charter of sale from two monks to the priory of Coldingham,) (No. 821, Supplement,) bore a fleur-de-lis, not on a shield. Another of the same name JOHN DE PRENDIRGEST, (No. 824) has a fleur-de-lis upon a shield, and it is one of a singular design, having a sprig or stamen issuing from between the centre and dexter leaf. Fleurs-de-lis with *two* such stamina are of occasional occurrence: whether the singularity in this case is accidental or intentional is uncertain. There is another whim about this seal, for the two letters at the sides of the shield, appearing like initials, are really the two last letters of the owner's name.

The original of this pretty seal, undoubtedly the work of the fourteenth century, is of silver, with a pyramidal shank of seven faces scoloped, and terminating in a trefoil-shaped loop, which seems rather like a later addition. It was found at Bleaton in Glenshee, ten miles north of Blairgowrie, Perthshire, during the trenching of a field, and is now in the possession of James Anderson, esq. of Comrie Castle, proprietor of Bleaton.

The fine seal of Walter Leslie, lord of Ros, A.D. 1367, offers the first example of arms *Quartered* in Scotland. An eagle displayed supports a shield, Quarterly, 1 and 4, on a bend three buckles, for Leslie; 2 and 3, three lions rampant, for Ross. (Catalogue, No. 496.)

On the seal of Devorgilla of Galloway, lady of Balliol, annexed to her foundation charter of Balliol College, Oxford, in 1282, is an example of *Dimidiation*. It is only the orle of Balliol, however, that is dimidiated, not the lion of Galloway—the latter (her paternal) coat being

on the dexter side, and her husband's on the sinister. Distinct shields of the arms of the Earldoms of Huntingdon and Chester are also introduced. The seal has two sides, oval in form, on one of which is a whole-length figure of Devorgilla: and it will be recollected as having been previously published in Dr. Ingram's *Memorials of Oxford*.

We do not find other examples of *Impaling*, in the modern fashion, before the following:

A.D. 1377. Margaret daughter and heiress of John Cragie of that ilk. On a fess between six cross-crosslets fitchée three roundles, for ? ; impaling, Ermine, on a fess three crescents, for Craigie. (Catalogue, No. 205.)

A.D. 1392. Marion, wife of Sir William Dalzell. A saltire cantoned in chief with a cinquefoil, for ? ; impaling, a naked man, for Dalzell; SIGILLVM MARIETTE DALZYELL. (Catalogue, No. 231.) Here again, it is to be observed, the lady's coat is on the dexter side, and her husband's on the sinister.

The earliest Scottish examples of the armorial ensigns of an heiress being carried on an *Escucheon surtout* is said to be presented by the seal of Archibald Earl of Douglas and Lord of Galloway, A.D. 1401. It bears: 1 and 4, a heart and in chief three mullets, for Douglas; 2 and 3, a lion rampant crowned, for Galloway: on the escucheon three mullets, for Murray of Bothwell: no crest, but an indistinct ornament; supporters, wild men, of which the sinister only is preserved. (Suppt. Cat. No. 281, engraved in Frontispiece, fig. 7.) The Earl of Douglas had married Jean daughter and heiress of Thomas Murray, Earl of Bothwell; his son quarters the Murray coat in his seal. (Catalogue, No. 242.)

A later remarkable instance of Quartering, with an inescucheon, is upon the seal (No. 934) of HENRY STUART (son of Andrew Lord Avondale,) created LORD METHVEN in 1528 on his marriage with Queen Margaret, widow of King James IV. He bore quarterly: 1 and 4, Scotland; 2. Stuart; 3. Lennox; on the escucheon surtout a lion rampant holding a castle in its paws, it is supposed for the barony of Methven. (Plate VI. fig. 5.)

FRANCIS STEWART, created EARL OF BOTHWELL 1587, son of John Prior of Coldingham, who was a natural son of King James V. bore quarterly: 1 and 4, a bend, for Vans; 2 and 3, on a chevron a rose between two lions respecting, for Hepburn; on an escucheon surtout, Scotland.





The seal of JOHN MACALLESTER, 1572, and that of his son Allan (Nos. 675, 676, Suppl.) are pronounced to be "extremely interesting, as being early examples of the heraldry of the Highland clans." The shield on both is drawn exactly in the same manner: a tree (growing, it is said, on a mount,) stands between a sinister hand, extended, on the dexter, and a galley on the sinister.

The name S IOANNES MVDZORT apparently stands for Murdoch: the parties to the charter being, John Murdodach M'Allister, Captain of Clanronald, and Allan M'Ean Murdodach M'Allister, his son and apparent heir. The name of the son on his seal is spelt MAKVICALISTER.



THOMAS STUART, 1433.



WILLIAM FOULAR.

A very remarkable example of the coat of a royal bastard is presented by the seal of THOMAS STUART, ARCHDEACON OF ST. ANDREW'S, who was one of the natural children of King Robert II. He has a shield of Scotland, surmounted by a bend counter comboy instead of the chequé fess of his family. His supporters are two dragons sejant. He has no crest; but an angel holds the shield from above: and we are inclined to regard this as the distinctive mark of a cleric.

The seal of WILLIAM FOULAR would then belong to another of the same profession. The charges are a rose between three crosslets. It is inscribed, *S. mag'ri will'i foular*. This is not from a charter, but from the original matrix of brass, found in the old mansion of Viscount Strathallan at Dunblane, and now in the possession of John Stirling, of Kippendavie, esq.

We shall proceed to the Episcopal, Ecclesiastical, Municipal, and Corporate Seals, in a second article.

DESCENT OF THE FAMILY OF WHITMORE.

To the Editor of THE HERALD AND GENEALOGIST.

Sir,—Having recently obtained some extracts from the early records which serve to fill a blank in Erdeswicke's History of Staffordshire, I desire to place them on your pages for preservation and comparison.

These extracts were made for a correspondent in England, who most kindly communicated them to me, with permission to make use of them in any way. He had arranged them in a tabular pedigree, which I have here reduced to paragraphs, with additions.

Erdeswicke writes (Harwood's edition, London, 1844, p. 77):—

“Ricardus Forestarius held Whitmore of the King, 20 Conq. and I have seen records that Whitmore continued forest lands for a great time; and after one Raufe, a race of gentlemen, which took their names of the place, were lords of it, of whose descent you may see more where I have spoken of Biddulph.”

This promise, however, he fails to keep, and I am not aware of any detailed account of the family extant in print. My information stands at present thus:—

Ricardus Forestarius held the manor of Whitmore from the King after the Conquest, and Nigel of him. Ulfac,¹ however, was a tenant there, and is presumed to have had a son, Alfwin,² whose son was Arnulf,³ mentioned in the earliest Pipe Roll *circa* 32 Hen. I. A.D. 1132. It is probable that Alfwin² died before his father, as Arnulf³ is once termed fil. Ulfac.

Arnulf³ had two daughters, Avisa⁴ de Witmore, fil. Arnulf, fil. Alwin, uxor Will. Boterel, 20 Hen. II. Ric. I. and John (Liber Feodorum and Pipe Rolls), and Julia.⁴

This Avisa Boterel⁴ held lands by gift from the King in the hundreds of Pirehill, Staff. and Bradford, Salop. Her husband, William fil. Radulphi or William Botrell, was constable of Newcastle-under-Lyne, 4 Ric. I.; he held land in Witemore, co. Staff. under King Henry II. by military service; and in Warwickshire (Lib. Feod. and Pipe Rolls). He is also styled in Lib. Feod. “Will. Botrealus, baro.”

Leaving for the present the question of the ancestry of William Boterel, we will trace his descendants.

His son Reginald,⁵ fil. Will. Botrell, Dns. de Whitmore juxta Nov.

¹ The small figures are inserted to mark the generations.

Castrum sub Lina, 5 John (Eccles. Covent. et Lichf.), had a wife Margaret, 1 John (Rot. Cur. Reg.) and a son

Robert⁶ de Whytmor or Whitmor, Dns. de Whytmor, 14 Joh. 26 Hen. III. who also held land with his wife in Dymesdale and Colmere, 26 Hen. III. (Pipe Rolls, Salop and Staff.) His wife Joanna, daughter of William Ballard, is mentioned in the Pipe Roll (Staff.) 26 Hen. III. Their sons were Robert⁷ and Reginald.⁷

Robert,⁷ fil. Rob. de Whytmore, Dns. de Whytmore, held the lands of his father in Dymesdale and Colmere, also in Cnoton, Wytemore, and Newcastle-under-Lyne, 41-44 Hen. III.; and, with his wife Ada de Walleshull, the manor and vill of Brocton-super-Wytemore, 44 Hen. III. (Pipe Rolls, Staff. and Salop).

His brother, Reginald⁷ de Botrell de Wytemore, or de Boterel als. Whitmor, held land by inheritance, 31 Hen. III. Dns. Reginald de Boterel also held land from the King *in capite* in the manor of Longedon, hundred de Ford, co. Salop, and from John Esturne in Wetemore in the same hundred, 45 Hen. III. He was fined by John Barel the sheriff 56 Hen. III. and was eventually proclaimed a rebel, temp. Edw. I. (Pipe Rolls, Staff. and Salop, and Inquis. Salop.)

At this point there is a divergence in the line, inasmuch as William⁸ fil. Robert⁷ de Wytimore is found in Shropshire, whilst a John de Whitmore succeeded to the lordship of Whitmore, though not termed son of Robert. However, there seems to be no sufficient reason to doubt that he was the eldest son and heir, and we mention as the children of Robert⁷ de Whytmore and Ada de Walleshull—

1. John,⁸ of whom presently.

2. William.⁸

3. Radulphus,⁸ "frater Johannis, Dni. de Wytemore," received the gift of a piece of land called Berchelesfield from his brother 22 Edw. I. (Harl. MS. 506.)

4. Anna,⁸ soror, witness to a deed of Joh. de Wytemore, temp. Edw. I. (Harl. MS. 506.)

John⁸ de Whitmore held land in Whitmore and Madeley, co. Staff. 56 Hen. III. His name occurs as Dns. de Wytemore, 4, 22, 27, and 29 Edw. I. And there is a deed of his extant dated in the year last mentioned, with a seal appended^a. (Fines Staff. and Erdeswicke's

^a It was intended that a cut of this seal (a plain field and chief) should appear with the present article. But, unfortunately, the reference to the deed has been lost. We hope, however, to be able to supply the omission at no distant period.

Collections from deeds of the Hospital of St. Thomas juxta Stafford in Harl. MS. 506.) The wife of this John de Whitmore is supposed to have been Ursula, dau. of William Bagnold, who was living 15 Edw. I. (Pipe Roll.) His son was

Radulphus⁹, fil. Joh. de Whitmore, Dns. de Whitmore, who made an agreement, 7 Edw. II. with Roger de Swynnerton, respecting this manor, that the said Ralph and his issue should hold the same, but, in default of issue to Ralph, it should come entire (*intégrè*) to Roger de Swynnerton. Ralph was to pay the yearly quit-rent of a rose. (Fines Staff.) It seems a fair presumption that the owners of the manor next in the succession were descendants of Ralph. We assume, therefore, as his son

Nicholas¹⁰ de Whitmore, party to a deed with Ralph de Vernon, concerning land, 15 Edw. III. (Harl. MS. 2077.) His issue was John¹¹, and perhaps another son William¹¹ de Whitmore de Radewode in Madeley, co. Staff. Dns. in capite 9 Ric. II. (Fines Staff.)

John¹¹ de Whitmor, Whitmore, Wytemor, or Wytmore, fil. Nic. 15 Edw. III. Dns. de Whitmore or Wytemore, 25—41 Edw. III. ob. ante 8 Ric. II. His name appears in a list of knights and gentry of Staffordshire, temp. Ric. II. (Chester Rolls, Welsh Records, and Erdeswicke's and Holme's Coll. in Harl. MSS.) He is named also in Erdeswicke's History (p. 112) Joh'e de Wittmore, 23 Edw. III. as a witness to a deed of Sir Robert de Swynnerton.

This John¹¹ married Joan, sister to Sir John de Verdon^a, chevalier, joint lord of Darlaston, and owner of lands in Buckenhall and Bidulph, all in co. Staff., 47 Edw. III.

The main line terminated in two co-heiresses, apparently the daughters of John¹¹ and Joan, viz. :

Joan¹² and Elizabeth¹².

Joan,¹² daughter of John de Whitmore 8-12 Ric. II. (Fines Staff.) was married to Henry Clerk, Mayor of Coventry 1358—72, and subsequently described of Ruyton (12 Ric. II.) She and her husband held a moiety of the manor of Whitmore, and parted with it to James and Elizabeth¹² de Boghay, 8 Ric. II. (Fines Staff.) Their son Richard Clerk was Mayor of Coventry 1386. (Dugd. Warw.)

Elizabeth¹² appears to have inherited the other moiety of Whitmore, 8 Ric. II. (Fines Staff.) Erdeswicke (p. 8) says she was the only daughter of John¹¹ de Whitmore and *Emme* de Verdon; but, as he

^a A notice of Sir John de Verdon, and his wife Eva, will be found in Notes and Queries, 3rd Series, v. 285.

is mistaken in the name *Emme*, so, too, he seems to err in calling Elizabeth¹² the sole heir. She was wife to James de Boghay, living 47 Edw. III.-16 Ric. II.; and she inherited with Ermentrude, wife to Ralph de Honton, part of the estates of Sir John de Verdon, *antè* 12 Ric. II. (Fines Staff.) John de Boghay, their son and heir, was Lord of Whitmore, &c. 7 Hen. IV.-11 Hen. VI. He is said to have married Margaret Coyney, of the family of Weston Coyney, co. Staff.; and from him Erdeswicke traces the line of descent through James, Robert, and Humphrey to Robert de Boghay, whose daughter and heiress Alicia was married to Edward Manwaring in 1519; and the descendants of these last still own the manor.

We now perceive the correctness of Erdeswicke's statement that there was "a race of gentlemen taking their name from the place," whose main line terminated about 1380 in co-heiresses. The oldest line of cadets would seem to be that from William¹¹ of Radewode in Madeley, if there are any existing. There is good reason for believing there were other offshoots, which we will name in the order of their propinquity to the main line.

First we find the

CAUNTON BRANCH.

In the Harl. Roll No. 21 is a Whitmore Roll beginning with John Whitmore of co. Stafford, who married Ursula daughter of William Bagnold. (Temp. Edw. I.) This of course would be John⁸ de Whitmore, whose seal we have spoken of, provided there is proof that his wife was Ursula.

Assuming this, we continue the pedigree thus:

John⁸ had Elizabeth⁹ and William,⁹ styled Arm. who married Alice daughter of Robert Ferrers Lord of Tamworth,^a and had

Richard¹⁰ Whitmore, who married Susannah, daughter of Sir Philip Draycot of Painesly, knt. and had

Jane¹¹ wife of John Blunt, Mary¹¹ wife of John Gifford, Philip¹¹ Whitmore who married Thomasine daughter of Richard Okeover,

^a It may be noted that two or three instances of anachronism occur in this roll of Whitmore. There was a Rob. de Ferrers, a great landowner in Pirehill hundred, 20 Edw. III. (Pipe Rolls, Staff.); but none of his name had possession of Tamworth till a century later. Again, Thomas Aston, father-in-law of Nicholas¹³ Whitmore, is described of Tixall, though it is stated by Erdeswicke that the family of Aston did not remove to Tixall from their ancient seat at Heywood till the reign of Henry VIII. In all likelihood, the roll is a compilation of a comparatively recent date.

Beatrix¹¹ wife of John Chetwind, and Christiana¹¹ wife of Richard Fleetwood.

Philip¹¹ Whitmore had Richard¹² Whitmore, who married, 1st, a daughter of Sir Ralph Bagot, 2nd, a daughter of Sir Richard Deve-reux, and 3rd, a daughter of Simon Harcourt, probably of Ellenhall, co. Staff. by which last he had

Nicholas¹³ Whitmore, who married Anne, daughter of Thomas Aston of Tixall, co. Staff. and had (besides a daughter Mary,¹⁴ wife of William Lusone) a son

Anthony¹⁴ Whitmore, who married Christian, daughter and heir of Nicholas Vaux, by whom he had Joan¹⁵ and William.¹⁵

John Whitmore¹⁶ of Caunton, temp. Hen. VI. second son of William,¹⁵ married Alice, daughter and heir of Robert Blyton of Caunton, co. Notts. (by Catherine, daughter and heir of Robert Compton of Hawton, Visitation of York, 1563), and had two sons, William,¹⁷ and his heir

Robert¹⁷ Whitmore of Caunton, who married Catherine Claye (one of the daughters of George Claye of Finningley, co. Notts. Visit. York), and had

William¹⁸ Whitmore of Caunton, who married a daughter of John Ridley (Elizabeth, daughter of Thomas Ryggsley, Visit. York), and had issue John¹⁹ Whitmore, whose son

William²⁰ Whitmore of Caunton, married Cecilie, and had Elizabeth,²¹ daughter and heir, who married Stephen Browne. The Roll adds another son of John,¹⁹ viz. Richard;²⁰ and other sources enable us to finish the account as follows:—

William²⁰ Whitmore of Caunton and Rotherham, co. York, gent. will dated 16 Aug. proved 3 Nov. 1568. His wife Cecilie was relict of John Parker, and her will, dated 5 Oct. 1610, was proved 15 Jan. 1610-11. She was styled of Eastwood, parish of Rotherham, co. York. Besides Elizabeth,²¹ wife of Stephen Browne (who was son of Henry Browne of Broomhall, co. York), they had Richard²¹ Whitmore, son and heir apparent in 1568, who inherited lands in Caunton, Kirksall, Newark, and Besthorp, co. Notts, and died *ante* 1612. His wife Helen was buried at St. Peter's, Nottingham, 19 July, 1612, no doubt without issue.

William²⁰ had a brother Richard,²⁰ who married Eleanore, daughter of Richard Fenton of Sheffield, and died *s.p.*, a brother Roland²⁰ living 1568, and two sisters, Elizabeth,²⁰ wife of Alexander Hotofte of Flint-ham, co. Notts. and Jane,²⁰ wife of ——— Richardson, living 1568. These additions are made on the authority of Joseph L. Chester, esq.

This William²⁰ of Caunton had arms granted to him 4 Feb. 1564-5, by William Flower, Norroy, viz.: Quarterly 1. Vert, fretty argent; 2. Gules, on a fesse or between six billets three lions passant; 3. A lion passant between three fishes, (all within a tressure flory, as tricked in the Roll); 4. Sable, a helmet argent, in chief two crosses.

This ends the Caunton branch.

THURSTANTON BRANCH.

We noted that Robert⁷ de Whitmore and Ada de Walleshull had a son William⁸ fil. Rob. D'n's de Wytimore, who held lands in Wytimore and Burchton, in the manor of Claverley, co. Salop, 45 Hen. III. for which manor William de Whitmore is named one of the jury in the same year, and a deputy of John Fitz-Philip de Bobington, forester, to perform military service against Llewellyn in 1281, which John, afterwards joining the Welsh rebellion, suffered for it. William de Wytmore petitioned the King for the lands forfeited by his uncle Reginald (Inquis. Salop, Forest and Close Rolls). In the Close Rolls he is termed Will'ms fil' Rob'ti, Forestar. Salop. salt. al's Will'ms de Wytmore.

His wife was Agnes de Haselwall, who held land in Wytimere, in the manor of Claverley, was fined 45 Hen. III. and again 3 Edw. I. when she is termed "uxor Will. de Whitmore" (Inquis. Salop.) Their son

John⁹ fil. Will. fil. Rob. received the gift of a piece of land called Coliers from John Dns. de Wytemore 27 Edw. I. (Harl. MS. 506.) He married Margaret, daughter of Ralph Vernon of Shipbrook, co. Chester, called "the long liver." John de Whytmore was living 1299—1325, and in this last year claimed with his wife the manor of Thurstanton, co. Chester. (Ormerod.) This seems, however, to have been in right of his mother.^a

His son John¹⁰ de Whitmore, mayor of Chester 1369—1372, *ob.* 1374, married Cicely, daughter and heir of John de Haselwall; recovered the manor of Thurstanton; and had John¹¹ de Whitmore de Thurstanton, from whom descended the family of that place, now supposed to be extinct in the male line.

^a Robert de Rodelent or de Rhuddlan held this manor, and his presumed illegitimate son Matthew held it. Peter, grandson of Matthew, had an heiress, Agnes, wife of Patrick de Haselwall, whose son William had a sole heiress Agnes de Haselwall, wife of William de Whitmore; her cousin John de Haselwall had an only daughter Cicely, who married John de Whitmore, and thus all the claims centred in their son.

Thus we have shown, apparently, a new fact, that the Cheshire family was derived from the main stock at Whitmore, co. Stafford, and that intermediately this branch was settled at Wytemore in Claverley, co. Salop. This Wytemore, however, had its name before the Whitmores of Stafford acquired it; and they seem to have obtained their rights by their marriages with Ada de Walleshull and possibly with Agnes de Haselwall. (Notes and Queries, 3rd Series, v. 159.) Thus, in Inquis. Salop. 45 Hen. III. we have as owners in Claverley John fil. Phi. de Bobiton holding one hide in Wytimere, Will. fil. Rob. Dns. de Wytimere holding land in Wytimere and Burchton, and Agnes de Haselwall in Wytimere. Will. fil. Rob. also holds the Church of Claverley, with its members, Burchton, and Bobiton, by gift from the King.

It is not improbable that the manor had already given a name to a family, as we find in the list aforesaid of 45 Hen. III. that William de Whitmore had as a colleague Reginaldus Witimere de Farncot; in 1281 we have Richard de Whitmer as a witness to a deed, in 1309 Ric. de Monte de Wytemere, and in 1323 Ric. de Wittimer fil. Ric'i.

From all this we may fairly infer that a younger branch of the Whitmores of Stafford settled in a place of almost the same name, viz. Wittymere, but that they did not derive their name from this last manor, and that the coincidence is accidental.

CLAVERLEY BRANCH.

It becomes interesting to learn whether there were any descendants of the Whitmores of Claverley remaining there. Conceding that William⁸ de Whitmore and his wife Agnes de Haselwall acquired it, that their son John⁹ enjoyed it, and their grandson John¹⁰ removed to Chester, what became of the Shropshire property? It is generally believed that a family still extant derived its name from Witty-mere in Claverley. And, although the evidence now given leaves little doubt that this is a mistake, I think that it supports their claim to be descended from the owners.

We have ventured to identify William de Whitmore, who was one of the jury of Claverley 45 Hen. III. with William,⁸ son of Robert⁷ de Whytmore, co. Stafford. In 1857 the late Mr. Joseph Morris, of Shrewsbury, wrote that this William, "one of the jury," had Philip⁹ de Whytemere of Whytemere, in the parish of Bobbington, who died about 28 Edw. III. leaving a son, John¹⁰ de Whytemere, living 34 Edw. III. (1361) who had two sons, Richard¹¹ and John.¹¹

John¹¹ de Whytemere, younger son, 28 Edw. III. had lands in Kingsmoor in Claverley, which his grandfather Philip held. In 30-34 Edw. III. he had lands in Whytemere Heath, and died 18 Ric. II. (1395). He was the ancestor of John Whytmere, chaplain, who, in 1472, possessed estates in Whyttemere and Heathton in Claverley.

Richard¹¹ de Whytemere, of Claverley, the eldest son, 10 Edw. III. (1337), died prior to 9 Ric. II. (1386). He married first Margery, daughter and heir of William atte Wall, of Claverley, by Agnes his wife, daughter of William Malveysin, and had Richard¹² his heir. By a second wife Sybil, who died 6 Hen. IV. (1405) when certain lands which she held for life passed to her stepson's heirs, he had a son William¹² Whytemere, living 9 Ric. II. (1396).

Richard¹² Whytemere of Claverley died prior to 13 Ric. II. (1389) leaving a son

Richard¹³ Whytemere of Claverley, who 2 Hen. IV. (1401) settled a certain messuage and lands called Wallehousseland upon himself and Joan his wife, which 10 Hen. V. (1422) they settled upon their son Thomas.¹⁴ He inherited 6 Hen. IV. (1405) other lands on the death of his grandfather's widow. He died 20 Hen. VI. (1442). By a second wife, Isabel, living 21 Hen. VI. he had Joan,¹⁴ wife of John Burne, and William,¹⁴ a clerk, who settled his copyhold messuage and lands in Claverley upon his nephew Richard¹⁵ Whytemore.

Thomas¹⁴ Whytmore, eldest son of Richard,¹³ 27 Hen. VI. (1448) sold certain lands at Zeyche House in the parish of Claverley; and 22 Edw. IV. (1483) he died seised of a freehold estate in Claverley. His children were—

Richard¹⁵ his heir.

Thomas¹⁵ of Madeley, co. Staff. who left issue.

Alice¹⁵ wife of Robert Jones.

Richard¹⁵ Whytemere alias Whitmore of Claverley, died 10 Hen. VII. (1495) possessed of freehold lands there, also of two messuages and lands of copyhold tenure. His wife Agnes, daughter of John Gravenor, proved his will 17 January, 1496. She afterwards married Thomas Pytt, and died 14 Hen. VIII (1523). Their son and heir was

Richard¹⁶ Whytmere alias Whitmore of Aston in Claverley, gentleman, who died 3 Edw. VI. (1549) possessed of freehold and copyhold estates at Hopstone and Claverley, co. Salop, and was interred at Claverley. His wife Frances, living in 1550, afterwards married William Barker of Aston. Their children were

William,¹⁷ Richard,¹⁷ Humphrey,¹⁷ Edward,¹⁷ and Thomas,¹⁷ of whom William¹⁷ was an alderman of London, and his descendants are recorded, in the main accurately, in Burke's Extinct Baronetage and Landed Gentry, and elsewhere.

Of course this whole affiliation depends upon the care with which Mr. Morris transcribed the early part of the record. As a slight confirmation, I may add that in the Patents of Arms granted by Dethick Garter, 1593 (Harl. MS. 1507, fol. 5) is one to "William Whitmore, late citizen and merchant of London, descended of the name and ancient family of Whitmore of Thurstanton, in the county of Lancaster (*sic*) gentleman, which William deceased at London, Aug. 7, 1593, and by his wife Anne, daughter of William Bond, esq. late sheriff and alderman of London, had three sons and six daughters." This would indicate that there was a belief in the family that the Cheshire Whitmores were of the same stock. A further examination of the evidences at Claverley will probably make the connection plain beyond a doubt.

If the foregoing pedigree be free from error, it results that the Whitmores of Staffordshire were originally termed de Boterel. We have seen that Avisa^d de W'tmore was married to William Botrell, who was son of Radulph de Botrell by his first wife. The second wife of this Radulph was mother of a bastard son, called Rad. fitz W'tmore, and bastardus de W'tmore, Castellan in Newcastle-under-Lyne to Ranulph, Earl of Chester, 4 Hen. III. and to Henry de Audley 24 Hen. III. He brought an action against Reginald fil. Will. Botrell, 5 John, touching a virgate of land of his mother, which he held 15—17 John. (Pipe and Close Rolls.)

His son, William^d fil. Rad. bastardi, alias W'tmore, called also Will. le Burgvyllan, Castellan under Henry de Audley, 30 Hen III. held land in Newcastle and W'tmore 26, 27 Hen. III. and land with his wife Ursula under Hamo le Strange, 38 Hen. III. (Pipe Rolls Salop and Staff.) By a second wife, Matilda de Caux, he had John Burgvyllan, who held land in Newcastle-under-Lyne 32 Edw. I. (Pipe Rolls); and who had a wife Alicia at that time.

Radulph de Botrell held land in W'tmore 21 Hen. II. He was, apparently, brother to William, fil. Radulphi, and is described as Rad. fil. Rad. being the son of Radulph de Boterel, who was witness to a deed of gift from his father Peter de Boterel to Abingdon Abbey circa

1154, and was Constable of Newcastle-under-Lyne 15 Hen. II. He held land in Oxfordshire 11 Hen. II. and in Wodnesbra, Staff. probably Wednesbury, Wadnesberie of Domesday, 12—17 Hen. II. (Pipe Rolls and Chron. of Abingdon Abbey). His father

Peter de Boterel held lands in Oxfordshire and Berks circa Stephen, 12 Hen. II. (Pipe Rolls, and Chronicle as before), and had a brother William.

This elder William de Boterel held lands in Cornwall temp. Hen. I. was Constable of Wallingford Castle, excommunicated by Ingulphus abbot of Abingdon, for pillaging the town, and is said to have died of grief ante 1 Hen. II., when his brother Peter appeased the abbot by a deed of gift to the Abbey. William de Boterel left a son of the same name, who inherited from him 4—9 Hen. II., and who was probably sheriff of Devon. (Pipe Rolls and Chron.) Eyton (*Antiquities of Shropshire*, vii. 159,) seems to have confounded this last William with another of the same name, son of Hamon de Boterel, who had property in Devonshire, Wiltshire, Gloucester, Hereford, and Salop, and married Alice, daughter of Robert fitzCorbet.

More information about these Boterels is desired, and especially their connection with Geoffrey Boterel, who was grandson of Godfrey first Duke of Britany, and brother of Alain le Roux and Alain Niger, Counts of Britany, and commonly called Earls of Richmond.^a

Lastly, we have to consider the question of the arms of the family. We have seen that about A.D. 1300, John de Whitmore of Staffordshire used a coat of a chief only; but that all the branches of the family presumed to be of the same origin have used a fretty coat.

Thus the Cheshire family used the fret and also impaled and quartered the chief. My authority for the impaling is an inscription sculptured in Trinity Church, Chester, said to have been taken up from the same place and at the same time as the effigy attributed to John Whitmore, Mayor of Chester temp. Edw. 3.

This inscription with a description of the monument we intend to present hereafter. There is some doubt as to the correctness of its identification.

^a Palgrave (*Hist. Normandy*, vol. 3, p. 459, following Holinshed, I believe) states that Alain Fergant or le Roux possessed lands of Edwin, the Saxon Earl of Mercia, by gift from the Conqueror. He died s.p. in 1089, and was succeeded by his brother Niger, who left issue. (See Dugd. Baronage and Courthope's *Hist. Peerage*.)

Ormerod enters the coat of the Whitmores of Thurstanton, however, as quarterly :

1. Vert, fretty or; 2. Argent, a chief azure; 3. Or, a lion rampant gules between three martlets of the second; 4. Per fesse vert and gules, an eagle displayed or. The *Promptuarium Armorum*, of Smith Rouge dragon, a MS. circa 1605, enters the same arms for John Whitmore of Thurstanton, co. Chester, except that he omits the fretty coat, and makes the first and fourth quarters, Argent, a chief azure.

The Caunton branch and the Claverley branch both adopted the fretty coat, which by the way is peculiarly a Staffordshire bearing.

It seems impossible to think that this chief was the Haselwall coat, as Ormerod intimates, since it was used by John de Whitmore, whose brother made the match with that family. In fact, Smith's tricking would rather show that the chief was the original Whitmore coat, as corroborated by the seal.

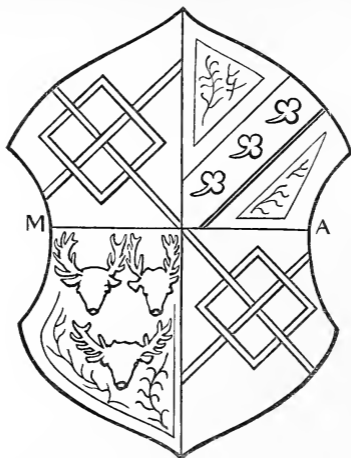
Still Ormerod and other writers have no doubt that the Cheshire branch also claimed the fretty coat.

We can offer but one supposition. If the fretty coat belonged to Ada de Walleshull, and the Claverley property (Wittymere, &c.) came from her, the younger lines might have adopted her coat, and the Cheshire line have used it in quarterings. The fact, however, can best be ascertained by examining such examples as may remain at Thurstanton and elsewhere.

We might almost imagine that the Stafford and Cheshire families using the chief were the only members of the same line, and those using the fret were merely namesakes, but for the following fact. There is at Whitmore Hall a window wherein, among other coats, is the following (as represented in the next page): Quarterly, 1 and 4, a fret gold; 2, a bend sinister azure charged with three trefoils slipped, gold; 3, three stag's heads cabossed sable. The field-tinctures are not discernible. At the sides are the letters M.A.

These arms seem to be 1 and 4, Whitmore; quarterly with 2, Coyney; and 3, Boghay: for my correspondent tells me he is satisfied that the stag's heads belong to Boghay,^a and not the coat (Gules, a scythe argent), which is also attributed to the name.

^a The Harl. MS. 1988, folios 38b and 41, ascribes Argent, three stag's heads cabossed sable, to Boghey and Burghay of Whitmore. The same coat appears in Gwillim's Display in the name of Bowet, and in Burke's Armory in that of Boughey, of Colton, co. Staff. And, so far as is known, all branches of the family have borne arms more or less similar. There is, too, an early charter of Christina, daughter of *



In a window at Whitmore Hall.

If this be so, we can hardly doubt that the fret appears in this shield as especially the arms of Whitmore.

Boston, U. S. A.

W. H. WHITMORE.

John de Boghay de London, jointly with another lady, sealed with a stag trippant respecting the sinister; but the seal has no legend, and may not represent a coat of arms (Harl. Charter 76, c. 46). On the other hand the coat Gules, a scythe argent, as quartered anonymously in the Visitations by Mainwaring of Whitmore, is attributed to Boghay by the College of Arms. But their authority cannot be accepted as conclusive on the subject, for these reasons: 1st, that the latter coat undoubtedly pertains to Prayers, and it is so appropriated in Glover's Ordinary; 2nd, that there was a match, temp. Edw. III. between the heiress of Praers of Bad-diley, co. Chester, and an ancestor of Edward Manwaring of Whitmore, nearly two centuries before this Edward married the heiress of Boghay; and 3rd, that the records of the College show, that the descendants of the last marriage are not the only family of Mainwaring which has quartered the scythe. The following explanation is hazarded. The issue of the marriage with Praers died s.p., and the line of Mainwaring was continued through the descendants of a second marriage. In such circumstances, it is presumed that the College of Arms would not recognise the coat of Praers as legitimately quartered by Mainwaring. And, finding the scythe actually quartered at Whitmore, subsequently to the match with Boghay, it might not be contrary to their practice to assign it definitely as Boghay's. This coat, Gules, a scythe argent, occurs in Burke's Armory under the names of Manwaringe and Praers.

CAREY, BARONS HUNSDON, &c.

THE province of the Genealogist is, strictly speaking, to furnish the skeleton which the Biographer is to clothe with flesh and inspire with life, and which the Historian, in his turn, is to transfer when thus animated to the scenes he desires to people. But in point of fact the provinces of all three are too closely conterminous to admit of such nice distinction, and both biographer and historian are often indebted to the humblest member of the trio for something more than merely "dry bones."

It is in the hope that the following notes may contain some facts, both new and true, that I venture to travel a little beyond the special sphere which this periodical is supposed to occupy. I desire also to bring into more prominent notice some names which seem to have escaped the due attention of the biographer, or at any rate have failed to find admission into those very mixed assemblies—the columns of a biographical dictionary.

It has already¹ been observed that the immediate founder of the fortune of the Carys was William Cary, whose marriage with the elder sister of Queen Anne Boleyn placed his children amongst the nearest kin to the blood royal of England. It must however be remembered that William Cary himself died some years before King Henry's marriage with Anne Boleyn, and that therefore the grants of office and of property which he received were bestowed by Henry simply as tokens of personal regard or rewards for loyal service. William Cary's own marriage took place in 1521, and the King, we are told,² made an offering of 6s. 8*d.* at the nuptials, but we cannot consider that he was moved to do so by any thought of the fair Anne. William Cary was appointed a Gentleman of the Privy Chamber in the year 1525, and was also made an Esquire of the Body. He died of the sweating sickness in June, 1528; leaving issue a daughter, Catharine, who married, circa 1539, Sir Francis Knollys, K.G., and an only son, Henry Carey, who at his father's death was

¹ Herald and Genealogist, vol. iii. p. 34.

² Madden's Privy Purse Expenses of Queen Mary, Appendix, p. 282. The question of the King's intrigue with Lady Mary Boleyn is not one for discussion in these pages, and the fact has never been clearly established.

aged 2 years, 15 weeks, and 5 days. (Inq. p. m.) His widow married secondly (circa 1535) Sir William Stafford, kt. (2nd son of Sir Humphry Stafford of Blatherwick, knt.), and they resided chiefly on her property at Rochford in Essex, until her death, without further issue, in 1543. Her large possessions, as coheir to her father, Thomas, Earl of Wiltshire and Ormond, devolved upon her only son, Henry Carey, who also inherited from his father considerable estates in the counties of Wilts, Hants, and Bucks. He represented the town of Buckingham in Parliament from 1547 to 1555, and obtained from Edward VI. a confirmation of the grant which his father had received of the manors of Buckingham, Little Brickhill, Boreton, and Essington. When Elizabeth, who was his cousin-german, ascended the throne, his rise became very marked. Her first act was to knight him, and, on the 13th Jan. 1558-9, he was created Baron Hunsdon, and invested with the manors of Hunsdon¹ and Eastwick in Herts, and divers others in Kent, to support the title. In 1561 he was elected a Knight of the Garter, and was subsequently sent with that order to the King of France. For some years he was fully occupied with his military duties as Warden of the Eastern Marches towards Scotland. He not only enforced order in that lawless district, but brought his own troops into such good discipline as to defeat in a most signal manner Sir Leonard Dacre in the rebellion of 1569, having previously aided the Earl of Sussex against the insurgent lords of Westmerland and Northumberland.

In 1571 we find him released for awhile from his active duties and entertaining his royal cousin at Hunsdon (Nichols's *Progresses of Queen Elizabeth*), who marked her appreciation of his services by further grants of land. Ten years afterwards he accompanied the Duke of Anjou to Antwerp, and soon after his return was raised to the important post of Lord Chamberlain of the Household. At the time of the Spanish Invasion his son-in-law, Charles Howard, Earl of Nottingham, was Lord High Admiral of the Fleet, and he himself had charge of the Queen's

¹ Hunsdon continued in the possession of the Careys until 6 March 1653, when it was sold by the Earl of Dover to William Willoughby, esq. afterwards Lord Willoughby of Parham. The manor now belongs to N. Calvert, esq. See Clutterbuck's Hertfordshire, vol. iii. p. 182. Eastwick was sold to Sir John Gore in 1641.

person at Tilbury. In 1590 he was made Recorder of Cambridge and High Steward of Ipswich and Doncaster. (Cooper's *Athenæ Cantab.*) He died full of years and honours at Somerset House (of which he had been appointed keeper), 23rd July, 1596, and was buried in Westminster Abbey. There is a story that when dying he received from Queen Elizabeth the patent creating him Earl of Wiltshire which he had coveted all his life, but that he sent it back with this message, "Madam, seeing you counted me not worthy of this honour while I was living, I count myself unworthy of it now that I am dying."¹ It is difficult to reconcile this story with the distinct assertion made, also by Fuller, that "he might have been with the Queen whatsoever he would himself, but would no more than he was."² He is described³ as a better soldier than courtier, rude of speech, hasty in temper, but free from malice. He received what appear more than adequate rewards for his public services, but Fuller reminds us that "this was rather restitution than liberality on her Majesty's part, seeing he had spent as great an estate (left him by his father) in her service, or rather relief, during her persecution by Queen Mary."

His eldest son, George Carey, succeeded him in his title, and also in his office of Lord Chamberlain. He had been previously (1571) knighted by the Queen for his military services under the Earl of Sussex, and had been associated with his father in the command of the Northern Marches. He, too, was a Knight of the Garter and Privy Councillor, and held also the posts of Knight Marshall, and Governor of the Isle of Wight. He married Elizabeth,⁴ daughter of Sir John Spencer of Althorp, and died in 1603, leaving an only daughter married to Sir Thomas Berkeley, son and heir of Henry Lord Berkeley.

The Barony of Hunsdon passed to his brother John Carey, who had been actively employed on the Scottish border, and filled the important post of Governor of Berwick. It seems probable that he represented the town of Buckingham in Parlia-

¹ Fuller's *Worthies of England sub* Hartfordshire.

² *Ibid.*

³ Sir Robert Naunton's *Fragmenta Regalia.*

⁴ To this learned lady Edmund Spenser dedicated his poem, *Muiopotmos*, and for her younger sister Alice, Countess of Derby, Milton wrote his masque *Arcades.*

ment, as the name of John Carey occurs as member in 1585, 1589, and 1592, and the lordship of the manor was in the Hunsdon family. He died in 1617, and was succeeded by his eldest son, Sir Henry Carey, *knt.* who greatly augmented the wealth and honours of the line. He was advanced in 1621 to the Viscounty of Rochford, and six years afterwards to the Earldom of Dover. He was twice married, but had issue only by his first wife Judith, *dau.* of Sir Thos. Pelham, of Laughton, *co.* Sussex. His second wife was the wealthy widow of a London alderman, Sir William Cockayne, who had retrieved in successful commerce the fortunes of an ancient family, and was the father of the first Viscount Cullen. Lord Dover died in 1666, and was succeeded by his eldest son Sir John Carey, who had been created a *K.B.* at the coronation of Charles I. He adhered to the Royal cause, and was consequently, in 1644, accused of high treason by the party then in power. (*Commons' Journals*, *iii.* 559.) He had two wives; and by the second, Abigail Cockayne, who was his stepmother's youngest daughter, he left an only child, Mary, who became the wife of William Heveningham, well known as one of King Charles the First's judges. As neither Lord Dover nor his brother, Sir Pelham Carey, had any male issue, the Earldom of Dover became extinct at the death of the former in 1677, and the barony of Hunsdon reverted to a descendant of Sir Edmund Carey, the third (surviving) son of the first baron.

Sir Robert Carey,¹ who thus became sixth Baron Hunsdon, was, like his father and grandfather, a soldier of fortune, and attended James II. in France. At his death, which took place at La Hogue in Normandy in 1692, the title passed to his first cousin, Robert Carey. His father, Colonel Ernestus Carey, had a small estate in Cambridgeshire which had been bequeathed to him by Valentine Carey,² Bishop of Exeter; but this was sold³ while Robert was a child, and the future peer had to commence life as an apprentice to a weaver. He afterwards obtained a

¹ Among Howell's *Familiar Letters* is one dated 1654, and addressed to Sir R. Cary, *knt.*, but it contains nothing of special interest.

² I purpose adding some notes upon this prelate, and his connection with the Hunsdons.

³ *Cf. infra* among the extracts from the Royalist Composition Papers.

commission in the army, and in later life was mainly supported by a pension from William III. though he was ever a consistent and undisguised Jacobite.

The barony was claimed at his decease by William Ferdinand Carey, only son of the last peer's first cousin. The branch to which he belonged was English in name alone. For three generations it had been settled in Holland, and consequently some difficulty was experienced in establishing the claim. It was at length admitted, and the petitioner took his seat in the House of Lords in 1707 as eighth Baron Hunsdon.¹ He seems to have preferred his native air to that of the land of his forefathers, and, having retired to his residence in Holland, there died in 1765 at the age of 81. With him the ancient title is supposed to have become extinct, but whether this be the case is at least open to doubt. Banks (*Baronia Angl. Concen.* ii. 197) observes that "the heir may be now extant . . . and unaware of the rank to which he has a right . . . the male line is most probably in the Dutch Netherlands, where the weaver's family were resident." Without committing myself to this last statement, I may venture to add that a careful examination of the pedigree seems to show one or two channels through which the descent *may have been* carried on. At any rate it is unfortunate, if not premature, that the title should have been already appropriated and bestowed upon the present Viscount Falkland.

The glories of the elder branch were, however, thrown into the shade by the distinctions acquired by Robert Carey, the youngest son of the first Lord Hunsdon. Starting in life with no very special advantages, he soon outstripped his brothers in the race for honours, and this more through tact and quickness of thought and action than by any overpowering genius. His autobiography was printed about a century ago,² and is well worth perusal, as it throws considerable light upon the chief events of an important period. Robert Carey was initiated at a very early

¹ The original papers in support of his claim are in the Library of the British Museum, Harl. MS. 6694.

² Edited by the Earl of Cork and Orrery in 1759. See the substance of it in Sir Egerton Brydges's *Memoirs of the Peers of England during the reign of James I.* 8vo. 1802, pp. 401-432. For Sir Robert Carey's services on the Scottish border, see the Introduction to Raine's *History of North Durham.*

period into the myteries of diplomacy, and was a favoured courtier of his kinswoman Queen Elizabeth. He served with the army on the Scottish border, and was with the English fleet at the destruction of the Armada; but the most successful achievement of his life was the crafty and rapid conveyance of the news of the Queen's death to King James of Scotland. This secured him the favour of the new monarch, who faithfully, though somewhat tardily, fulfilled the promise he had made on receiving the good news, "I will be a good master to you, and will requite this service with honour and reward." He was created in 1622 Baron Carey of Leppington, co. York, and elevated in 1626 to the Earldom of Monmouth. By his wife Elizabeth daughter of Sir Hugh Trevanion, and niece of Anne first Lady Hunsdon, he had three children: Sir Henry Carey (who succeeded him in the Earldom); Thomas, a faithful adherent of Charles I., and a poet of no mean reputation; and Philadelphia, who married Sir Thomas Wharton.¹ The Earl died in 1639 at a very advanced age, and was buried at Westminster Abbey with his father.

His elder son, Sir Henry Carey, K.B., was his successor, and is described by Antony à Wood as "a person well skilled in the modern languages, and a generous scholar." He was a graduate of Exeter College, Oxford, and an author of temporary celebrity. His marriage with Lady Martha Cranfield,² daughter of the fortunate Earl of Middlesex, brought him wealth and influence—matters of evident importance in the eyes of his parents;³ but his two sons predeceased him, the elder falling at the battle of Marston Moor, and the younger dying five years afterwards of the small-pox. Of the eight daughters only three were married, and the children of these had apparently all died before 1700 with the exception of Elizabeth the only child of

¹ *Chamberlain's Letters*, March 10th, 1610: "Young Mr. Wharton is shortly to be married to Sir Robert Carey's daughter that waited upon my Lady Elizabeth's grace. It is said he makes her 1,200*l.* a-year jointure, and Sir Robert Carey gives 6,000*l.* portion."

² See *Chamberlain's Letters*, Feb. 26th, 1619: "Sir Robert Carey's eldest son, a knight, hath likewise married Sir Lionel Cranfield's daughter."

³ See *Chamberlain's Letters*, 12th April, 1619. It appears that Mrs. Frances Ferrars and Lady Craven's well-dowered daughter had been successively brought forward as eligible matches for his lordship.

John Earl of Middleton by his wife Martha Carey, sixth daughter of Lord Monmouth. The Lady Elizabeth became the wife of William Spelman of Wichmere in Norfolk, and seems to have inherited most of the family portraits and other interesting heirlooms.¹ A copy of her will, which is of much historical value, is by the courtesy of A. W. Woods, esq. appended to the series of illustrative documents.

The Earldom of Monmouth and other honours became extinct on the death of the second Earl in 1661; but in 1689 the title was granted to Charles Mordaunt, better known as the great Earl of Peterborough. His connection with the Careys was through his mother, who was the only child of Thomas Carey, the poet, second son of the first Earl of Monmouth; but the title has now, through failure of issue, become altogether extinct.

I must again acknowledge very gratefully my obligations to many kind friends and courteous correspondents. In particular I desire to thank Lord Clermont, G. E. Adams, esq., D. Cary Elwes, esq., Colonel Chester, the Rev. S. Nairne, and Robert Dymond, esq., for the valuable assistance they have afforded me in the compilation of these notes. Though they contain much that is new, and I hope interesting and valuable, yet it is not possible that they should be free from some inaccuracies and erroneous statements; still in such a case I may be allowed to console myself with the poet's reflection:

Est quodam prodire tenus, si non datur ultra.

Harewood, Ross.

C. J. ROBINSON, M.A.

¹ Lord Clermont is in possession of an old MS. copy of the Earl of Monmouth's Autobiography which bears the bookplate of the above William Spelman. For an account of the celebrated Blue Ring (a large sapphire) and the way in which it conveyed and confirmed the news of Queen Elizabeth's death to King James, see Banks' *Extinct Baronage*, art. MONMOUTH, vol. iii. p. 521.

TABLE I.

WILLIAM CAREY, Esq. of the body to Hen. VIII. and one of the Gentlemen of the Privy Chamber; mar. 31 Jan. 1520; died 22 June, 1528.

LADY MARY BOLEYNE, eldest dau. and coheir (with Anne, wife of King Henry VIII.) of Thomas Earl of Wiltshire by Elizabeth, dau. of Thomas Howard, Duke of Norfolk; died 30 July, 1543.

Sir Henry Carey, K. G. created Baron Hunsdon, of Hunsdon, co. Herts. 13 Jan. 1559. Warden of the Northern Marches and Governor of Berwick, Lord Chamberlain of the Household, and Captain of the Pensioners; died at Somerset House, London, 23 July, 1596; bur. in Westminster Abbey, *æt.* 76. M. I. Will dated 21 July, 1596; proved at C. P. C. 26 July following.

1. Sir George Carey, K. G., 2nd Baron Hunsdon, Lord Chamberlain and Knight Marshal, Govern- or of the Isle of Wight; died 9 Sept. 1603; bur. 1618; will dated 10 May, 1599; proved at C. P. C. 27 Sept. 1603.

2. Henry Carey, bapt. at Buckingham, 15 Sept. 1564; *o. s. p.* Vis. Bucks, 10 May, 1570; died 1593, *s. p.*; ad- ministrated 5. Sir John Carey; See Table II.

4. William Carey, of Berwick-upon-Tweed; bapt. at Buckingham, 10 May, 1570; died 1593, *s. p.*; ad- ministrated 5. Sir John Carey; See Table II.

6. { Thomas. ob. *s. p.* 7. Sir Edmund Carey, Knt. See TABLE III. 9. Sir Robert Carey, Knt. See TABLE VI.

Catharine, Arundel House, London, 25 Feb. 1602; bur. at Chelsea.

Phila- del- phia, living 1623; died 1629; High Admiral of Eng- land; died 14 Dec. 1624, *æt.* 87; bur. at Fel- gate, co. Surrey.

WILLIAM STAFFORD, afterwards Sir William Stafford, of Chebsey, Knt. (2nd son of Sir Humphrey Stafford, of Blatherwick, co. Northampton, Knt.) mar. Lady Mary Carey *circa* 1535, and by her had Rochford, co. Essex, and other possessions; bur. at Geneva, 5 May, 1556; 2nd husband.

DOROTHY, eldest dau. of Henry Lord Stafford by Ursula, dau. of Sir Richard Pole, K. G. and Mar- garet Plantagenet, Lady of the Bedchamber to Queen Elizabeth; died 22nd and was buried 23rd Sept. 1604, in St. Margaret's, Westminster; 2nd wife.

Catharine, Chief Lady of the Bedchamber to Queen Elizabeth; died 15 Aug. 1568, at Hampton Court; buried at Westminster Abbey.

Thomas Scrope, 16th Baron Scrope, of Bolton; Warden of the Western Marches towards Scotland; died 2 Sept. 1609; bur. at Langgar, co. Notts.

Marga- ret, born 30 Nov. 1564; mar. 21 May, 1582; Knt.; bur. at Bisham, 3 Mar. 1617.

Elizabeth, dau. of Sir George Ferror, of Easton Neston, co. North. Knt. and widow of Sir William Starford, of Blatherwick, Knt.

* Howell's Letters, 1 July, 1629: "I am newly returned from Hunsdon for giving the rites of burial to my Lord's mother. She made my Lord sole executor of all."
 † Chamberlain's Letters: "Judge Chamberlain, of the King's Bench, was married on Thursday to the Lady Berkeley, sole daughter of the last Lord Chamberlain Hunsdon. He makes her a jointure of 1,000*l.* a-year and is to leave her 10,000*l.* in money."

TABLE II.

SIR JOHN CAREY, Knt. 3rd Baron Hunston, War.—Mary, dau. of Leonard Hyde, of Hyde Hall and Throck—Richard Peyton, of Gray's Inn, co. Middlesex, and of Little Chesterford, co. Essex
 Marshal of Berwick; aged 40 in 1603; bur. at Paul's Wharf, London, 4 April, and bur. at Hunston 7 (Camb. Knt.); died 13 April, 1574, æt. 40; proved at C. P. C. 16 April, 1617; 2nd husband.

Henry Carey, aynne, Knt. ba. 15 Dec. 1577; bur. 1 Jan. 1578.	2. Mary, dau. of Richard Morris, of St. Leonard's, Eastcheap, London, merchant; mar. Earl of Devon, 6 July, 1630; died at Comb Nevil, co. Surrey, 24 Dec. 1648; bur. at St. Peter le Poor, London, 8 Jan. 1649; admin. granted at C. P. C. 5 Jan. 1649; 2nd wife.	1. Judith, dau. of Sir Thomas Pelham, co. Sussex, appa- rently by Mary, dau. of Sir Thos. Walsingham, Knt.; bapt. at Loughton, 21 Jan. 1590, liv. in 1623; 1st wife, d. 1629. §	2. Charles—Elizabeth, dau. of Sir John Whitbroke,* of Lond. and of Water-Newton, co. Sussex, appa- rently living in 1657 and in 1665. Mary Carey, æt. 3, 1627, liv. unmarried 1708.	2. Sir Tho—Blanche, mar. 1. house, of Kimberley, co. Norf. died 6 Nov. 1624, 16 June, 1605; died 1651. s. p.; bur. 6 Dec 1622, 1558.
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Charles Coek-ayne, of Rush- created 11 Aug. 1642, Viscount Cul- len in the Peerage of Ireland.	Other Abigail, fifth dau. hap. 26 Aug. 1610; mar. 2 Dec. 1630, both at St. Peter le Poor; died in Chapel St. Westm. 10 Feb. and bu. in Westm. Abbey, 16 Feb. 1687-8; 2nd wife.	Henry Carey, bur. 17 Jan. 1620. Mary, dau. and heir of Sir John Jack-son, of Berwick-upon-Tweed. 24 June, 1630.	George Carey, born 1621; alive in 1623; s. p. <i>vide</i> 1677.	1. Mary, bo- 13 Nov. 1615; mar. circa 1645; ob. 21 June, 1672, æt. 57; bur. at Ed- lington, co. York, 8 Nov. 1684. See Table IV.	Sir Pelham Carey, Knt. knighted at Anderweck, in Scot- land, 16 July, 1633; æt. 8 1620-1; mar. Mary, dau. and heir of Sir John Jack-son, of Berwick-upon-Tweed. 24 June, 1630.	Sir Thomas Whar- ton, K. B. † Warden of the Mint (2nd son of Sir Thomas Wharton, by Lady Philadelphia Ca- rey); bur. at Ed- lington, co. York, 8 Nov. 1684. See Table IV.	Judith, bur. 31 Mar. 1666, at Burton, co. Lincoln. Anne, of St. Paul's, Covent Garden, London; will dat. 11 Sep. 1657, prov. 10 Jan. 1662, at C. P. C.; ob. s. p. Philadelphia, died at Broxbourne, co. Herts; administra- tion granted 23 Sep. 1693.
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William Heveningham, of Heveningham, co. Suffolk, and Ketteringham, co. Norfolk, High Sheriff of Norfolk 1635; one of the Regicides; died 20 Feb. and bur. 21 Feb. 1677, at Ketteringham.

William Heveningham, of Heveningham, co. Suffolk, and Ketteringham, co. Norfolk, High Sheriff of Norfolk 1635; one of the Regicides; died 20 Feb. and bur. 21 Feb. 1677, at Ketteringham.

Abigail Carey, bapt. 18 June, 1633; died young.

Mary Carey, eldest dau. bapt. 6 Oct. 1631; mar. articles dated 25 April, 1655; died at her house in Jermyn St. London, 19 Jan. 1695-6, and bur. 9 Feb. at Ketteringham.

* Chamberlaine's Letters, Oct. 16, 1619. "About a fortnight since Sir John Whitbrook was stabbed and killed in the Fleet by Boughton, one of his fellow-prisoners." See also Visit. of Hunts (Camden Soc).
 † Sir Thomas Wharton was of Edlington, co. York (Hunter's Doncaster, i. 93), and married secondly Jane, daughter of Rowland Dand, of Mansfield Woodhouse, co. Notts, who died in 1713 or 1714, leaving issue.
 ‡ One of the daughters of this marriage, Abigail Heveningham, married John Newton, son and heir of Sir John Newton, of Barr's Court, co. Gloucester, by whom she had a daughter, Carey Newton, who married Edward Coke, of Holkham, co. Norfolk, and was mother of Thomas Coke, created Earl of Leicester in 1744.
 § "The Countess of Dover died this last week at Hunston." Letter from Sir G. Gresley to Sir Thomas Puckering dated 15 Nov. 1629, Court and Times of Charles I. vol. ii. 6.

TABLE III.

Thomas Bury, Sir George Ri.—Judith, dau. of Laurence—Hon. Sir Edmund Carey, Knt. (3rd surviving son of 1st—Mary dau. and—Sir John Dan-
 of Culham, Humphrey, D.D. Dean of Lord Hunsdon) Esquire of the Body to Queen Elizabeth, 4th dau. and co-
 vers, of Chaf- Winchester, President of Magdalene College, Oxon; sometime Captain of Ostend, and knighted by her, co. Kent; died 6 May, 1656, et. 88; the Earl of Leicester in the Low Countries; died 12 Sept. 1637, in his 80th year; bur. at Culham, co. Oxon; M.I. Will dated 26 Aug. 1637, and proved at C. P. C. 13 Feb. 1638.
 1st husband. 1st wife. 1st husband.

2. Sir Ferdinando Captain of Horse under Sir Carey, Knt. Hor. Vere, Baron Tilbury, See in Holland; bapt. 21 March, 1582-3, et. 37 in 1620-1.

1. Elizabeth, born 26 June, 1608. 2. Frances, Sir Edward Griff. bapt. 3 Aug. 1609; living in 1652. 3. Thomas Carey, living in 1634; Anne, eldest dau. of Wickham, co. Hants; bur. 3 Dec. 1652. 4. Anne, Neale, of Warnford, bapt. 18 Aug. 1612. 5. Lucy, 15 Sept. 1632, Thomas born 1610. 21 Feb. 1643, Thomas Tomkins.

1. Sir Horatio Carey, * Knt. a Colonel in the Army—Petronilla, dau. served in foreign parts, of Sockburn and other places, of Robert Ha-
 York and Durham, in right of his wife; pre- sent at the last battle of Worcester; ob. inter 1652-1679. 2. Sir Robert Carey, Knt. 6th Baron Margaret, dau. of Sir John South, of Kelstone, co. Hunsdon, succeeded to the title of Gervase Clifton, of Lincoln, Knt.; bapt. 8 Aug. 1609. 3. Ernestus Carey, ob. ante 1677, s. p. 4. Thomas Elizabeth, bur. at Great Shelford, 1705-7, s. p. 5. Daniel John—Mary, bur. in St. Ca.—John Hare, son of Dublin; tharine's by Tower, of Watton London, 10 March, Woodhall, 1705-7, s. p.

1. Horatio 2. Ernestus 3. Robert Carey, 7th Baron Hunsdon, summoned to Parliament 26 Sept. 1692; died 11 Sept. and bur. in St. John's Chapel, Westminster Abbey, 17 Sept. 1702, unmar. 4. Thomas Carey, ob. ante 1677, s. p. 5. Daniel John—Mary, bur. in St. Ca.—John Hare, son of Dublin; tharine's by Tower, of Watton London, 10 March, Woodhall, 1705-7, s. p.

* In Ord's History of Cleveland Sir Horatio is said to have married Petronilla, dau. of Sir Robert Conyers, Bart. but query if not Petronilla, dau. of R. H. Esq. by Mary, dau. of Sir John Conyers, knt.
 † Probably son of Daniel Rogers, Clerk of the Council to Queen Elizabeth and grandson of the martyr John Rogers. (See Chester's Life of John Rogers, p. 234.)

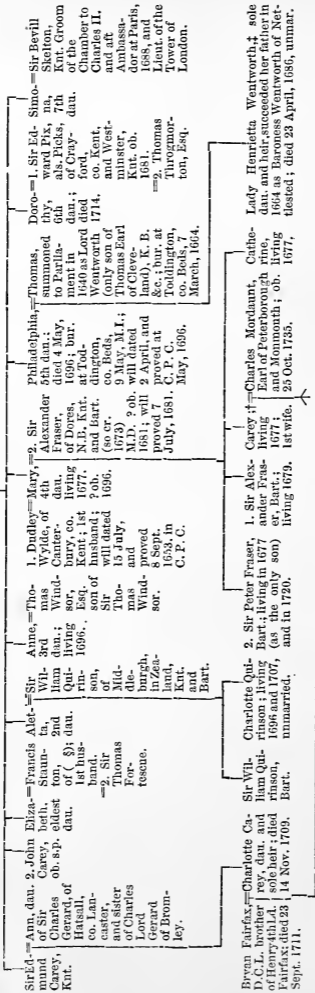
TABLE IV.

FROM TABLE III.

<p>FERDINAND CAREY, Colonel in the service of the States-General of the United Provinces; died and was buried at Maestricht. Admon. Jan. 1663 (missing).</p>	<p>IsABELLA, dan. of Daniel Oerms Van Winganden, of Dort, in Holland; died 22 Dec. 1701, and buried at Venlo, in Church of the Friars Minors; will dated at Venlo, 24 May, 1701.</p>	<p>Mary, = Henry Withipole, 1st dan. of Christ Church, near Ipswich, co. Suffolk.</p> <p>Anne, = François Louis, Baron of Bonstretten, in Swabia.</p>
<p>William Carey, only son and heir; Captain of a Regiment in above service under Colonel Esser; made a denizen of England 24 Aug. 1671; died of his wounds at Maestricht; bur. at St. John's Church, ibid. 7 Nov. 1683.</p>	<p>Gertrude Van Outshoorn, dan. of the Lord Cornelius Van Outshoorn. Knt. Lord of Outshoorn Gnephoeck and Chief Burgomaster of Amsterdam; mar. at Shooten, in Holland; died at Amsterdam, 21 July, 1688, and bur. at Outshoorn aforesaid.</p>	<p>Mary, made a denizen of England by letters patent dated 24 Aug. 1671; living 1707, a widow at Brussels.</p> <p>Aida or Olida, Anne, died at Brus. = Don Antonio ob. v. p.; bur. sets, 3 July, 1704, Descalet, Captain in Church of the Friars Minors the service of the King of Spain.</p>
<p>William Ferdinand Carey, only child, took his seat as 8th Baron Hunsdon, 22 March, 1707; = Grace, dan. of Sir Edward Waldo, of Lon. = Sir Nicholas Wolstenholme, of bapt. at the Church of Jesus Christ, Maestricht, 14 Jan. 1684; naturalised by Act of Parliament, 2 Will. and Mary; died at his seat near Alphen, in Holland, 12 June, 1765, æt. 81, s. p.</p> <p>Will dat. 23 Apr. 1703, and proved 15 Aug. 1765.</p>	<p>Sir Edward Waldo, of Lon. = Sir Nicholas Wolstenholme, of bapt. at the Church of Jesus Christ, Maestricht, 14 Jan. 1684; naturalised by Act of Parliament, 2 Will. and Mary; died at his seat near Alphen, in Holland, 12 June, 1765, æt. 81, s. p.</p> <p>Grace, dan. of Sir Edward Waldo, of Lon. = Sir Nicholas Wolstenholme, of bapt. at the Church of Jesus Christ, Maestricht, 14 Jan. 1684; naturalised by Act of Parliament, 2 Will. and Mary; died at his seat near Alphen, in Holland, 12 June, 1765, æt. 81, s. p.</p>	<p>Sir Nicholas Wolstenholme, of bapt. at the Church of Jesus Christ, Maestricht, 14 Jan. 1684; naturalised by Act of Parliament, 2 Will. and Mary; died at his seat near Alphen, in Holland, 12 June, 1765, æt. 81, s. p.</p>

TABLE V.

SIR FERDINANDO CAREY, Knt. bapt. 1 Feb. 1590-1 (see TABLE III.) served as an officer—PHILIPPA, dan. of Sir William Throckmorton, Co.—2. Thomas Blackwell, of Mansfield Woodhouse, co. Notts; 2nd husband.



* In one of Howell's Familiar Letters, dated 3 Feb. 1623, we read the following:—"A gentleman came hither lately who was at the siege (of Berghen) all the while, and he told me one strange passage, how Sir Ferdinando Carey, a huge corpulent knight, was shot through his body; the bullet entering at the navel, and coming out at his back, killed his man behind him, yet he lives still, and is like to recover." See also Calendar of State Papers (Dutch), Sept. 1622: "Account of the services and sufferings of Capt. Killigrew and Capt. Ferdinando Carey, at Bergen-op-Zoom, the preservation of which is mainly due to them."

† Her husband was the great Earl of Peterborough, whose connection with the Carey family through his mother is shown in TABLE VI.

‡ Her romantic but unfortunate connection with the Duke of Monmouth is noticed by Macaulay, History of England. See also Notes and Queries, i. 199.

§ Perhaps Francis, 2nd son of Sir Francis Stanton of Birchmore in par. of Woburn, co. Beds.

N.B. Many of the statements in the above pedigree are copied from the Pedigree in the College of Arms signed by Colonel Ernestus Carey, but in some cases it has been found impossible to substantiate them, or identify the persons mentioned. This remark applies especially to Sir Thomas Fortescue and Thomas Windsor, about whom information is greatly needed.

TABLE VI.

HON. SIR ROBERT CAREY, Knt. tenth son of 1st Lord Hunsdon, Deputy Warden of the Western Marches towards Scotland, and afterwards Chief Warden of the Marches, 29 May, 1598, one of the Gent. of the Bedchamber to James I. by whom he was created, 6 Feb. 1622, Baron Carey of Leppington, co. York, Chamberlain to the Prince of Wales, and 5 Feb. 1626, made Earl of Monmouth; born circa 1560; died at Moor Park, co. Herts, 12 April, 1639; bur. at Rickmansworth; will dat. 3 Sept. 1635, proved at C. P. C. 20 June, 1639, by relict; 2nd husband.

Sir Henry Carey, Knt. made a K.B. at the creation of Charles Prince of Wales, B.A. of Exon. Coll. Oxford, 2nd Baron Leppington and Earl of Monmouth; born at Denham, co. Bucks and bapt. there, 27 Jan. 1595-6; died 13 June, 1661; bur. at Rickmansworth, co. Herts; will dat. 21 July, 1659, proved at C. P. C. 20 June, 1661.

2, Thomas Carey, of Brightwells and Parson's Green, co. Midd. Groom of the Bedchamber; born at Berwick on Tweed, and bapt. there, 16 Sept. 1597; died at Whitehall, 9 April, 1634; bur. in Westm. Abbey 14 April following; will dat. prov. at C. P. C. 18 July, 1634.

Philadelphina, Lady of the Bedchamber; died 2 Aug. 1663, set. 32 and s. p.; ley, co. Wigorn. bur. at Tunbridge, co. Bart.; died Kent; 1st wife.

John Mordaunt, created Baron Mordaunt of Reigate, and Viscount Mordaunt of Avalon, co. Som. 1659; died 5 June, 1675, set. 48.

Elizabeth, et. 13, 1634; will dat. 1 Nov. 1677, cod. 22 Jan. 1678, prov. at C. P. C. 20th May, 1679.*

Philadelphina, eldest child, a Lady of the Privy Chamber to the Princess. Sir Thomas Wharton, Knt. son and heir of Philip, 3rd Lord Wharton; died 17 Apr. 1622; bur. at Easby, co. Ebor.

Margaret, dau. and sole heir of Sir Thos. Smith, Knt. Master of the Requests, by Frances, dan. of Wm. Brydges, 4th Lord Chandos.

John Mordaunt, created Baron Mordaunt of Reigate, and Viscount Mordaunt of Avalon, co. Som. 1659; died 5 June, 1675, set. 48.

Elizabeth, et. 13, 1634; will dat. 1 Nov. 1677, cod. 22 Jan. 1678, prov. at C. P. C. 20th May, 1679.*

1. Lionel Carey, Lord Leppington, slain at the battle of Marston Moor, in the army of Charles I. 1644, s. p.

Henry Carey, Lord Leppington; died young, before his grandfather.

1. Anne, eldest dau. mar. Sir Robert Maxwell; 2d husband.

James Hamilton, Lord Clanciboye; born 7 Sept. 1642; died 8 May, 1658, s. p.

3. Charles Morzabath, daunt, cre. Earl of Monmouth, 9 Dec. April, 1689, and succeeded to the Earldom of Perthborough in 1697. Other issue.

Henry Carey, Lord Leppington; died young, before his grandfather.

1. James Hamilton, 2nd Earl of Clanbrasil; ob. s. p. 12 June, 1675.

Elizabeth, died 11 Jan. 1748; will dat. proved at C. P. C.

William Spelman, Wickmer, co. Norf. s. p.

William Spelman, Wickmer, co. Norf. s. p.

* See Evelyn's Diary, ii. 120.
† It was from this lady that Dr. Birch obtained the curious story, in all its particulars, of the doubly fatal results of Lady Nottingham's treachery to the Queen and the Earl of Essex. (Birch's Negotiations, pp. 206, 207, and Memoirs of Peers, &c. p. 189). For Lady Nottingham see Table I.

EXTRACTS FROM PARISH REGISTERS.

BERWICK-UPON-TWEED.

Baptism.

1597. Thomas Carey, baptised Sept. 16.

Burial.

1593. Lady Elizabeth Carey, buried 20 August.

BUCKINGHAM.

Baptisms.

1564. September. Henric' Carie, baptizat; decimo quinto die.

1570. May. Will'm; Carie, bap^t decimo maij.

BURTON, CO. LINCOLN.

Burial.

1666. March 31. The Lady Judeth Cary, dau. to the Lord Cary, Earl of Dover.

CLERKENWELL, CO. MIDDLESEX.

Baptism.

1624. Oct. 17. Judith, dau. to the Lord Rochford.

DENHAM, CO. BUCKS.

Baptism.

1595. Henrie Carie, the sonne of S^r Rob^t Carie, knight, was bapt. the xxvii of Januarie.¹

DRAYTON BASSETT.

Baptism.

1590. The first daye of February was baptized Ferdinando Cary, the sonne of Sir Edmond Cary, knt.

HUNSDON.

Baptisms.

1564. M^{rs} Margaret Cary, the daughter of the right honorable L. Hunsdon, was baptized the first daye of december, Anno d'ni 1564, annoq. regni d'ne n're reg. Eliza. 6^{to}.

1576. Elizabeth Cary, daughter of Sir George Cary, knight, baptised the 7th of June, 1576. Our soveraigne lady the Queenes Ma^{tie} [and] the Countys of Warwick being godmothers, and the Earl of Sussex godfather. Born 24 March.

1577. Mr. Henry Cary, the sonne of Mr. John Cary, esquier, baptized the xvth of december.

1582-3. Mr. Roberte Cary, sonne of S^r Edmond Cary, knight, baptized the 21 day of March. Godfathers, the right honourable the Erle

¹ The Parish Register has perished; the above entry is taken from Hare's MS. extracts in the Heralds' College.

of Leycester, the lord of Hunsdon, and the lady Cary weif of Sr George Cary, knight, being godmother.

1584. Mr. Emanuele Scrowpe, sonne and heir of Mr. Thomas Scrowpe, esquier, borne the 1st daye of Auguste, and baptized the xvth daie of the same month. The Quenes Ma^{tie} beinge godmother, the Erle of Arundele and the lord Scrowpe being godfathers.

1631. Marie Carie, the daughter of Sir John Carie, the 6th of October. He beinge then Vicount Rotchford.

1633. Abigall Careye, daughtour of the right honorable John Viscount Rochforde, June 18.

Marriage.

1605. Sir Thomas Woodhouse, a Norfolk gentleman, sonne and heyre to Sir Philip Woodhouse, did marie M^{ris} Blanche Carie, y^e second daughter of Sir John Carie, the honourable lord of Hunsdon, the 16 of June.

Burials.

1551. Sir John Cary, Knight, buried the 8th of September.

157 $\frac{7}{8}$. Mr. Henry Cary, sonne of Mr. John Carye, Esquier, buried the first day of January, in the Chauncell of Hunsdon Church.

1578. M^r William Gardiner, Gent. Hushier to the Right Hon. Lord of Hunsdon, buried 9th of May.

1617. The right honourable lord of Hunsdon, Sir John Carie, was buried the 7th of Aprill.

162 $\frac{0}{7}$. Mr. Henrye Carye, second sonne of the Right honorable Sir Henrye Carye, Baron of Hunsdon, 17 January.

1622. The Hon. Lady Anne Lovell, wife to Sir Francis Lovell, bur^d 6 Dec.

1627. The right honorable Lady Marie, wife of the right honnorabell Sir John Careye, Lord Baron of Hunsdon, was buried the 7 day of Aprill.

1630. Marie Carie, the wife of Sir Henerie Carie, Earle of Dover and Lord of Hunsdon, was buried the first of November.¹

1666. Henry Earle of Dover, buried 13th of April.

LONDON, ST. PETER LE POOR.

Marriages.

1630. July 6. Henry, Earl of Dover and the Lady Mary Cokayne.

1630. Dec. 2. John, Lord Rochford, son to the Earl of Dover and Mrs. Abigail Cokayne.

¹ There is a double error in this entry which is very remarkable. The Christian name and the date are both wrong: the former should be Judith, the latter 1629. Cf. the Pedigree TABLE II. and the note in p. 41.

Burial.

164 $\frac{3}{8}$. Jan^y. 8. The Right Honourable the Conteese of Dover, buried at St^t Paules Church.¹

STOWE,² CO. NORTHAMPTON.

Burial.

1630. The Hon^{ble} the Lady Elizabeth Carie was buried the 24th of June Caroli sexto, Christi 1630.

WESTMINSTER ABBEY.

Burials.

1677. The Earl of Dover. Jun.

168 $\frac{7}{8}$. Lady Abigail Cary, Countess of Dover, bu. Febr. 16.

ST. JAMES, WESTMINSTER.

Burials.

1694. May 4. Lady Victory Udal (Uvedale). W.

1695-6. Feb. 28. Lady Heveningham. W.

1697-8. Feb. 14. The Lady Margaret Hunsden. W.

ST. MARGARET'S, WESTMINSTER.

Marriage.

1611. April 11. Thomas Wharton, Esq. son and heir to the Lord Wharton and Philadelphia Cary, dau. to Robert Cary, knt.

Burial.

1747-8. Jan. 19. The Lady Elizabeth Spelman.

ADMISSIONS AT LINCOLN'S INN.

1651. Feb. 10. *Patrick Cary*, esq. son of Henry, Lord Viscount Falkland, decd. No sureties given.

1654. Sep. 28. *Henry Cary*, son of Henry, Lord Viscount Falkland, decd.

1675. June 9. *Edward Cary*, son and heir of Patrick Cary, of Horben, co. Dorset.

From the above it would seem that Patrick Cary, after his return to England and resignation of the monastic habit, entered at the bar and settled in Dorsetshire.

"*Henry Cary*, son of H^y Visc^t Falkland," is not a little puzzling. Could the quondam "Father Placid" (see vol. iii. p. 40) have followed his brother out of the Romish Church into the English bar?

¹ Buried with her first husband Sir William Cockayne, to whom there was a handsome monument. (See Dugdale's St. Paul's.) She probably was buried from Cockayne House in Broad Street, in the parish of St. Peter le Poor.

² Among the Rectors of this parish occurs Francis Henry Carey, of Christ Church, Oxford, M.A. 1669, instituted to Stowe by the heirs of the Earl of Danby, 15 May, 1666, died ante 1712. His connection with the Hunsdon family is unknown.

AN EXPOSURE OF A SERIOUS ERROR IN THE PEDIGREE OF WASHINGTON.

BY JOSEPH LEMUEL CHESTER,

IN the year 1791 Sir Isaac Heard, then Garter King of Arms, compiled a pedigree of the family of George Washington, then the first President of the United States, and transmitted a copy thereof to him, asking his opinion as to its correctness, and requesting him to add to it any other particulars within his knowledge. To this communication Washington responded on the 2nd of May, 1792, thanking Sir Isaac for his attention, and sending certain information respecting the more modern history of his family, but confessed that it was a subject to which he had paid very little attention, and that he could not fill up with much accuracy the sketch sent him. This document, which was of considerable length, would now be almost priceless as an autograph, but it has unfortunately disappeared. A volume, containing the original letter and other collections relating to the same subject, passed subsequently, after Sir Isaac's death, into the possession of the late Mr. Pulman, Clarencieux. It was seen and examined by Mr. Jared Sparks when collecting materials for his biography of Washington, but cannot now be found.

Garter took as the basis of his pedigree the Heraldic Visitations of Northamptonshire, in which the Washington family was included. Starting with the well-known fact that the first emigrants of the name to Virginia were two brothers named John and Lawrence Washington, who left this country for that colony about the year 1657, he found recorded in the Visitation of 1618 the names of John and Lawrence, described as sons of Lawrence Washington of Sulgrave in that county who had died in the year 1616. The names being identical with those of the Virginia emigrants, and the period at which they lived not altogether inappropriate, Garter *assumed* their personal identity; and on this assumption constructed his pedigree, deducing the descent of the American President through this heraldic family of Northamptonshire from the still more ancient one of the

name in Lancashire. It is but just to the memory of Sir Isaac to say that he himself only regarded the pedigree as a conjectural one, and that he took the precaution to leave on the margin of his own copy a note (which was seen and copied by Mr. Sparks) to the effect that he was not clearly satisfied that the connection of the President with the Sulgrave family was or could be substantiated.

Some years afterwards when Mr. Baker was preparing his History of Northamptonshire he pursued, in reference to his account of the Washington family, a precisely similar course. Either he acted independently, basing his pedigree on the same assumption, or, which is most probable, he had access to the collections of Sir Isaac Heard; and, presuming that Sir Isaac had thoroughly investigated the subject, adopted the pedigree which he had constructed. Sir Isaac's explanatory note, if seen, was ignored, and Baker confidently published the pedigree with the statements that John Washington, of the Sulgrave family, was afterwards of South Cave, in the county of York; that his brother Lawrence was a student at Oxford in 1622; that both emigrated to America about the year 1657; and that the former was the direct ancestor of the American President.

This pedigree has ever since been received as authoritative by all historians and biographers, everybody supposing that both Baker and Sir Isaac Heard had established the connection and descents by unimpeachable evidence, and no one dreaming for a moment of questioning the accuracy of their statements.

The object of this paper is to prove that the conclusions of those eminent men, natural and reasonable as they may have been (which is not denied), were nevertheless altogether wrong—in other words, that the John and Lawrence Washington named in the Visitation of 1618 as the sons of Lawrence Washington of Sulgrave were not the emigrants to Virginia in 1657, and consequently that the former was not the ancestor of the illustrious President.

Other articles concerning the Washington family may follow this, but the present one aims only at the entire demolition of the now universally received pedigree, so far as the alleged American connection is concerned, and is published at this time

in the hope and belief that an interest will be excited among genealogists which may result in the discovery of the true ancestry of the great and good man whose memory is equally honoured on both sides of the Atlantic.

The first doubt cast upon Sir Isaac Heard's pedigree was, perhaps unconsciously, by President Washington himself, and it is not unreasonable to suppose that it may have induced the former to record the note already mentioned. The language used by Washington in one portion of the letter referred to is important and suggestive. He says: "I have often heard others of the family, older than myself, say that our ancestor who first settled in this country came from some one of the *northern* counties of England; but whether from Lancashire, Yorkshire, or one *still more northerly*, I do not precisely remember." Washington himself, when he wrote this, was about sixty years of age, and the memory of those older than himself, from whom he received the statement, must have reached back probably within half a century of the arrival of his first ancestor in Virginia. Traditions are valuable, or otherwise, as they are transmitted through the medium of ignorance or intelligence. In such a family as that of the Washingtons the original facts would be less likely to become perverted than if they had been successively communicated through persons of a less intelligent character. Taking the tradition, however, for what it may be worth, it is quite certain that Northamptonshire cannot be accounted "one of the northern counties of England." But Washington himself was perfectly clear upon this point, and, if his language means anything, it surely means that the county from which his first American ancestor emigrated, if not Lancashire, or Yorkshire, was one, as he says, "still more northerly." It must also be noted that he does not mention this locality as the ancient or original seat of the family, but says distinctly that his "ancestor who first settled" in Virginia emigrated from that county.

But, whatever may be the value of this testimony, the present object can be accomplished quite independently of it.

In order that all the references to the various persons hereafter mentioned may be perfectly comprehended, a copy of Baker's pedigree is herewith given, down to the generation including

John and Lawrence Washington, the two brothers in question. By reference thereto (*vide post*, page 62), it will be seen that Lawrence Washington, of Sulgrave, by his wife Margaret Butler, had issue seven sons and seven daughters. This enumeration does not agree strictly with the Visitation of 1618, which gives another son named Robert (said to have died without issue), and omits Barbara, one of the daughters named by Baker (evidently in error, as she was doubtless the one of that name mentioned two generations before as one of the daughters of the first Lawrence Washington of Sulgrave). This accords, so far as the number of sons is concerned, with the inscription on his monument in Brington church, co. Northampt. which, however, states that he had nine daughters. Three of these probably died at an early age, unless we accept Barbara (named by Baker), and Lucy, who, in 1633-4, was mentioned as headwoman (perhaps housekeeper) in the establishment of Lord Spencer at Althorp. The actual number of the children of Lawrence and Margaret Washington was seventeen, with the most of whom we shall have nothing further to do at present except to say that, as the marriage of their parents took place on the 3rd of August, 1588, and their father died on the 13th of December, 1616, it is not difficult to determine at least the approximate dates of their respective births, which probably occurred, so far as the sons at least are concerned, in the order in which they appear in the Visitation, viz.: 1. William; 2. John; 3. Robert; 4. Richard; 5. Lawrence; 6. Thomas; 7. Gregory; 8. George. Of these, George, the eighth and youngest son, was baptized at Wormleighton, in the county of Warwick, on the 3rd of August, 1608. Gregory, the seventh son, was baptized at Brington, co. Northampt. on the 16th of January, 1606-7, and was buried there the following day. Thomas, the sixth son, the writer has satisfactorily identified as the "Mr. Washington" (*vide* Howell's Familiar Letters) who was attached to the suite of Prince Charles on the occasion of his memorable matrimonial expedition to Spain. He died at Madrid in the year 1623, at the age of eighteen, which would establish his birth in about the year 1605. Richard, the fourth son, the writer has also discovered was apprenticed on the 7th of July, 1614, under the auspices of the Clothworkers' Company, to

one Richard Brent, of London. If apprenticed for the usual time, seven years, he would then have been about fourteen years of age, and, consequently, born about the year 1600. Between him and Thomas last named came *Lawrence*, the fifth son (the precise date of whose birth we shall establish presently), and perhaps one or more of their sisters. The three elder brothers, William, *John*, and Robert, were of course, therefore, born between the years 1589 and 1599, as well, probably, as some of the nine daughters.

This recapitulation of dates is not unimportant, as it affords another strong presumptive proof against the correctness of Baker's pedigree. If the two brothers John and Lawrence above named were the Virginia emigrants, the former must have been about sixty, and the latter not far from fifty-five years of age, when they quitted England. It certainly was not usual for men so far advanced in life to seek new homes in the colonies, and as it is known that both of the real emigrants married again after they had been some time in Virginia, and both had issue there, the improbability that they were identical with the two brothers of Northamptonshire becomes greatly increased.

It is, of course, unnecessary to dwell long upon the history of William Washington, the eldest son, whose identity, if not otherwise sufficiently established, would be so by the will of his aunt Elizabeth, the widow of his uncle Robert Washington, dated on the 17th of March, 1622-3, in which, among other legacies to her nephews and nieces, she bequeaths him 100*l.*, and calls him "Sir William Washington." He was knighted at Theobalds on the 17th of January, 1621-2. He married Anne, the half-sister of George Villiers, Duke of Buckingham, who, after that event, appears to have taken the whole family under his protection, and continued to advance their fortunes (which, at that time, were at a very low ebb), in various ways, until down to the very time of his assassination. Sir William is described, in 1618, as of Packington, in the county of Leicester, but appears afterwards to have scarcely had a permanent home anywhere. Two of his children were baptised at Leckhampstead, in the county of Bucks, and two at St. Martin's-in-the-Fields, London, where he himself was buried on the 22nd of June,

1643. Lady Washington was buried at Chelsea on the preceding 25th of May. According to the Visitation of 1618, his eldest son, Henry, was born in 1615, from which fact an approximate date of his own birth may be readily derived. His other children were George, Christopher, Catherine, Susanna, and Elizabeth. In his will, which is dated on the 6th of June, only sixteen days before his burial, he gives his residence as "Thistleworth" (Isleworth), in the county of Middlesex, and directs that his "manor of Wicke," and "Wicke farm," shall be sold.

This manor was in the parish of Isleworth, and had been purchased in the year 1638 by Sir William Washington from the coheirs of Sir Michael Stanhope, but he was compelled to mortgage it in 1640 to Sir Edward Spencer and Sir Richard Wynne, and it was in the possession of the latter at his death in 1649. By a singular coincidence, Sir William Washington's father, at his death, held of Lord Spencer a manor of the same name in Northamptonshire.

We now arrive at the great point of interest in the present discussion, and the main fact, destined to overthrow the assumptions of Sir Isaac Heard and Baker as to the origin of the American Washingtons, may as well be stated at once. JOHN WASHINGTON, the second son of Lawrence and Margaret, and brother of Sir William, was also knighted. He became *Sir* John, at Newmarket, on the 21st of February, 1622-3. His identity may be established in several ways.

In a series of old account-books preserved at Althorp, which have been carefully examined by the Rev. John Nassau Simpkinson, Rector of Brington (whose interest in the subject, and whose kind assistance the writer begs thus publicly to acknowledge), and to some extent by the writer himself, there is abundant evidence to show that the most friendly relations existed between the noble family at Althorp and their neighbours and tenants the Washingtons. Evidence to the same effect is also to be found in several of the wills of the family, of which, in some instances, Lord Spencer was appointed supervisor. The Washingtons were a gentle family, although greatly reduced in circumstances, having been compelled to part with the estate of Sulgrave, upon which they retired to Brington. The Lord Spencer of that day, how-

ever, did not forsake his friends in their adversity. They had hitherto been his frequent guests at Wormleighton, and, on their settlement at Brington, were as cordially welcomed to Althorp. It may also be mentioned that the two families were more or less nearly connected by intermarriage.

The old account-books referred to were the steward's usual household books, and also some that were kept by a person who had charge of the grain given out daily for the use of the horses of the establishment as well as those of Lord Spencer's guests. These books record the frequent presence, as guests at Althorp, of Mr. Robert Washington (who died on the 10th of March, 1622-3, and who is last-mentioned shortly before his death); also of William, John, Lawrence, and Thomas Washington (evidently four of the sons of Lawrence and Margaret); Mistress Alice Washington (their sister); and also of the Curtises and Pills, with whom the Washingtons intermarried; but, which is more important, down to the 10th of November, 1621, William Washington is always mentioned as *Mr.* William, and on that date for the last time, re-appearing on the 30th of March, 1622, as *Sir* William. He had been knighted on the preceding 17th of January. After the 30th of March, 1622, down to the 11th of January, 1622-3, the two brothers are mentioned as *Sir* William and *Mr.* John Washington. The latter is never so designated again, but, on the 22nd of March following, the presence of *Sir* John Washington is recorded. He had been knighted between those two dates, on the 21st of February. Afterwards Thomas (who is last mentioned on the 12th of October, 1622) having died in Spain in 1623, the three brothers are always mentioned as *Sir* William, *Sir* John, and *Mr.* Lawrence Washington. There is abundant other evidence to show that these brothers were the sons of Lawrence and Margaret Washington, formerly of Sulgrave and afterwards of Brington.

The history of Sir John Washington was briefly as follows: and, to avoid numerous notes and references, the writer will simply remark that for every fact stated he has the evidences in his possession. He was first married, on the 14th of June, 1621, at St. Leonard's, Shoreditch, by virtue of a licence, to Mary, one of the daughters of Philip Curtis, gentleman, by Catherine his

wife, of Islip, Northants. The will of her mother, dated the 6th of December, 1622, mentions her as her daughter Mary Washington, and bequeaths a legacy of 50*l.* to her then only son Mordaunt Washington. She had two other sons, viz. John and Philip, and died on the 1st of January, 1624-5. She was buried in the church of Islip aforesaid, where her monument still exists, with the following inscription: "Here lieth the body of Dame Mary, wife unto Sr John Washingtō knight, daughter of Phillipe Curtis, gent. who had issue by hur sayd husbände 3 sonns, Mordaunt, John, and Phillipe; deceased the 1 of Janu. 1624." The monumental inscription of her mother, Catharine Curtis, also in Islip church, states that by her husband Philip Curtis, gentleman, she had issue one son, Philip, and four daughters. This Philip Curtis married Amy Washington, one of the daughters of Lawrence and Margaret, at Brington, on the 8th of August, 1620. Of this connection there cannot be the slightest doubt, and as their wills are both otherwise important, as establishing the point at issue, full abstracts of them are here given.

That of Philip Curtis was nuncupative, and made on the 19th of May, 1636, in presence of Sir John Washington, knight, and another. He bequeathed 1,000*l.* to his daughter Catharine, when of age or married, and to his nephews John Washington and Philip Washington each 50*l.* when of age. His nephew Mordaunt Washington he commended to the kindness of his wife, to whom he bequeathed the residue of his estate, and appointed as guardians of his daughter the clergyman of the parish and "Sir John Washington of Thrapston, in the county of Northampton, knight." The will was proved on the 30th of May following by his relict Amy Curtis, and on the ensuing 27th of June she made her own will. After directing to be buried in the chancel of Islip near her husband, she proceeds substantially as follows:—

Whereas there was given to my nephew Mordaunt Washington, the eldest son of Sir John Washington, knt. by the last will and testament of his grandmother Curtis, deceased, the sum of 50*l.*, I now give to said Mordaunt 250*l.* more, to be employed for his benefit till he become of age or married. Whereas my husband, lately deceased, gave to John Washington, second son of Sir John Washing-

ton, 50*l.*, I now give to said John, my nephew, 50*l.* more, to be employed to his use till he be of age, &c. Whereas my husband, lately deceased, gave by his last will to my nephew Philip Washington, third son of Sir John Washington, *knt.*, 50*l.*, I now give him 50*l.* more, &c. Whereas my husband Philip Curtis, by his last will, gave me and my heirs for ever all his lands, houses, &c., I now give the same to my only daughter Katherine Curtis and her heirs for ever, as well as the residue of all my estate, and appoint "my dear and loving mother, Margaret Washington, and my loving brother, Sir John Washington, knight," to be her guardians.

One of the witnesses to this will is William Washington, doubtless Sir William her brother. Administration thereon was granted, on the 19th of November following, to Sir John Washington, knight, who is described as the "lawful brother" of the testatrix, and who was to act during the minority of Katherine Curtis, daughter of the testatrix and the executrix named in the will.

There could not possibly be a more satisfactory document than this, as the testatrix not only gives the name of her mother, but also distinctly states her relationship to Sir John Washington, which is legally confirmed by the Court of Probate.

The subsequent personal history of Sir John Washington, except that he married a second wife, is almost entirely unknown. Among the Royalist Composition Papers at the Public Record Office, in the case of the Earl of Northampton, there is an affidavit of a tenant who had paid 218*l.* to Thomas Farrer for the use of the said earl and Sir John Washington. Farrer responds, that what sums of money he had received out of the estate of James Earl of Northampton had been so received "as agent and on behalf of Sir John Washington, by virtue of an Extent which the said Sir John had on said estate in the county of Bedford;" whereupon, on the 23rd of February, 1653-4, it was ordered, "that a letter be written to Sir John Washington to pay in the money or show cause."

On the 14th of January, 1661-2, Lawrence Washington of Garsden, in the county of Wilts, esquire, made his will, in which he left an annuity of 40*l.* per annum to his "cousin John Washington, son of Sir John Washington of Thrapston, in the county

of Northampton, knight," the legal presumption from which is that both father and son were then living, and the former at Thrapston.

The registers of Thrapston, although embracing the period during which Sir John Washington is described as of that place, and the time of his death, do not once mention the name. He died, however, before the 6th of October, 1678, on which day Dorothy Washington made her will, and described herself as "relict of Sir John Washington, knight, deceased." She directed to be buried in the chancel of the church of Fordham, near her grandchild, Mrs. Penelope Audley. She bequeathed of her "small estate," 5*l.* to her son, Mr. Thomas Kirkbey, and 20*s.* to each of his sons and daughters, leaving the residue of her goods to her daughter, Mrs. Penelope Thornton, whom she appointed her executrix. No children by Sir John Washington are mentioned. In the Probate Act she is described as of Fordham, in the county of Cambridge, and the record of her burial, in the parish register of that place, under the year 1678, is as follows:—"Dame Dorothy, relict of St John Wassington of Thrapston, in the county of Northampton, knight, was buried the 15th day of October."

It is probable that Sir John had no issue by his second wife, and morally certain that none were living at her death, or she would scarcely have failed to notice them in some way in her will. Of the three sons by his first wife, John, we have seen, was still living in 1661-2. His eldest brother Mordaunt was visiting at Althorp on the 13th of February, 1640-1, but nothing further is known of him, nor of his youngest brother Philip, unless the latter was one of that name who was buried at St. Martin's-in-the Fields on the 26th of September, 1643.

We proceed now to the history of LAWRENCE WASHINGTON, apparently the fifth son of Lawrence and Margaret, and certainly the younger brother of Sir William and Sir John Washington.

Baker was quite correct in stating that he was a student at Oxford in the year 1622. He was of Brasenose College, and matriculated on the 2nd of November, 1621. The exact record in the Matriculation Register is as follows: "Laurent: Washington, Northamp: Gen. fil. an. nat. 19:" *i. e.* Lawrence Washington,

of Northamptonshire, whose father's rank was that of a gentleman, and whose own age was nineteen years at his last birthday.

It was not until little more than a year later that the officials commenced entering in the register the christian names and particular residences of the fathers of the students, but in the present instance the above record is almost as satisfactory as it would have been if the other particulars had been given. In the first place, the Washington family of Sulgrave, or Brington, was the only one of the name in Northamptonshire whose sons could be recognised and designated as the sons of gentlemen, unless, indeed, the Heralds of that time omitted others, which is not probable. Secondly, there was no other Lawrence Washington at Oxford for considerable periods before and after this date; unless, again, all the officials were guilty of omissions in all the Registers (for the writer has carefully examined them all), which is even more improbable. And, finally, the will of his aunt Elizabeth, widow of his uncle Robert Washington, dated on the 17th of March, 1622-3, among other legacies to his brothers and sisters, leaves him her husband's seal ring, and states that he was then at Oxford.

Lawrence Washington was born, therefore, about the year 1602. He appears to have entered at Brasenose College as early as 1619, but he did not sign the Subscription Book until the 2nd of November, 1621, under which date his name also appears in the general matriculation register, in connection with thirty-five others—an extraordinary number, and indicating that from some cause this ceremony had hitherto been neglected. He took his B.A. degree in 1623, and became Fellow of Brasenose about 1624. He is recorded as serving the office of lector, then the principal educational office in the college, from 1627 to 1632 inclusive. On the 26th of August, 1631, he became one of the proctors of the university, filling a vacancy that had occurred by the deprivation of his predecessor by royal warrant. On the 14th of March, 1632-3, he was presented to the then very valuable living of Purleigh, in Essex, and resigned his fellowship. The records of a suit in Chancery, preserved at the Rolls Office, perfectly identify the rector of Purleigh with the fellow of Brasenose and the proctor of the university. He continued at Purleigh

until the year 1643, when, according to Newcourt, he was "ejected by sequestration for his loyalty in the late rebellion of 1642," and had the honour of being pilloried in the infamous "Century." Walker states that he "was afterwards permitted to have and continue upon a Living in these parts; but it was such a poor and miserable one that it was always with difficulty that any one was persuaded to accept of it." The writer has been unable to ascertain the living mentioned; but it is to be hoped that some further trace of him may yet be discovered in the neighbourhood of Purleigh, where, putting the usual construction upon Walker's language, he continued in his profession of a clergyman after the Restoration, and consequently some years after the date of his namesake's emigration to Virginia.

We are now prepared to test the question of identity first raised.

Referring again to the facts that the John and Lawrence Washington of the Northamptonshire pedigree were respectively at least sixty-two and fifty-five years of age in 1657, the date of the emigration, and that both of the real emigrants re-married and had issue in Virginia—facts almost, if not quite, sufficient in themselves to settle the question without further dispute, especially as the evidences in the will of Lawrence of Virginia indicate that he was probably under thirty years of age at the time of his emigration—we may safely leave the issue to the effect of either of the following propositions,—

First. John Washington of Sulgrave and Brington was knighted, and became Sir John, while his brother Lawrence was a clergyman of the Established Church. If they were the Virginia emigrants the one must have abandoned his knighthood, and the other rejected his surplice and bands, for both were never known in Virginia except as "Esquires," or "Gentlemen," and by the latter appellation they described themselves in their wills. For either of these rejections there could have been no possible cause, as Virginia was then a loyal colony, and her established religion that of the mother country.

Secondly. Sir John Washington had at least two wives. The first, named Mary, was buried at Islip, in Northamptonshire, while the name of his widow was Dorothy, and she was buried

at Fordham in Cambridgeshire. John Washington, gentleman, the Virginia emigrant, states distinctly in his will, dated the 27th of September, 1675, that he brought his first wife from England with him, that she died in Virginia, and was buried with two children on his own plantation, and that his second wife's name was Anne, whom he appointed his executrix.

It is clear, therefore, that if John Washington, son of Lawrence and Margaret of Sulgrave, was identical with Sir John Washington of Thrapston, knight, he could not have been the emigrant to Virginia in 1657; and, as there cannot be the slightest doubt upon that point, the assumption of Sir Isaac Heard and Mr. Baker unquestionably falls to the ground.

On a future occasion the writer proposes to review the Washington pedigree more at large, and to present other more reasonable theories as to the true ancestry of the American President. He has accumulated a large amount of information from almost every source accessible to him, and believes that it embraces the real history of the family; but he yet lacks the positive clue that would solve the mystery, and enable him to reduce the chaotic material to order. He will be very grateful for even the most apparently trifling note concerning the name which may be transmitted to him through the Editor of this Journal.

THE PEDIGREE OF WASHINGTON.

(From Baker's "History of Northamptonshire," Vol. I. p. 513.)

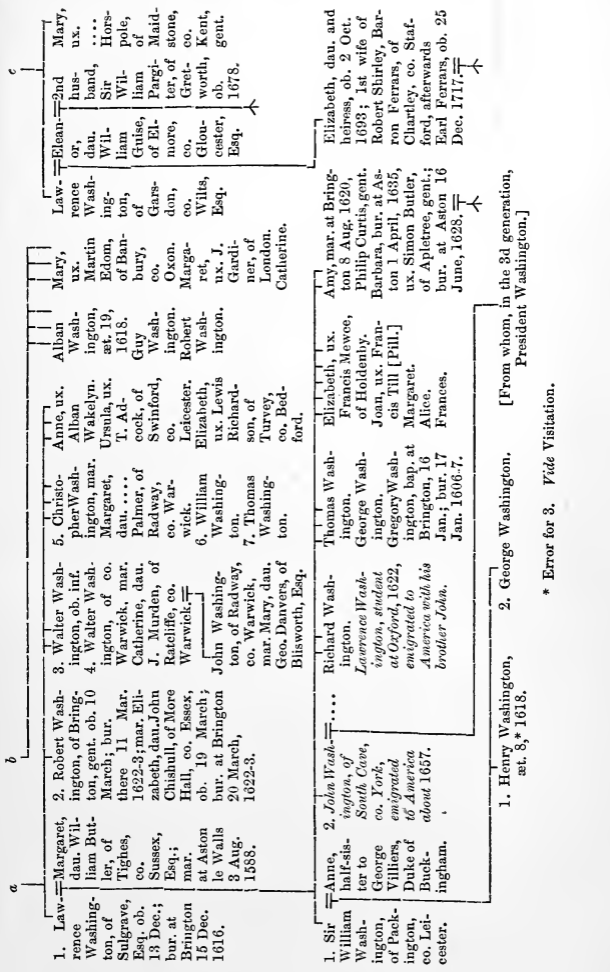
JOHN WASHINGTON, of Whitfield, co. Lancaster. $\overline{\text{---}}$

1st ux. dau. of $\overline{\text{---}}$ 2. Robert Washing- $\overline{\text{---}}$ 2d ux. dau. of Miles $\overline{\text{---}}$ 3d ux. Agnes, dau. of 1. John Washington,
 Westfield, of ton, of Warton, co. Whittington, of Barwick, Bateman, of Hershham, co. Lan-
 co. Lancaster. Lancaster, gent. co. Lancaster. Westmerland. caster.

1. John Wash- $\overline{\text{---}}$ Margaret, dau. of Robert Kit- $\overline{\text{---}}$ 2. Thomas Ellen, wife Robert $\overline{\text{---}}$ Miles Matthew Elizabeth,
 ington, of War- son, of Warton, and sister of Washing- Mason, of Wash- ington. Wash- Wash- Wash-
 ton, co. Lan- Sir Thomas Kitson, Alderman ton. Warton. ington. ington. ington. ington. Wash- Wash-
 caster, gent. of London. ton. Warton. ington. ington. ington. ington. ington. ington.

1 ux. Eli- $\overline{\text{---}}$ Lawrence Washington, $\overline{\text{---}}$ Anne, $\overline{\text{---}}$ 2. Nicholas Wash- $\overline{\text{---}}$ Jane, $\overline{\text{---}}$ Thomas Washington, of $\overline{\text{---}}$ dau. of
 zabeth, widow of Gray's Inn, Middlesex, Robert ington. ington. Compton, co. Sussex, Deer-
 William Esq. Mayor of North- Pargiter, of Gret- ington. ington. Captain in Flanders. . . . ing.
 Gough, of ampton 1532 and 1545, worth, ob. s.p. ington, ob. s.p. Richard Lucy, ux. . . . Chizelwright,
 North- grantee of Sulgrave 30 Hen. VIII.; ob. 19 Feb. ington, Anne, ux. Robert Bateman.
 ampton, ob. s.p. 26 Eliz. *Esc.* 26 Eliz. n. 179. ington. ob. s.p. Katherine, ux. Melchior Rey-
 1564. 1564.

Elizabeth, $\overline{\text{---}}$ 1. Robert Wash- $\overline{\text{---}}$ Anne, $\overline{\text{---}}$ 1. Frances, ux. John Thomp- $\overline{\text{---}}$ Mary, ux. Abel Make- $\overline{\text{---}}$ 2. Sir Law- $\overline{\text{---}}$ Anne,
 dau. and ington, of Sul- $\overline{\text{---}}$ dau. of 3. son, of Sulgrave. Warton, gent. $\overline{\text{---}}$ ence Wash- dau. of
 heir of grave, Esq. at. 4. ter, of Edmund Fos- ington, of
 Walter 40. *Esc.* 26 Eliz. Fisher, of Hanslope, co. Bucks. Garsdon, co.
 Light, of jointly with his son Lawrence of Hanslope, co. Wilt; bur.
 Radway, son Lawrence lope, co. Bucks, there 24 16 June,
 co. War- sold Sulgrave, 8 Bucks, oc. 1601. May, 1643,
 wick. Jac. 1645.
 α β γ δ ϵ ζ



1. Henry Washington, 2. George Washington. [From whom, in the 3d generation, set. 8,* 1618. President Washington.]

* Error for 3. Vide Visitation.

TICHBORNE OF TICHBORNE, CO. HANTS.

Sir Benjamin Tichborne, of Tichborne, co. Hants; knighted by Amphillis, 2nd wife, dau. of Richard Weston, of Skrynes, in Queen Elizabeth at Tichborne, on her way to Basing in 1601; created Roxwell, co. Essex, Esq. one of the Justices of the Court of a Baronet March 8, 1620-1; died Sept. 6, 1629, æt. 89.

Common Pleas; survived her husband.

Ellen, 1st wife, eldest dau. and co-heir of Robert White, of Aldershot, Esq.; May 18, 1606, æt. 27.	Sir Richard Tichborne, eldest son and heir, 2nd Baronet of Tichborne; knighted at Whitehall May 11, 1603; died April, 1652, aged 74.	Susan, 2nd wife, 2nd dau. and co-heir of William Waller, of Stoke Charity, co. Hants, Esq.; born 1597, living 1657.	Sir Walter Tichborne, 2nd son, of Robert White, of Aldershot; knighted at Whitehall 16; Nov. 1604; died 1640.	Mary, 2nd dau. and co-heir of Robert White, of Aldershot; mar. 7 May, 1597; died Jan. 31, 1620-1.	Sir Benjamin Tichborne, 3rd son, of West Tistode, co. Hants; knighted at Aldershot, 2 Sept. 1618; died 21 Aug. 1665, s. p.	Sir Henry Tichborne, 4th and youngest son; knighted at Tichborne 29 Aug. 1623; born 1582; died 1667. Ancestor of Sir Henry Tichborne, created Baron FERRARD, of Ireland, in 1715.	1. Elizabeth mar. 1st Robert Garth, of Longwood, co. Hants; 2ndly Sir Thomas Timperley; knighted at Tichborne, 29 Aug. 1618.	2. Anne Tichborne, mar. 1st William Brock, of Longwood, co. Hants; 2ndly Sir Thomas Timperley; knighted at Tichborne, 29 Aug. 1618.	2. Amphillis Tichborne, of borne, mar. 1st William Brock, of Longwood, co. Hants; 2ndly Sir Thomas Timperley; knighted at Tichborne, 29 Aug. 1618.
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Amphillis, only dau. mar. Lawrence Hyde, son and heir of Sir Lawrence Hyde, Knt.	Richard Tichborne, born Aug. 20, 1618; died March 5, 1619-20.	John Tichborne, born Oct. 14, 1621; died 21 Aug. 1627.	Henry Tichborne, eldest surviving son and heir, 3rd Baronet of Tichborne; bapt. 24 May, 1624; died 1689, æt. 65.	Mary, dau. of Hon. William Arundell, of Horningsham, co. Wilts, son of Thomas 1st Lord Arundell, of Wardour; died Dec. 24, 1698.	1. Sarah Tichborne, died April 2, 1616, aged six weeks.	2. Anne Tichborne, mar. Charles Tasburgh, of Flixton Hall, co. Suffolk, Esq. and had issue five sons and one daughter.	3. Susan Tichborne, born Nov. 20, 1619, and died unmarried; will dated 18 Aug. 1677, and proved Nov. 28, 1679.	4. Elizabeth Tichborne, mar. Sir James Phelyppes, Baronet; died March 25, 1693.
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Sir Henry Joseph Tichborne, 4th Baronet of Tichborne; died without issue male on 15 July, 1743.	Mary, dau. of Anthony Kemp, of Slindon, co. Sussex, Esq.; marriage settlements dated 29 July, 1689; died 1755. Will proved Jan. 20, 1755.	Sir John Hermengild Tichborne, 2nd and youngest son, 5th Baronet of Tichborne, and a priest of the Society of Jesus; died at Ghent 5 May, 1748.	1. Mary Tichborne, professed a nun at Pontoise 5 Aug. 1678; died there 19 Sept. 1739.	Winifred Tichborne. Susanna Tichborne. } Both died in infancy.	Letticia Tichborne, mar. Henry Whetenhall, of Peckham, co. Kent, Esq. in 1691. Marriage settlement dated 22 Dec. 1691.	5. Frances Tichborne, mar. John Paston, of Appleton, co. Norfolk. Marriage settlement dated 28 April, 1694.
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TICHBORNE OF TICHBORNE, CO. HANTS.

The annexed pedigree of three generations of Tichborne, exhibiting fuller and more correct information than was given in the brief table at p. 424 of the Third Volume of *The Herald and Genealogist*, or than has been hitherto brought together elsewhere, forms a sequel to the other pedigrees relating to the Ladies of Pontoise.

PICTURE OF THE TICHBORNE DOLE.

Sir Roger de Ticheburne, lord of Tichborne, co. Hants. in the reign of Henry II. married Mabella, sole daughter and heiress of Sir Ralph de Lymerston, lord of Lymerston, in the Isle of Wight. On her death-bed it is said that she besought her loving husband to grant, as her last request, that a dole of bread should be distributed to all who should apply for it annually on the Feast of the Annunciation of the Blessed Virgin Mary, for ever. There is a singular legend attached to the institution of this dole, though it is hardly to my purpose to relate it here.¹

Centuries rolled on, and the pious ceremony she instituted continued to be observed. The 25th of March became the annual festive day of the family, and the friends and different branches of the house of Tichborne came from far and near to witness and assist at the performance of the good lady Mabella's legacy. So important a feature was it in the annals of the family, that in the year 1670 Sir Henry Tichborne, the third baronet, employed Giles Tilburg, an eminent Flemish painter,² to represent the ceremony of the distribution of the bread. The com-

¹ We owe the present communication to the kindness of Francis Joseph Baigent, esq. of Winchester; and we may refer to a paper by the same writer in *The Journal of the British Archaeological Association* for 1855, vol. xi. pp. 277—302, "On the Family of De Lymerston, and its heiress the Foundress of the Tichborne Dole," which is illustrated by several interesting armorial seals of the Tichborne family; and among them those of Sir John de Ticheborne, 15 Edw. II. (1322), and Sir John Tichebourne, 10 Hen. IV. (1409), each having as supporters for the arms two lions, which have been handed down by subsequent generations to the present day.

² Giles or Gillis von Tilburg was born at Brussels about 1625. One of his best pictures is at Bridgewater-house, a large Peasant's Wedding. The Earl of Listowel has a numerous party of country people, one of his chief works, and resembling his beautiful picture in the Dresden Gallery. His *Soldiers playing Cards* is a picture belonging to Mr. Martin at Ham Court, near Worcester.—*Waagen's Treasures of Art in Great Britain*, 1854, ii. 235, 312; iii. 226.

mission was admirably executed. The picture, in addition to the interest acquired by presenting so many family portraits, is highly valuable, as giving a faithful representation of old Tichborne House as it stood in the days of Charles II. which Camden nearly a century previous had declared to be "a very antient house." The scene is represented taking place on the lawn before the west front of the venerable and picturesque old manor house, which is depicted in the background, presenting many features of interest, flanked with wings, and bearing throughout the venerable marks of age. The numerous figures (about 100 in number), standing in front of the house, are highly finished, the portraits being executed with the delicacy of miniature painting. In the centre of the picture is depicted Sir Henry Tichborne (then in his forty-sixth year), leading by the hand Frances Arundell, eldest daughter and co-heir to Sir John Arundell, afterwards Lady Bealing (she married Sir Richard Bealing the following year, secretary to Katharine of Braganza, Queen of Charles II.; their son Richard Bealing assumed the name and arms of Arundell); behind stands Mary Lady Tichborne (wife to Sir Henry), daughter of William Arundell, of Horningsham, Wilts, and granddaughter to Thomas the first Lord Arundell of Wardour, who captured the Turkish crescent on the walls of Strigonium, and for this gallant deed himself and heirs were made Counts of the Holy Roman Empire. Over the entrance gateway is depicted the arms of Tichborne impaling those of Arundell, with the family motto, *Pugna pro patria*, and lions as supporters. The grave gentleman in black, standing to the right of Sir Henry Tichborne, holding a glove in his hand, is the family chaplain, the Rev. Father Robert Hill, of the Society of Jesus. Near to him stands the nurse, Constantia Atkins. The figures behind the nurse are Lady Tichborne's maid (Mrs. Chitty) and the housekeeper (Mrs. Robinson). The little boy, who points with his hand to the basket of loaves, and seems eager for the commencement of the distribution, is Henry Joseph, the baronet's eldest son. The little girl carrying loaves in her apron is Mary Tichborne, who became a Benedictine nun at Pontoise, near Paris; the other child is Leticia Tichborne; both children of Sir Henry. As to the four figures standing to the left of Sir Henry Tichborne, the first is Mr. Mark Arundell, brother to Lady Tichborne; the second, Mrs. Anne Tasburgh, sister to Sir Henry Tichborne; the third is Mrs. White Tichborne, of Aldershot, cousin to the last named. The remaining figure is Sir James Phelyppes, the third Baronet of that family, nephew to Sir Henry Tichborne. He lived at Stoke Charity (about ten miles

distant), and had evidently ridden thence to Tichborne, for he is duly booted and spurred: a short distance behind him is his man-servant in a light blue livery. A few other friends, and the domestics and servants of the household, in a dark green livery,—among whom is to be seen Black Peter, a Hindoo slave, converted to Christianity, and restored to freedom by the bounty of the family,—bearing baskets of eleemosynary bread, a crowd of peasants and villagers in picturesque costume, with “Grumbler” the porter's dog, complete the picture, and convey to the eye an accurate idea of the costume of the aristocracy, domestics, and humble villagers of the time of Charles II.

The Baronet, who caused this picture to be painted, and died in April, 1689, speaks of the foundress of this celebrated dole as follows:—“Dame Mabella de Lymmerston, wife to Sir Roger de Tichborne, was of the blood of the ancient lord proprietors, or rather princes, of the Isle of Wight, some of whose lands, and that of her name, we yet possess, though above five hundred years distant from this time; and many there (*i.e.* in the Isle of Wight) pay homage to us even to this day. Her virtues were so admirable that she is said to have wrought some miracles, and so charitable to the poor, as not content to exercise it during her lifetime, but she even entailed it upon her posterity, and left the dole in perpetual memory of it, and after a long and blessed age she died in the opinion of sanctity.”

Though the Tichborne dole had existed many centuries, and was doubtless during a great portion of that time a benefit, as well as a blessing, to the poor, yet it was not until towards the close of the last century that the good intention of the pious foundress was perverted, and this work of love and charity became the occasion of vice and disorder. “Under the pretence of attending the TICHBORNE DOLE vagabonds, gipsies, and idlers of every description assembled from all quarters, trespassing and pilfering throughout the neighbourhood;” and the bread which was given in charity for sustenance might be seen floating on the waters of the river Itchen. At last, in the year 1796, the gentry and magistrates of the vicinity having represented the inconvenience and abuses of the custom to the worthy Baronet then in possession of Tichborne, the dole was discontinued. It has since been restored, but with certain restrictions; and it is now given in the shape of flour to the poor of the villages of Tichborne and Cheriton, and an ample supply of beef at Christmas, as well as clothing.

DAME MARY TICHBORNE, NUN OF PONTOISE.

This lady was the eldest daughter of Sir Henry Tichborne, knight and third baronet of Tichborne, co. Hants. In his diurnal (an unpublished manuscript) her father speaks somewhat feelingly of her determination to embrace a religious life. "And now my daughter Mary being desirous to enter into religion among the Benedictine Dames at Pontoise, I could not in gratitude to God deny it, though in truth it was much against sensitive nature to part with her; but, she being importune, I entered into the exercises [*i. e.* a retreat], the better to recollect myself in the choice or admittance of a thing of so great a moment, both to myself and her; wherein being resolved, though with some reluctance, to yield to her, and I hope to the calls of God in her, I gave her leave; and sometime after, on St. Ann's day (July 26, 1677), I and her mother being present, with many more, both English and French, she entered her noviceship, and took the first habit of the Order."

Sir Henry afterwards returned to Tichborne. "But the winter being past, I went again into France, as well to see and be present at the profession of my daughter Mary (if her vocation continued, which I found more firm and resolved) as to fetch home my wife and the rest of my family. . . . And the time now drawing near for my daughter's profession, I, with all my family, went from Paris to Pontoise, where having staid sometime, both to examine and try her resolution, which I found still more fixed, on the 5th day of August [1678], being the day dedicated to our Lady ad Nives, she was with all solemnity professed."

Dame Mary Tichborne is figured among the family group in the Tichborne Dole picture, painted in 1670. It is not unworthy of notice that the conventual records state, that her mother was the daughter of *Charles Arundell*, whereas the peerages and other publications, etc. state that Sir Henry Tichborne married the daughter of *William Arundell*. I feel certain that the convent record is inaccurate, though among the very few muniments of the Tichborne family is an Indenture between Charles Arundell, esq. son and heir of Charles Arundell deceased, who was the eldest son and heir of Charles Arundell, then late of Horningsham, deceased, and Sir Henry Tichborne, Bart. dated 27 June, 1677. We have Sir Henry's own statement that his wife was grand-daughter to Lord Arundell of Wardour. "Your mother (says the Baronet in a letter to his son,) Dame Mary is no less nobly de-

scended than the rest of the name, and the Lord Arundell her grandfather was, with all his posterity, made Counts of the Empire, for having bravely taken the Turkish crescent from the walls of Strigonium and planted the cross in the place." Moreover he pays her a graceful compliment. "What her vertues are is not for me to speak, nor for her modesty (she being yet living) to hear. All that know her esteem her and admire it, yet some have blamed her for her retiredness in conversation. For myself, I have experienced her fidelity these thirty years." For many years I could learn nothing further of this lady except that she survived her husband. I had almost given up all hope of discovering the period of her death, when some old books happened to be brought to Winchester from an ancient cottage at Brambridge in this county. My attention being called to them, I had the curiosity to look them over, and on the foot of the title-page of a small volume (32mo.) printed at Paris in 1652, I found written

Ora pro a'ia Mariæ D'næ
de Tichborn quæ piè obiit
24 Decembris 1698.

The parish registers of Tichborne at this date are lost, the earliest now commencing in 1700.

Sir Henry Tichborne, the third Baronet of Tichborne, lived in troublesome times. In his nonage he appeared with his father upon the battle-field, and did his best to uphold the Royal cause on several occasions. Sword in hand he fought for the King even within sight of the family mansion, and upon his own domains. The overthrow of royalty entailed the sequestration of the family estates, so that a few years later on the death of his father he succeeded to the baronetcy without the estates; yet he took upon himself the responsibility of debts incurred in defence of the King. A cousin dying soon afterwards left him a small manor or rather a farm. This enabled him to live on till the Restoration, when the family estates were gradually recovered. In 1675 he was enabled to carry out what he had long resolved upon—a journey to Rome and a pilgrimage to Loretto. In August 1678 he returned home with his family; and, after having seen his kindred and friends in London, he says: "We hastened home to Tichborne, there to pass the remainder of our days amongst our domestic friends, in the innocent enjoyment of the private affairs of our family. This peace was soon disturbed by that dismall plot, that horrid invention, that abominable lie invented by those whom time will set forth, but publicly brought out into the world by one Titus Oates, and not long

after seconded by one Will. Bedlo, and others, the most notorious ill-livers, cheats, and fourbs this nation ever bred.”

On the 21st Nov. 1678, by warrant of Lord Chief Justice Scroggs, he was committed to prison at Winchester, where he remained till the 13th of December, was then removed to the Tower of London, and there kept a close prisoner for a year and a half, “all that time nor never before ever knowing what I had done, nor ever examined, nor brought to appear before the Lord Chief Justice, the House of Lords, the Council, or any Committee or other person whatsoever.” “In the mean time my house was not only searched for arms, letters, commissions, but boards, ceilings, wainscots pulled down, and the very foundation undermined, nay the church itself was not spared, but the vaults and sepulchres of the dead opened, their coffins broken up, and their dry bones made seemingly as guilty of the Plot as those that were yet living.”

Serious mischief no doubt was done at this time to the family vaults, which extended not only under the chancel of the parish church, but under a great portion of the nave. It was in the chancel that the monument of Sir Benjamin Tichborne (1621) was first erected, whence it was removed many years ago into the family chantry, the north aisle of the church. On the 3rd August, 1688, Sir Henry Tichborne obtained a licence from Peter Mewe, Bishop of Winchester, to build a new vault for sepulture in the chapel in the aisle of Tichborne church, founded by his ancestor, in addition to the former vaults which were full, etc. A vault was then made which extended to the length and breadth of the chantry (the north aisle). This vault is still used, and contains two small coffins and seventeen large ones. The last of these was placed within it as recently as the 2nd March, 1866, and contains the remains of the late Baronet.¹

When this new vault was made Sir Henry Tichborne drew up an inscription, evidently with the intention of having it cut in stone, and headed with a shield of the family arms and supporters (the same being sketched upon the paper), to be placed in the chancel for the purpose of pointing out the older burial-place. This intention was either not carried out or the stone has perished, unless we are to suppose that it exists somewhere beneath the present pavement of the chancel or church. The original draft in Sir Henry's handwriting is of sufficient interest to appear in print:

¹ A posthumous son was born on the 28th May 1866, and became (at his birth) the 12th Baronet,—Sir Henry Alfred Joseph Doughty Tichborne.

Locus Sepulturæ Illustrissimæ et Antiquissimæ Familiæ TICHBORNORUM, ex Anglis oriundæ. Quos singulos recensere modum excederet. Incipimus itaque a ROGERO, qui fuit Miles Auratus, et floruit tempore Henrici Secundi. Habuit pro uxore Dominam Mabellam de Lymmerston in Insulâ Vectâ: de cujus sanetitate et longævâ ætate multa mirabilia referuntur: sed præcipuè de ejus charitate in institutione donativa quotannis distribuenda pauperibus omnibus quotquot advenientibus in Festo Annuntiationis BEATÆ MARIE Virginis ad Manerium de Tichborne: quæ usque in hodiernum diem distribuitur. Ab illo et illâ, omissis aliis, post multas nobilium & illustrium antecessorum nostrorum generationes, per lineam rectam descendit BENJAMINUS Tichborne Eques Auratus ac Baronettus, qui duxit in Uxorem Amphillim Weston, filiam Judicis Weston, comitatûs Essex: qui hîc sepulti sunt. Habuerunt multos filios et filias: nempe Richardum primogenitum, Equitem Auratum ac Baronettum; Gaulterum 2^m, Benjaminum 3^m, Henricum 4^m, omnes Equites Auratos. Richardus hîc sepultus est cum uxore suâ Susannâ, ultimâ Hærede Familiæ de Waller de Stoke Charity: Qui habuerunt multos filios et filias, qui in infantia occubuerunt. Una ex filiabus ipsorum, nempe Anna, nupta est Carolo de Tasburgh illustris familiæ in comitatu Suffolk. Altera, nempe Elizabetha, nupsit illustrissimum Jacobum Phelyppes, Baronettum, de Stoke Charity in comitatu Southamptoniæ. Henricus Filius unicus et Hæres Richardi, Baronettus, locum tenens Generalis Regius Artilleriæ totius Angliæ, et locum tenens Regius Militiæ hujus comitatûs Southamptoniensis: nec non locum tenens Regius in suâ Forestâ vulgo New Forest, Justiciarius Pacis, &c. habuit pro uxore Mariam Arundell ex Nobilissimâ et Antiquissimâ Familiâ de Arundell. Habuerunt Henricum primum filium; Joannem Herminigildum secundum; Mariam, Monialem in Monasterio Pontæsizæ in Gallia; Lætitiâ et Franciscam adhuc innuptas. Qui omnes adhuc vivunt. Dominus det illis suam gratiam et pacem; et defunctis requiem æternam. Amen.

There is not much difficulty in fixing the date of this composition to the period I have assigned. Sir Henry is mentioned in it as Lieutenant of the New Forest: his patent of this office is dated Oct. 16th, 1685, and his death occurred in April 1689, as shown in the Pedigree.

F. J. B.

ANGLO-AMERICAN COAT ARMOUR.

(Continued from Vol. III. p. 432.)

THE HERALDIC JOURNAL; recording the Armorial Bearings and Genealogies of American Families. Nos. XIII. XIV. January, April, 1866. Boston (Massachusetts). 8vo. pp. 48, 49—96.

These numbers commence the Second Volume of *The Heraldic Journal*: which in future is to appear quarterly, instead of monthly as heretofore, and containing three sheets instead of one.

The opening article is upon THE NORTON FAMILY, giving the substance of the remarks made upon that subject in pp. 276-280 of our Third Volume, together with some further account of the Nortons of New England. It is interesting to observe that the literary talents

which were exhibited by the family in the generations which preceded the emigration have been reflected in our own days. Its late representative, Andrews Norton, who was professor of Sacred Literature at Harvard College, and died September 18th, 1853, in his 67th year, by his wife Catherine, daughter of Samuel Eliot, had four children, one of whom is Charles Eliot Norton, a well-known author, and co-editor of *The North American Review*.

The other more important articles in these two numbers are:—

Copies of armorial seals attached to wills in the probate office of the county of Suffolk.

Monuments with arms at Boston and at Salem.

The Brinley family.

Seals of the Governors of Massachusetts.

Hall marks on English Plate.

Connecticut seals of arms.

Christopher Kilby and Gilbert McAdams.

The Pynchon family.

The County Families of England, being an account of the volume on *The Noble and Gentle Men of England*, by Mr. E. P. Shirley.

Reviews of Montgomery's *History of the Family of Montgomery*, and of *The Washingtons*, by the Rev. J. N. Simpkinson.

We look to another opportunity of noticing some of these subjects, accompanied by the illustrative engravings. For the present we recur to the former numbers of the Journal.

At p. 261 of our last volume were represented five out of the ten coats of arms which have been found remaining in the old burying-ground at Charlestown in Massachusetts. We now exhibit four others:



The Honbl.
JONATHN. DOWS,
Esqr. 1745.



JONATHAN LEMMON,
Son of Mr. Joseph &
Mrs. Elizabeth Lemmon, Dec^d.
July 16th, 1714, Ætatis 15 Mo.

The Hon. Jonathan Dowse was one of the numerous progeny of Lawrence Dowse of Boston carpenter, who are described in Savage's *Genealogical Dictionary of New England*. He was a man of high repute, and died Jan. 28, 1745. To his will dated 1744 is attached a seal on which the chevron alone can be seen. The arms on the tomb are those of Dowse of Broughton in Hampshire, Or, a chevron chequy argent and azure between three greyhounds courant sable. The Hon. Jonathan Dowse married in 1693 Elizabeth Ballard, and in 1701 Catherine Herbert: but the impalement upon the tomb agrees with the arms of Winslow, Argent, on a bend gules eight lozenges conjoined or. (*Heraldic Journal*, p. 138.) How this happens has not been explained.

The child commemorated by the Lemmon tomb was a grandson of Joseph Lemmon, who arrived in America from England late in seventeenth century, and died in 1707. In his will, written in 1707, he mentions his honoured mother Mary Jenkins, of Dorchester, co. Dorset, in England, and his brother Robert Lemmon, of the same town, cooper. He uses a seal bearing what are supposed to be the same arms as on the tomb, "but the fess seems to be engrailed and vert, and the dolphins are on so small a scale as to be hardly recognizable." The crest also is totally different, being a wolf's head erased.



In Memory of
SAMUEL CARY, Esqr.
who deceas'd Febr'y. 28, 1740-1,
aged 58 years.

Go, Traveler, Live to God.

B. COLMAN.

This stone is carved in a peculiarly elaborate style, and that it was sufficiently costly is recorded by the following entries in an account of the deceased's estate kept by his son Richard Cary:—

To cash paid Mr. Emes for a stone, and cutting my Father's Arms for his Tomb	£50
Putting-up	3
Irons, Trucking, &c.	1 12

Samuel Cary, esq.

£54 12

The Samuel Cary commemorated appears from Savage's *Genealogical Dictionary of New England* to have been the son of Jonathan Cary of Charlestown and Hannah Winsor: he was baptised 1 April 1683. His father Jonathan was son of James who was settled at Charlestown 1639, and came, as tradition says, from Bristol.¹ The arms and crest are those of the Carys, Lords Hunsdon, which will be found elsewhere in our present volume.



Here lyes The Body of
Capt. JOHN FOWLE, Aged 74 years.
Died October ye 3^d, 1711.

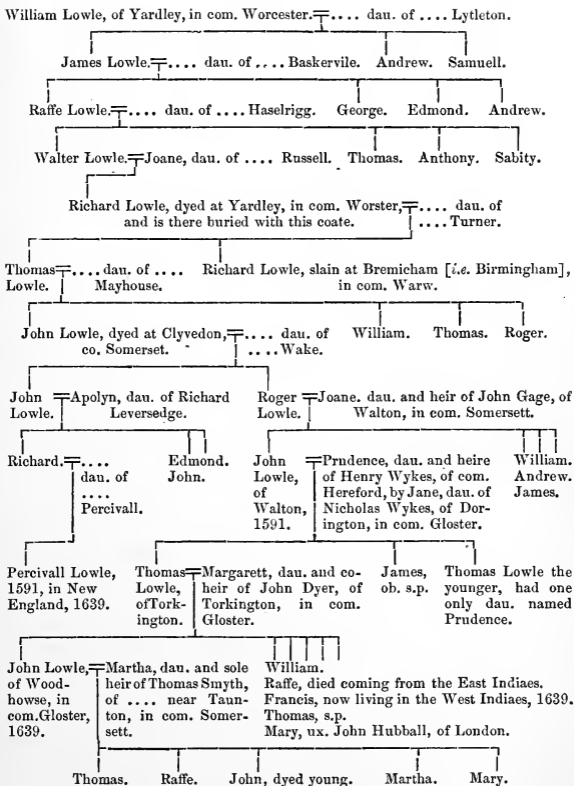
Of this family there also is an account in Savage's Dictionary: but the age of this Captain John Fowle at his death shows that he was not (as there stated) the grandson, but probably the son, of George of Concord; and that he was born in England before the emigration.

At Vol. I. p. 25, is a pedigree of the family of LOWLE, or LOWELL, being the English ancestry of Percivall Lowell, one of the early settlers at Newbury in New England. It is derived from the Harleian MS. 1559, which is a compilation from the Heralds' Visitations of Somersetshire in the years 1573, 1591, and 1623. As our American friends have given this pedigree with several mistakes² we feel assured that they will thank us for the following more accurate copy; in which we include the posterity of Roger Lowle and Joane Gage:—

¹ See the *Genealogy of Bridgewater*, by Moses Carey, 1821; and the *History of Bridgewater*, by Nahum Mitchell, 1840.

² The first in the pedigree is named *Walter* instead of *William*, his son *John* instead of *James*; in the fourth generation the name *Aubrey* is given instead of *Sabity* (probably a daughter), and afterwards *Cage* for *Gage*.

(Harl. MS. 1559, f. 215.)



It is stated in *The Heraldic Journal* that the will of Richard Leveredge, gentleman, proved 28th July, 1547, (but where upon record we are not told,) mentions his daughter Apolyn, and that she is again named in the will of her husband John Lowle of Portberye, together with her son Richard. Richard Lowle was assessed at Portbury in 1571, and in 1597 his son Percival Lowle was assessor at Kingston Seymour. The name of Percival was derived from Richard's wife, who was a Percival, as stated in the pedigree: but we do not find upon what authority she has been affiliated as one of the daughters of Edmund Perceval, esq. of Weston in Gordano, by his second wife Elizabeth Panthuit. She may possibly have been so, as there were four such daughters; but Anderson, the historian of the family, does not give their marriages,¹ and we fear it is not unnecessary to remind our American friends—though we really believe the fault lies with their correspondents rather than themselves—that it is always safest not to assume possibilities for facts.



The arms of Lowle or Lowell are Sable, a dexter hand couped at the wrist grasping three pointless darts (or bird-bolts?) one in pale and two in saltire, argent.

In the account given by Nash in his *History of Worcestershire*, ii. 478—481, of the parish of Yardley, we find no mention of Richard Lowle, who the pedigree states to have been “there buried with this coat.”

We shall close our present review of *The Heraldic Journal* by extracting some very striking and sensible remarks on the comparative spreading of families of gentry in the Old World and the New, and in former times and the present, which have been suggested by the consideration of Mr. Shirley's volume of *Noble and Gentle Families*.

Whoever examines the statistics of American families, will be astonished at the fertility of the English race in this country. A moderate competency seems more favourable to the increase of a family than great wealth or high station. May we not hence infer that in England the same rule formerly held true, during the period when small freeholders occupied the land, and before the great cities attracted their unhealthy crowds? Few points seem less investigated than the origin and position of the farmers and merchants of England after the cessation of the Wars of the Roses. We find repeated instances of Gentlemen by birth engaging in the commerce and manufactures of the larger cities. We find many examples of the division of lands, whereby the younger sons of good families became freeholders and thus dropped

¹ See Anderson's *Genealogical History of the House of Yvery*, 1742, i. 431.

socially a grade, to the rank of Yeomen. We are still without data, however, to show whether these were the rule or the exception. To us, as we have said, the question is an important one. The great emigration hither was that led by Winthrop, and, as we are trying to prove in each number of this Journal, it contained a considerable proportion of Gentry, recognised as such prior to their removal. The remainder of the colonists were undoubtedly yeomen, tradesmen, and mechanics, but most evidently not of the lowest class. In fact, if we were to accept Macaulay's picture of the country gentlemen of the day, we should consider them as of the superior class. A large majority of them, as witnessed by our early county records, could read and write; they were capable of self-government, and were prompt to devise satisfactory solutions for the problems presented by their new life. We doubt if as much could be said of five thousand colonists now to be taken from the lower classes of England. Hence our abiding faith that the result of all investigation in England will result to the credit of our ancestors, will establish the value of their heraldic evidences, and free them from the suspicion of that weakest form of vanity, the assumption of a false social position.

COLLECTIONS FOR A GENEALOGICAL ACCOUNT OF THE FAMILY OF COMBERBACH. BY GEORGE W. MARSHALL, LL.B. London, 1866. 8vo. pp. 58.

“The family of Comberbach is traditionally derived from three brothers, who are said to have come over to England with William the Conqueror. Their Christian names were Robert, Roger, and John, and if the frequent occurrence of these names at the present day affords any ground for belief in the story, we may not be disinclined to accept it in lieu of more certain information. The Comberbachs seem to have assumed their name from the township of Comberbach, in the parish of Great Budworth in Cheshire, where they were settled as early as the reign of Richard the First.” . . . “Like most of our old English surnames, it has undergone various changes of spelling: thus it is written, Comberbach, the most ancient form; Cumberbach, Cumberbatch, and Comberbatch; and I do not doubt but that Comberbirch, Cumberpatch (*Bristol Directory*), Comberback, Comberbage (*Ormerod*, i. 41), Cumberbeg, and even Cumberlege, together with many more, are only varieties which have crept in at different times, and through individual differences in pronunciation.”

Roger Comberbach, of Nantwich, was among those who disclaimed arms at Sir William Dugdale's Visitation of Cheshire in 1663; and yet it is said that the family has long laid claim to rank among our armigerous families. In each case in which Mr. Marshall finds the arms depicted some slight discrepancy in the mode of blazoning occurs. *Ermine, three bars azure, on a canton gules a fleur de lis or*, was painted for James Comberbach, Mayor of Chester in 1727, in St. John's church, in that city.¹ In

¹ On a board representing the arms of different Mayors of Chester, which “has been removed during the recent so-called restoration of that church.” It is painful to notice how often antiquaries have now to speak in bitterness of “so-called restorations.”

St. Michael's Chester, the canton was azure and the fleur-de-lis argent; and in St. Peter's the canton argent and the fleur-de-lis gules. The author further remarks that one of his reasons for considering the names Comberbach and Cumberlege identical is the similarity of their arms. John Cumberlege, M.B. was a subscriber to Plot's *Natural History of Staffordshire*, and his arms figure on the folding title to that work, viz. Barry of six ermine and sable, on a canton or a fleur-de-lis gules; and the Rev. S. F. Cumberlege, who claims to be of the same family, now bears this coat, and for his crest a fleur-de-lis between two feathers, with a motto, *Vouloir ce que Dieu veut*. The author further adds, that the traditional account of the canton and crest, viz., a cubit arm vested and cuffed, holding a fleur-de-lis, is "that they were given as an augmentation to one of the family who took a standard from the French at some great battle of the Middle Ages."

Supposing the arms to be of that antiquity, one would imagine that a little further research would recover some earlier testimony to them than Mr. Marshall has hitherto found. As to the names of Comberbach and Cumberlege being of a common stock we are afraid that "the similarity of the arms" is not to be relied upon, so frequent a practice has it been to appropriate the arms of a nearly similar name: but if no locality can be anywhere found from whence the name of Cumberlege has been derived, we are reduced to the conclusion that it is corrupted from Comberbach, of which the local pronunciation was *Cumberbeck*.

Besides other incidental notices of the name, Mr. Marshall traces the pedigrees of three distinct families of Comberbach, those of Nantwich, those of Haughton in the parish of Bunbury in the same county of Chester, and those of Barbadoes. Richard Comberbach, Perpetual Curate of Little Peover near Knutsford, and a non-juror, died in 1722, at the age of 80, having built a school there, and endowed it with 645*l.*, and provided for weekly doles of bread in the churches of Little Peover and Nether Alderley. It does not appear how nearly he was related to Comberbach of Nantwich, of which family the most distinguished was Roger, Recorder of Chester and a Welsh judge, author of *Comberbach's Reports*: he died in 1720. His son and grandson, both having the same favourite christian name, held in succession the office of Prothonotary of the Palatinate of Chester, and both having made alliances with the ancient family of Swetenham of Somerford Booths, the next Roger Comberbach succeeded to that property, and assumed the name of Swetenham in or soon after 1780.

COMBERBACH OF HAUGHTON was an acknowledged branch of the family of Nantwich, but the connecting link has not been ascertained. Their eldest representative is now resident at Ruyton-eleven-towns in Shropshire; other members at Blackburn in Lancashire; others at Eccleshall in Staffordshire; and in the last generation we find the name of Eliza-Henshaw, wife of the late George Marshall of Ward End near Birmingham, who had issue George William Marshall of the Middle Temple, the genealogist affording us this information, born in 1839.

The manor of Haughton was sold pursuant to the will of John Comberbach, dated in 1779; and was purchased for 4,000*l.* by Mr. Garnett of Bunbury, ancestor of the present Mr. Garnett-Botfield.

The family of CUMBERBATCH OF BARBADOES is apparently a distinct race. Their name was formerly Carlton; which was exchanged for Cumberbatch in obedience to the will of Abraham Cumberbatch, esq. of the same island, who died in 1750. He left his estate to his grandson Abraham Carlton, to whom the name of Cumberbatch was confirmed by Act of Parliament. He died in 1785, and was buried in Bristol cathedral, as was his son the Hon. Abraham Cumberbatch, one of H. M. Council in Barbadoes, who died in 1796. Grandsons of the latter are Abraham Carlton Cumberbatch, late Consul at Constantinople;¹ Robert William Cumberbatch, Consul at Smyrna; and Lawrence Henry Cumberbatch, of Queen's House, Lyndhurst, Deputy Surveyor of the New Forest. The arms used by this family are totally different to those before described, viz. Gules, an eagle displayed between three trefoils, two in chief and one in base, or. Crest, an eagle's head couped. Motto, *Ne tentes aut perfice.*

The latter pages of this compilation are filled with a list of Comberbach Wills in the Probate Court at Chester; the Will at length of Roger Comberbach of Wich Malbank, 1603; copies of various sepulchral inscriptions, and Parish Registers; and pedigrees of Harrison of Cranage in Cheshire; of Dutton, from tombstones at Farndon in the same county; and of Henshaw—all connections of Comberbach. From the second of these we will make a little extract that may be interesting. Robert Dutton, of London, a bookseller, married Martha daughter of John Comberbach, of Haughton hall; they had issue Mary, wife of the late well-known Charles Pearson, esq. the City Solicitor; and her daughter, Mary Dutton Pearson, is married to Thomas Gabriel, timber merchant, now an Alderman of the city of London.

At p. 17 it is mentioned that "It was under the name of Comberbach that Samuel Taylor Coleridge, the poet, enlisted in the 15th Dragoons, when in great pecuniary distress after quitting Jesus college, Cambridge, in 1794, without a degree." What reason, or fancy, may have led him to choose the name, is not explained. As we find the story related by the Rev. Wm. Lisle Bowles, it was the accidental whim of a minute. "When he was enlisted he was asked his name. He hesitated, but saw the name Comberbach over a shop-door near Westminster-bridge, and instantly said his name was Comberbach." (*Gentleman's Magazine*, Nov. 1834, p. 545). But for this statement, which is part of the story as told to Mr. Bowles by Coleridge himself, we might suppose that he had picked up the name at Bristol.

¹ Appointed C.B. of the Civil Division April 7, 1866. *London Gazette*.

LORD LYON KING OF ARMS.

THE death of a nobleman who has for more than sixty years occupied the office of Lord Lyon King of Arms of Scotland has placed that appointment at the disposal of the Crown. It was last given for two lives, on the 30th of April, 1796, when it was bestowed by King George the Third on Robert Auriol Hay-Drummond, then Earl of Kinnoull, and on Thomas Robert, his eldest son. The Earl died in 1804, and it has been from that time occupied by his son the late Earl, who died on the 18th of February. In the hands of the nobleman lately deceased this office has been entirely a sinecure, though in receipt of a fixed salary of 555*l.* and of other emoluments amounting (with the salary) to a yearly average of 1,075*l.*

In our review of Mr. Seton's *Scottish Heraldry* we gave (at p. 444 of our First Volume,) some of the leading particulars connected with the origin and duties of this office. Among others, it was there stated that the Lord Lyon receives a fee of 70*l.* at the election of every Knight of the Thistle, in virtue of his being the King of Arms of that order; and yet that King William IV. dispensed with the attendance of the late Lord Lyon at the chapters and ceremonials of the order, on the ground of his duties on such occasions being scarcely consistent with the dignity of a peer.

From the middle of the fifteenth century there have been twenty Lyon Kings, of whom Mr. Seton has given some biographical notices in the Appendix to his excellent work; and from that authority we extract the following list, which shows that until the appointment of Lord Kinnoull in 1796 they were invariably commoners:—

- 1437-60. Alexander Nairne, of Saintfoord, co. Fife.
- 1450-90. Duncan Dundas, of Newliston, co. Linlithgow.
- 1504-12. Henry Thomson.
- c. 1512. Sir William Cumyng, of Inverallochy, co. Aberdeen.
- c. 1530. Sir David Lindsay, of the Mount, co. Fife.
- c. 1555. Sir Robert Forman, of Luthrie, co. Fife.
- 1567-8. Sir William Stewart.
- 1586. Sir David Lindsay (II.), of Rathillet, co. Fife.
- 1591. Sir David Lindsay (III.), of the Mount, co. Fife.¹
- 1621. Sir Jerome Lindsay, of Dunnino and Annatland, co. Fife.
- 1630. Sir James Balfour of Denmiln and Kinnaird, co. Fife.
- 1658. Sir James Campbell, of Lawers, co. Perth.
- 1660. Gilbert Stewart.
- 1660. Sir Alexander Durham, of Largo, co. Fife.
- 1663. Sir Charles Erskine, of Cambo, co. Fife, Bart.
- 1677. Sir Alexander Erskine, of Cambo, Bart. (his son).
- 1727. Alexander Brodie, of that Ilk, co. Elgin.
- 1751. John Hooke-Campbell, of Bangeston, co. Pembroke.

Mr. Hooke-Campbell died in September 1795, and it was in May of the year following that the last appointment to the office took place, in the manner we have already stated.

¹ The two former were brothers (though bearing the same Christian name), and the third Sir David Lindsay was their nephew. Sir Jerome Lindsay married a daughter of Sir David his predecessor.

On the present occasion the names of three noblemen have been mentioned as probable successors to the heraldic crown—the Earl of Southesk, the present Earl of Kinnoull, and Lord Belhaven. There have also been other candidates, among whom those whose claims were most prominent were George Burnett, esq., who has been Lyon Depute from Feb. 1863, and George Seton, esq. (the author of *Scottish Heraldry*), who was a competitor for the latter office at the same time.

Her Majesty, however, was advised not to make any immediate choice, and meanwhile Mr. Burnett was appointed Interim Lyon, with an intention upon the part of the Government to remodel in some respects the arrangements of the Lyon office, which will be effected by an act to be passed in the next session of parliament.

On the motion of Sir William Stirling-Maxwell, Bart. (on the 16th April) the House of Commons has presented to the Crown an Address for returns of the names and official designations and duties of all persons who have been connected with the office of the Lord Lyon King of Arms during the last ten years: and of the salaries of each, and of the receipts of the office from all sources, under their several heads, distinguishing the fees received on account of grants or registration of arms from those received on account of patents conferred by the Crown, and showing the sums derived from the sale of the offices of Herald, Pursuivant, and Messenger-at-Arms, during the same period.

These returns have since been made, and are in substance as follows:

I.—NAMES AND OFFICIAL DESIGNATIONS OF ALL PERSONS CONNECTED WITH THE OFFICE OF THE LORD LYON KING OF ARMS FOR THE TEN YEARS ENDING 31 JANUARY, 1866.

The Right Honourable Thomas Robert Earl of Kinnoull, Lord Lyon King of Arms.
 James Tytler, of Woodhouselee, Writer to the Signet, Lyon Depute; died Oct. 10, 1862.
 George Burnett, Advocate, Lyon Depute; appointed February 9, 1863.
 James Lorimer, junior, Advocate, Lyon Clerk.
 William Anderson, Lyon Clerk Depute, to June 29, 1863.
 John Whyte, Lyon Clerk Depute, from June 29, 1863, to May 2, 1864.
 Robert Riddle Stodart, Lyon Clerk Depute, from May 9, 1864.

William K. Williamson, Herald Painter; 1853-56.
 Lewis Robert Musgrave, Herald Painter; 1857-58.
 Robert Frier, Herald Painter; 1858-65.
 Thomas Brown, Herald Painter; 1865-66.

James Lorimer, Rothesay Herald.
 William Anderson, Marchmont Herald.
 David Littlejohn, Albany Herald.
 George Goldie, Ross Herald.
 James Cook, Snowdon Herald.
 William Goodall Bayley, Islay Herald.
 James Sinclair, Unicorn Pursuivant, afterwards Albany Herald.
 William Robert Montignani, Kintyre Pursuivant, afterwards Snowdon Herald.
 Andrew Gillman, Unicorn Pursuivant, afterwards Ross Herald.
 Henry Wilson, Carrick Pursuivant, afterwards Islay Herald.
 John Neill, Dingwall Pursuivant.
 Walter Ferguson, Bute Pursuivant.

John Brown, Ormond Pursuivant.

John Jeffers Wilson, Kintyre Pursuivant.

Stuart Moodie Livingstone, Unicorn Pursuivant.

Archibald Thorburn, Carrick Pursuivant.

Samuel Bough, Dingwall Pursuivant.

John Robertson, S. S. C., Procurator Fiscal.

II.—DUTIES OF THE ABOVE OFFICERS.

Lord Lyon King of Arms.—It belongs to the functions of Lord Lyon to take cognizance, both ministerially and judicially, of all questions relating to coat-armour in Scotland. It is his duty under the authority of the Acts 1592, c. 127, and 1672, c. 21, to inquire into the relationship of the cadets of families having right to coat-armour who are desirous of having the family arms assigned them with differences, to difference their arms in conformity with the laws of heraldry, and to matriculate the arms thus differenced in the register established by the latter of the above-named Acts, without which registration no arms can be legally borne. He grants patents confirming the family arms to the representatives of any families whose ancestors may have neglected to have them matriculated in the said register. Under the authority of the Act 1672, he grants arms, on application, to persons who can show no hereditary right, but are judged to occupy socially a position entitling them to coat-armour; he being bound in so doing not to infringe on the armorial rights of others. He also, on cause shown, empowers applicants to alter or add to the coat to which they are already entitled, and sanctions the adoption of quarterings to indicate representation. He grants arms in conformity to stipulations in entails, or other deeds of settlement, imposing on the heirs succeeding the condition of assuming a certain name and arms. When a change of surname is connected with a change of arms, it is the practice for the Lord Lyon to grant an official recognition of the new surname along with the patent of arms, the certificate of which recognition is held to serve the same purpose in the case of a Scotchman as the royal licence does in the case of an Englishman, and is often required by the War Office and Admiralty from officers in the army and navy. It is the duty of the Lord Lyon, in his judicial capacity, to investigate and decide on claims to particular coats of arms or armorial distinctions, his decision being, however, subject to review in the Court of Session. The Lord Lyon is empowered and enjoined by the Acts 1592, c. 127, and 1672, c. 21, to enforce the prohibitions of these Acts against the illegal assumption of coat-armour. It is further the duty of Lyon to receive evidence regarding the pedigree of persons who apply to him for this purpose, and record it in a proper register for preservation; to marshal public processions; and to decide questions of precedency.

Another department of the duties of the Lord Lyon consists in the appointment and control of Messengers at Arms, the officers who execute the process and letters of the Supreme Court; he tries complaints against them, and, on cause shown, suspends or deprives them.

Lyon Depute.—For at least 250 years it has been the practice for the Lord Lyon to perform his duties sometimes in whole, sometimes in part, by a Depute, appointed by himself, generally either an advocate or a writer to the signet, whose commission empowers him to discharge all the functions competent to the Lyon. The whole of

the duties explained above as those of the Lord Lyon have during the ten years from 1856 to 1866 been performed by the Lyon Depute.

Lyon Clerk and Lyon Clerk Depute.—The Clerk of the Lyon Court receives his Commission from the Lord Lyon, and is empowered by it to appoint a Depute, who assists him in the duties of his office. On an application being made for a patent or matriculation of arms, it is the duty of the Clerk to hold communication personally or by correspondence with the applicant or his agent, to allow him the use of the records of the office for preliminary investigations, and to receive the documents produced to instruct the claim; and it is not an unfrequent practice for him to draw up the petition or formal application to the Lord Lyon. When the application is for a patent of arms it is his duty to draw up the patent in strict conformity with the interlocutor or deliverance of the Lyon Depute; and the patent, after being signed by the Lord Lyon or Lyon Depute and sealed with the seal of the office, is duly recorded or matriculated in the register by the Lyon Clerk. When the Lyon Depute's interlocutor on a petition for re-matriculation authorises some differences to be added to the applicant's family coat it is the duty of the Lyon Clerk to matriculate the coat in the register with that difference, and to furnish the applicant with an extract and drawing. On an application being made for the recording of a pedigree the Lyon Clerk has similarly to put himself in communication with the applicant, to allow him what assistance the records of the Lyon Office afford, and to see that the application be in regular form when laid before the Lyon Depute. The Lyon Clerk keeps the books, the accounts, and the records of the office, including the registers of arms and of genealogies; and it is his duty to allow inspection of the records to those who wish to consult them, to make searches when required in both registers, and in the MSS. and documents in the office, and to give out extracts from the registers, accompanied, if required, with plain or coloured drawings. His duties also involve the making of many investigations which cannot properly be called searches, the more difficult of which are often laid by him before the Lyon Depute. He has, when required, to give the necessary information for the correct preparation of funeral escutcheons, accompanied by a sketch by the Herald Painter. He draws up the commissions of the Heralds and Pursuivants.

On application being made for admission to the office of Messenger at Arms the Lyon Clerk receives the applicant's testimonials; and, if on examination he be found qualified, he administers to him the oath, and reports to the Lyon Depute, who signs his admission. The commissions of the Messengers at Arms, and their bonds of cautionry, are framed by the Lyon Clerk, who corresponds with the various Messengers at Arms regarding their changes of domicile, the state of their cautioners, and the renewal of their bonds. He keeps the roll of Messengers at Arms, as also a record of the life, solvency, and residence of their cautioners, and is custodier of all processes before the Lord Lyon against messengers.

Herald Painter.—This officer is appointed by the Lyon Clerk, and his duty is to execute what drawings are required of him by the Lyon Depute and Lyon Clerk, including preliminary sketches as well as finished drawings in patents of arms and in the register.

Heralds and Pursuivants.—Six Heralds and Six Pursuivants are appointed by the Lord Lyon, with whom they were formerly in some degree associated in the exercise of his jurisdiction. They also discharged many of the duties now discharged by the

AVERAGE OF THE SALARIES, FEES, &C. DURING THE TEN YEARS FROM 1856 TO 1866.

	Lord Lyon.	Lyon Depute.	Lyon Clerk.	Lyon Clerk Depute.	Herald Painter.	The Six Heralds.	The Six Pursuivants.	TOTAL.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Salary - - - - -	555 0 0	- - -	- - -	117 0 0	- - -	138 15 0	92 10 0	903 5 0
Fees on Patents or Registration of Arms and Registration of Pedigrees - - - - -	131 15 7 $\frac{1}{4}$	84 7 4 $\frac{3}{4}$	265 3 10 $\frac{1}{4}$	19 9 10 $\frac{1}{2}$	50 4 0 $\frac{3}{4}$	- - -	- - -	551 0 9 $\frac{1}{2}$
Fees on Patents of Peirage, Baronetcies, and Knighthoods -	149 18 7 $\frac{3}{4}$	- - -	- - -	- - -	- - -	111 12 1 $\frac{1}{2}$	72 8 2 $\frac{1}{4}$	333 18 11 $\frac{1}{2}$
Fees on searches, investigations, judicial proceedings, and miscellaneous business - - -	- - -	0 12 7	20 17 10 $\frac{1}{2}$	4 14 2 $\frac{3}{8}$	4 11 8	- - -	- - -	30 16 4
Fees on admission of Messengers	27 15 6 $\frac{3}{4}$	- - -	26 15 5	- - -	- - -	- - -	- - -	54 10 11 $\frac{3}{4}$
Fees on resignations and renewed bonds of Messengers at Arms -	- - -	- - -	15 19 11 $\frac{1}{2}$	- - -	- - -	- - -	- - -	15 19 11 $\frac{1}{2}$
Annual Dues of Messengers at Arms	54 14 0	- - -	34 14 6	- - -	- - -	- - -	- - -	89 8 6
Fees received from Heralds and Pursuivants on their admission	168 0 0	3 4 1	9 9 11	0 16 1	- - -	- - -	- - -	181 10 1
	1,087 3 9 $\frac{3}{4}$	88 4 0 $\frac{3}{4}$	373 1 6 $\frac{1}{4}$	142 0 2	54 15 8 $\frac{3}{4}$	250 7 1 $\frac{1}{2}$	164 18 2 $\frac{1}{4}$	2,160 10 7 $\frac{1}{4}$
	11 2 2 $\frac{3}{4}$	- - -	158 15 8 $\frac{3}{4}$	- - -	- - -	- - -	- - -	169 17 11 $\frac{1}{2}$
Deduct for disbursements -	1,076 1 7	88 4 0 $\frac{3}{4}$	214 5 9 $\frac{1}{2}$	142 0 2	54 15 8 $\frac{3}{4}$	250 7 1 $\frac{1}{2}$	164 18 2 $\frac{1}{4}$	1,990 12 7 $\frac{3}{4}$

Lyon Clerk; but for a long time past the only duty which they have been expected to perform is the execution of royal proclamations in Edinburgh.

Procurator Fiscal.—The Procurator Fiscal, or public prosecutor attached to the Court of the Lord Lyon, holds his office by commission from the Lord Lyon. Proceedings before the Lord Lyon against Messengers at Arms for malversation are instituted at his instance, or with his concurrence. Proceedings against messengers whose cautioners are dead or insolvent are conducted in his name. Prosecutions against the illegal assumers of arms are also competent at his instance. Actions of this last description were frequent last century; in later times, when complaints are made of such assumption, an intimation to the party complained of by the Lyon Depute or Lyon Clerk has generally been found to lead to the disuse of the arms, without further proceedings, and there have been no armorial prosecutions during the period to which this Return applies.

III.—SALARIES AND RECEIPTS OF THE OFFICE.

The Tables given in the Return exhibit the whole emoluments of each officer, and the whole receipts of the office from all the different sources during each of the last ten years, followed by one, which we subjoin, of the average annual receipts from each source during the same period.

The salary indicated as received by the Lyon Clerk Depute is paid him by the Lyon Clerk, and is therefore also included in the disbursements of the Lyon Clerk. The fees with which the Lyon Clerk Depute is credited on account of patents of arms, and of investigations, have been paid for assistance given beyond what the Lyon Clerk is conceived to have been bound to furnish in consideration of the ordinary fees.

The fees of the Procurator Fiscal are omitted, as the only direct emolument to which he is entitled is a fee of five shillings on each prosecution, which seems not to have been paid above four times during the ten years in question.

The fees received by the Lord Lyon and by the Heralds and Pursuivants on the creation of Peers, Baronets, and Knights are paid in terms of the Statutes of the Order of the Thistle, and of a grant of George II. under the Privy Seal in 1731.

With respect to the alleged sale of the offices of Herald and Pursuivant, it may be explained that the emoluments received by these officers both from Exchequer and on patents from the Crown were bestowed on them as the acting officers of the Lyon Office; and since it has become the practice for the Lyon Depute and Lyon Clerk to perform most of the duties formerly performed by them, the usage has grown up of the Heralds and Pursuivants paying heavy fees at their appointments, which fees seem to have been viewed as an equitable means of diverting a portion (less than a half) of the emoluments to those who actually discharge the duties. While the average annual receipts of the whole Heralds and Pursuivants during the ten years in question amount to 415*l.* 5*s.* 3 $\frac{3}{4}$ *d.*, the annual average of the fees of admission is but 181*l.* 10*s.* 1*d.*

In the case of the Messengers at Arms, the fees of 16*l.* 4*s.* 10*d.* payable at admission, and annual dues of 17*s.* 6*d.* can obviously not be looked on as more than a remuneration for the labour and outlay which this department of the office involves, and there is nothing in the way in which the messengers are appointed that resembles the character of a sale.

Under the head of disbursements of the Lord Lyon, the sums expended for books are not included, and for this reason, that all the books purchased within the last 40

years have been by express arrangement the property of the late Lord Lyon, by whose executors about 200*l.* in value of books now in the office are about to be claimed.

Sum contributed to Her Majesty's Exchequer in stamps on patents of arms. During the last three years (in which the receipts of the office on heraldic and genealogical business* have been much higher than in the preceding seven years), the average annual sum paid in stamp duties in the office of the Lord Lyon has amounted to 250*l.*

We have now the pleasure to add to the foregoing particulars that the appointment of Mr. George Burnett as Lyon *ad interim* has been made permanent, and we have to congratulate him on his accession to the crown once worn by Sir David Lindsay as Lord Lyon King of Arms. We welcome him as one who has already considerably advanced the activity and the utility of the Lyon office, as the figures placed at the foot of this page undeniably prove. But we are sure that he would be the last to deny that there is still much room for reform in matters of Scottish, as well as English, heraldry: and that the exercise of all his tact and judgment, as well as energy, will be required to carry out such measures as may be calculated to restore to its efficient operations this department of our social government.

We may remark, in conclusion, that there has been a good deal of misapprehension about the prefix "Lord" as applied to the Lyon, it having been popularly supposed to be indicative of the office being held by a peer. It is quite true that no such designation was ever inserted in the commission of any Lyon previous to Lord Kinnoull, and it does not appear in that just drawn: but we find that the practice of designating the Scotch King of Arms Lord Lyon has existed from *at least* early in the 17th century. The Scottish statutes regarding the Lyon office have indifferently "Lyon" and "Lord Lyon:" the former designation is to be found in 1592, c. 125, and 1672, c. 21, the latter in 1662, c. 53, and 1663, c. 15. The records of the Scotch Parliament contain protests in 1703 against proceedings of the *Lord* Lyon, but in the Act of Union he is the "Lyon King of Arms." The books of the Lyon Court are only extant from the reign of Sir Jerome Lindsay, who was appointed in 1621, but he as well as his successors are in the minutes about equally often called "Lyon King of Arms" and "Lord Lyon." There is therefore no reason to conclude that Sir Walter Scott was wrong in calling Sir David Lindsay "Lord Lyon King of Arms." At the same time, in commissions to heralds and pursuivants and the appointments of messengers at arms, as also in patents of arms, the style previous to Lord Kinnoull was "Lyon King of Arms."

The addition of "Lord" was perhaps indicative of Lyon holding his office directly from the Crown, and not like Garter from the Earl Marshal. Usage is the sole authority for the prefix of "Lord" to the Lieutenants of counties, or of Ireland, or the Lord Clerk Registrar, or Lord Advocate in Scotland, in none of whose commissions does the designation "Lord" occur.

* In the year ending Jan. 31, 1864, 962*l.* 17*s.* 9*d.*; Jan. 31, 1865, 712*l.* 16*s.* 5*d.*; and Jan. 31, 1866, 926*l.* 13*s.* 11*d.*

LYMINGTON AND ITS BURGESSES.

Records of the Corporation of the Borough of New-Lymington, in the county of Southampton. Extracted from the muniments in the possession of the Mayor and Town Council, and other authorities, in the year 1848. By CHARLES ST. BARBE, F.S.A. Printed for Private Circulation. Royal 4to, pp. iv. 47.

Lymington is a small port-town on the coast of Hampshire opposite to the Isle of Wight, which has possessed a municipal corporation from early times, and from the year 1585 (but not sooner) has sent two members to Parliament. This privilege it has continued to exercise to the present day, having been reinforced at the Reform of 1832 by a large part of the adjacent parish of Boldre; but since, with that addition, its population still little exceeds 5,000 souls, it was proposed by the Reform Bill of 1866 that it should be united with Andover, and their four members to be reduced to one.

There was this peculiarity about the ancient corporation of Lymington, that it was not derived from the Crown, but was one of those created by the feudal lord.

Charters were granted to this town by Baldwin the eighth and last of the Redvers Earls of Devon, and by his sister and heir Isabella, styled Countess of Devon and Lady of the Isle of Wight. The latter was married to William de Fortibus, Earl of Albemarle, but died without issue, leaving her inheritance to the Courtenays. Edward Courtenay, the tenth Earl of Devon (ob. 1419), confirmed the charter of the Countess Isabella in the year 1405: and it was then, if not earlier, that the shield of Courtenay was placed on the seal of the borough. The ship, denoting the port, is of a very primitive form, and the design has every appearance of high antiquity. The seal, however, now in use was engraved in 1669, when, being cut in silver, it cost 35s.

It is remarkable, as an historical feature of a borough resting upon such an origin, that it successfully resisted the attacks of the Stuart sovereigns: having previously maintained its privileges during an inquiry by *Quo Warranto* in the reign of Elizabeth. The Commission issued in 1661, in pursuance of an Act for "The Governing and



Regulating of Corporations," appears to have made alterations which were quietly disregarded: and, when James the Second in 1687 summoned the mayor and burgesses of Lymington to the King's Bench by a *Quo Warranto*, they pleaded a prescriptive right, which proved an efficient stop to further proceedings, though the expenses incurred on the occasion amounted to some 44*l*.

The collections before us consist of the following materials:

1. Early notices of the manor and borough; 2. Proceedings of the corporation, or annals of the town from 1574 to 1835; 3. Lists of the Burgesses, of the Mayors, of the Members of Parliament, and of the Recorders and other officers of the corporation; 4. Accounts of the Books and other records preserved in the town chest.

The existing records of the town, remaining in the hands of the corporation, do not commence before the year 1574. From that date forwards many curious matters are gathered from them in the extracts made by the late Mr. St. Barbe. These shew the internal arrangements and regulations of a minor seaport in former days: but as time runs on we find all other transactions, however locally important, becoming of small consideration to the main business to which such boroughs were directed,—that of sending Members to Parliament.

This right was exercised at Lymington by the mayor and burgesses. If we properly understand the record, there were only nine burgesses besides the mayor, in the year 1574; and it is remarkable that the then mayor was George Burrard, an ancestor of the same family that established a predominant interest in the borough in modern times. In 1584 we read of a mayor and twelve burgesses; in 1599 a mayor and ten burgesses; in 1624 a mayor and twelve burgesses. In 1675 there were fifteen resident burgesses, and in 1710 the like number.

In 1689-90 and 1695 the commonalty attempted to open the right of election; returning on the former occasion Thomas Jervoise of Herriard esquire, and Oliver Cromwell esquire, a grandson of Old Noll; and on the latter John Pitt esquire, an uncle of the great Earl of Chatham, and William Clarke esquire; but these two gentlemen, on petitioning the House, were rejected. A third attempt of the same kind was made in 1710. At that time the burgesses must have amounted to forty, 31 and 33 votes being given respectively to Lord William Powlett and Paul Burrard esquire, members of the families whose interest was then predominant, and 7 votes to John Walter esquire and William Forbes esquire. The two latter polled also 87 inhabitants of the town, who were not burgesses; and presented a petition to the

House of Commons, praying that their election might be allowed. The House resolved that the right of election was in the mayor and burgesses only: and from that time there was no further struggle until the triumph of Reform in 1831.

The first time that a Burrard was returned to Parliament was in the year 1674, when John Burrard esquire was elected on the death of his father-in-law John Button esquire, who had sat in several previous parliaments. From that time until 1831 one of the members was generally a Burrard; and even in the first contest after Reform in 1832 Sir Harry Burrard-Neale, Bart. was at the head of the poll as a Conservative candidate.

In 1705 Charles Powlett, Marquess of Winchester, (afterwards the third Duke of Bolton,) was elected member, and various other members of that family sat for Lymington until the close of the reign of George II.

Sir Joseph Jekyll, Master of the Rolls, was one of the members from 1713 to 1719, and Edward Gibbon the historian from 1781 to 1784.

Certain orders entered in the Town Book in the year 1613, were signed by the Mayor and Burgesses then in being, and by those afterwards elected up to 1709, the whole being in number 202. The pages before us contain lists, not only of the Mayors of Lymington, but of all the Burgesses thus recorded, and of their successors down to the year 1830. Most of them were persons of some station, and many were naturally family connections of the Burrards, among whom are found the names of Hastings, Harsnett, Colt, Rooke, Darby, Pearce, Farnall, Durell, Bowles, &c. Mr. Serjeant Rooke, afterwards Sir Giles and a Judge, having married Harriet Sophia Burrard, was Recorder of Lymington from 1783 to 1794. The author has inserted a sheet pedigree of Burrard, illustrating the relationship and connections of this family compact in the corporation. Regarding various other families, of some importance in the contiguous parts of Hampshire, such as Dore, Urry, Guidott, Dodington, Whithed, Oglander, Colborne, and others, various biographical and genealogical notices are appended.

The family of Wallop was connected with the borough in the reign of Elizabeth, two of its members being sent to parliament by the town in 1586 and 1597. The Wallops have not subsequently risen in this sphere above the dignity of Mayors; but John Wallop esquire, who was elected a free burgess in 1713, when subsequently created a Peer in 1720, (being then one of the Lords of the Treasury, as well as Knight of the Shire,) chose the title of Viscount Lymington, which still exists in the person of his descendant the Earl of Portsmouth.

In 1750 the burgesses of Lymington were honoured by the permission to elect into their fraternity Frederick Prince of Wales, the father of King George III.; and in 1760 Edward Duke of York, his Majesty's brother, accepted the same compliment.

In 1789 the town was visited by the King and Queen, accompanied by three of the elder Princesses, who were received at the Town Hall by the Mayor and Corporation.

The chronicles of this ancient municipality are closed by the creditable statement, that the old corporation had not contracted any debt whatever; but when the newly constituted municipal body was installed in 1835, the sum of nine shillings and three pence was paid into the hands of its Treasurer, being the balance of accounts of the last Mayor, elected in 1834.

We must add a few words regarding Mr. St.Barbe, the collector of these records, who was himself elected a free burgess of Lymington in 1830, served the office of Mayor in 1832: and, being also chosen a member of the new Corporation, was again Mayor in several subsequent years.

Charles St.Barbe, esq. F.S.A. was the eldest son of Mr. Charles St. Barbe, who established the first bank in Lymington in 1788, and died in 1826: and representative of the ancient family of St. Barbe, which furnished a wife to the great Sir Francis Walsingham, and was raised to the dignity of a Baronetcy in 1663.¹ He was a frequent correspondent of the Gentleman's Magazine on local and antiquarian subjects, and he compiled the List of the Plates and Woodcuts in that publication from its commencement until 1818, forming the Fifth Volume of its General Indexes. His great study was prints, and he formed collections for the enlargement of Walpole's Catalogue of Engravers. These he left in manuscript; as he did the materials of the present work, which have now been privately printed at the expense of his nephew John St.Barbe, esq. It is very satisfactory that so valuable a contribution to the much neglected history of Hampshire should thus be rendered accessible to the public.

Mr. St.Barbe died at Lymington on the 28th of April 1849, aged 73; and a memoir of him will be found in *The Gentleman's Magazine* for September following.

¹ Its Pedigree is printed in Hoare's Modern Wiltshire, Hundred of Alderbury; also in Burke's Commoners, and the Landed Gentry. Its descent through the families of Grey of Ruthyn and Rogers from the Royal Houses of England, France, Scotland, Germany, &c. forms an article in the Gentleman's Magazine for October 1860.

MISCELLANEA GENEALOGICA ET HERALDICA. Edited by JOSEPH JACKSON HOWARD, LL.D., F.S.A. Part I. July 1866. Printed and sold by J. E. Taylor and Co., 10, Little Queen Street, Holborn. Imperial 8vo. pp. 40. (Price 2s. 6d.)

This new Miscellany is very handsomely printed, and illustrated with many engravings on wood. It consists wholly of documents, with scarcely any annotations or remarks. We have no doubt that the transcripts have been made with scrupulous fidelity, and we might even say with superabundant adherence to the originals, particularly as to punctuation, or the absence of it. We confess to belong to that school of Editors which aspires to assist and attract the reader, by smoothing the rough places of his path, rather than to alarm or disgust him by attempting to represent with a pedantic servility all the peculiarities of a manuscript, unless under circumstances of special curiosity or importance, or to answer some particular object of evidence or criticism. By some minute antiquaries this precision will be estimated more highly than it is by ourselves.

To take a synoptical view of the contents of this fasciculus, we find that it includes the following:—

PEDIGREES of Beresford of Derbyshire, by Anstis Garter, 1726-7; of Burton of Staffordshire, by Dugdale Norroy, 1662; of Chamberlain of Oxfordshire, by Hervy Norroy, 1553; and of Dilke of Warwickshire, by Lennard Bluemantle, in 1619.

The occasion upon which the pedigree of Chamberlain was made is noteworthy:—

“Leonard Chamberleyne of Wodstoke in the county of Oxford esquier and Edward Chamberleyne his brother caused me Norrey Kyng of Armes to peruse certayne his Evidensys and Recordes and owt of the same to make a perfyte pedegre for the lynyall dycent of Syr Thomas Chamberlyn Knyght that tyme being the Kinges Maiestes Ambassador in Flaunders.”

Whether it was to oblige their cousin Sir Thomas, or to gratify their own sentiments in being related to so distinguished a man, that the Woodstock squire and his brother employed the aid of Norroy, may be matter of conjecture: but it is remarkable that the kindred thus recognised could only be traced back at the distance of nearly two centuries. Leonard Chamberlain and the father of Sir Thomas, who was William Chamberlain, merchant of London, were respectively descended in the fourth generation from two brothers, Sir Richard Chamberlain and John Chamberlain of Hopton in Derbyshire, who were sons of a former Sir Richard by his wife Jane, daughter of Sir John Reynes of Clifton Reynes.

Further, a commencement is made towards the publication of the VISITATION OF CORNWALL in 1620, viz. the pedigrees of, 1. Leigh of Weeke St. Mary; 2. Leigh of Leigh; 3. Lower of Wynnnow. Facsimiles of the autograph signatures of *William Aleigh*, *Nicholas Leigh*, and *Ferdinando Lower* are appended.

Genealogical memoranda regarding the Selby family, made by Sir Henry

Selby, serjeant-at-law, early in the last century, are followed by the Wills of Sir William Selby the elder, of the Mote in Ightham, co. Kent, 1610, and of Sir William Selby of the Mote, 1637; and the Funeral Certificate of the latter.

Brief articles consist of entries regarding the family of Lathum, from the parish registers of Stifford in Essex: and births of a family of Wykes, from a copy of Foxe's Book of Martyrs.

FUNERAL CERTIFICATES of persons of the families of Bestone, Brereton, Brerwood, Bretterghe, Bunbury, Cholmondeleigh, Done, Green, Holford, Leech, Legh, Massey, Poole, and Sutton, taken by William Grafton, deputy of Norroy, in Cheshire, Lancashire, Shropshire, and North Wales, in the year 1601. Some of these are accompanied by engravings of arms and autograph signatures.

GRANT OF ARMS to the Barbers and Surgeons of London, 30 Hen. VI.

GRANTS OF CRESTS: to John Weld of Eton, gentleman, 1552; to John Flemyng of Shareston, co. York, 1571; and to Richard Dylke of Kirkby Malory, co. Leicester, gentleman, 1574.

By inadvertence, no reference is given to the originals of Grafton's Funeral Certificates, or to the Visitation of Cornwall, omissions which we do not doubt will be supplied hereafter.

ELEMENTS OF HERALDRY. By W. H. WHITMORE. Boston, Massachusetts. Royal 8vo.

Our readers have been apprised, on more than one occasion, of the strenuous exertions made by a committee of the New England Historico-Genealogical Society to revive the knowledge of Heraldry in America. In January 1865 they commenced the publication, in their *Heraldic Journal*, of all the existing specimens of coats of arms used in America prior to the Revolution. They found, however, that they were uttering a language which was almost entirely unknown, and that circumstance is candidly and avowedly assigned as the motive of this publication.

Although during the period when these States were English colonies the use of coats of arms was sufficiently common, its total disuse during the present century has led to a complete ignorance of the whole subject here. Within a few years, coats of arms have indeed been profusely assumed, but with such a total disregard of all authority as to prove the ignorance even of that part of the community which ought to have been better instructed. The ordinary mode of assuming armorial bearings has been a reference to the nearest seal-engraver, who, from some heraldic encyclopædia, has furnished the applicant with the arms of any family of the same name.

In order to restrain such undue assumption, and to instil that honourable pride which values ancestral distinctions only so far as they are verified by historical proofs, our friend and correspondent Mr. Whitmore has undertaken to instruct his countrymen in the *Elements of Heraldry*. For this purpose he might have imported or reprinted any one of the scores of

heraldic manuals which have been produced in England,—usually the echoes of one another, until in recent times the essays of Lower, Planché, and Boutell have led to a more inquiring spirit.

But Mr. Whitmore has preferred to draw up a treatise of his own for the instruction of his countrymen; and we think he has done wisely, for he has proceeded upon the principle of confining himself chiefly to essentials, or to the leading characteristics of the art of armory most prevalent in modern practice, omitting the less frequent and exceptional matters which embarrass and confuse the learner, and may be fairly reserved for future inquiry should any call for them arise.

The work is divided into four parts: the first being the grammar of the art; the second a glossary of terms, founded upon that compiled by Mr. Henry Gough, and published by Parker; the third, rules for blazon, marshalling, cadency, and such matters; and the fourth giving examples of the use and practice of heraldry in America. The author's main objects are accuracy and truth, and it is nobly remarked in his introductory preface that

“The sole value or interest of our American coats of arms consists in the remembrance of an honourable ancestry. We cannot afford to insult our real progenitors by a false claim to others.”

On the whole, we have perused with much pleasure this original essay in the art of blazon, finding in it a large amount of practical intelligence and good sense. Though the first work of its kind published in America, among the Americans of British descent, it deserves to be their standard book upon the subject: and such, with a few occasional amendments, we have little doubt that it is destined to become.

NOTES AND QUERIES.

FAMILIES OF MATHEW.—I observe the name of Archbishop Tobias Mathew in the Catalogue of the Special Exhibition of National Portraits, but not that of his eccentric and talented son, “pretty Sir Toby.” Perhaps a note in *The Herald and Genealogist* may lead to a discovery of any portrait of him that may be extant. The lives of the Archbishop and of his son are yet to be written, and would furnish a most interesting theme for the pen of a capable writer.

Even the immediate descent of the Archbishop has been a *vexata questio*. Thoresby, in his Leeds, has been led into an absurd mistake, which was exposed clearly by the Heralds' College when Hugh Thomas was employed to make out the pedigree of his great-granddaughter, the heiress of Oglethorp, with the Marquis de Mezières; but the College suggested, as possible, a descent from John, younger son of Sir George Mathew of Radyr, co. Glamorgan, M.P. for that county, which is, on investigation of dates, very unlikely.

The Archbishop's father, John of Bristol, names in his will (dated Sept.

22, 1551,) his sister Elizabeth Browne, "*of Ross in Wales*," and her children, Philip and Alice, which may give some clue to genealogists.

A family, descended from Mathew of Castle Menych, a younger branch of the great house of Llandaff, was seated at *Roos*, co. Glamorgan; and I think that I have seen in some Welsh pedigree in the Museum, one of their offshoots named as "of Bristol." Another branch, who bore the quarterings of the Radyr line, resided at Linton, near Ross, co. Hereford.

Younger sons of Castle Menych settled in the West of England, and at Stanstead in Sussex; but the supposed last male of the line of Llandaff was the erratic grandson of the ill-used Admiral Thomas Mathew, Captain Mathews, of Llandaff Court and of Bath (Sheridan's antagonist), who added the *s* to his name to distinguish himself from his Irish and English kinsfolk, the late Earl of Llandaff and his brothers, and the handsome cousins George and Brownlow Mathew, who were frequenters of Bath society.

L.

ALLAN FENWICK.—Information is desired concerning the descendants of Allan (Alexander) Fenwick, second son of Sir John Fenwick, Bart., by his second wife Grace, daughter of Thomas Lorain, Esq. Sir John was born in 1579, made a Baronet by Charles I. in 1628, and died about 1658. See Burke's *Extinct and Dormant Baronetcies*. P. W. S.

WILLIAM OF WYKEHAM AND THE LONGS.—Much has been written concerning the name borne by the father of this eminent man. On the one hand it has been contended that he was descended from the family of De Wykeham of Swaycliffe, co. Oxon; on the other it is stated on some ancient authorities that his father's name or nickname was Long, and that the bishop himself derived the name he bore from the town or vill of Wykeham, co. Hants, where he was born; but it is remarkable that the bishop mentions no relative or person of the name of Long in his will, although his legatees are extremely numerous, and although one William Longe was admitted Fellow of the College he founded within twenty years after his death, *not being named cousin to the founder*. (*Collectanea Topographica et Genealogica*, ii. 379.) We have here proof of the existence of a family of the name of Long, who, if the bishop's father bore that name, would probably be of his blood and kindred; and I have lately come across a document which supplies another member of this family hitherto unknown or unnoticed, and that is calculated negatively to assist in settling the question of the bishop's patronymic. This is a final concord made in Hilary Term 4 Hen. IV. between "Willielm' de Wykeham, Ep'm Wynton', quer' et Joh'em Longe et Elenam ux'em ejus defore' de duob' messuagiis, uno tofto, unam carucat' t're et viginti acris prati cum p'tin' in Brightwell et Makkeneye" (co. Berks) which the said John and Elena, *and the heirs of Elena*, quitclaim, &c. to the said bishop "et successoribus suis et eccl'ie sue predictae in perpetuum," for which the bishop gives "centum libras sterling."

Now this fine was levied in the year of or year before the death of the bishop, and probably one or other or both of the deforciant's survived him, and would, *if related*, have partaken of his testamentary bounty. Of course the John Long of the fine could not have been the John Long the bishop's alleged father, or he must have been upwards of a hundred years old, and *his* wife's name was Sibilla. It seems in fact doubtful, from all the circumstances, if the Long family were related *in any way* to the bishop.

W. S. E.

GRANT OF ARMS TO JOHN BENNETT IN 1560.—The Rev. George Ornsby, Vicar of Fishlake, near Doncaster, has in his possession the original Grant of Arms by Laurence Dalton, esq. Norroy, to John Bennett, of Newcastle-upon-Tyne, gent. the Queen's Master of the Ordnance of the North Parts. It is dated 6th Dec. 3 Eliz. 1560. After a long preamble, Norroy states, that, having been desired by Bennett not only to make search for the ancient arms belonging to that name, which he found to be "*Azure, a fesse golde betwene iij dymye lyons argent,*" but also to augment to the same, for remembrance of his the grantee's service in the said office, some augmentation, with a crest convenient to the same, therefore he, Norroy, "sett forthe unto th'armes aforseyde, *On the fess a gonne azure betwene ij pellets, and on thelme for a crest or coygnoyance, a castle golde wth fyre flamynge owt, and on the castle iij pellets, on a wreathe argent and azure, mantelyd gowles, lyned argent, bottonyd golde,*" which arms were thereby allowed, ratified, and confirmed to the said John Bennett and his posterity for evermore.

The following quaint epitaph relates to this same John Bennett :

IN ST. NICHOLAS CHURCH AT NEWCASTLE-UPON TYNE.

Here lieth buried underneath this stone,
 Of JOHN BENNETT both body and bone,
 Late of these parts, Master of the Ordinance,
 Which deceased, by God's providence,
 The 8th day of this month of July,
 In perfect faith, love, and charity,
 A thousand five hundred sixty and eight;
 Whose soule, Heaven be trusted, went streight,
 Thro' God's great mercy, bloodshed, and death,
 Which onely he trusted to during his breath :
 So trust we, his wife and children, that caused this,
 And Captain Carel, a friend of his.

The name in the last line should, I think, be Carvill. John Carvill, a captain of the garrison at Berwick, of a family at Milford, co. York, married Anne daughter of John Bennett, Master of the Ordnance.

Any information relating to the family of the above John Bennett, his will, &c., is desired, by

C. J.

QUERIES.

Where were buried the second and third Earls of Pembroke of the family of Herbert?

What is the language and the meaning of the motto of Strangways, *Ystoyeau et ne doubtero*?

M. R. asks for information respecting the family of Rowles. Lawrence Rowles died in Norfolk about the year 1786. The register of his birth cannot be found, but he is supposed to have descended from Sir Francis Rowles, who in the time of Charles the Second was in correspondence with Lord Russell and Sir Francis Drake, to take steps to secure the liberty of England against the encroachments of the King.

ARMS OF HODGES.—The coat, Or, three crescents sable, and on a canton sable a crown or; Crest, on a crown or a crescent sable; was granted to *Hodges of London*, by Camden, Clarenceux, October 1610. But I do not find the Christian name of the grantee. Where is it to be discovered?

Burke, in his *General Armory*, ascribed the same coat to Hodges of Dorsetshire and Gloucestershire.

Sir William Hodges, created Baronet in 1697, was a merchant of London and also at Cadiz. He died 1714. His son, Sir Joseph Hodges, F.R.S., died unmarried 1722, when the title became extinct. Burke, who usually gives the arms of the Baronets in his *Extinct Baronetage*, gives *none* for this family. They perhaps bore the canton barry wavy and anchor, as described in another entry of the *General Armory*.

I am curious to be satisfied upon the following points:—

1. When was the first coat granted to the name of Hodges, and what was it?
2. Who was "Hodges of London" to whom Camden granted the coat in Oct. 1610?
3. What was the probable meaning of the crown on the canton?
4. What was the origin of the crescent, which became a favourite charge in coats of Hodges?

G. H.

To whom do the following arms belong? They are engraved on a seal, about 80 to 100 years old, which I found in the possession of a person who purchased it in a lot at a sale. Quarterly: 1 and 4. Gules, a chevron between three cross-crosslets fitché argent; 2 and 3. Sable, three spurs (or?) W. M. H. C.

In Sir Bernard Burke's *Armory* arms are given to the names Fennemore and Fynmore or Finmore. At Herald's College there are no such grants upon record, and yet I presume Sir B. B. must have some authority, or he would not have printed them in his work. I should be glad to obtain any information of the family, residing in Oxford within the 16th and 17th centuries; also of Martha Wycliffe, of Abingdon, who married, firstly, Mayott, secondly, B. Fynmore; also particulars of the L'Estrange family about 1500 to 1600; and of the Marwoods, of London, about the same time.

B. A. H.

THE DUKEDOM OF CHATELHERAULT.

The marriage in 1474 of James Lord Hamilton to the Princess Mary, sister of the reigning King of Scotland James III., was the main cause of the elevation of the family of Hamilton from the status of a leading Clydesdale house to the very prominent position they have ever since held.

The lady had been previously married to Thomas Boyd, eldest son of the Lord Boyd who was Governor of Scotland during the minority of James. She brought him as dowry the island and earldom of Arran; but on the downfall of Lord Boyd, who was beheaded and his estates forfeited in 1469, the King separated his sister from the Earl of Arran, who wandered on the continent in exile and poverty, and is said to have died at Antwerp. Mary was compelled by her brother to marry Lord Hamilton, and it has been alleged that this marriage took place before the death of Boyd.

The eldest son of the Princess by her second husband had in 1503 a grant from his cousin-german James IV. of the Island of Arran, and was created an Earl by that title at the same time. He served as commander of the Scottish forces sent to aid John King of Denmark against Sweden and Norway; subsequently as ambassador to France, and commanded the auxiliaries sent by James IV. to Louis XII.

On the death of James at Flodden, Arran was an unsuccessful competitor with the Duke of Albany for the Regency, but in 1517 was constituted Lieutenant-General of the kingdom and one of the Lords of Regency while Albany was in France. His son James, second Earl of Arran, was in 1542 chosen Regent by the nobility, and a year later was by the Act of Settlement of the Crown declared "second persone of this Realme, and nerrest to succede to the Croun of the same, failzeing of oure souerane Lady and the barnys lauchfull to be gottin of hir body and nane utheris. And be resoun thairof Tutour lauchfull to the Quene's grace and Governour of the Realme."

The Regent, having been the active promoter of the marriage of his royal ward and the Dauphin in February 1548, had letters patent from Henry II. conferring on him, styled "nostre cousin,—pour

aucunement rémunérer iceluy sieur Comte de ses services, qui méritent beaucoup plus, * * * le DUCHE DE CHASTELLERAULT, ses appartenances et dépendances, ainsi qu'ils se poursuivent et comportent, en tous droicts, prerogatives de Duché, justice haute, moyenne, et basse, mere, mixte, impere, fiefs, et arrières fiefs, hommes, hommages, vassaux, vasselages, cens, rentes, lots, ventes, rachapts, quints, requints, aubaines, confiscations, et autres droicts et devoirs seigneuriaux quelconques, maisons, places, chasteaux, dixmes, champarts, prez, garennes, forests, bois taillis, pastis, estangs, rivieres, pescherie, moulins, vignes, terres labourables, et autre domaine tel qu'il soit, appartenances et dépendances dudit Duché, provision aux offices ordinaires et benefices dudit Duché, lequel Nous promettons par cesdites presentes luy faire valoir et parfournir jusques à la somme de douze mil livres tournois de rente ou revenu annuel par chacun an, toutes charges déduites et payées."

In the following April he had a royal promise, under letters patent, of the daughter of the Duke of Montpensier, as a bride for his eldest son, as soon as both parties should be of sufficient age.

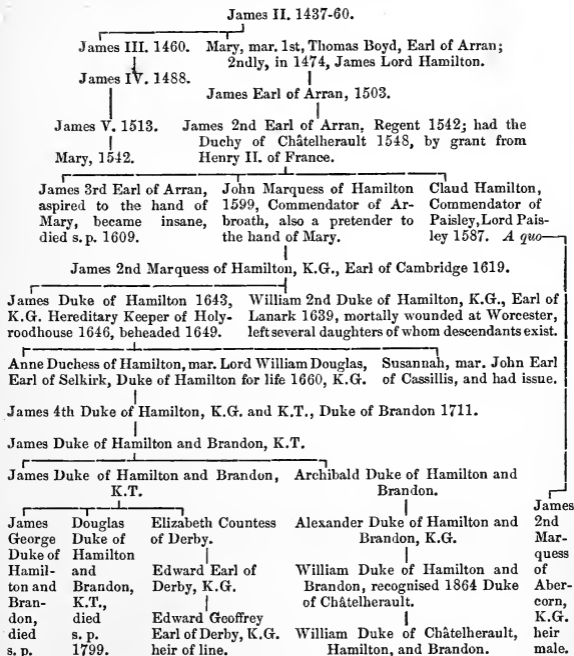
In May royal letters deprived the Parliament of Poitiers of all right they had or claimed to have over the justice of the duchy, and declared "que la justice dudit lieu de Châtelherault ressortisse nuellement et sans moyen en nostredite cour de Parlement de Paris."

In July Arran was empowered to invest the Earls of Huntly, Argyll, and Angus with the collar of the Order of St. Michael, and to receive their oaths; and during the same month had "Lettres de Naturalité générales pour le Comte d'Aran, ses enfans, héritiers, successeurs, et ayant causes, soit qu'ils soient régnicoles ou non, et sans payer finance."

In short, every mark of favour was heaped upon him, but in none of these documents is he styled Duke of Châtelherault.¹

The position of the present claimants to the dukedom will be made clear, we think, by the following table:—

¹ By the way, we observe that Mr. Froude (*History of England*, &c. vol. ix. p. 575) in speaking of the assassination of the Regent Murray, says, "The person selected for the deed was James Hamilton of Bothwellhaugh, nephew of the Archbishop of St. Andrew's and of the Duke of Châtelherault." If the heads of the house of Hamilton were the contrivers of the murder, the actual perpetrator was certainly not their nephew, but a remote cadet of their family



It is plain that the Earl of Derby is heir of line and the Marquess of Abercorn heir male of the grantee, and that the Duke of Hamilton is not in a position to claim in either character.

On the death of the Regent, the curators of his eldest son neglected to resume possession of Châtelherault, which had been seized by the Procureur-Général du Roi, as an alienated crown domain, but restored by an article in the treaty between France, Scotland, and England, 6th July 1560.

In 1614, however, after the death of his uncle, James Marquess of Hamilton laid his claim before Louis XIII., and, the justice of it having been admitted, he had, 4th October 1616, a brevet of a pension of 12,000 livres till he should be put in possession of the duchy, then held by the Montpensier family as security for an advance

of 50,000 crowns made by François Duc de Montpensier to Henry III. in 1584. This appears to have been regularly paid, each successor obtaining a similar brevet until the direct male line failed on the death of the second Duke.

His niece and heiress the Duchess Anne, although she had repeated annual grants of the amount of the pension of 12,000 livres, appears from the statement of her son in 1685 never to have obtained payment of any of them.

By the 22nd Article of the Treaty of Utrecht, "Le Roy T. C. promet encore qu'il fera incessamment après la paix faite, faire droit à la famille d'Hamilton au sujet du Duché de Châtellerault."

The Duchess appointed her son Charles Earl of Selkirk to act for her, and in July 1714 the sum to be allowed as an equivalent for her claims was fixed with his consent by the Commissioners acting on the part of the King of France at 500,000 livres of capital.

On this interest at 4 per cent. was to be paid, and accordingly an assignment on the Hôtel de Ville of Paris for 20,000 livres annually was given as security. The ill fortune of the Hamilton family, however, in regard to their property in France was not yet at an end.

In 1719 the Council of State pronounced a decree requiring all public creditors, particularly those whose debts were constituted claims upon the Hôtel de Ville of Paris, to receive the capital due them on or before 1st January 1720, and the 500,000 livres were paid to the Chevalier Bernard the agent employed by Lord Selkirk. Exchange at the time being very unfavourable for remitting to England, Bernard retained the money till it could be remitted to greater advantage. Of this there was every prospect, as by several successive decrees the nominal value of the coin of France was lowered, and the value of the "Recepisseez du Tresor Royal" issued to Bernard (afterwards exchanged in terms of another decree for bank notes) increased proportionally. These notes Bernard soon after converted into stock (*actions*) guaranteed by the Crown. On the 27th May appeared the famous decree by which bank notes and *actions* were at once reduced twenty per cent. in value, and by successive reductions were in six months to be diminished one-half.

These repeated tamperings with the coin and paper currency brought the latter into such disrepute, that a bank-note of 100 livres was only saleable at six, so that the best course for creditors not in immediate want of money was that taken by Lord Selkirk, namely, to hold the government paper until better times should come round.

In 1722, a decree was issued ordering all holders of *actions* to

produce them before Commissioners appointed to review their claims, to declare what funds they represented, at what price they had been purchased, and whether they had been the subject of stock-jobbing operations. Lord Selkirk, having a clear case, obtained a certificate, called a *viza*, from these commissioners.

Other commissioners were appointed to liquidate the various claims, but, as the amount offered was a mere trifle in comparison to the original sum, the Earl was advised neither to receive the capital that would have been paid him in full of all demands nor the interest accruing.

He reserved the prosecution of his just demand till a proper opportunity, as repayment of the capital had been forced upon him by the French Government, which immediately afterwards arbitrarily reduced the value of the paper they had given in payment to an amount almost nominal. Various claims were made upon Lord Selkirk and his heirs by the creditors of the Duke his brother for the sums which had nominally been paid to him. The Court of Session did not sustain the demands, as he had acted throughout in perfect good faith, and had not profited by the alleged payment.

In the case for the Marquess of Abercorn, it is stated that James Earl of Abercorn entered a protest against the recognition of the claims of the Duchess, and that it was agreed that one-fourth of the sums to be recovered from the French Government was to be paid over to him.

So much for the property of Châtelherault; we must now consider the position of the title.

Titles and rank in France before the Revolution of 1789 were claimed on so many grounds that we can thoroughly sympathise with the embarrassment of Necker on entering a court society not too well disposed towards him, and on the look-out for breaches of etiquette on the part of the bourgeois minister and of Madame Necker. He plaintively says:

Les femmes de condition, les femmes de qualité, les femmes de la cour, les femmes titrées, les femmes d'un nom historique, les femmes encore d'une grande naissance personnelle mais unies à un mari au dessous d'elles, les femmes qui ont échangé par leur mariage un nom commun contre un nom distingué, et quelquefois après tout cela les femmes d'un bon nom dans la robe, et les femmes dont le principal relief est une maison de dépense et de bons soupers. Certes il est bien aisé à un généalogiste allemand de compter les quartiers qui donnent le droit d'entrer dans les chapitres; mais saisir promptement des différences imperceptibles, et y proportioner son ton, ses formes, ses manières est une autre entreprise.

Titles borne before the fall of the monarchy may, for convenience' sake, with sufficient accuracy be divided into five classes.

1. Dukes and peers of France, hereditary dukes not peers, dukes for life (*à brevet*), grandees of Spain of the first class, who by arrangement between Louis XIV. and his grandson Philip had the rank and honours of dukes at the French court, and a few princely families.

2. Families whose titles were regularly created by the erection of their estates into a county, barony, &c. ; the number of these never was great, and is now probably under two hundred.

3. Families of old nobility, who, having by grant, purchase, or marriage acquired possession of a lordship which had been erected as above, had assumed the title belonging to it, and were usually recognized at court and in their province under the style they had taken.

4. Families whose members on attaining a certain rank in the army, navy, or diplomatic or other services of the state, had been styled Count, &c. in their commissions ; this, properly a personal distinction, by a general abuse came to be claimed as an hereditary honour.

5. Families who had assumed titles *à leur gré*, the number of which was and is immense.

It appears to us that the title of Duke of Châtelherault must be classed under the third head. In 1514 Châtelherault, till then a simple viscounty, was erected into a duchy in favour of François de Bourbon, and on the forfeiture of the Constable de Bourbon was confiscated to the Crown. The grant to the Earl of Arran was a gift of an estate, and nothing more, and constituted him lord of the duchy, with all the privileges and profits belonging to it, but not duke. As the actual revenue fell short of the sum promised to Arran, the King binds himself, his property, heirs, successors, and assignees, to make good a revenue of 12,000 livres to the Earl, nowhere then styled duke, his heirs, successors, and assignees (*ayans cause*), to be enjoyed and disposed of as his proper and true inheritance. Not a word is said of the title.

In 1548, in the documents all signed by the King previously quoted, he is styled Earl of Arran, cousin, and knight of our order, never Duke. In Scotland, however, he had the style of Duke of Châtelherault, and in 1558 that style is given him in the royal letters by which Henry II. acknowledged him heir presumptive to the throne of Scotland.

In the royal brevets of 1616, 1625, and 1649, the title of Duke is not given, and the pension then granted to the successive heads of the house of Hamilton is in consideration of their claims "sur le Duché de Châtelherault."

In 1551, only three years after the gift of Châtelherault to the Earl of Arran, the Constable de Montmorency was created a duke by letters patent, also from Henry II., which radically differ in form from those granted to Arran. After a preamble in the usual style, reciting the greatness of his family and his personal services, his barony of Montmorency and other lordships are erected into a duchy to be enjoyed by him and his heirs male and successors under the title of Duke and Peer of France, with the honours, prerogatives, and precedence pertaining to that dignity, &c., "voulans nostredit cousin et les successeurs masles Seigneurs desdits lieux, estre dits, nommez, censez, et reputez Ducs de Montmorency." This is the form in which a hereditary title was conferred, and which is not to be found in the letters patent granting Châtelherault.

These facts we think afford a strong presumption that the title of Duke never was regularly conferred at all, only given by courtesy to the Earl of Arran as lord of the duchy.

The Marquess of Abercorn alleges the creation of a title which might be separated from the appanage, but where is the proof of such creation? If the viscounty of Châtelherault had been the property of the Earl of Arran, and if it had been erected into a duchy in his favour, such a claim would at least have had a semblance of ground; but the very reverse was the case. He gets a grant or gift (*don*) of the property of Châtelherault already erected into a duchy for a different family, then in the Crown by their forfeiture, and which afterwards returned to the heirs of the former possessors. Supposing the title to have existed and to have been attached to the possession of the estates, it lapsed eleven years after its creation, unless it is allowable to hold that a feudal title of the highest grade could have for its basis a pension of 12,000 livres. If this were the case, could it and did it pass with the Scottish property and honours of the Hamiltons to the Douglas family?

In all cases in France, a "substitution aux nom, titres, et armes" required the royal consent, followed by registration, by the Parliament within whose jurisdiction the lordship so conveyed lay, to give it validity. These necessary formalities not having been fulfilled in the present case, it follows, that, supposing the existence of a title, it expired on the death of the second Duke of Hamilton.

That titled fiefs might pass by settlement and even by sale, the title being conveyed as well as the property, when the phrase "ayants cause" occurs in the letters patent of erection, there can be no doubt.

Martigues was in 1580 erected into a principality in favour of Emmanuel of Lorraine, Duke of Mercœur, and Mary of Luxembourg his wife, with the right of transmission to their heirs, "et ayans cause." In virtue of this last clause the Marshal Duke of Villars, having acquired the property, obtained in 1725 letters patent which continued the erection of the principality with the original limitation. From the heirs of the Villars family Martigues was purchased for two millions of francs by Louis François de Gallifet, the representative of a good family in Dauphiné which had acquired an immense fortune in the West India islands. Having by this acquisition become the "ayant cause" of the Villars, he assumed the title of Prince in 1772. His right to do so was questioned, but confirmed by the Council of State 1777, and by the Parliament 1787.

This case we believe stands alone as an instance of the transmission to strangers in blood of a title of Duke or Prince, and we cannot but conclude that the distinguished services of Villars and the great wealth of Mons. de Gallifet had something to do with the favour extended to them. Inferior titles, however, have frequently passed in this way from one family to another. The Gallifets still hold the principality; and the Marquise de Gallifet, née Lafitte, daughter-in-law of the present Prince, and well known in Paris as a leader of fashion and from her remarkable beauty, is connected with Scotland, her mother having been daughter of Sir Charles Cunningham Fairlie.

During the last century the Dukes of Hamilton appear not to have assumed or at least claimed the title of Châtelherault. The Lyon Register contains two matriculations of the arms of William (Douglas) Duke of Hamilton; his minor Scottish titles are given, but that of Châtelherault is not recognised, nor are the arms of that duchy quartered. In Crawford's Peerage, 1716, and Douglas's Peerage, 1764, the title is not given nor the arms quartered. In Wood's Douglas, 1813, it is stated that the right to the title was never formally relinquished, but the arms are not quartered. The title was long taken by the La Trémoille, possessors of the duchy, just as it had been taken by the Hamiltons. In the protestation made in 1748 by the Duc de la Trémoille with regard to his right to the kingdom of Naples, we find "Nous Anne Charles Frederic de la Trémoille, Prince de Talmont, Duc de Châtellerault, Comte de Taillebourg," &c.

In the inscription on the coffin of James Earl of Abercorn, who died in 1789, he is styled Duke of Châtelherault.

In 1819 the Duke of Hamilton made a claim and assumed the title. The Duchess was received at court with the honours of a Duchess and

allowed a tabouret, but this was certainly a favour granted to her as a foreign lady of rank, not a recognition of her status as a French Duchess.

His son the late Duke of Hamilton having married a daughter of the Grand Duke of Baden and of Stephanie de Beauharnois, the elevation of Prince Louis Napoleon her near relative to the throne of France gave him a favourable position for pressing his claims to rank and precedence in that country.

The accompanying table (printed in the next page) will show the connection this marriage gave the Duke with the Emperor and various reigning families.¹

In 1855 appeared *Dispositions relatives aux Princes de la Famille de l'Empereur*, and the result of the Beauharnois connection appears in Article 11:—

Son Altesse Grande Ducale la Princesse Marie Duchesse de Hamilton, étant princesse étrangère, sera traitée à la cour comme telle. Elle passera après la famille impériale, et son mari, le Duc de Hamilton, passera avec les membres de la famille de l'Empereur ayant rang à la cour.

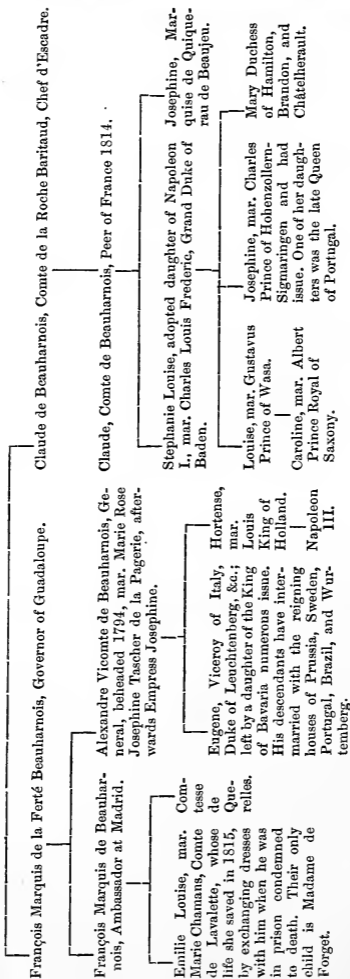
that is to say, his Grace was to precede all French subjects however elevated in rank by birth or by official position. Nothing as yet, however, of the Dukedom of Châtelherault, but the Empire was new, and titles had not yet been created.

On the 25th August, 1864, the Bulletin des Lois contained the following announcement:

M. Guillaume Alexandre Louis Etienne Duc d'Hamilton a été maintenu et confirmé par décret du 20 Avril 1864 dans le titre héréditaire de Duc de Châtelherault créé par le roi de France Henri II. en 1548 en faveur de Jacques Hamilton Comte d'Arran.

Against this decree the Marquess of Abercorn presented an appeal in 1864-5; and in consequence of the death of the late Duke, appearance was entered by his widow, the Princess Mary of Baden, Duchess of Hamilton, on behalf of her son, the present Duke, then a minor. In April of this year, the present Duke, having then attained his

¹ In the published pedigrees of the Beauharnois family descent is claimed for them from Guillaume de Beauharnois, Sieur de Miramion in the Orleanois, living anno 1390; but St. Simon, in his notice of the death of Madame de Miramion in 1696, says, "Elle avoit épousé un bourgeois d'Orleans fort riche aussi, dont le père avoit obtenu des lettres patentes pour changer son sale et ridicule nom de Beauvit en celui de Beauharnois." Her only child married Nesmond, President à Montier, and "ce fut la première femme de son état qui ait fait écrire sur sa porte Hôtel de Nesmond; on en rit, on s'en scandalisa, mais l'écriveau demeura."



majority, entered appearance in his own name; and therefore the question went to issue between him and the Marquess, and has been decided by the Conseil d'Etat au Contentieux as follows:—

Art. No. 1. The petition of the Marquess of Abercorn is rejected.

Art. No. 2. The Marquess of Abercorn is found liable in expenses.

Art. No. 3. Our Keeper of the Seals Minister, Secretary of State for Justice and des Cultes, is charged with the execution of the present decree.

Approved this 11th day of Aug. 1866. NAPOLEON.

To conclude, we do not see that the title of Duke of Châtelherault can be claimed on sufficient grounds by either party. There is no ground whatever for a claim on the part of the Abercorn branch, as the limitation of the original grant was to heirs and assigns, not to heirs male.

If the Emperor Napoleon thinks proper to give the Duke of Hamilton the rank of a French duke with the title of Châtelherault, because one of his ancestors, whose titles and estates have descended to him, held that duchy for a few years upwards of three centuries ago, we look upon the concession as an act of grace and favour of which neither the heir male nor the heir of line can reasonably complain.

THE CROWNED HEART OF DOUGLAS.

[Omitted from our last for want of space.]

To the EDITOR of the HERALD AND GENEALOGIST.

SIR,—In connection with the interesting paper in your last volume on the Crowned Heart of Douglas, allow me to point out a few exceptional early instances of the crown, some of them prior not only to 1617, but to the Union of the English and Scottish Crowns.

In the heraldic register of Sir David Lindsay of the Mount, Lyon King of Arms in the reign of James V. (Advocates' Library, Edinburgh, MSS. 31, 4, 3), best known from the lithographed fac-simile printed in 1822, in two out of eight instances in which the Douglas heart is represented it is ensigned with an open crown, not or, as afterwards borne, but gules. These crowned hearts are respectively assigned to "Dowglass of Drumlainryke," ancestor of the Queensberry family, who quarters Douglas with Marr, all within a bordure engrailed gules; and "Dowglass Lord of Niddisdail," who has a Douglas coat debruised with a ribbon or (erroneously represented sable in the fac-simile) quartered with Sable, a lion rampant argent.

In another illuminated armorial MS., apparently of the date of Queen Mary's first widowhood, (Adv. Lib. 31, 4, 3), Douglas of Nithsdale has also the crown gules, while Drumlanrig has no crown.

In an illuminated MS. in the Lyon office, also of Queen Mary's reign,

said to have belonged to James Workman, the heart crowned with an open crown gules occurs in the coat of Douglas of Nithsdale, which is twice repeated, and given as in Lindsay's register. There is also a representation of the arms of the Earl of Angus, obviously a subsequent interpolation by Workman, with a crowned heart.

In a MS. of illuminated arms by James Workman of the beginning of the 17th century, to which Sir James Balfour, Lyon from 1630 to 1654, has subjoined the names of the several coats, and annotations containing severe animadversions on Mr. Workman's skill as a herald (Adv. Lib. MSS. 31, 3, 5), a crown or appears in the coat of Douglas Earl of Morton, and the quartered coat elsewhere called Douglas of "Niddisdail" is designated, in Balfour's handwriting, Douglas of "Liddisdail."

Lastly, in Sir James Balfour's List of Scottish Surnames and Arms (Adv. Lib. MSS. 15, 1, 17) where numerous Douglas coats are blazoned, including that of the Earl of Queensberry, the crowned heart only appears in a coat similar to that which the other MSS. assign to Douglas of Nithsdale or Niddisdail, and which is here given to "Douglas Lord Liddisdail." The riband which elsewhere we have seen to be dexter is here said to be "sinister to shew that he was a bastard:" (both the one and the other were at one time used as indications of illegitimacy in Scotland :) and the lion in the second and third quarters is said to be "by the name of ——."

Who was this Douglas Lord of Niddisdail or Liddisdail? There was no Douglas Lord of Nithsdale contemporary with Sir David Lindsay or the writers of the subsequent MSS. Sir William Douglas, natural son of Archibald the Grim, Lord of Galloway and third Earl of Douglas, was, so far as I am aware, the only Douglas who enjoyed that designation. He, however, was assassinated at Dantzic in 1390 at the instance of Lord Clifford, leaving by his wife the Princess Egidia a daughter, who married the Earl of Orkney, but no successor to his designation. The second and third quarters are doubtless meant for Edgar. Sable, a lion rampant argent, is separately given by Sir David Lindsay for "the Lord of Nyddisdaill of auld," and by Workman for "Edgar Lord of Nidsdale of old." Edgars owned considerable lands in Nithsdale in the first half of the 14th century. I know of no family reason why this coat should have been quartered; it was most likely adopted on purely feudal grounds, as were a considerable proportion of the quarterings used at different times by the Earls of Douglas and of Angus. Balfour, taking his blazon from Lindsay, or some other MS. authority, and apparently in doubt what to make of the lion argent, has rashly sought to identify the Lord of Nithsdale or Niddesdaill with Sir William Douglas of the "De Laudoniis" or Morton branch, the "Flower of Chivalry," who in Balfour's days was generally believed to have been an illegitimate son of the good Sir James, and is so accounted in Hume's *History of the House of Douglas and Angus*. Though both Drumlanrig and the lands of the Morton family were in the district of Nithsdale, I am not aware that any member of either branch of the house was styled Lord of Nithsdale. The Douglas who was slain at Dantzic

would therefore seem to be the Lord of Nithsdale meant, who has had the crown added to his armorial achievement by posterity, and it is rather remarkable that the earliest known representations of the crown on the Douglas heart should be in the arms of secondary branches of the family. By the middle of the seventeenth century the heart was almost universally crowned with a close or imperial crown proper, the line of Cavers alone continuing to retain the old form of the arms without the crown. The heart is uncrowned in the various matriculations in the Lyon Register of the Douglases of Cavers and their cadets, except in that of George Douglas of Friarshaw in 1747, a period of great heraldic laxity.

The cross in the base of the seal of William eleventh Earl of Angus and first Marquess of Douglas is unquestionably the coat of Auchinleck of Glenbervie (Argent, a cross counter-embattled sable), of which family his great-great-grandmother (wife of Sir William Douglas, younger son of the fifth Earl of Angus) was heiress. It occurs also in the representation of his arms in the already mentioned contemporary MS. Adv. Lib. MSS. 31 3, 5, and was quartered by the younger branch of the family that afterwards succeeded to Glenbervie. I have carefully examined the seal of the second earl, No. 285 of Mr. Laing's Supplemental Catalogue, with a powerful glass, and cannot trace the cross there. Were it there also it could not of course be Auchinleck. The escutcheon of pretence in the last named seal puzzles me. It is probably, as Mr. Laing says, the insignia of some lordship then held by the Angus family. A minute examination has satisfied me that it is not, as suggested in your note, Bonkyl. The charges on the bend are undeniably stars not buckles, and there is no known instance of any of the representatives of the Stewarts of Bonkyl quartering Bonkyl uncombined with the Stewart fess chequy.—I am, &c.

G. B.

SAMUEL TRAVERS, ESQ. THE FOUNDER OF THE COLLEGE FOR NAVAL
KNIGHTS AT WINDSOR.

To the Editor of THE HERALD AND GENEALOGIST.

Dear Sir,—Biographers have been so careless to preserve the memory of this public benefactor that it is almost impossible in the present day to learn much of his history. His munificent bequest was slighted or neglected through the greater part of the last century; his name is absent from every collection of England's worthies; and his birth, parentage, and whole career have been consigned to oblivion. It is, therefore, with the hope of discovering much more that I wish to place on record a few facts relating to him.

SAMUEL TRAVERS was born in the year 1655. He was a son of Thomas Travers, of Magdalene College, Cambridge, who took his M.A. degree in 1644; was incumbent of St. Columb Major, Cornwall, from 1652—1662; and married, according to Calamy,¹ "a niece of the noble Lord Robartes."

¹ *Calamy's Abridgement of Baxter's Life*. Second Edition. Lond. 1713. ii. p. 145.

Thomas Travers was the second son of Samuel Travers, Vicar of Thorverton, Devon, who died in 1648; and grandson of John Travers, Rector of Faringdon, Devon, (a brother of the celebrated puritan Walter Travers,) who married, in 1580, Alice daughter of John Hooker, Chamberlain of Exeter.

At the age of nineteen, on the 17th of June, 1674, Samuel Travers matriculated at Oxford, and entered Exeter college as a servitor;¹ and, according to the printed list of Oxford graduates, he took his B.A. degree on the 27th June, 1674, but for the latter date I imagine we should read 1677. Upon leaving Oxford he must have become a student in the Temple, for in the will of his uncle, "George Travers, of St. James-in-the-Fields, London, gentleman," dated 23rd of June, 1691, there is a bequest of five shillings for gloves "to my cousen Samuel Travers, of the Temple, lawyer."

By letters patent,² dated 22nd of April, 1693, he was appointed Surveyor-General of the Land Revenue at a salary of 200*l.* per annum; and his appointment was published in the London Gazette of May 1st to 4th following.³ This office he held until 1710.

In 1706 he erected a monument in the church of Thorpe, Surrey, to the memory of his relative, Giles Travers, Esq., of Waltham Place in that parish.⁴ Giles Travers was born in 1623, lived to the age of eighty-three, and dying on the 25th October, 1706, made Samuel Travers his sole heir and executor. Beneath the inscription on this monument is a shield containing these arms: *Argent, on a chevron gules three griffin's heads erased or; a chief azure charged with three bezants.* Crest, on a wreath, a griffin's head erased or, holding in its beak an eft proper. In Burke's Armory the same coat is given with a different crest, the origin of which one would wish to discover. "TRAVERS (Ireland): *Arg. on a chev. gules three griffin's heads erased or; a chief az. charged with as many bezants.* CREST.—*The sun shining on the stump of a broken tree shooting forth new branches.*"

Mr. Travers appears to have sat for many years in Parliament. At the general election of 1690 he was returned for the borough of Bossiney: and at those of 1695 and 1698 for Lostwithiel.⁵ Of the five parliaments from

¹ The entry in the matriculation register stands thus: "1674, Jun. 17, *Sam. Travers a. n.* 19. *Th. Tr. de Scto. Col. Cornub. Pp. fil.* He signed the subscription book, *Samuell Travers, paup. fil. à Coll. Exon.*

² *Cal. of Pat. Rolls in Public Record Office, 5 Wm. and Mary.*

³ "Whitehall, May 3. Their Majesties have been graciously pleased by letters patents under the Great Seal of England, to grant unto Samuel Travers, esq. the office of their Majesties' Surveyor-General, vacant by the death of Mr. Harbord, their Majesties' late Ambassador in Turkey." *London Gazette, May 1st—4th, 1693.*

⁴ *Hist. of Surrey, by Manning and Bray, iii, 246-7.* Waltham Place was pulled down about 1800-10, and added to the grounds of Thorpe House, now General Scott's.

⁵ Bossiney is a borough and market town in the parish of Tintagel, Cornwall. Its chief object of interest is an ancient ruin called King Arthur's Castle on the summit of an immense rock, some thirty acres in extent, almost detached from the mainland. To this Mr. Travers doubtless refers in his will, when he mentions his "Duchy lease

1700 to 1707 I do not find he was a member; but in 1708 he was again returned for Bossiney, for which he sat until the next dissolution in 1710.

His office of Surveyor-General (now that of First Commissioner of Woods and Forests), having brought Mr. Travers into connection with the borough of Windsor, he became a candidate to represent it in Parliament at the general election in January 1715, consequent upon the accession of George the First. The return was in favour of Christopher Wren, Esq. and Robert Gayer, Esq. the Tory or anti-Ministerial candidates; but, on a petition, Sir Henry Ashhurst, Bart. and Samuel Travers, Esq. were declared duly elected.¹ Mr. Travers sat for Windsor during the whole of that parliament until its dissolution in 1722. He was then returned to the next parliament for the borough of St. Mawes, for which he sat until his death, which occurred on Friday morning, Sept. 17th, 1725. The *St. James's Evening Post*, No. 1620, in its obituary, styles him "Samuel Travers, esq. of Hitcham, in Berks,² M.P. for St. Maws in Cornwall, auditor to the Prince, and clerk to the King's works." And the *Evening Post* of Saturday, September 18th, 1725, informs us that he died "at his house against St. James's Palace." There seems to have been some doubt as to the place of his interment, for the authors of the *History of Surrey*, while reciting his wish to be buried in the free chapel of St. George at Windsor, state that in St. George's Chapel there is no monument to him, and that he is not known to have been buried there. The *British Journal* of the 25th September, 1725, sets this question at rest by stating that Samuel Travers, esq., "was interr'd last night at Windsor in a splendid manner;" and his burial is duly recorded in the Chapel register.

In referring to Mr. Travers's will (dated 16th July, 1724, and proved in London 3 Nov. 1725,³) it is scarcely necessary to mention his public bequests: the equestrian statue of King William III.,⁴ in St. James's Square; the gift of 500*l.* to the "young Prince William Augustus, towards

of the Castle and Lands of Tintagel." Lostwithiel is within ten miles of his supposed birthplace, St. Columb Major.

¹ The particulars will be found fully related in *The Annals of Windsor*, by Tighe and Davis, vol. ii. pp. 499-504. In the same vol. at pp. 468, 489, are two important reports relating to Windsor Park made by Mr. Travers as surveyor-general.

² Hitcham is in Bucks, five miles from Windsor. Lipscombe the historian of that county does not mention Mr. Travers.

³ Printed in the *Gentleman's Magazine*, vol. i. p. 442.

⁴ About a year subsequent to Mr. Travers's decease, an Act was passed for the adornment of the square in the manner proposed by his will. The pedestal was erected in 1732, and is mentioned in Entick's *History and Survey of London, Westminster, and Southwark*, 1766, as the pedestal for a statue of King William III. It remained however statueless yet forty years longer, until, in 1806, the money set apart for the work was discovered in the list of unclaimed dividends. The commission was then given to John Bacon, the younger, who completed his task during the summer of 1808.

buying him a George when he shall be made Knight of the Garter;" the foundation of his college for Naval Knights at Windsor, with its endowment of 500*l.* per annum charged on estates in Essex; or the settlement of the residue of his estate upon Christ's Hospital for the education of boys in mathematics. But the solitary bequest to relatives of his name—"Item, I give unto my cousin Isabella Travers the sum of 300*l.* and to her sister Alice 100*l.*"—is very important as a help towards proving his parentage. These "cousins" appear to have contested the application of the estate in the manner proposed by the will, and in the legal proceedings consequent thereon they are called "nieces and heirs-at-law," one of whom, Isabella, died unmarried, and the other married, previous to 1729, James Hartley, Esq., by whom she had issue Travers Hartley, son and heir, who was living in 1792.¹ I think I can show that these nieces were daughters of Mr. Travers's brother, the Rev. Elias Travers of Dublin.

Calamy, in his *Abridgment of Baxter's Life*,² concludes his account of that "holy, active person, and lively preacher," Thomas Travers of St. Columb Major, by stating that "his son Elijah was pastor of a congregation in Dublin."

Tong, in his *Life of Matthew Henry*,³ under date of May 1705, says, "Within the compass of three months died eight nonconforming ministers, Mr. Kentish of Bristol, Mr. Traverse of Dublin, &c." And upon searching at the Court of Probate, Dublin, I find that on the 28th January, 1705-6, letters of administration "of the goods of Elias Travers, late of the city of Dublin, gentleman, were granted to Elizabeth Travers, the widow and relict, to the use as well of herself as of Thomas, *Isabella*, Frances, and *Alice Travers*, natural and lawful children of the defunct." During the period 1706-1724, Thomas and Frances must have died without issue; and thus Isabella and Alice became heirs at law of their uncle Samuel Travers.

In conclusion, I would ask, is there at the College of Naval Knights or elsewhere any well-authenticated portrait of Samuel Travers? Where are his letters and private papers? And when and to whom was granted the coat of arms he appears to have borne?

You will now understand my conclusion that the Founder of the College for Naval Knights, and the Exeter College Student of 1674, were one and the same. Of this I am most anxious to obtain proof.—Yours sincerely,

HENRY J. SIDES,

Assistant in the Bodleian Library.

Oxford, Aug. 6, 1866.

¹ *Annals of Windsor*, ii. 346.

² ii. p. 145.

³ London, 1716, p. 204.

TICHBORNE OF TICHBORNE, CO. HANTS.

(Continued from p. 71.)

On the floor of the family chantry in Tichborne Church is a brass plate of the early part of the sixteenth century, and the only monumental memorial of the family extant anterior to the time of James I. It commemorates the grandmother of the first Baronet.

Th'u haue m'ry of the soule of Anne Tycheborne, oon of the daughters of Rob't Whyte of Suthwerborne esquier, late the wyfe of Rich'as Tycheborne of Tycheborne, sone of John Tycheborne, brother & heire of Will'm y^e eldest sone of the seid John, whiche Anne dep'ted this worlde the xliij day of February, the yere of o^r lord god M^o.V^o xix.

Above this plate were two shields of arms, which are now lost, having been sacrilegiously torn off from the stone some time between June 1862 and February 1866. No words are strong enough to condemn such a theft—for the sake of a few pence carrying off that which had been preserved for three centuries and a half. This vandalism is doubly annoying to me, inasmuch as there was formerly only one shield remaining on the stone. The second shield was found at Tichborne House May 18, 1853, and I at once identified it as belonging to this monument, and had it forthwith refixed in the securest manner in its original matrix. The first shield bore the family arms: Vair, a chief or; the second shield the arms of Tichborne impaling, Argent, a chevron gules between three popinjays vert, collared of the second, within a border azure charged with eight bezants, for WHITE.¹ Portions

¹ This is the coat which pertained to the family of the WHITES of South Warnborough, co. Hants, and is quite distinct from that of another family of the same name settled at Farnham, co. Surrey, and afterwards at Aldershot, Hants, now represented by the Tichborne family, by matches given in my pedigree at p. 64. Sir Thomas White, the nephew of this Anne White, married Agnes, daughter of Robert White, esq. of the Farnham family, and brother to Dr. John White, Bishop of Winchester. The arms of the Farnham family were originally Azure, three plates, each charged with three bars wavy vert. This coat is twice given on the monument of Sir Thomas White in South Warnborough church impaled with his own family coat. (In the *Collectanea Topogr. et Genealogica*, vol. viii. p. 135, these arms are stated as being whitewashed over: they are concealed by a coat of white paint, the tomb having been thus daubed over to give it a cleaner appearance. The bearings are distinctly traceable beneath the paint, and so clearly that even a rubbing may be taken of them,—the outlines being slightly incised, and the painting of the arms gives also an inequality to the surface of the shields.) Sir Thomas died on 2nd November 1566, and his lady on

of the enamel (giving the tinctures of the arms) and gilding of these shields still remained. Her husband was also buried in this church. Their son and heir Nicholas Tichborne, esq. who died on 23rd May 1556, does not appear to have been buried at Tichborne. He was Sheriff of Hampshire in 1554. King Philip the Second having landed at Southampton on Friday, July 20, in his progress towards Winchester he was encountered by Nicholas Tichborne, who, bearing a white wand in his hand, addressed the King in Latin, informed him that he had the command of the county, and asked leave to perform his office. This being granted, he turned his horse, and, raising his wand on high and taking off his cap, preceded the cavalcade, the rain pouring on his bare head the whole way, though the King repeatedly intreated him to be covered. He married twice; and his son Benjamin, who

15th January 1570-1. Her brother John, previous to his elevation to the episcopacy, whilst Warden of Winchester College, viz. in 1555, had a brass engraved and laid down in the College chapel for his own monumental memorial; at each angle or corner of the stone was a shield of his arms, bearing the same coat, with a mullet for difference, as noted by the learned antiquary Anthony à Wood, who visited the college in February 1684, "*at each corner his armes, viz. a mullet between three fountains.*" There was another shield with the same arms of earlier date, in the chapel of New College, Oxford, as given by the same learned antiquary in his History of the Colleges of Oxford—"On another stone without an inscription were these arms without colours, viz. *Three roundels, each charged with as many bars wavy: put, I suppose, for Dr. Thomas Wells, born at Alresford in Hampshire, mentioned before among the benefactors.*" This supposition is wrong; the shield commemorated HENRY WHITE, an elder brother, born at Farnham on 10th August, 1498, and admitted scholar of Winchester College in 1510, and, as I read in one of the registers, "*Obiit Oxoniæ, jure canonico doctor, sepelietur ibidem in collegio.*" The bishop's brother Sir John White, knight, who married Sibilla, sister of the above Sir Thomas White of South Warnborough, and was Lord Mayor of London in 1563, seems to have been then dissatisfied with the plain and simple coat of arms used by his family, and adopted the more complicated coat (now handed down as their arms), Per fess azure and or, a pale counterchanged, upon the first three plates each charged with three bars wavy vert; on the second as many lion's heads erased gules. This coat appears upon his own monument, erected in his lifetime, in Aldershot church (*ante* 1571); whilst his brother the Bishop abandoned his family coat for a still more complicated piece of heraldry, Per chevron embattled or and gules, three roses counterchanged, slipped proper; on a chief of the second three hour-glasses of the first. This coat, surmounted by a mitre, and encircled by the Garter, occurs in painted glass in the west window of St. Cross church, near Winchester. Thus it may be seen that three different coats were used contemporaneously by members of the same family. There was another family of the same name in Hampshire, at Southwick, whose ancestor, John White, Esq. had granted to him by Hen. VIII. on 15 March, 1538-9, the domains and other lands of Southwick Priory. Their arms were, Azure, on a cross quarterly ermine and or, between four falcons argent belled of the third, a fret between as many lozenges gules.

was afterwards created a Baronet, is erroneously reputed to have been his son and heir, and is so named in the pedigrees. Sir Benjamin was the third son, though the eldest by his father's second marriage. This second marriage and double issue appear almost to have broken up the family. Out of these difficulties they were extricated by the steadfast devotion to the interest and prosperity of the family shown by Sir Benjamin's mother, and of whom her great-grandson, Sir Henry Tichborne, writes in the letter to his son, from which I have already quoted, " Dame Elizabeth, wife to Sir Nicholas Tichborne, was of the family of the Rythes, very ancient in these parts, and by whom we yet possess some lands. Her piety was the stay of our family in the Catholic faith of our ancestors, and her prudence the support of it in the greatest agonies of our affairs, and most dangerous symptoms of our decay, which her providence restored again to its former health and thriving constitution." Nicholas Tichborne had issue by his first wife, Juliana, daughter and heir of Robert Fenrother, Alderman of London, two sons and two daughters; the eldest, Francis Tichborne, was his son and heir, and aged 25 years at the time of his father's death. He married, but died without issue on 23rd July 1564; his will is dated on the same day, and directs his body "shalbe buried in the parishe churche of Tyecheburne in the common buryall place of the name of the Tyecheburnes myne auncestors." His brother and heir Mr. Reynold Tichborne survived him but a few months, and was buried in West Tisted church on 8th February 1564-5; and thereupon his sister Juliana, wife of Thomas Creswell, esq. of Odiham, then aged 34 years, became his heir, and Benjamin Tichborne, the eldest of the six sons by the second marriage, the heir male of the family. He lived to a great age, as may be seen by the pedigree. By his will he orders his body "to be buried at Tichborne, in the chapel there, where usuallie myne ancestors have been buried, and in the same place where my grandfather was buried." He was heir to his brother Martin Tichborne, esq. who died at the age of 85. Jerome Tichborne his youngest brother died in 1628, and must have been eighty years of age if not more; and his brother Gilbert Tichborne, esq. died at the age of 96 years, Dec. 20, 1636, and lies buried in St. James's burial-ground, near Winchester, where he desired to be buried, as his tombstone records. He resided in Winchester, and on 25 October, 1618, he was summoned to the Consistory Court of Winchester "For that he hath obstinately forborne the parish church and divine service for the space of a month, viz. from the last

of April till this present time." The sentence of excommunication was passed and the usual fine of 20*l.* a month levied. In the same ground lies his cousin Nicholas Tichborne, esq. who died a prisoner for religion's sake in Winchester gaol, after nine years' incarceration, July 25, 1589, æt. 70.

It is currently but erroneously stated in the accounts of the Tichborne family given in the Baronetages and elsewhere that King James the First knighted Sir Benjamin Tichborne and his four sons as an acknowledgment of his zeal and promptitude in proclaiming the King's accession in the city of Winchester, he being sheriff of the county at the time of Queen Elizabeth's death. It is added that "the King made a grant to him and his heirs for ever, in fee farm, of the royal castle in Winchester, with a yearly pension of 100*l.* during his own life and the life of his eldest son, Sir Richard Tichborne." The latter statement is adopted by the Right Rev. Dr. Milner (on the authority of the Baronetage) in his *History of Winchester*, i. 389.

The facts of the case are as follows:—In January 1603-4 Sir Benjamin Tichborne, who at that time, in virtue of his office as sheriff of the county, was keeper of Winchester Castle, offered to provide a lodging for the King in the castle, whenever his Majesty pleased to resort there, on condition of having the keepership entailed upon himself and his heirs male, or of holding the castle in fee-farm. The King desired Lord Cecil's opinion thereon, and soon afterwards, namely, on 11th February, 1603-4, the King granted to Sir Benjamin Tichborne and his eldest son Sir Richard Tichborne the keepership of the castle of Winchester, during pleasure, and an annuity with survivorship of 100*l.*; and on February 9th, 1606-7, Sir Benjamin obtained a grant of the castle of Winchester in fee-farm, and it was the residence during his lifetime of his son Sir Richard.

Sir Benjamin Tichborne had been already knighted by Elizabeth, at Tichborne, on her way to Basing House, in September 1601, and his four sons were knighted by James, but at distant intervals of time and at various places.

Sir Richard Tichborne, the eldest son, was one of the knights made by King James at the Charterhouse on his first arrival in London May 11, 1603. He was Ranger of the Royal Forest of West Beare, co. Hants; and Gentleman of the Bedchamber to King Charles I.

Sir Walter Tichborne, of Aldershot, the second son, was knighted at Whitehall, Nov. 16, 1604. King James stood godfather to two of his children, viz. to James, baptised at Aldershot 30th Aug. 1611, and

buried there 2nd Aug. 1615; and to James Tichborne, baptised at same place 14th March, 1615-6, who in 1630 was admitted a scholar of Winchester College, was afterwards a Fellow of New College, Oxford, and died in August, 1684. On 5th March, 1631-2, Bishop Neile granted to Sir Walter Tichborne, knight, for life, the offices of Constable of Farnham Castle, and keeper of the north and south Chases of Farnham; and master of the game, of hunting, hawking, fowling, and fishing throughout the hundred of Farnham, with the ancient fees, etc. His eldest son Benjamin Tichborne died without issue, and the estates of Aldershot and Frimley thereupon devolved upon his second son Francis Tichborne, who lies buried in the chancel at Aldershot, where may be seen a large slab of grey marble enriched with an incised shield of the Tichborne arms, (a crescent for difference,)—with mantling, helm, and crest, and the following inscription:—

HERE LYETH Y^R BODY OF
FRANCIS TICHBORNE, LATE OF
ALDERSHOT, IN COM. SOUTH'TON,
ESQ: WHO AFTER MANY TIMES
INDVSTRIOSLY CROSSING Y^R SEAS
FOR Y^R BENEFITT OF HIS COVNTRY
& FAMILY, DEPARTED THIS LIFE
ATT Y^R PLACE OF HIS BIRTH,
Y^R 12TH IVLY, IN Y^R 69TH
YEARE OF HIS AGE,
ANNOQ. DOM. 1671.

His baptism and burial are thus recorded in the Aldershot Register:—

“Fraunces Tychborne sonne of Mr. Walter Tycheborne esquier was baptised the vth daie of December, 1602,” and “Frances Tichborne Esqr. Sonn of Sir Walter Tichborne, was Burried the 14th of July, 1671.”

Two of the daughters of Sir Walter Tichborne became nuns in the house of the English sisters of the third order of St. Francis, at Brussels, (a community now settled at Taunton, Somersetshire,)—“1623, on 22 June, Theophila Tichborne, the daughter of Sir Gualter Tichborne and his wife Mary White, born at Tichborne, in Hampshire, took the habit of the third order of St. Francis at our monastery of St. Elizabeth of Hungary at Brussells. She was in the 22nd year of her age, and was called in religion Sister Barbara Angell.”

“1629, Frances Tichborne, own sister to the foregoing, took the habit at the same convent in the 26th year of her age; she was born at

Aldershot, in Hampshire,¹ and was called in religion Sister Frances George." "1635, Sister Frances George died of the plague on the 18th October. She lived only twenty-two hours after it had seized her, and received all the rites of the church."

"1658, May 30th, Sister Barbara Angel died of consumption. She received all the last sacraments, and foretold the day and the hour of her death, and continued to the last in her perfect senses, with a loving confidence in God and her Saviour, whom she had most faithfully served."—*Conventual Records*.

Sir Benjamin Tichborne, the third son, was knighted at Aldershot, in his brother's house, on the 2d September, 1618. This was not the only time King James honoured Sir Walter Tichborne with a visit at his manor-house of Aldershot. On 17th August, 1622, the King wrote a letter to Sir Richard Houghton, of Houghton Tower, co. Lancaster,—“Given at our Court at Aldershot, the seventeenth day of August, 1622.” And his Majesty was there again at the end of August, 1623. King Charles I. was sojourning at the manor-house on 24th August, 1627, the aged Sir Benjamin being there at the same time on a visit to his son.²

Sir Henry Tichborne, the fourth son, was knighted at his father's house at Tichborne on the 29th of August, 1623. He was grandfather of Sir Henry who was created a Baronet July 29, 1697, and afterwards Lord Viscount Ferrard, in the peerage of Ireland, but died without a male heir in 1731; his son Henry Tichborne having been drowned in the bay of Liverpool in 1709.

The old Sir Benjamin Tichborne was honoured with visits from King James the First at least four times,³ always on the 29th of August, Sir Benjamin's birthday, upon which the King arranged to honour the old knight with his company.

The King was at Tichborne house on the 29th August, 1611, and there “sat in person three hours (writes Archbishop Laud in his Diary) to hear my cause about the Presidentship of St. John's.”

He was there again on the 29th of August, 1615, and then knighted Sir Henry Clarke, of Avington—a parish about three miles distant.⁴

¹ In the Aldershot Register I found recorded,—“Fraunces Tychborne, daughter of Mr. Walter Tychborne esquier, was bapt. the xxvij of November, a^o 1603.”

² Nichols's Progresses, &c. of King James I. iii. 492, 776, 904. Finetti Philoxenis, p. 221.

³ Nichols's Progresses, &c. of King James I. iii. 98, 492, 904, 1083.

⁴ This Sir Henry Clarke is one of the persons commemorated in the following quaint

He was there on the 29th August, 1618, and knighted Sir Thomas Timperley, his host's son-in-law. (*Vide* pedigree, p. 64.)

He was there on the 25th and 29th of August, 1623, and knighted Sir Henry, the fourth and youngest son of Sir Benjamin Tichborne, as above mentioned.¹

So frequent were the visits of King James, that one of the apartments in old Tichborne House obtained the name of "the King's Chamber," and the worthy baronets of the last generation were wont to tell, as I myself have often heard from their lips, the family tradition, that the King in his progresses among the seats of the neighbouring nobility and gentry, when wearied with their ceremonious receptions and fulsome adulations, (many of them making it a point of courtly breeding to disparage all they had as unworthy of his Majesty's reception,) used to say to his attendants, he would go back to old Ben (Sir Benjamin Tichborne) and his honest hospitality, who always professed to provide the best of everything for his King's entertainment, and pressed him to partake of it with simple and unaffected courtesy.

The good citizens of Winchester were wont to make presents to the old knight and his son "to be their good friends." In 1620 the sum of twenty-two pence was paid "for wine and sugar given to Sir Benjamin Tichborne, knight, and his lady during the time they were at the castle of the city this year. Also given to the cook, butler, and other officials in the house of Sir Richard Tichborne, knight, at the time when the mayor and his suite were entertained and supped there this year, eight shillings and six pence." In 1623: "For two sugar

inscription existing on the wall of the north aisle of the nave of Winchester Cathedral:—"A UNION OF TWO BROTHERS FROM AVINGTON. The Clerk's family were, grandfather, father, and son, successively Clerks of the Privy Seal. William the grandfather had but two sons, both Thomas's; their wives both Amys, their heirs both Henrys, and the heirs of Henry both Thomas's, both their wives inheretrixes, both had two sons and one daughter and both their daughters issueless, both of Oxford, both of the Temple, both officers to Queen Elizabeth and our noble King James, both justices of the peace, both agree in arms, the one a knight and the other a captain. *Si quaras Avingtonium, Petas Cancellum. Impensis Tho. Clerik, of Hyde, 1622.*" The writer of this epitaph lies buried very near to it,—a grey slab on the pavement recording—HERE LYETH THE BODI OF THO. CLERKE, OF HYD ABBYE, ESQ., WHO DIED THE 11 OF FEBRI. ANNO DOMINI 1629." And in the Cathedral Register I remember reading—"A.D. 1629, Thomas Clarke, of Hyde, esqr., was buried Febry. 13th."

¹ Sir Benjamin Tichborne says in his will: "I will my son Henry Tichborne shall have the great gilt silver pot remaining in my possession, which belongeth unto him by the gift of his godfather the Earl of Sussex." Henry Ratcliffe, fourth Earl of Sussex, Governor of Portsmouth, and a Knight of the Garter; married Honora daughter of Anthony Pound, of Drayton, co. Hants, and died on 10th April, 1593.

loaves, one of them given to Sir Richard Tichborne, knight, and the other given to William Savage, esq. the Recorder of the city, twenty-six shillings and three pence; and in payment for wine, sugar, and sweetmeats given by the mayor and corporation to Sir Richard Tichborne, knight, on his return from Brussels this year, nine shillings and six pence." Sir Richard Tichborne was sent by King Charles I. ambassador to Elizabeth Queen of Bohemia, his sister, and brought back with him to England a beautifully executed portrait of the Queen, —her parting gift to Sir Richard, which is still preserved at Tichborne House. Sir Richard Tichborne represented the city of Winchester in Parliament for many years, and his brother, Sir Benjamin Tichborne, was member for the borough of Petersfield. Sir Benjamin lived at West Tisted near Alresford, and during the Civil War his manor-house was garrisoned by the Parliamentary troops, and its owner escaping took shelter in a large oak about a mile from the house, where he is said to have remained hid for several days. The tree is still standing, and known as Sir Benjamin's oak. Whilst the troopers were in the house a singular accident occurred and is recorded in the parish register in these words :

"February 12, 1644. A memorable accident at West Tisted. A soldier, one Leiftenant Jernon (under a gentleman, one Captayne Gibbon, of a Kentish regiment of horse), in the time of our civill warres between King Charles and his Parliament, being quartered at Sir Benjamin Tichborne's house, was buried in the chancel of West Tisted on the north side directly under the little window. He was unfortunately killed by his captaines groome of his horse in the kitchen standing by the fire on the Monday before, being February the 10th, about nine of the clocke at night, shot into his left shoulder and through the backbone with a pistoll charged with two bullets. The captaines man who did it was clered by a council of war, as a thing done *per infortunium*, and not on set purpose or maliciously. The colonel of the Kentish regiment was one Colonel Lucy."

Winchester.

F. J. B.

ANCIENT SCOTTISH SEALS: BY HENRY LAING.

(Continued from p. 48.)

After having described in the Royal and Baronial divisions of his Supplementary Volume a thousand Seals save one, Mr. Laing proceeds to a series of ECCLESIASTICAL SEALS, which are thus arranged: 1. Those of the Bishops of Scotland, in order of their sees (extending from No. 1000 to No. 1105); and, 2. Those of Abbots, Monasteries, &c. (Nos. 1106—1187).

The Bishops had generally two seals, used we presume for different purposes, their oval seal and their round seal. "The



round seal of David Stuart, Bishop of Moray," (so described in its legend,) is here represented. He was consecrated in 1461, and died about 1476. The usual Stuart coat of a fess chequy is here differenced by two crowns in chief, in form resembling that termed the celestial, and by a triple cross-crosslet in base, like the cross of the patriarch of Jerusalem.

His immediate predecessor in the see of Moray had been another of the family of Stuart named James; whose seal, engraved in Mr. Laing's former volume, plate xix. fig. 1, is not very different in design. It presents a shield of arms, bearing a fess chequy between three crowns, all within a plain double tressure. The shield is backed by a crozier, but apparently there is no mitre (the upper part of the seal is imperfect). According to Keith and other authorities, these two Bishops of Moray were brothers: and Douglas has regarded David as a son of Sir John Stewart of Innerneath, Lord of Lorn. The heraldry of their two seals leads us, however, to another conjecture which we consider more probable. Alexander Stewart, "the wolf of Badenoch," who forcibly wedded Isabel Countess of Mar and possessed

himself of that Earldom, to the exclusion of the lady's heirs, is well known to have had one natural son Thomas, to whom and his heirs male there was a limitation in a charter of the Earldom of Mar and Lordship of Garioch, which Earl Alexander succeeded in obtaining after the Countess's death. We are disposed to believe that the two Bishops of Moray were also natural sons of the doughty hero of Harlaw; who, in respect of the lordship of Garioch, bore on his seal *a fess checquy between three open crowns*. When this chieftain had sufficient interest to obtain the Earldom of Mar for one natural son in defiance of the rights of the lawful heir, there is no improbability in his other illegitimate sons being preferred in succession to the see of Moray. His own relationship to the royal house was that of a natural son of Alexander Earl of Buchan, the fourth son of King Robert II.

A particularly fine example of a Bishop's round seal is represented in Mr. Laing's plate ix. fig. 5. It is inscribed—

S' ROTVNDVM ALEXANDRI ARCHI EP'I SANCTI
ANDREE TOTIVS SCOCIE PRIMATIS SE. AP. LEGAT. NAT.

It presents a shield of the arms of Scotland, supported by two unicorns, and suspended upon a magnificent archiepiscopal cross. The owner was Alexander Stuart, a natural son of King James the Fourth by Mary daughter of Archibald Boyd of Bonshaw, who was preferred by the Pope to the Archbishopric of St. Andrew's in 1503,¹ appointed Lord Chancellor of Scotland in 1511, and slain, with his father, on the field of Flodden in 1513.

Another still grander seal of the same prelate is shown in plate xi. fig. 4. The shield and cross are reduced in size, and the unicorns omitted, to make room for standing figures of St. Andrew and the Blessed Virgin,² having a foliated St. Andrew's cross between them, and on either side the thistle of Scotland. This is one of the most elegant productions of the sigillistic art contained in the volume before us.

¹ Misprinted 1509 in Mr. Laing's book.

² "holding an open book," it is said,—but we rather suspect that she bears the Holy Infant as usual, only that his figure has been defaced.



An episcopal seal of the oval form, resembling those of English bishops at the same period, is here exemplified in that of George Lauder, of Balcomy in Fife, Bishop of Argyle from 1427 to 1472. The centre is occupied by a figure of his sainted predecessor, Molocus. Below, the bishop appears at half-length, his hands raised in prayer. Three armorial shields are disposed around, but they present no variety, being each charged with a griffin, the ensign of the Lauders, inclosed within a tressure. The shield at the head of the seal has a coronet. It appears to have been merely from the die-sinker's error that the griffin is *contourné* to the sinister; for the round seal of the same prelate presents the griffin in his proper posture. In the previous divisions of his work Mr. Laing has described several Lauder seals, all bearing the griffin. The royal tressure was used by Lauder of the Bass, of which house was Sir Robert Lauder, Lord Justice of Scotland, 1425 (Supple-



ment, No. 605), Robert Lauder, 1514 (Catalogue, No. 485), and George Lauder, 1603 (Supplement, No. 604).

On the large seal of Bishop Lauder is this legend :

§ georgii dei gracia epi ergadiensis.

and on his round seal :

§ rotundum georgii dei gra epi ergadie.

The seal of EUPHEMIA LESLIE, ABBESS OF ELCHO in 1394 (Supplement, No. 1141), bears no other religious symbol than the head of her crosier, which appears above her shield of arms, the charges of the shield being purely secular and gentilitial. It is altogether a remarkable example of the composite armory which prevailed to a great extent in Scotland. Her father was a Leslie, and her mother a Stewart; and in her shield we have the arms of both those families combined, together with three pallets in the sinister chief, for the origin or meaning of which we have sought in vain.



This lady abbess had previously been Countess of Ross. The earldom of Ross was an ancient territorial dignity, which dated from the reign of Malcolm IV. in the twelfth century; it left the male line shortly after the year 1370. There were two heiresses named Euphemia, and who were both styled Countess of Ross.

William, seventh Earl of Ross, living 1370.

Sir Walter Leslie = Euphemia, Countess of Ross = Alexander Stewart, Earl of Buchan.

Alexander Leslie, Earl of Ross = Lady Isabel Stewart.

Euphemia, Countess of Ross, Abbess of Elcho.

It was to the second Countess Euphemia that this seal belonged. Douglas states in his *Peerage of Scotland* that she "assumed the veil," but he was not aware that she was Abbess of Elcho. She was the daughter of Alexander Leslie, Earl of Ross, by his wife the Lady Isabel Stewart, daughter of the regent Albany, brother

of King Robert III. Mr. Laing confuses her with her grandmother in stating that she "resigned the Earldom of Ross in favour of the Earl of Buchan A.D. 1382." That concession was made by the grandmother in favour of her second husband Alexander Stewart, Earl of Buchan; whose father, King Robert the Second, ratified the act by his royal charter, dated on the 22nd July in that year.

The personal seal of the elder Countess Euphemia is engraved in Mr. Laing's former Catalogue, plate xii. fig. 9. Its design is an eagle displayed, bearing three shields on his breast and wings.¹ The central shield is three lions rampant within a tressure, for the Earldom of Ross. The dexter shield is Leslie, three buckles on a bend; the sinister, three garbs, for Buchan.

Mr. Laing also describes another fine (but much injured) seal, occurring among the Fleurs charters, under the date 1367, and inscribed SIGILLVM WALTERI LESLIE DOMINI DE ROS. Sir Walter was the second son of Sir Andrew Leslie of Leslie, and was already married to the Countess Euphemia in 1365.² In 1379 he styled himself Earl of Ross. On his seal (1367) he quarters his wife's arms, thus: 1. and 4. on a bend three buckles, for Leslie; 2. and 3. three lions rampant, for Ross. The shield is placed upon an eagle displayed. (*Catalogue*, No. 496.)

William Earl of Ross, the Countess's father, has in 1364 on his seal three lions rampant within a double tressure (*Catal.* No. 699); and his ancestor a former Earl William bore three lions (without a tressure) in 1292. (No. 698.)

The seal of THE COLLEGIATE CHURCH OF THE HOLY TRINITY, NEAR EDINBURGH, bears the arms of its foundress Mary of Gueldres, the Queen of James the Second. Above her crowned shield is a representation of the church, and in the heaven above are the words S'CTA TRINITAS VNVS DEVS amid rays of glory,—a substitution for the personal representation of the Holy Trinity, which had been given upon the original seal

¹ The seal of Margaret Stewart, Countess of Angus, of the date 1366, is similar in design: on an eagle displayed three shields: the central indistinct; the dexter a lion rampant, for the Earldom of Angus; the sinister a fess chequé, with a label of three points, for Stewart. (*Catal.* No. 791.)

² Douglas's Peerage of Scotland, edit. Wood.



of the College in 1462. It is further remarkable that the ancient seal (which is represented in Mr. Laing's plate xi. fig. 3) displays, not the arms of the Queen, but those of the first Provost of the College, Sir Edward Boncle. The seal was changed in 1574, the former design being then deemed idolatrous. The letters

D.

M. R. P.

1574

are engraved on the back of the copper matrix, which is now in the possession of J. Dimsdale, esq. and formerly belonged to Richard Gough, esq. Director S.A. Lond. The letters identify it as the seal of the College when Robert Pont was Provost: we are inclined to read them *Donum Magistri Roberti Pont*, rather than *Dominus*, &c.

The following Armorial deductions are derived from the Seals of Corporations in Scotland:—

The practice of Corporations bearing Armorial Ensigns is found to be of comparatively modern date.

In regard to those of the *Dioceses* of Scotland, there can be no

question of their very late assumption, and only five of them have had their arms recorded in the register of the Lord Lyon, on the establishment of that record in 1672, and thus obtained due authority for carrying them. The Seals of the Bishops (which, particularly those of an early period, are rich and beautiful in design), frequently contain ancestral or personal arms, but none belonging to the see.

The Armorial Ensigns of the *Burghs* are, in most instances, perpetuations of the devices that were placed on their ancient common seals, and which, on being transferred to a shield, thereby acquired an armorial character. The same transition may be traced, very generally, in the common seals of our English towns. All the burghs, royal or baronial, had, from the earliest period of their erection, a common seal, the design on which was generally the patron saint, or the shield of the baron from whom its privileges were held. It is not, however, at all common to find any shields on the early burgh seals. Aberdeen is the earliest instance: the date is 1430. Edinburgh, the capital of the kingdom, does not appear to have assumed proper armorial ensigns so early as some other burghs of less importance. It was only in 1732 that the city obtained a patent for the armorial ensigns now borne, though they had certainly been carried several years previously. They were blazoned thus:

Argent, a castle triple-towered and embattled sable, masoned of the first, and topped with three fans gules, windows and portcullis shut of the last, situated on a rock proper. *Crest*, An anchor wreathed about with a cable all proper. *Supporters*, Dexter, A maid richly attired, with her hair hanging down over her shoulders. Sinister, A doe proper.

The successive seals of the City of Edinburgh used in the fourteenth and sixteenth centuries both exhibit on one side a castle (not on a shield) and on the other Saint Giles the patron saint, who in the latter instance is accompanied by his doe.¹ Again, in the common seal of the Chapter of Saint Giles in Edinburgh (*Catalogue*, No. 1019, engraved in plate xxiv. fig. 1,) the saint appears with his doe, and below him is a small shield bearing a castle. This seal, which was in use in 1496, is apparently the

¹ This animal became the symbol of Saint Giles because in his legend he is related to have received his sustenance in the desert from the milk of a faithful doe.

earliest existing authority for the armorial shield. Sometimes the arms of the city are now supported by two does, or fawns, but evidently not in accordance with the patent of 1732. We feel no doubt that Mr. Laing is right in his suggestion that Saint Giles's doe furnished the type of this supporter; and we are further much disposed to conclude that the figure of Saint Giles himself was perverted into that of the maid. It is a metamorphosis not more strange than that which at Liverpool has transformed the eagle of Saint John the Evangelist, with its inkhorn, (which was the device of the ancient seal of that town,) into the fabulous lever holding in its beak a bunch of sea-weed.

At a convention of the Royal Burghs held in A.D. 1673, a resolution was passed, recommending such of the Royal Burghs as had not obtained armorial ensigns immediately to apply to the Lord Lyon for a grant, but very few seem to have complied with this proper recommendation; for it appears that of all the burghs in Scotland using arms, only nineteen are recorded in the Register of the Lord Lyon, and any of the others carrying heraldic insignia are doing so without legal authority.

The practice of corporations, whether for municipal or for trading purposes, having armorial ensigns, has prevailed for a long period; and from the present rapid increase of various trading companies (limited) seems likely to prevail to an *unlimited* extent. In such cases the existence of the King of Arms seems quite ignored, and every banking or other company appears to feel justified in assuming any heraldic blazon it thinks proper. It should, however, be known that the right of any corporate body to use armorial ensigns rests entirely on the same grounds, and is given and protected by the same constitutional authority, as that of private individuals and families; and no corporation, municipal, ecclesiastical, or commercial, can *legally* use them without such authority.

These observations are evidently founded upon competent information, and they are important as applying to England equally as to Scotland.

The seal Nos. 1215, 1216, of the Supplemental Catalogue, on one side of which are the royal arms and the inscription JACOBVS DEI GRACIA REX SCOTTORVM, and on the other a castle, circumscribed SIGILLVM COHETTI (?) DE EDINBVRGH, is no doubt one of the seals of the Cocket or royal customs, of which those for Dunfermline, Inverkeithing, Inverness and Cromarty,¹ Melros, Newhaven, and St. Andrew's, are described in the Catalogue, Nos. 1190-1196.

¹ This is engraved in the *Gentleman's Magazine* for Dec. 1811, the matrix having then been "lately found near the harbour of Aberdeen." It is now preserved in the Advocates' Library.

RECORDS OF THE FAMILY OF CAREY, LORDS
HUNSDON, &c.

(Continued from p. 48.)

INQUISITIONES POST MORTEM. EXCHEQUER SERIES.

WILTES. Inquisicio capta apud Novam Sarum in com. prædicto tertio die mensis Novembris anno Hen. VIII. vicesimo coram Joh'e Ryngewood, Escaetore, post mortem *Willielmi Cary* nuper de hospitio dicti domini Regis armigeri, &c. Qui dicunt quod dictus d'nus Rex Henricus VIII. fuit seisitus de hundredo de Kyndwardeston in com. Wiltes simul cum omnibus suis pertinentibus, &c. et sic seisitus idem dominus Rex ex gratia sua per literas patentes quarum data est vicesimo sexto die Aprilis anno regni sui quintodecimo dederit et concesserit præfato Will'o Cary (per nomen dilecti et fidelis servientis sui Willielmi Cary) hundredum suum de Kyndwardeston in dicto com. simul cum omnibus suis membris et pertinentibus . . . præfato Will. Cary et hæredibus masculis de corpore ipsius legitime procreatis . . . in tam amplo modo et forma prout Edwardus nuper Dux Buckingham' dum vixit ante attincturam suam habuit occupavit seu gavisus fuit, tenendum de dicto D'no Rege et hæredibus suis in capite per servicium, &c.

Juratores prædicti dicunt quod prædictus Will'us Cary . . . in hundredum prædictum ac cetera premissa intravit et fuit inde seisitus, &c. et non obiit seisitus de aliquibus aliis maneriis in dicto Comitatu. Et insuper dicunt quod dictus Will'us Cary in dicto brevi nominatus postea, scilicet vicesimo secundo die Junii anno regni dicti d'ni Regis Henrici octavi vicesimo, obiit et post cujus mortem hundred' ac cetera premissa descendebant Henrico Cary ut filio et hæredi, et quod idem Henricus Cary est et fuit tempore mortis p'd'ci Will'i Cary patris sui ætatis duorum annorum quindecim septimanarum et quinque dierum. In cujus, &c.

BUCKS Inquisicio capta vicesimo nono die Octobris anno Hen. VIII. vicesimo, &c. post mortem *Willielmi Cary* armigeri, &c. States that William Cary died June 22nd, 1529, seized of the manors of Little Brickhill, Boreton in Essington, and of the borough of Buckingham, and markets, courtleets, goods of felons, &c. thereto belonging, which

came to the Crown through the attainder of Edward Duke of Buckingham, and that Henry Cary, his son and heir, was two years old and upwards, &c.

ESSEX. Inquisicio capta apud Brentwood in com. Essex quarto die Aprilis anno Henrici VIII. tricesimo quinto, post mortem *Mariæ Cary* nuper uxoris Will'i Stafford, arm. ac filie et sole heredis Thomæ nuper Comitis Wiltes ac Ormonde. States that she died 19th July, 35 Hen. VIII. seised of the manors of High Rothyng or Rodyng, Great Holland, Hakewell, Foulness, Rochford, &c. in the county of Essex, and that Henry Cary was her son and heir, aged at the 22nd June last past 17 years 15 months and 5 days.

WILLS AND ADMINISTRATION ACTS.

(Drake 54.¹) Memorandum, that uppon the one and twentieth of Julye, anno D'ni 1596, or thereabouts, *the Righte Honorable HENRY LORDE HUNSDON*, late Lorde Chamberlayne, being of perfecte mynde and memorye, after supper the same daie, did speake to the Honorable Sir George Carey, knighte, his sonne, that he woulde not leave hym that nighte, who before was determyned to watche with hym. And afterwarde, betwene twelve and one of the clocke in the nighte aforesaide, the saide Lorde Chamberlaine called hym the saide Sr George Carye by name, and vttered and spoke theise wordes, or like in effecte, folowyng unto hym, viz^t. "George Carey, as yo^u are myne heire and to possesse all and whatsoever I shall leave behynde me, so do I thinke yo^u worthie of y^t, and muche more, for I have alwaies founde yo^u a kynde and loveinge sonne. But because yo^r mother knoweth not howe to deale in suche causes soe well as yo^r selfe, and that I woulde not have her troubled with soe broken and harde estate as I shall leave, I would have yo^u when y^t shall please God to call me to his mercye, which I hope nowe cannot be farre off, to take an administrac'on of all which I will leave to your care and disposic'on, not doubtinge but you will comforte and relieve your mother, who I make accompte must cheifelie depende on yo^u, I being able to leave her nothinge in respecte of that which so good a wief to me and mother to yo^u hath deserved. As also I must leave to your care such of my poore servantes as have served me longe and I have bene able to doe nothinge for. Her Maiestie hath sente me sondrye gratious

¹ This document is so curious and interesting that it is printed *in extenso*.

promyses, that in the worde of a Prynce she would fullye relieve my estate, which yf I shall not live to enjoye that shee will conferre it upon myne. And therefore doubtte not but she will bestowe myne offices upon yo^u, which yf she doe, you maie be the better to my saide poore servantes, which I am not able to recompense, not doubttinge but you wilbe a comforte to my wiefe and the rest of my children, so farre as my poore estate will reache. So havynge declared to yo^u my mynde and resoluc'on for worldlie matters, my mynde is satisfied, which hath longe bene troubled. And nowe I desyer noe longer to lyve, and will trouble myselfe noe further with worldlie causes. And soe I com'ende my selfe to God's mercye, and praie for me good George and the rest." Att which premisses were present and hearinge the same, Zacha. Locke, Raphe Raye, Elizabeth Burley, and others.

Adm'on granted 26 July 1596, to the Hon. Sir George Carey, Knight, Baron of Hunsdon, son of deceased.

(Bolein 68.) *S^r George Carey, of the most hon^{ble} Order of the Garter, Knight, Baron of Hunsdon, Lord Chamberlain to Her Majesty,*" dat. 10 May, 1599. After a long religious preamble, desires to be bur^d within 48 hours of decease in the Chapel in Westminster Church, wherein his father lies, and to have "a faire tombe to the valewe of one thowsand poundes, with my armes and pedigree fairlie sett foorthe," &c. To the poor of Hunsdon, Draiton, Carisbrooke, &c. 200*l.*; to wife, dame Elizabeth, the use of dwelling in the Black Friars, London, and all other lands, ten'ts, &c. in London, and after her death the fee simple to go to daughter Elizabeth Berckley, and to the heirs of her body for ever, remainder to right heirs; to said wife the use of farms and leases of Draiton manor, the mansion house and parsonage belonging to same, and also Harmsworthe farm for life, remainder to said dau. Elizabeth Berckley; to said wife use of leases in Frenningham¹ and elsewhere in co. Suffolk for life, remainder as before; to said wife farms and leases of Bucknam and Frogland co. South'ton, Isle of Wight, with app^{tes}, and to her heires for ever; to grand-dau. Theophila Berckley, 200*l.* per ann. for life; sundry jewels to s^d wife for life, rem^r to s^d dau. Elizth, rem^r to brother John Carey, and same to descend with the barony of Hunsdon for ever; "to my dau. Elizth Berckley, my salte and clocke of goulde sett with rubies and diamonds w^{ch} the Scottishe Kinge gave me when I was Imbassador in Scotland;" to son-in-law M^r

¹ i.e. Framlingham. The lease was granted by the Crown 29 Nov. 34 Eliz. for twenty-one years. (Loder's History of Framlingham, p. 175.)

Thomas Berckley the best horse; to my good lady and dear mother a piece of plate of 30*l.*; to my brother John Carey a cup of 30*l.*; to my brethren in law the Lord Admiral, the Lord Scroope, and Sir Edward Hobbie, each a rapier and dagger worth 10*l.*; to my sisters the Lady Scroope and the Lady Hobbie, my brother Sir Edmund Carey, and my brother Sir Robert, each a ring of 20*l.*; to my cousin Elizabeth Jones a ring of 15*l.*; to William Cotton, gent. a pension of 20*l.* per ann. for life, out of lands in Cornwall; (sundrie legacies to servants;) residue of all goods "to the sweetest companion that ever man hath founde in this lief the Ladie Elizabeth Carey, my faithfull, trewe, and loveinge wief;" appoints s^d wife sole exec^x. Overseers, my loving friends Sir John Scudamore, kt, Sir W^m Spencer, and Sir Rob^t Wroathe, kts.

Codicil, 26 Apl. 1601, to dau. Berckley certain hangings at Hunsdon; to friend Thomas Foster, Councillor at Law, 20*l.*

Proved 27 Sep. 1603, by s^d relict "Dame Elizabeth Hunsdon."

2nd Adm'on, 20 Mch 1617 $\frac{7}{8}$, to Dame Elizabeth Berkley, widow, dau. of testator (who while he lived was of the par. of St Ann's Blackfriars, in City of London) of goods, &c. unadministered by the relict and exec^x Dame Elizth Hunsdon, now also deceased.

(Weldon 29.) *Sir John Carey, knight, Baron of Hunsdon.* Dated March 31, 1617, proved 16 April, 1617, by relict and exec^x. To be bur^d in Hunsdon Church, in the aisle there by me lately new made. To Lady Mary my wife my messuage or ten't in par. of St Bennett, Paul's Wharf, London, called or known by the name of the house or Chamber of Dijana otherwise called Rosamund's, and all my other mess'es, &c. in London. Also my castle manor and lordship of West Harlesey, co. York; also the manors and lordshipp of Daletowne and Ayslaby, co. York; also lordship and manor of Eckington, co. Derby; also the property in Whitby, Faceby, and Scratton; al's Stratton, co. York, and in Spinckhull, Reynoldshawe, Massborough, Ridgeway, Brameley, and Troway, co. Derby; to have and to hold the same after my death and death of Sir Rob^t Carey, for 30 years if she live so long, rem^r to Charles Carey my youngest son. To Sir Henry Carey, kt. my son, sundry furniture, plate, &c. at Hunsdon House, in Hunsdon, co. Herts. To my dau. Ann Lady Lovell 100 angels of gold to buy a cup or jewel To my dau. Blanch Lady Woodhouse, the same To the poor of Hunsdon 40*l.* I appoint my wife sole exec^x. To my brothers Sir Edmond Carey and Sir Rob^t Carey, knts and to my sister the Lady Scroope each 40*l.* for a ring.

(Byrde 102.) *Sir Francis Lovell of Harlinge, co. Norfolk, knight.*

No date of execution, will proved at C.P.C. 12 Nov. 1624. Appoints as executors his brothers Charles and William Lovell, Sir Basill Brooke of Madley, co Salop, knt. and Francis Plowden the elder of Shiplake, co. Oxon, esq. To Margaret Lee, widow, towards her and her children's maintenance, 17*l.* a year; niece Joane Grove 10*l.* a year, and small legacies to servants.

(Scroope 52.) *Sir George Rivers* of Chafford, co. Kent, knight Dated 3 Dec. 1627 (3 Car. I), proved at C.P.C. 5 June, 1630. To be buried according to wife's discretion. Wife and son George Rivers to be executors (the latter proved the will, with power reserved to the former, Dame Judith Rivers); friends Sir Eubulus Thelwall, Master of the Court of Chancery, Richard Amherst of Lewes, co. Sussex, serjeant-at-law, and Edward Rivers of London, esq. a kind and loving brother, to be overseers. To Sir E. Thelwall, 10*l.*, to Ric. Amherst, 20*l.*, to Edw^d Rivers, 10*l.* To son-in-law George Courthope, esq. 10*l.* To the children of William Rivers, my son, 10*l.* According to an Indenture, dat. 20 Mar. 24 Eliz. the sum of 800*l.* is to be raised upon the Chafford Estate by George Rivers one of the executors for his maintenance and preferment. "And yet nevertheless I doe desire that if S^r John Rivers, barronett, my unkind son or his heirs pay the s^d sum of 800*l.* within one month after my decease or give good securities for its payment, and shall ratifie certain leases w^h I have made, then 400*l.* out of the said 800*l.* shall goe to his the s^d S^r John Rivers my unkind sonne his daughter." Otherwise this legacy to be void. A third part of the manor of Woolston, co. Southampton, to be sold for payment of debts and legacies. To loving wife for use of my godson George Bury after her decease my guilt bason and ewer, with such plate as I have set downe in her inventorie. To my goddaughter Rowe a silver tankard. To my daughter Rivers, wife of James Rivers, two silver plate candlesticks. To Penshurst parish, 3*l.* To Asherst parish, forty shillings. Witnessed by George Rivers and additions to will witnessed by Thomas Ravenscroft, Edward Rivers, Francis Poulton, and Richard Isted.

The testator died in par. of S. Bride's, Fleet St, London.

(Skynner 34.) *Mary, Lady Hunsdon, widow, late wife of the R^t Hon. Sir John Carey, k^t, late Baron of Hunsdon, dec^d*, dat. 5 May, 1623, to be bur^d in par. Ch. of Hunsdon, near my late husband, in the new isle there lately erected and builded by him. Whereas I lately purchased of Sir Humphrey Lynde, k^t, a lease of certain ten'ts, &c. in par. of S^t Bennet's, Paul's Wharf, and have demised the same to

Jeffrey Swalman, D^r of Lawe, and Oliver Browne, Citizen and Merch^t Taylor of London, I give out of the rents thereof 2*l.* per ann. to the prisoners in each of the prisons of Newgate, Ludgate, and King's Bench, and 40*s.* per ann. to the poor of S^t Bennet's, Paul's Wharf, and 6*l.* per ann. to Mr. Adams incumbent of s^d parish, so long as he continues so, and 4*l.* per ann. to his successors on condition that they preach a sermon yearly on S^t John's Day in Christmas. (Several other charitable bequests follow.) Whereas I have already delivered to my son Henry Viscount Rochford 3,000 ounces of silver and gilt plate, I bequeath him 2,000 ounces of the same for life, and rem^r to the heir of the house in succession; also my capital messuage in S^t John's Clerkenwell for life, rem^r to his son George Carey, my grandchild; to my dau. Lady Judith, wife to s^d son Henry Viscount Rochford, "the use of my best pearl chain, containing 1,000 great pearls, worth 1,000*l.*, for life," rem^r to the wife of the heir of the house for ever; to my son Charles Carey my house wherein I now dwell near Doctors' Commons, London, commonly called Diana Rosomund; also 100*l.* and 500 ounces of silver and gilt plate; to Mrs. Elizabeth Whitbrooke, whom I conceive my son Charles shall marry, 100 marks to buy her a jewel; to Dame Blanch Woodhouse, my daughter, 100*l.*, 500 ounces of silver plate, &c.; to my son-in-law, Sir Thos. Woodhouse, k^t, 50*l.*, and same to my son-in-law Sir Francis Lovell; to my grandchild Mary, dau. to my s^d son Harry Viscount Rochford, annuity of 30*l.*; to my grandchild Pelham Carey, son of s^d Viscount Rochford, 30*l.* when 16; to my grandchild and goddau. Mary Woodhouse 100*l.* when 16 or married; to my grandchildren Philip and Thos. Woodhouse, and my dau. Woodhouse's younger dau's, each 30*l.* when 16; to my sister Lady Philadelphia Scroope 6 gilt plates; to my brother Robert Lord Carey, Baron of Leppington, 10*l.* for a cup; to my brother Sir Edmund Carey, k^t, 10*l.* for a cup; to my godson Thos. Carey, son of s^d Lord Carey, 10*l.* for a cup, and same to my cousin Drue Drury, of Riddlesworth, co. Norfolk, esq. my good friend Lady Jackson, the Lady Carey in Tuttle Street, Midd^x, and my cousin Mr. Easton's wife; same to my cousin Elizabeth Buggins the elder, her son W^m Buggins to have it after her death; 20*s.* for rings to Sir John Boteler, k^t and bart., and all his children; Sir John Ferries, k^t, and his children; my nephew and godson Nicholas Hide, and his heirs male, to have interest of 30*l.* annually; various bequests to serv^{ts}, &c.; appoints s^d son Henry Visc^t Rochford executor. Codicil, 5 July, 1625: 100*l.* to each of my grandchildren, viz. Mary, Philadelphia, and Judith Carey,

children of the R^t Hon. Henry Lord Viscount Rochford, my son, Mary Carey, dau. of Charles Carey, my son, and Mary Woodhouse, dau. of Sir Thos. Woodhouse, k^t.

Proved by the ex^{or}, Henry Vis^t Rochford, 18 April, 1627.

(Seager 66.) *Thomas Cary*, 2nd son to the R^t Hon. Earl of Monmouth, to be bur^d in Westminster among my ancestors; all my jewels, plate, household stuff, &c. to my wife (except my best and-irons, w^h I bequeath to my gracious master). Cites Indenture, dated 1st Feb. last, between the Earl and Countess of Monmouth of 1st part, himself the 2nd part, W^m Lovinge and Thos. Barnard of 3rd part, and Sir John Trevor, Cha^s Harbord, Nath^l Tompkins, Daniel Benyngfield, Edw^d Barnard, and Tho^s Fisher of the 4th part, for securing of 3,000*l.* to my wife, in case she shall extinguish her estate and claim in and to the manor of Castle Eden and other lands in the B^pric of Durham, &c., said 3,000*l.* to be now paid out of 4,000*l.* due to me from his Majesty. I give to my ex^{ors}, in trust, the manors of Meere, Cary (Curry) Mallett, and Shipton Mallett, in co's Wilts, Dorset, and Somerset, for benefit of my children, and if any die before 21 or marriage, the survivors to be heirs; if all die before 21 or marriage, then 500*l.* to my nephew Sir Thos. Wharton, and 500*l.* to each of the children of my brother Lord Carye when 21 or married, and 500*l.* to my servant Robert Cary, and residue to my wife, with rem^r to my said brother and his heirs; makes some disposition of Clyffe Park, co. Northants, and Sunninghill Park, co. Berks. &c. "Whereas I have contracted with the City of London for the purchase of Norwood Park in Cheshire, and have paid about 666*l.* for same, the residue, 700*l.*, now to be paid." My servants Elliee Price, Tho^s Barnett, and Richard Woodmas to sue for 250*l.* due me from Barnard Hide, and retain the same amongst them. I give 200*l.* for re-edifying and building a church at Barwick, to be paid to the Archbp. of Canterbury. I give 50*l.* to buy a staff with a golden enamelled powmell or handle for my father, and 50*l.* for a gold cup for my mother, and 40*l.* for a golden cup for the Countess of Exeter my mother-in-law, and 20*l.* each to my ex^{ors} and my sister Lady Wharton for diamond rings, and 10*l.* to my sister Lady Carye and her eldest dau. my goddau., and to Mrs. Dorothy Mounforte for rings. To my s^d servant Robert Cary 100*l.*, and to my servant Philip Berry 20*l.*; and to s^d Tho^s. Fisher 50*l.* yearly for 20 years for his pains about executing my will. I entreat my wife to have the care of my children, and appoint for them each 40*l.* per ann. till 14, and after that 100*l.* per ann. till married or 21. Appt. ex^{ors} my wife, the Lord

Cottington, my s^d brother the Lord Cary, the s^d Sir John Trevor, and Thos. Fisher. (Signed) THOMAS CAREY. (No date.)

Proved 18 July, 1634, by Margaret Carey, relict, Henry Lord Carey, and Thos. Fisher, 3 of the ex'ors—power reserved to the others.

(Lee 17.) *Sir Edmond Cary* of Culneham, co. Oxon., kt., dated 26 Aug. 1637. "All my goods, household stuff, leases, chattels, plate and jewells, unto my lovinge wife Judith," and appoint her exec^x. Proved by Dame Judith Carey, relict and exec^x, 13 Feb. 1637.

(Harvey 97.) *Robert, Earl of Monmouth*, one of the Gentlemen of his Majesty's Bedchamber. Dated 3 Sept. 1635. Desires to be buried in Cathedral Chh. of S^t Peter in Westminster in the tomb that his father and mother lie buried in. To wife Elizabeth, Countess of Monmouth, the manor and lordship of Castle Eden, in the bishopric of Durham, and all mess'es, lands and ten'ts whatsoever in Eden and Castle Eden, and in Hesselton, Hulon,¹ and Shotton or elsewhere in s^d b'p'ric of Durham, for life; remainder to my son and heir Henry Lord Cary of Leppington, and to his heirs and assigns for ever. Also to s^d wife, Moore Park, and the mansion, &c. &c. in Rickmansworth, co. Herts, for life, rem^r to my said son and heir apparent and his heirs, &c. To s^d wife all my jewels, plate, household stuff, goods and chattels whatsoever for life, rem^r to s^d Henry Lord Cary, &c. To my dau. the Lady Philadelphia Wharton, 50*l.* To poor of Kenilworth,² co. Warwick, 10*l.* and same to poor of Rickmansworth, to be distributed about the time of my funeral. Appt. ex'ors my s^d wife and s^d son.

Codicil (without date). Confirms former will, and adds sundry legacies to 3 servants, M^r Matthew, Edward Courtney, and Thomas Tucker.

Proved 20 June, 1639, by s^d-son Henry Earl of Monmouth. Power reserved to Elizabeth, Countess of Monmouth, the relict and exec^x.

(Brent 125.) *Dudley Wylde* of the precincts of the late Bishop's Palace of Canterbury, esquire. Dated 15 July, 1653, proved 8 Sep. 1653, at C. P. C. Personal estate to all my sisters and coheirs, and to my uncle Richard Wylde. My wife Mary to be sole executrix (she proved), and after her death all my property to be divided among my sisters and coheirs in fee.

Lady Judith Carey, widow of Sir Edmond Carey, deceased, dated 26 Dec. 1655; codicil May 2, 1656; probate 26 June, 1656. Bequest

¹ Probably Hilton.

² Chamberlain's Letters, June 30, 1618. "Sir Robert Cary obtains a lease of Kenilworth for himself and his son Sir Henry."

to the poor of Culham of 10*l.* Mentions my daughter *Mary*¹ Bury, to whom some ornament set with diamonds. To my grandchild and godson W^m Bury, 50*l.* To my grandchild Tho' Bury, 50*l.* which my dau'r Bury oweth me. To Dr. Tobie Garbrand and Susannah his wife (my grandchild), 50*l.* To my cousin Boucher a striking clock, w^{ch} was S^r Edmond Cary's. All household stuff, &c. &c. to her grandchild George Bury, but none of it is to be moved or sold, but to remain at Culham, with the manor house, to such person as shall enjoy the said manor as his heir. Use of plate, &c. to my dau'r Bury, so long as she shall remain at Culham, &c. &c. Witnesses: Jo. Heron, W. Davis, Tho. Burden, W^m Williams. At foot there is a memorandum, signed Jo. Heron and James Heron, of their having received 200*l.* for the performance of the will. This memorandum bears date 26 Dec. 1655, being the same date as the will itself.

(May 94.) *Henry, Earle of Monmouth*, dat. 21 July, 1659. After a very religious preamble desires "to be buried by some orthodoxicall minister of the Ch. of England according to the booke of Com'on Prayer in the Church of the parish wherein I shall die or in the parish Ch. of Rixmonsworth, in the county of Hartford, where the bodyes of my father and mother and three of my daughters lye now interred." Directs a mon^t to be erected in Rixmonsworth Chh. at a cost of not exceeding 100*l.* Whereas by Indenture dat. 6 Nov. 1652 between self of one part, and W^m Bowyer, W^m Clarke, and Nicholas Burwell of the other part, the manors of Lepington and Barthorpe were settled upon myself for life, rem^f to my wife Martha, Countess of Monmouth, for life; and whereas by another Ind're dat. 16 Feb. 17 Jac. between the late R^t Hon. Robert Earl of Monmouth my father and myself of one part, and the R^t Hon. Lyonell late Earl of Middlesex, Sir John Trevor of London, k^t, and Randall Cranfield of London, gent. brother of the s^d late Earl of Middlesex; and by another Ind're dat. 22 March, 1658, and another dated 23 March, 1658, in w^h my dau's the Ladies Elizabeth, Mary, and Martha Cary joined, &c., and also by divers other Indentures by w^h various estates were disposed and settled, I devise as follows: To my wife Martha, Countess of Monmouth, 500*l.* To my dau. Clanbrassill, whom I have already sufficiently preferred in mar-

¹ The name *Mary* is erased. She was Anne, widow of the testator's only son William Bury, and daughter of Robert Sprignell of Highgate, co. Midd'x. They had issue: 1. George Bury, s. and h.; 2. William Bury, who ob. 12 Feb. 1657 (-8), in his 34th year; 3. Thos. Bury, who ob. 24 July, 1671; and Susan Bury, married to Dr. Tobie Garbrand, all of whom are mentioned above.

riage, 100*l.* To s^d wife certain property in Long Acre, in par. St Martins in fds, sundry plate, jewels, furniture, &c. Also Folkingham Park, &c. in co. Lincoln, Lazenby Grange in Yorkshire, &c. all my other manors, lands, and ten'ts, &c. to my s^d three daughters, Elizabeth, Mary, and Martha Cary. To my cousin Ann Windsor, annuity of 20*l.* for life. To my honest friend John Young of London, esq. a diamond ring of 10*l.* Appoint as ex'ors my s^d dear wife, my friend Mr. W^m Clarke of North Cranley, co. Bucks, clerk. Overseers, my nephew Tho^s Wharton, Knight of the Bath, W^m Bowyer of Denham, co. Bucks, esq. and Nicholas Burwell, of Gray's Inn, co. Middx. esq. Proved 20 June, 1661, by Countess Dow. of Monmouth and W^m Clarke, S. T. P.

(Mico 66.) *Judet (sic) Cary*.¹ Dated 13th Sep. 1665. To be bur^d in parish Ch. where I die, but if in London, then at Westminster in my grandfather's vault. To my father 50*l.* per ann. for life and after his death to the Lady Mary Wharton; to my sister Philadelphia Cary 300*l.*, to my aunt Cary² 100*l.*, to my cousin Mall (*sic*) Cary 100*l.*, to my niece Heveningham and her dau. Abigail 100*l.* to be divided, to my brother Rochford 100*l.*, to my cousin Pellham's wife at Brocklesby 100*l.*, to my Lady Rich at Sunning 50*l.*, to Mrs. Lucy Pellham, my goddau. 50*l.*, to Judith Spencer and Anne Belingham my goddau's, each 10*l.*; to poor widows 250*l.* and 250*l.* to bind young people to trades; to parishes of St. Peter the poor in Broad Street, St. Gregory's by Paul's, St. Martin's in Fields, St. Paul's Covent. Garden, South Carlton and Edlington, 100*l.* to be divided. *To my maid Elenor Pugh and all my plate and clothes, residue to my sister Lady Mary Wharton, and app^t her exec^s. Witnesses: Charles Pelham, Robert Clifton. Proved by Exec^s 7 April, 1666.

(North 106.) *Sir Alexander Fraiser*³ of Doores in the Kingdom of Scotland, K^t and Bart., and First Physician to His Majesty. Dated 9 Oct., 1679. To my eldest son, Alexander Fraiser, 50*l.*, I having

¹ *i. e.* Lady Judith Carey, dau. of the 1st Earl of Dover, buried 1666, at Burton, co. Linc.

² This and the following bequest refer apparently to Elizabeth, widow of Charles Carey, and her daughter and only child Mary Carey, born 1624.

³ Sir Alexander married Mary, fourth daughter of Sir Ferdinando Cary, and relict of Dudley Wyld, of Kent, esq. His career was a strange one, and the references to him in Pepys's Diary and Clarendon's Letters do not give us a high opinion of his private character. He was a D.M. of Montpelier 1st October 1635, and admitted Fellow of the Royal College of Physicians, London, 23 Nov. 1641. Charles II. made him his physician in ordinary, and he attended the royal family at St. Germaine's in 1651 and 1652 (Munk's Roll, i. 215). Sir B. Burke says he was created a Baronet (of Scotland) in 1673, but gives no further information.

been very bountiful to him heretofore; to my dear wife Dame Mary Fraiser the custody and guardianship of Mrs. Bridget Dennis, an idiot from her birth, and the disposition of all her property, the same having been committed to me by H. M. Letters Patent, dated 6 July in 19 of his reign. Also to my said wife the custody, tuition, and guardianship of my son Don Piedro, alias Peter Fraiser, and all his estate till he be 21. Also to my s^d wife the custody of my Charter chest, now (as I suppose) in Edinburgh, and in the custody of my worthy friend Sir Andrew Ramsay, of Abbat's Hall, k^t. Appoints s^d wife sole exec^x. Proved by s^d Dame Mary Fraiser 7 July 1681.

2nd Admo'n, 12 Dec. 1720, to Sir Peter Fraiser, Bart., son of testator, of goods, &c. unadministered by the relict and exec^x Dame Mary Fraiser, now also deceased.

(North.) *Sir Edward Picks*, of the city of Westminster, k^t, possessed of real property in co's Kent, Sussex, and Hants, appoints his wife, Dame Dorothy Picks, sole exec^x. Dated 18 June, 1681. Proved 12 Oct. 1681. Witnesses: Herbert Throckmorton, J. Banthrop, Alice Ansa, Frances Bennett.

(Bond 136.) *Dame Mary Fraiser*, widow, relict of Sir Alexander Fraiser, k^t. dec^d, aged and infirm. Dated 15 Dec. 1695. To the R^t Hon. Cary Countess of Monmouth, now wife of R^t Hon. Charles Earl of Monmouth, my dear daughter, the custody and government of Bridget Dennis, an idiot, and of her estate; also to my s^d dau. all my mess'es, ten'ts, &c. wherever situate, and all my real and personal estate whatsoever, and app^t her sole exec^x.

Proved 21 Jan. 1695-6 by s^d Cary, Countess of Monmouth.¹

(Bond 138.) *Lady Mary Heveningham*, of Ketheringham, co. Norfolk, widow. Dated 7 July, 1691. To be buried in vault under chancel of the church of Ketheringham. To my granddaughter Abigail Heveningham 50*l.* when 21 (I having done bountifully for her father whose only child she is); to my son-in-law, John Newton, esq. 20*l.*; to the Vicar of Ketheringham 10*l.*; to the R^t Hon. the Lady Bellamont and her husband (my nephew, Henry Heveningham, esq.) each 20*l.*; to the R^t Hon. the Lady Elizth Purbeck, wife of Mr. Devol,² 10*l.*; to D^r Henry Parnan, 20*l.*; to my cousin Mrs. Mary Cary,³ 20*l.*;

¹ She was the wife of Charles Mordaunt, created Earl of Monmouth. but better known by his *inherited* title of Earl of Peterborough. See Pedigree No. IV.

² Can this be the widow of Robert Wright, alias Villiers, alias Danvers, who disowned the title of Viscount Purbeck, and died abroad in 1675?

³ Probably the daughter of Charles Carey, esq.

to Mrs. Bridget Bayley 10*l.*; to John Daynes, my bailiff, 10*l.*; to my granddau. Cary Newton (only child of my late dau. Abigail Newton), who has been brought up by me, 100*l.* per ann. till 21 or married; to each of my good friends Sir W^m Farmer, of Eston Nesson, co. North^{ton}, Bart., Sir Henry Munson, of [blank, probably Burton], co. Lincoln, Bart., my cousin Thomas Pelham, of Halland, co. Sussex, esq., and Rich^d Bayly, of Gray's Inn, co. Middx. esq. 50*l.*, and app^t them ex'ors and give them in trust all my personal estate. I bequeath 120*l.* among 12 poor widows, and 120*l.* to apprentice 12 poor boys of Ketheringham, Carlton, Windham, and Hethersed, co. Norfolk; my s^d granddau. Carey Newton to have residue of all my personal estate when 21 or married, but if she die, then out of such residue my s^d trustees to pay the foll^g legacies, viz. to the R^t Hon. the Lord Hunsdon and to my s^d nephew Henry Heveningham, each 500*l.* If both s^d Carey Newton and Abigail Heveningham die before 21 or marriage, then my s^d trustees to invest s^d overplus in purchasing ground and building an almshouse at Ketheringham for 6 poor widows of that parish. To s^d trustees my castle, manor, lands, rents, &c. in Conisbrough or elsewhere, co. York, and all my mess'es, ten'ts, &c. in Mildenhall and elsewhere, co. Suffolk, till my s^d granddau. Carey Newton be 21 or married, when same to her and the heirs of her body, remainder to my s^d granddau. Abigail Heveningham; remainder to my right heirs for ever as to the premises in co. York, and to the right heirs of my late husband Wm. Heveningham, Esq. dec^d as to premises in co. Suffolk.

Proved 27 Jan. 1695-6 by Rt. Hon. William, Lord Leominster¹ and Thos. Pelham, Esq. two of the ex'ors named. Power reserved to Sir Henry Munson, bart. another ex'or named, and to Richard Bayly, the other ex'or named, now deceased.

(Bond 84.) "I, the Right Honorable *Philadelphia Lady Wentworth*, widow, relict of the Right Honorable Thomas Lord Wentworth, my late husband," desire "to be buried in the parish Church of Toddington, co. Bedford, in the vault where my dear Lord my late husband and my dear child Henrietta Maria Lady Wentworth Baroness of Nettledsted lie interred." Whereas my said dear child did by her last will, &c. give legacies to several persons hereafter named, viz. to my sister Winsor 500*l.*; to my sister the Lady Picks 300*l.*; to my niece Fairfax 300*l.*; to Sir W^m Smith, Bart. 1000*l.*; to Ellen Mum-

¹ Sir William Fermor, Bart. was created 12 April, 1692, Baron Lempster of Lempster or Leominster, co. Hereford, and his son Thomas was advanced to an earldom by the title of Earl Pomfret of Pontefract, co. York.

ford 100*l.*; to Mr. Flammingham 100*l.* per ann. for life; and to the poor of Toddington and Stepney each 100*l.* I direct my ex'ors, &c. to see the said sums paid and to erect a Tomb for my said dau. in the room over the vault wherein she is interred, and to expend in the said Tomb not less than 2000*l.*;¹ to the R^t Hon. Sir Rob^t Howard,² Sir W^m Smith,³ and Edward Northey,⁴ and their heirs, ex'ors, and adm'ors on trust, all my manors, lands, houses, &c. in cos. Bedford and Middx., or elsewhere in the kingdom of England and beyond the seas—they to pay my debts, legacies, &c. and divide the residue between them." Dated 2 April, 1696.

Codicil (same date) to the R^t Hon. Lewis Earl of Feversham a diamond ring to cost 1000*l.* at least; to the R^t Hon. Charles Earl of Monmouth 1000*l.* and to the Lady Henrietta Mordant 500*l.*; to my sister Winsor 1000*l.* and to my sister the Lady Pickes 1000*l.*; to the Lady Eliz^h Savage 500*l.*; to Mrs. Charlotte Fairfax 1000*l.*; to Mr. Bryan Fairfax 500*l.*; to Mr. Ferdinando Fairfax 500*l.*; to my Lady Throckmorton 500*l.*; to my niece Charlotte Crinson (Quirinson) 500*l.*; to my niece Scarborough's eldest dau. 500*l.*; to Mr. Henry Pooley of the Temple 500*l.*; to Mr. Thos. Smith, son of Sir William Smith, 500*l.*; to Mrs. Matthews, wife of Col. Matthews, 100*l.* for a ring; to Dr. Wright, Vicar of Stepney, 200*l.*; to Dr. Nicholson 100*l.*; to Mr. Thos. Pennington 500*l.*; to Mr. Pennington's mother 100*l.*; to Mrs. Jane Pennington 100*l.*; to Mrs. Priscilla Pennington 100*l.*; to Mrs. Mary Hubbert, my servant, 50*l.*; to my butler, John Fells, 100*l.*; to Mrs. Mary Fanningham, my servant, 200*l.*; to my gardener, Thos. Rowe, 100*l.*, and to his 2 girls each 20*l.*; to Reginer Fellings 100*l.*, and to his son Jonathan 20*l.*; to the poor of Stepney and Toddington each 100*l.*; to my servant Rich^d Smith 20*l.*; to Mrs. Barbara Cleland 20*l.*

Proved 4 May, 1696, by Hon. Sir Rob^t Howard, Kt., Sir W^m Smith, Bart., and Edw^d Northey, Esq.

(Aston 149.) *Dame Jane Wharton*,⁵ of Mansfield Woodhouse, co. Notts, widow, relict of Sir Thomas Wharton, late of Edlington, co. York, Knight of the Bath, dat. 13 June, 1713. To my dau. Jane

¹ This injunction was probably carried out, as Lady Henrietta's tomb at Toddington is extremely magnificent.

² Sir Robert Howard, of Vasterne, co. Wilts, Auditor of the Exchequer to Charles II. and a wit and minor poet. He died 1698.

³ Sir William Smyth, bart. of Redcliffe, co. Bucks, created a baronet 10 May, 1661.

⁴ Sir Edward Northey, knt. Attorney-General to Queen Anne, died 1723.

⁵ See Table II. The testatrix was the *second* wife of Sir Thomas Wharton and dau. of Rowland Dand, Esq. His first wife was Lady Mary Cary.

Digby, absolutely, all my moiety of the herbage, &c. of Hexgrave Park, and the Lodge called Over Lodge, co. Notts, and all my interest therein, for good of her children as she thinks fit; to my son and dau. Bennett 40*l.* for mourning; to ^sd dau. Bennett 100*l.* to furnish her a room; to son and dau. Digby 40*l.* w^h he borrowed of me to pay to Mr. Hanbury; to ^sd dau. Digby 100*l.* towards renewing lease of Hexgrave Park; to my sister Rosamund Watson 20*l.* for mourning; to Mr. John Chappell and his wife 20*l.* each; to my sister Dand 5*l.*; to my niece Greenwood 5*l.*; to my niece Beardsley 5*l.*; to Eliz^h, Rosamund, and Margaret Moore, dau's. of Mr. Robert Moore 5*l.* each; to my maid Rebecca Bloomer 10*l.*; to my dau's. Eliz^h Bennett and Jane Digby my two annuities of 14*l.* a-year for their lives paid out of the Exchequer for charity; 6*l.* 4*s.* to be paid yearly during life of John Raworth, clerk, of Bilstropp, co. Notts, to make a provision for his wife and children; residue to sister Mrs. Rosamund Watson, my exec^x.

Proved 3 July, 1714, by said Rosamund Watson.

Dame Dorothy Picks, alias *Throgmorton*, of parish of St Mary Savoy, co. Middx. now wife of Thomas Throgmorton, Esq. dated 16 July, 1714, proved 27 Aug^t, 1714. To be buried in Covent Garden Church, by late husband Sir Edward Picks, Knt. Cites marriage ind'res with Throgmorton, 7 Jan. 1681. To Bryan Fairfax, Esq. all the parsonage, &c. of Llanllwny and St Michael Rhosey, in co. Carmarthen; to Charles Fairfax, his brother, 100*l.* Thomas, late Lord Fairfax, owes me 500*l.*, 100*l.* to Ferdinand Fairfax, brother of said Bryan; niece Charlotte Quirinson, niece Lady Jenkinson, niece Anne Scarborough, niece Elizth Scarborough, kinsman Lord Hunsdon. Residue to said Bryan Fairfax, and appoints him sole ex'or.

(Strahan 27.) *Lady Elizabeth Spelman*, of St James's, Westminster, co. Middx. widow. I give to R^t Hon. James Hamilton, Lord Vis^ct Limerick, of the kingdom of Ireland, the following pictures: King Charles II. when a child; Queen Anne Bullen; Henry Lord Hunsdon; Mary Bullen his lady; Henry Lord Leppington, only son to Henry Earl of Monmouth, but died before him; Lady Herbert, her first husband was the Hon^{ble} Thomas Carey; these last five are small paintings. The large family piece, containing Robert Earl of Monmouth and his Countess, Henry Lord Carey afterwards Earl, the Hon. Thomas Carey and the Lady Philadelphia Carey, their younger children; this is a large fine painting. Martha Countess of Monmouth, wife to Earl Henry; the Lady Ann Carey, Countess of Clanbrazil; the Lady Eliz. Carey, who died unmarried; the Lady Martha Carey, Countess

of Middleton, with that of John Earl of Middleton her husband; the Lady Viscountess Mordaunt, dau^r to the Hon^{ble} Thomas Carey; these last six paintings are half-lengths. The Lady Mary Carey, Countess of Denbeigh, and the Lady Elizabeth Spelman, dau^r to John Earl of Middleton and Martha his Countess; these two last paintings are quarter-lengths. To the R^t Hon. Lord Hardwick, L^d High Chancellor of G^t Britain, one picture; to the R^t Hon. the Earl of Orrery a picture of Lady Martha Cranfield when a child, aft^d Countess of Monmouth, and a small portrait of Lady Margaret Cranfield; to my two cousins, M^{rs} Ann and M^{rs} Elizabeth Bierley, my bed of my own working, my own picture in a red coat when a child, the picture of the learned Sir Henry Spelman, and one of Philip Lord Wharton (these three are half-lengths); two others of Lady Elizth Carey and M^{rs} Windsor, quarter lengths. To M^{rs} Judith Corbett my large trunk inlaid with mother of pearl, being a legacy left me by her uncle's widow, M^{rs} Bridgeman, of Cavendish Square; to my cousin Mrs. Querenson, living in Grosvenor St, 100*l.*; to M^r Thomas Norton, of Chancery lane, London, gent. 100*l.* as executor; to the poor of the parish where I shall happen to die 20*l.*; to M^{rs} Esther le Cene 300*l.*; to my servants, &c. &c. My body to be decently interred where I shall happen to die. Dated 2 Nov. 1745. Proved at London 14 Jan. 1747, by Thomas Norton, Esq. sole executor.

ADMINISTRATIONS FROM C. P. C.

1638. May 25. *Sir Ferdinando Carey, knt.*, of St. Martin's in the Fields. co. Middlesex, to wife Philippa.

1649. Jan. 5 *Mary Countess of Dover*, letters of adm'on granted to her husband Henry Earl of Dover.

1649. May 5. *Henry Lord Carey of Leppington*, late of the parish of St. Mary le Savoy, co. Middx., to the Lady Mary Carey, his relict.

1663. Jan. "*Ferdinandus Carey, p'tibus*," (occurs in the Calendar, but the Act Book of the year is unfortunately missing).

1681. June 9. *John Earl of Dover*.

1693. Sep. 23. *Lady Philadelphia Carey*, late of Broxbourne, co. Herts, singlewoman, to Lady Jane Wharton, principal creditor, Lady Mary Heveningham, niece by brother of deceased and next of kin, having renounced.

ADMINISTRATION FROM YORK P. C.

1680. Dec. 3. Dame Mary Cary, alias Payler, late of Nun Monkton, to principal creditor, James Porter, who on the same day adm. to her husband George Payler, of Nun Monkton, Esq., and to Nathaniel Payler, Esq. his son, all intestate.

EXTRACTS FROM THE ROYALIST COMPOSITION PAPERS

1646. Papers relating to Blackwall's estate; mention of a devise by will of the Earl of Danby to Dame Philippa, who married, first, *Sir Ferdinand Carey*, knt. deceased, and afterwards Thomas Blackwall, of Mansfield Woodhouse, co. Notts. (I. 9, 156, &c.)

1651-2. Two Petitions of *Charles Carey*, Esq.; one requesting permission to receive a certain rent; the other praying to be admitted to a composition. (I. 13, 156-7.)

(Without date.) Sir Thomas Fanshaw stands indebted to the Lady *Philadelphia*, the Lady *Judith*, and the Lady *Anne Carey*, daughters of the *Earl of Dover*, for their fortune of 7,000*l.*, for which his lands in Hartfordshire are engaged. (II. 35, 687.)

(Ditto.) *Ernestus Cary*, of Shelford, co. Cambridge, gent. had the manor of Grandams. Particulars of his delinquency when in arms, and petition to compound. (II. 18, 755.)

(Ditto.) Petition of Dame *Mary Carey*, widow, and late wife and relict of *Henry Lord Carey*, dec^d, the Lord Savage and Elizabeth his wife, and Annabella their sister. (I. 13, 189.)

(Ditto.) Holograph petition of *Horatio Carey*, of Sockburn, co. York, acknowledges that he was in the last fight at Worcester, desires to be admitted to a composition for a horse and wearing apparell to the amount of ten pounds. (I. 13, 93.)

(Ditto.) Petition of Sir *Horatio Carey*, k^t, has lately arrived from beyond the seas, and finds his estate, w^h lies in the B'pric of Durham, and co. York, sequestered, prays for letters of safe-conduct. (I. 13, 148.)

PETITION OF JANE CAREY, RELICT OF CAPT. JOHN CAREY, to the King.

(State Papers, Domestic Series, Car. II. 48—50.)

Shews that her late husband faithfully served His Majesty's father in the late wars, and was killed at Lichfield. The late King had conferred the dignity of a Baronet upon him, w^h was not executed owing to his sudden death. Petitioner was left with child of a daughter, who could not inherit the honour nor the estate, w^h has caused petitioner to want. She prays His Majesty to grant her the honour of a Baronet, in order that she may dispose of the same to some one who has been as loyal as her husband.

1660, *Jan.* 5. A certificate under this date is attached, signed by the Earl of Northampton, shews that the s^d Capt. John Carey was a captain in the reg^t under his command, and that he was slain before the close of Litchfield, leaving his relict then pregnant. Recommends her as a deserving object.

THE EXTINCT PEERAGE.

A Genealogical History of the Dormant, Abeyant, Forfeited, and Extinct Peerages of the British Empire. By Sir BERNARD BURKE, LL.D., Ulster King of Arms, author of *The Dictionary of the Peerage and Baronetage, History of the Landed Gentry, Vicissitudes of Families, &c.* New Edition. London: Harrison, 59, Pall Mall, Bookseller to Her Majesty and H.R.H. the Prince of Wales. 1866. Imperial 8vo. pp. xii. 636.

A very long course of years has now elapsed during which the fields of genealogy and family history in the three kingdoms of the British Empire have been assiduously cultivated by Sir Bernard Burke and his late father; and certainly no previous cultivator of the same fields had gathered into the garner such repeated and such abundant harvests. It is not without reason that in the Preface to the present volume Ulster compares his persevering and ubiquitous labours to the Visitations of the Heralds in former times. Like them, he has penetrated into all quarters, and made unremitting personal applications, many of which have no doubt encountered refusal or neglect, as theirs often did: but the general result has been sufficient to reward his toil, and to form a large aggregate of information in this branch of knowledge, which he has placed at the disposal of the public in the most popular and accessible shape.

It is true that, in the compilation of his various works, Sir Bernard has usually been content to accept the best information that was readily available. He has not stopped to examine or criticise very scrupulously; because, if he had done so, he could not have accomplished the great and comprehensive designs which he undertook. He is therefore occasionally open to the charge of having given his countenance,—at least for a time, to mistaken and unsound genealogical conclusions, and even to have been sometimes deceived by false and fabricated stories.

On these points he now speaks with candour, whilst he reviews the accumulated results of his past labours with a justifiable pride.

In this, as in my other literary productions, I have received most valuable aid from many friends and correspondents—a co-operation demanding my most grateful acknowledgments. Thousands and thousands of communications have been made to me in furtherance of my *History of the Landed Gentry* and my *Extant Peerage and Baronetage*, as well as of this my present work, and an amount of knowledge has thus been acquired which could not otherwise have been obtained. The gentlemen of

England did for *The History of the Landed Gentry* in the 19th century what their ancestors did for the Heralds' Visitations of the 16th and 17th: they submitted freely and courteously their pedigrees and family documents, thus enabling me to produce a work which has, for a long series of years, been most favourably received.

In my *Landed Gentry*, as in the Heralds' Visitations, and, indeed, in every similar undertaking, errors must creep in. In some few, very few instances, has false information been imposed on me; even when it has, the recurrence of editions enables me to detect and erase incorrect statements.¹

For myself, this much I will add, that I have endeavoured, during the whole of my arduous genealogical labours, the chief occupation of my past life, to perform my task conscientiously, and that it is a source of infinite gratification to me now to remember that my works have met the approval and encouragement of many of the most distinguished genealogists of my time; of such men as Nicolas and Ormerod, John Riddell and Alexander Sinclair, Lords Farnham, Lindsay, Kildare, and Gort, the Comte de Montalembert, D. O'Callaghan Fisher, and the Rev. John Hamilton Gray.

The two works of Sir Bernard Burke that have appeared in most frequent editions are his *Peerage and Baronetage* and his *Landed Gentry*, each now comprised within the cover of a single volume, and thrown, like a dictionary or encyclopædia, into a general alphabet.

Concurrently with these never-finished edifices, for which the action of time and change demands constant vigilance and labour on the part of their architect, Sir Bernard Burke has been occupied also in raising what may be distinguished as the monumental temples of this class of literature. In his works on the extinct dignities of the Peerage and Baronetage he has collected the historic memorials of families no longer flourishing in their ancient grandeur, but many of whose names must ever remain among the most familiar in the annals of our country.

His volume on the *Extinct Baronetage* was published in 1838. It is not on a very copious scale, and has not hitherto been reprinted.

Of the *Extinct Peerage*, also, we find that there has previously been

¹ Those who have read *Popular Genealogists; or, the Art of Pedigree-Making*, or our review of that work given in our Third Volume, will, on meeting with this passage, at once be reminded of some instances there detailed, and more particularly of the ever-memorable "Coulthart of Coulthart." Nor ought we to be considered relentlessly vindictive in regard to that case of imposture if we mention that, besides the several works catalogued in our vol. iii. pp. 150, 151, 252, into which it was perseveringly obtruded, it also found its way into Sir Bernard Burke's *Royal Families of England and their Descendants*, 1851, where Table cccxii. displays the pedigree of Coulthart of Coulthart! It was upon the imaginary marriage of Cuthbert Coulthart with Lady Elizabeth Hay, daughter of the sixth Earl of Errol (noticed in our vol. iii. p. 154), that the Coulthart of Coulthart, in addition to his other pretensions, founded this claim to Royal Descent!—[EDIT. H. & G.]

only one entire impression; which was first published, so far as the English peerages extend, in the year 1831, and again, with the addition of the peerages of Ireland and Scotland, in 1840. Subsequent editions, bearing later dates, have only some leaves corrected by cancels. In the present reproduction the whole has been recast and greatly amplified in genealogical and biographical details.

Sir Bernard claims to have devoted the most anxious and unremitting attention to the revision and perfecting of this work: not only by reference to a great variety of records, but to the labours of all his predecessors: for England, besides the standard work of Sir William Dugdale, to those of Milles, Brooke, Collins, Jacob, and Banks, and to Sir Harris Nicolas' *Synopsis of the Peerage*, "so ably and learnedly edited, under the title of *The Historic Peerage*, by Mr. Courthope, Somerset Herald"; for Scotland, to the works of Sir Robert Douglas and Wood; for Ireland, to those of Lodge and Archdale; besides many privately printed family memoirs.

Like Sir Bernard Burke's annual volume, the present is subjected to an alphabetical arrangement. For ready reference the convenience of such an arrangement is undeniable; and perhaps it cannot follow a better course than the surnames of families, since many families have enjoyed various titles. Yet there are cases to which it is not entirely suitable. We should not, for example, have looked for our Royal Dukes of the last and present centuries under GUELPH: for we do not think there is sufficient authority for regarding that as their surname. Our Georgian monarchs were of one of those very ancient families that never had any surname. On their Garter and coffin plates these princes have been usually designated "of Brunswick Lunenburg."

So of the name PLANTAGENET, under which Sir Bernard Burke has ranged the junior branches of our elder royal house. This was not an hereditary surname. It was the personal surname of Geoffrey Comte of Anjou, the father of King Henry the Second; but the next who bore it was Richard Plantagenet, Duke of York, the father of King Edward the Fourth. Edward the Fourth gave it to his natural son Arthur, afterwards Viscount Lisle. Beyond these three, we doubt that it was actually borne by any other individual, though it has gradually been adopted by historical writers as the generic name of the race. The sons of our Kings were always named after the places of their birth, as John of Ghent, Lionel of Antwerp, Thomas of Brotherton, Harry of Bolingbroke, Richard of Conisborough (the father of

Richard Plantagenet above named), &c.: and those would be the surnames under which in strict accuracy they should be placed.

Thus the only extinct peers which, in accordance with Sir Bernard Burke's alphabetical arrangement of family names, should appear under the name of PLANTAGENET, would be Richard Plantagenet, Duke of York, and Arthur Plantagenet, Viscount Lisle.

In a parallel case to the princes of Brunswick Lunenburg,—that of the husband of Queen Anne, we find George Duke of Cumberland placed in letter D. under DENMARK : whilst an earlier Duke of Cumberland, the nephew of King Charles the First, is ranged under his Christian name of RUPERT.

In the view of these discrepancies and irregularities we think it was, on the whole, a better plan, that was pursued in the first edition of Burke's *Extinct Peerage*, to treat of the Royal House, in all its branches, as a separate and entire article.

In like manner we should have been inclined to have followed the example, partially given by Dugdale and Banks, of treating the territorial Earldoms, many of which descended, by female inheritance, through several families, as a distinct series : the more modern titular Earldoms might then have succeeded as a second series, in combination with other titular honours of minor grades.

Probably it would give a work of this class a more symmetrical effect if the Baronies by Writ were also kept in a division to themselves, in which case each Barony might be uninterruptedly described (like the old Earldoms) in the succession of families that has enjoyed it. This, however, would of course be dependent upon an alphabetical arrangement of titles, as adopted by Nicolas and Courthope, rather than the alphabet of family names, pursued in the present work : unless, after all, the preference be not accorded to the chronological order, which was observed by Sir William Dugdale.

No plan can entirely dispense with the aid of an Index—except, perhaps, by many cross references ; for we certainly should have been at a loss to find the two Dukes of Cumberland above mentioned, if we had not been assisted by the Index which Sir Bernard Burke has judged it desirable to append to this volume.

And, again, it was only by the same assistance that we found the pages which describe the ancient Earls of Salisbury. These Earls had indisputable surnames : for the progenitor of Patrick the first Earl is designated Edward de Sarisbury in the Domesday Survey : and it is well known that William the natural son of King Henry the

Second, who married the heiress of the first race of Earls, and his somewhat numerous family, for three generations, bore the surname of Longespee. Therefore, under the two names of SALISBURY and LONGESPEE we should have expected to find them in Sir Bernard Burke's volume. We regret that he has perpetuated an old error by placing them under DEVEREUX: for it has been sufficiently shown¹ that Devereux was never the surname of this family: and that the misapprehension arose only from the passing attribution (in a monastic chronicle—the *Book of Lacock*) of the designation of *l'heureux*, or “the fortunate,” to Walter de Roumare, their apocryphal ancestor.²

To the article of “D'Evereux, Earls of Salisbury,” is appended for their

Arms—D'Evereux, Paly of six, gu. and vairé, on a chief or a lion passant sa.

¹ First, in the *History and Antiquities of Lacock Abbey*, by the Rev. W. L. Bowles and J. G. Nichols, 1835, 8vo.; again, in Sydenham's *History of Poole*, 1839, 8vo.; in the *Proceedings of the Archæological Institute, Salisbury Meeting*, 1849; in the *History of Salisbury*, by Hatcher and Benson, 1843, folio (where a “pedigree of the Earl of Salisbury of the first and second houses” will be found at p. 40); if not in other places which we do not now recal to mind.

² The error is of very early date among the Peerage writers, as it occurs in Brooke's *Catalogue*, and it has been handed down to the most recent, for Courthope (in his *Historic Peerage*) still names Patrick and William Earls of Salisbury “de Evreux:” but it is remarkable that Sir W. Dugdale, in his *Baronage*, instead of “Walter de Eureux,” like Brooke, has “Walter de Ewrus,” which, if it had been printed *le Ewrus*, instead of *de*, would have been a faithful transcript from the *Book of Lacock*. Courthope makes the following statement (which is not in his predecessor Nicolas):—“Walter de Evreux, Count of Rosmar in Normandy, accompanied William Duke of Normandy to England, who bestowed upon him lands cos. Berks and Oxon, as appears from the Domesday Survey, where he is called *Comes Ebroicensis*. His eldest son succeeded him in his Norman possessions, whilst those in England descended to his younger son, Edward of Salisbury or Saresbury, Sheriff co. Wilts.” In this statement further error is involved: for the Earls of Evreux were altogether another race: and the *Comes Ebroicensis* of the Domesday Survey was named William. See *L'Art de Verifier les Dates*, and Sir Henry Ellis's *Introduction to Domesday Book*.

There is no trace in authentic records of any such person as “Walter le Ewrus, Earl of Rosmar,” the father (according to the *Book of Lacock*) of Edward of Sarisberie, the Domesday Sheriff of Wiltshire. Edward, however, has been ascertained to have been a brother of Girold of Roumare, who was Dapifer of Normandy before the conquest of England, and from whom descended in the male line William de Romara, or de Roumare, who became Earl of Lincoln in the reign of Stephen. It has been considered probable that there were two successive Edwards, and that the Domesday Sheriff was the great-grandfather, instead of grandfather, of Patrick the first Earl of Salisbury.—See the memoir on the Earldom of Salisbury, in the Archæol. Institute's Salisbury volume, p. 213.

We have often looked in vain for the origin of this coat. It is attributed to the first Earls of Salisbury by Heylin and other old authors; but surely upon no adequate authority.¹

On the present occasion we cannot undertake to enter into a critical examination of the individual articles of this valuable book of reference, content to express our satisfaction upon a more general survey, and to acknowledge the interest of its historical and biographical, as well as genealogical, details. As minor drawbacks, we regret that those details, in their earlier portions, should be interlarded with such anachronisms in point of expression as "his grace," "his lordship," "the hon." &c. &c.; and we cannot conceal that our eye is much offended by the obscure punctuation of the blazon of arms—a subject upon which it will be recollected we offered some general advice in our very first number,—such as

Bromley. Quarterly: per pale dovetail, gu. and or.

Dispenser. Quarterly: arg. and gu.; in the 2nd and 3rd, a fret, or. Over all a bend, sa.

—of which our version would be,

Bromley. Quarterly per pale indented gules and or.

Dispenser. Quarterly argent and gules, in the second and third a fret or, over all a bend sable.

Ferrers. Vairée, or, and gu., a lion passant guardant of the 1st in a canton.

which should be, Vairée or and gules, in a canton of the second a lion guardant of the first,—*otherwise*, a canton of England.

In reviewing the nomenclature of peerages in past time, it is remarked by our author that, in order to furnish titles, the names of all the counties in the three kingdoms have been called into requisition, and many of them repeatedly. Upon the gaps which comparatively recent extinctions have made in the catalogue, Sir Bernard Burke passes the following striking remarks:—

There are, at present, eight English counties which are unrepresented, if I may so express myself, among the existing nobility; but which formerly gave titles of great historic fame, now to be found in the Dormant and Extinct Peerage only, viz.:

1. DORSET, [extinct 1843,] made so memorable by the Beauforts, Greys, and Sackvilles; 2. KENT, [extinct 1820,] which designated a brilliant coronet, worn by the Plantagenets, Hollands, and Greys, and a Royal Dukedom peculiarly interesting to this generation; 3. YORK [extinct 1827] always, and 4. GLOUCESTER [extinct 1834] frequently, a Royal appanage; 5. OXFORD, for twenty Earls the inheritance of De

¹ Without the lion it is the coat of the Comtes de Blois, Paly de vair et de gules, un cheif d'or.—Roll of Arms in Harl. MS. 6589.

Vere [extinct 1702 ; and since of Harley, extinct 1853] ; 6. MONMOUTH, principally remembered in connection with the ill-fated son of Charles II. [Mordaunt, Earl of Peterborough and Monmouth, extinct also in 1853] ; 7. MIDDLESEX, the title of a series of four Earls of the family of Cranfield, before it became the second dignity of the Sackvilles [and extinct with Dorset in 1843] ; and 8. SUSSEX, [extinct 1843] which invested, in succession, with a well-sounding Saxon appellation, the De Albinis, De Warrens, Ratcliffes, Saviles, Lennards, and Yelvertons, and gave title to a popular Royal Dukedom.

WALES has only two counties unappropriated, MERIONETH and FLINT.

IN IRELAND two provinces, ULSTER and CONNAUGHT, and seven counties, KILKENNY, MONAGHAN, FERMANAGH, KING'S COUNTY, QUEEN'S COUNTY, CLARE, and ROSCOMMON ; and in SCOTLAND ten, viz. BANFF, FORFAR, CLACKMANNAN, STIRLING, DUMBARTON, EDINBURGH, LINLITHGOW, KIRKCUDBRIGHT, WIGTON, and KINROSS, have no peers now existing with titles derived from them.

Several of the most antient and historic of our Peerage dignities are under attainder : otherwise the Earl of Stamford would be Marquess of Dorset ; the Duke of Buccleuch, Duke of Monmouth ; the Earl of Abergavenny, Earl of Westmerland ; Captain Charles Stannard Eustace, Viscount Baltinglass ; and Mr. Marmion Ferrers, of Baddesley Clinton, might prove his right to be Earl of Derby,¹ by a creation older than that of the Stanleys.

In course of time, it may be fairly anticipated that these attainders will be reversed ; and that other extinct or dormant titles may be restored to the extant peerage. The Earldom of Wiltes has a collateral heir male in Mr. Scrope of Danby,² the male representative of the house of Scrope, and the Barony of Scrope of Bolton appears to belong to Henry James Jones, Esq., heir-general of the same illustrious race ; Mr. Lowndes, of Chesham, and Mr. Selby-Lowndes, of Whaddon, are co-heirs to the Baronies of Montacute and Monthermer ; Sir Brooke W. Bridges, Bart., is, in all probability, entitled to the Barony of Fitz-Walter ; Lord Dufferin is undoubtedly the senior heir of the Earls of Clanbrassill ; Colonel Kemeys-Tynte has

¹ The Earldom of Derby was forfeited by the family of Ferrers in the reign of Henry III. and was appropriated to the Lancastrian branch of the royal house. Though the direct male descendants of the last (Ferrers) Earl did not fail, it was never restored to them, and it would be strange indeed if their representatives could now establish a claim to it, after the lapse of five centuries and a half. After it had merged in the Crown in the person of Henry IV. it was conferred by Henry VII. on his step-father Lord Stanley ; with whose descendants it still remains. It is however remarkable that Mr. Marmion Ferrers is at once the heir male of the ancient Earls of Derby and also the eldest coheir of the barony of their lineal representatives the Barons Ferrers of Chartley, which descent he inherits through the families of Devereux, Shirley, Compton, and Townshend, his mother having been Lady Harriet Anne Townshend, daughter of the second Marquess Townshend. [REV.]

² Sir William Scrope, the great Lord Treasurer of the reign of Richard II. was created Earl of Wiltshire in 1397, and died in 1399, *without issue*. It is true that this short-lived dignity has been claimed in the House of Lords, by Mr. Scrope of Danby : but, as might be anticipated, without success. When were English Earldoms ever inheritable by "collateral male heirs?" [REV.]

established his coheirship to the Barony of Wharton: Mr. Anstruther-Thomson, of Charleton, co. Fife, is heir-general of the St. Clairs, Earls of Orkney, and Lords Sinclair; a Dillon is unquestionably in existence, the rightful Earl of Roscommon; and a FitzPatrick who ought to be Lord Upper Ossory; Mr. O'Neill, of Shane's Castle, is the heir-general of the Lords O'Neill, as well as the possessor of their wide-spread estate; and many other heirs and representatives of dormant honours will be found named in the following pages.

It is also possible that heirs to some of our old titles might be discovered in foreign countries; most certainly there are, in Spain, France, Italy, and Germany, descendants of several of those noble families which preferred exile to disloyalty; and very probably there are in America other scions of our British nobility besides the Fairfaxes, the Aylmers, and the Livingstones.

Since those passages were written by Sir Bernard Burke, two of the titles which he enumerates as vacant, those of Kent and Edinburgh, have been bestowed by Her Majesty upon her second son,—an event upon which some remarks will be found in a subsequent page.

THE ELEMENTS OF ARMORY.

A SYNOPSIS OF HERALDRY: or, a short and easy method of acquiring the Art of Blazon. With upwards of four hundred engravings illustrating the Arms of many Families. By C. N. ELVIN, M.A., F.G.H.S., Author of a *Handbook of Mottoes, Anecdotes of Heraldry, &c. &c.* London: Robert Hardwicke, 192, Piccadilly. 1866. Small 8vo. pp. 113.

THE GRAMMAR OF HERALDRY, containing a Description of all the principal Charges used in Armory, the signification of heraldic terms, and the rules to be observed in blazoning and marshalling; together with the Armorial Bearings of all the Landed Gentry in England prior to the Sixteenth Century. By JOHN E. CUSSANS. Illustrated with one-hundred-and-ninety-six engravings. London: Longman, Green, and Co. 1866. 12mo. pp. x. 100.

AN INTRODUCTION TO HERALDRY. With nearly one thousand illustrations; including the Arms of about five hundred different Families. By HUGH CLARK. Eighteenth Edition, revised and corrected by J. R. PLANCHE, Rouge Croix Pursuivant of Arms. London: Bell and Daldy, 6, York Street, Covent Garden, and 186, Fleet Street. 1866. 12mo. pp. viii. 280, Plates XLV.

The press still teems with elementary essays upon the art of Heraldry, evincing at least the prevalence of a popular taste for the study, and a demand for books about it sufficient to encourage publishers to produce and multiply them. We have before remarked that nothing has been easier than to compile such books on the plan they were usually performed.¹

¹ We need not here repeat all that we have said at greater length in our vol. i. p. 366.

It has been simply pouring forth from old vessels into new to the best of the concoctor's ability, without any very anxious misgivings as to those misapprehensions and consequent misstatements into which a professor must inevitably fall, who is neither sufficiently informed of the principles of the art he undertakes to unfold, nor sufficiently experienced in its practice, to be competent to teach it. We have welcomed the inauguration of a new school in the works of Planché, Seton, and Boutell, who have pursued another and better course, that of investigating and comparing, with due attention to the dates and events of history, our large and neglected stores of documentary evidence, and the existing remains of ancient armory in seals, sculpture, and painting.

Again, in our last Part we noticed a Transatlantic essay on Armory in which we were glad to recognise some originality of conception and execution, for we cannot repress our conviction that it were better to approach the subject *de novo*, as if it was hitherto unknown, than to pursue the common track for ever, encumbered and entangled amidst its weeds and thickets. Yet, such is the constancy of popular favour when it has once set in, that we have now before us an eighteenth edition of Hugh Clark's *Introduction to Heraldry*, assuming the air of a standard work, as one of the series of Bohn's *Scientific Library*. To render it more worthy of such a distinction, it has had the advantage of having been pruned of some of its absurdities by the hand of Mr. Planché, now Somerset herald, who has prefixed the following

PREFACE.—Clark's *Introduction to Heraldry* has now been in existence for upwards of eighty years, and gone through seventeen editions. In presenting the eighteenth to the public, it is only necessary to say that, in order to secure a continuance of such popularity, the book has undergone complete revision; and, by the omission of some exploded theories, and the correction of a few erroneous opinions, has been rendered, it is hoped, a still more trustworthy handbook to an art as useful as it is ornamental,—to a science, the real value of which is daily becoming more apparent in this age of progress and practical inquiry.

J. R. P.

We recognise Mr. Planché's good sense in the introductory pages with which the book now opens, and the compilation altogether is no doubt much better than it used to be. The chapter on *Heraldry in conjunction with Architecture* consists of ten pages well and usefully filled: and the *Dictionary of Technical Terms*, which occupies nearly half the volume, is copious¹ and practical. In other respects the work has doubtless received many valuable improvements: though there still remains much of the old leaven of mysticism and absurdity, by no means originating with Hugh Clark, but derived from many generations before him: and we just now

¹ Sometimes excessively so, as when (p. 173) after describing the PELICAN HERALDIC it describes the PELICAN NATURAL: or when (in the next page) it informs us that penny-yard pence were first coined in the castle of Penny-yard in Herefordshire!

meet with an amusing example of what has been already said as to books of English heraldry being the eternal echoes of one another, where we are told (in p. 225) that Marquis "hath been a title with us *but of late years*,—the first being Robert Vere created Marquis of Dublin in 1387;" and again (p. 264) after a statement that the first Chancellor made a peer was Sir Thomas Egerton in 1603, it is added, "But *until of late years!* the custom never prevailed that the lord high chancellor of England should be made an hereditary peer of the realm."

Contemporary with this republication of Clark's *Introduction* are issued the two new manuals by Mr. Elvin and Mr. Cussans. These are composed much after the old fashion that we have before described, with little if any original observation, or of the exact and positive results of true archaeological research.

Mr. Elvin, having already compiled a book entitled *Anecdotes of Heraldry*, has been previously conversant with several portions of the subject; yet he shows himself still a novice in its technical details, and even in the main outlines of its early history and progress. After defining Arms as "hereditary marks of honour," he affirms that

In the tenth and eleventh centuries armorial bearings were single and plain, consisting of few figures. (p. 53.)

This assertion is made as if the writer were perfectly unconscious of the existence of any opposite opinions, and we will do him the justice to suppose that he is not so uncandid as wilfully to ignore them. Yet it is almost more strange that he should be wholly unaware of what has been said regarding the Origin of Coat Armour by some of the latest and best writers on the subject, than that he should differ from their conclusions, which, to our mind, Mr. Planché has fairly and truly stated in the opening passages of the new edition of Clark :

Heraldic devices, truly so called, made their first appearance in Europe in the middle of the twelfth century; and about one hundred years later we find Heraldry has become a science in high repute, without our being able to trace its intermediate progress, or discover the names of those who first laid down its laws, or subsequently promulgated them. The earliest heraldic document of which even a copy has come down to us is a roll of arms, that is to say, a catalogue of the armorial bearings of the King of England and the principal Barons, Knights, &c. in this country in the reign of Henry III. and from internal evidence supposed to have been originally compiled between the years 1240-1245.

In "the tenth and eleventh centuries" there were in fact no armorial bearings whatever: or if at that era any particular symbols or particular colours can be identified as having distinguished certain nations, tribes, or families, such can only be accepted as *the connecting link* between our heraldry and that which has been termed by analogy the heraldry of the earlier ages of the world. To support his statement, and indeed to explain his meaning, Mr. Elvin should have advanced some examples of the "few

figures" which constituted the "armorial bearings" of the tenth and eleventh centuries.

Mr. Elvin is far more diffuse, but scarcely more perspicuous, upon "the various sorts of arms:"

It is clear that the ancient division of arms into those of Assumption and Concession is an absolutely exhaustive one, embracing every possible variety of coats. For, since arms are an arbitrary institution, and not one based on the invariable principles of human nature, and therefore not necessarily belonging to every individual, we obviously can only think of them either as taken or given. But, inasmuch as there are various ways in which they may be so taken or given, more recent heralds have, for convenience' sake, further subdivided them into eleven classes, viz. Arms of Dominion, Pretention, Assumption, Patronage, Succession, Alliance, Adoption, Concession, Paternal or Hereditary, Canting or Armes Parlantes, and Community.

These terms are followed by explanations, as it is quite requisite they should be, for few of them can be said to present an obvious meaning.

1. Arms of Dominion are stated to be those which belong to Sovereigns, Princes, and Commonwealths.

2. Those of Pretention, such as are borne by Sovereigns, who, though they have not possession of certain dominions, claim a right to them; as the Kings of England from Edward III. to George III. quartered the arms of France.

3. Those of Assumption, such as might, by the consent of the Sovereign, be legally assumed by one who had made captive any gentleman of higher degree than himself.

4. Those of Patronage of two kinds: 1. parts of arms of feudal lords, borne as marks of dependence; 2. such as governors of provinces, lords of manors, &c. add to their family arms.

5. Those of Succession, such as are taken up and quartered by inheritance, will, or donation.

6. Those of Alliance, taken and quartered by the issue of an heiress or co-heiress.

7. Those of Adoption, borne either single or quartered, according to the will of a testator and a special warrant of the sovereign.

8. Concession. "Augmentations granted by the Sovereign as part of his regalia."

9. Paternal or Hereditary. Such as descend from father to son, from generation to generation.

10. Canting, or Armes Parlantes, those which contain charges hinting at the name.

11. Arms of Community, those of Bishoprics, Cities, Universities, Companies, &c.

Now, all this, set forth at greater length, is also to be found in Hugh Clark, and remains in the new edition: but, after enumerating the "eleven

classes" into which "arms are usually divided by modern authorities," the Editor has appended this remark :

These may fairly be reduced to nine, and even less, as we shall show in our description of them.

The classification, by whomsoever it was made, and we apprehend it is no longer "modern," is evidently one distinguishing the various rights upon account of which Arms may be borne, not one enumerating the "various sorts of Arms" themselves, as Mr. Elvin puts it forth. If we attempt to reckon the "various sorts" of Arms, we can recognise scarcely more than two throughout the preceding catalogue.

Foremost ought to be placed the ALLUSIVE Arms, so ignorantly stigmatised by the writers of the last century,¹ but which are now proved to have been among the most prevalent and most honourable in the earliest times, —as the fleur de lis the emblem of Louis,² the vairé of Ferrers, the lucies of Lucy, the picks of Percy, the acutely pointed fusils of *Montaigu*, and so on almost *ad infinitum*. These are such as were subsequently called Canting Arms, or *Armes Parlantes*, Mr. Elvin's No. 10.

2. The FEUDAL coats are a second variety, and it is that which is described in the first paragraph of Mr. Elvin's No. 4. Examples may be found in all parts of the kingdom; but in none are they more conspicuous than in Cheshire, where so many families bear the garb, adopted from the coat of the Earls of that ancient county palatine. In like manner many ancient Leicestershire families share in the cinquefoil, as do all the Hamiltons, derived from the same source.

3. In the absence of any third variety to be detected in our author's catalogue, we may define it as IMITATIVE, where the heralds have given to persons of the same name, though not of the same family, an ancient coat of arms, with slight difference; or have designed for persons not actually of the same name, but of one resembling another in appearance or sound, a coat founded upon the arms of an ancient family. Both these practices have been very common in modern times, under the authority of the proper officers of arms, and far more common than commendable.

4. As a fourth class we might reckon the ARBITRARY, dictated by choice, invention, or fancy: and originating, we would add, from a better motive than the preceding, particularly if designed in the ancient spirit, with something allusive, either to the name, the position, or circumstances of the parties: such as the "busy bee" on the chief of Sir Robert Peel, or the mace of the Lord Mayor of London, accompanying oak-trees, on that of Sir Matthew Wood.

¹ See our vol. iii. p. 4, note.

² This was adopted as an emblem before it became an armorial charge. So on the seals of our own country, shortly before the rise of Armory, we find the interlaced knots of Lacy, the vetches of Vesey, the *musca* of Muschamp, and other canting allusions to the name, some of which became armorial charges and some not.

5. The fifth and in some respects the most interesting variety of arms is the HISTORICAL, typifying some old family legend, some personal or ancestral achievement; and this, though not included in the classification Mr. Elvin has borrowed from his predecessors, he thus afterwards describes:

HISTORICAL.—Such as are given to commemorate any great warlike achievement or diplomatic service.

It would have been strange indeed had Mr. Elvin overlooked this class altogether, as it furnishes so large a proportion of the material of his former work, entitled *Anecdotes of Heraldry*. To be sure, those “Arms of Assumption” (described in his No. 3) would fall under this class; but then where do they exist? There is, it is true, a very preponderating class of “arms of Assumption,” if we were to understand by that term arms *illegally* assumed by persons who have no right to them whatever; but of arms “legally assumed” from captives or prisoners “of higher degree,” where are the examples? The few that might be found would be of distant date, and might properly be classed under Historical Arms.

If we now turn from the “various sorts of Arms,” to consider the various rights upon which Arms may be borne, we should certainly, as Mr. Planché suggests, reduce them greatly in number, and to “even less than nine,” for we cannot detect more than four:—

1. **CORPORATE.**—This description comprehends the arms of all communities, corporations, and societies, including counties, cities, and towns, abbeys, universities, schools, trading companies, &c. &c. distinguished by Mr. Elvin as Arms of Community (No. 11); and would also include his No. 1, so far as the “Arms of Dominion” may be regarded as belonging to the state rather than the sovereign. But in ancient times the arms of princes were certainly personal as much as those of their feudal inferiors. As for the Arms of Pretension (No. 2), they are obviously the same as the Arms of Dominion, only borne by a pretender as well as by the actual possessor. Then, Mr. Elvin’s second division of Arms of Patronage (the first in Hugh Clark),—“such as governors of provinces, lords of manors, patrons of benefices, add to their family arms, as a token of their rights and jurisdiction,” these again would be of this class, but we have none such in England. Therefore they need not embarrass a treatise upon English Heraldry.

2. **OFFICIAL.**—These resemble the last, but belong to the incumbents of offices individually, during the time of their incumbency, such as the arms of bishops, deans, masters of colleges, &c., and of the Kings of Arms.

3. The main right upon which arms are enjoyed is that of **INHERITANCE**. This applies both to the paternal coat, and to those which are quartered as representing heirs female. The first is correctly defined under Mr. Elvin’s No. 9, whilst his Nos. 5 and 6 both fall under the second description.

4. Arms of **CONCESSION** are scarcely different from the preceding, for they are equally personal property, and, though not actually of Inheritance, are destined to become so. But under this term of Concession we intend not merely what Mr. Elvin speaks of as “Augmentations granted by the Sove-

reign," (No. 8,) but all original grants or augmentations whatever. With them must also be taken those which Mr. Elvin describes as Arms of Adoption, as (if not inherited by right of blood) they cannot be adopted unless also confirmed by the legal heraldic authorities.

Under these four classes therefore, so far as we see, all *legal* claims to arms may be arranged. There is besides, as we have already remarked, a very large number assumed without any right or claim whatever, and these may very properly be stigmatised as Arms of Assumption.

A well-known and well-authorized armorial term, and one that is closely connected with Mr. Elvin's "Arms of Pretension," he thus inadequately expounds in p. 68 :

ESCUTCHEON OF PRETENCE is a shield on which a man carries the arms of his wife.

Yes: but when? Only when that wife is an heiress, and when the husband's family has some *pretension* of hereafter adding those arms to their own. It is true that the term "escutcheon of pretence" has previously occurred in p. 45, and its use is there exemplified in a plate, to which reference should have been made. But the explanation of Quartering in the "Dictionary of Terms" is equally insufficient :

QUARTERING, the regular arrangement of various coats in one shield.

QUARTERINGS GRAND, when quarters are again quartered. (p. 85.)

More fully, but not more clearly, explained in p. 47 :

When the quarterings are again quartered, it is said to be a Grand Quartering—a term which properly applies to the single paternal coat of each individual match with an heiress, in the paternal line only.

This will surely be unintelligible to the novice, whom Mr. Elvin undertakes to instruct by "a short and easy method." While professing to define what a Grand Quartering is, he uses expressions so obscure, that they take a totally different sense. Quarters are "again quartered" continually, to make up an even number in a quarterly atchievement.¹ This, however, is not the writer's meaning. His intention being to explain what a Grand Quartering is, we presume he meant to say that it consists of two or more coats quartered within itself. A Grand Quartering is generally designed to denote the representation of a family different from that from which the possessor is descended in the linear male line; it usually accompanies the assumption of a second name, and unites the two associated coats so inseparably, that if they come to be marshalled with other quarterings they are no longer (as in other cases) spread out among them, but they still remain together as a Grand Quarter. There is no general rule which coat shall take the first place: but it is settled in each instance by the official grant or licence. The paternal coat frequently retains it, even when the assumed

¹ There are instances where two grand quarters are quartered together, producing diagonal lines of the respective coats, four times over, not with the grandest pictorial effect. See the arms of the Earl of Leven and Melville.

name is the final one; but in many cases the assumed arms are directed to be borne in the first quarter.¹ On turning over the engravings to a peerage, abundant examples of these Grand Quarterings will be seen, adopted under considerable variety of circumstances and arrangement. The representatives of the sons of King Charles II. still bear the grand quartering of France and England (repeated in the fourth quarter) which was carried by our sovereigns from the reign of Edward III. to 1801; the Duke of Northumberland bears Louvaine and Lucy as a grand quarter, again quartered with Percy. All the Montagues have adopted the combined quartering of Montagu-Monthermer, the spread eagle² representing that gallant esquire who married the royal widow of the Earl of Gloucester in the reign of Edward I. and afterwards transmitted the inheritance of his blood to the Montacutes Earls of Salisbury. One of the most remarkable instances of grand-quartering is that of Howard, Brotherton, Warren, and Mowbray, borne by all the branches of the house of Howard to denote their descent from the ancient Earls of Norfolk; to which the Carlisle family adds Dacre and Greystock. Courtenay in like manner quarters constantly the lion of the old Earls of Devon: whilst Thynne and Temple have grand quarterings of less substantial origin, invented for them by the heralds of the sixteenth century. Seymour and Pelham, again, have grand quarterings of augmentation, and of interesting historical origin. It would add much attraction to the study of armory to point out to the learner some of these circumstances in which its true meaning resides: though all that is technically necessary in the present case is what we find drily but clearly stated in Clark's Introduction:

When a coat is borne with four or more quarterings, and any one or more of those quarterings are again divided into two or more coats, then such a quarter is termed a *grand quarter*, and is said to be *quarterly* or *counter-quartered*.

The following is Mr. Elvin's account of a Crest:

The Crest is a figure which was originally made of light wood carved, or boiled leather pressed in a mould, into the form of some animal, real or fictitious, set upon a

¹ See the instances of Broadley and Corbet, in our *Heraldic Chronicle* for 1865, vol. iii. pp. 563, 564. So, in the peerage, the Marquess of Ailesbury, by paternal descent a Brudenell, quarters Bruce first; the Earl of Buckinghamshire, paternally a Hobart, quarters Hampden first; the Earl of Cornwallis, Mann first; Lord Viscount Dillon, Lee first; Lord Aylmer, Whitworth first; and so in many other families.

² "This Eagle of Montbermer has been widely distributed among the achievements of our nobility; for it was not only quartered by the Montagues and Nevilles Earls of Salisbury, and the Beauchamps Earls of Warwick, but also adopted by the later Montagues Earls and Dukes of Manchester, and Earls of Halifax and Sandwich, although their connexion with the family of the Earls of Salisbury is more than apocryphal. In another line it has descended to the Earls and Dukes of Montagu, and to the present Duke of Buccleuch, and Lord Montagu of Boughton." The Descent of the Earldom of Gloucester, in the Bristol Proceedings of the Archæological Institute, 1851, p. 73.

wreath, coronet, or chapeau, placed above the helmet. The Crest was sometimes called a Cognizance, from *cognosco*, because it was the mark by means of which the wearer was known when the banner was rent asunder and the shield broken; it served on the battle-field as a rallying point for the leader's followers, and enabled all to observe his prowess. The Crest and Cognizance are distinct devices: the former were only worn by heroes of great valour, and by such as had a superior military command; but Cognizances were badges, which subordinate officers, and even followers, did bear for distinction, not being entitled to a crest.

This is open to the following observations:—

The crest was originally more often the head of an animal, than its whole body: though there was always a great variety of objects used as Crests, as every one knows there is at present; but then they were at first of reasonable size, and knights did not carry on their heads other mounted knights,¹ nor elephants, bridges,² or ships,³ or any other very ponderous burdens. Nor would they have attempted the absurdity of carrying an eagle, gazing at a miniature sun,⁴ which could be only stuck at the end of a wire; or a beehive beset with flying bees,⁵ which would certainly have been

Snatching a grace beyond the reach of art,

so long as Crests were “made of light wood carved, or boiled leather.” The true idea of a crest,⁶ an object of suitable proportions, that could be

¹ The Earl of Fife now bears a knight completely armed, and mounted on a horse at full speed: which knight bears for his crest a demi-lion. It would seem that the whole reverse of an ancient seal had been adopted for the modern crest, and we think we detect its original in what is termed the Earl of Fife's Ring, engraved among the series of Scottish seals in the *Vetusta Monumenta*.

² “Issuant from a bridge of one arch embattled, and having at each end a tower, a demi-bussar in the uniform of the 18th regiment, holding in the right hand a sabre, and in his left a pennon flying to the sinister gules, and inscribed with gold letters, CROIX D'ORADE. *Crest of Lord Vivian*.”

³ *On waves of the sea!* a dismayed ship proper. *Crest of the Earl of Camperdown*. So, *Out of clouds proper* a sun in splendour or. *Crest of Blackwood, Baron Dufferin and Claneboye*.

In the crest of Pellew, Lord Exmouth, as in the chief of his arms, we have a complete marine landscape—In waves of the sea, the stern of a wrecked ship inscribed DUTTON; in the background a hill, upon the top of which a tower with a flag hoisted.

Earl Nelson also has for one of his crests the stern of the *St. Joseph first-rate man-of-war*, floating *in waves proper*; and the Earl of Northesk, again on waves of the sea, the stern of a ship of war, *in flames of fire proper!*

And yet the *Corona Navalis*, composed many ages ago by the Romans, was ready to typify in true taste the sentiment proposed.

⁴ The crest of Viscount Powerscourt.

⁵ That of the Marquess of Lansdowne. And yet this crest, of course without the “bees volant,” has to be represented above the stall of the Marquess, as a Knight of the Garter at Windsor.

⁶ Sir George Mackenzie remarks, “For Crests men choose what they fancy, only it

carved or moulded, has, in these modern instances, been perverted to that of a mere picture drawn on a flat surface.

But to return to our author. The rest of his remarks upon Crests are a mixture of true and false ideas. He rightly says that the Crest and Cognizance were distinct, the former being worn on the helmet, the latter on the sleeve; and yet sometimes the same device was used for both. He is also right that the Crest has been sometimes called a Cognizance,¹ but it has not been correctly so termed. He is right again that Crests were originally worn to point out a leader to his followers, whilst the Cognizance was the distinctive badge of those followers: but the rest of the assertions mixed up with these plain facts are nought but romance.

In p. 92 we read—

TIMBRE signifies the helmet, when placed over the arms in a complete achievement.

This is perhaps taken from some French writer, and may be the fact in modern French heraldry, in which the true crest (now called *cimier*) is exceedingly rare, and a helmet or coronet very commonly takes its place. But in this country the timbre in ancient days was certainly the Crest itself,—in Latin *timbria*, as the *timbria Aquilæ*, which was specially granted by King Edward III. to William Montacute, Earl of Salisbury.

Mr. Elvin's account of Supporters is still more fanciful:

SUPPORTERS are figures represented on either side of the shield, and appear to support or hold it up. They date from the fourteenth century, and their origin is ascribed to the practice of tournaments, where it was the custom that the shields of those who were suffered to participate in them should be exhibited upon the barriers and pavilions within the lists. Pages and Esquires attended to watch their master's escutcheon, and on these occasions assumed the most grotesque and fantastic costumes, enveloping themselves in the skins of lions, bears, &c. and hence arose the custom of using Supporters, which should always be depicted erect.

We must commend the last clause of this passage, as a just and orthodox observation. Supporters should always be depicted erect, and not standing on their four feet, or sprawling in any attitude that ignorant artists may flatter themselves is more graceful, of which we see so many examples in the Lion and Unicorn of the Royal Arms. But all that Mr. Elvin says of the origin of Supporters—derived we see from Menestrier—is undoubtedly a mistake. Any one who will study ancient armorial seals, which were

is not proper to choose *such things as could not stand or be carried by warriors upon their helmets*, such as balances or such other things which cannot either stand fixed or wave with beauty." *Science of Heraldry*, chap. xxix.

¹ So constantly in Scotland, that Sir George Mackenzie asserts that "the old and proper term used in Scotland for a Crest was a Badge." (*Science of Heraldry*, chap. xxix.) But Mr. Seton has very justly regarded that author and his follower Nisbet, who goes further to say that "Crests were anciently called by us *and the English* Badges, and Cognizances by the French and Italians," as in this particular mistaken. (*Scottish Heraldry*, p. 253.)

usually circular, will see how Supporters clearly grew out of the dragons and wyverns that were at first designed as ornamental accessories in the vacant spaces between the shield and the surrounding margin, and were afterwards varied by lions or other animals. Sometimes there are three such animals, one of them running above the shield (but not as a crest), as in the seal of John de Bisshopisdone (13 Edw. III.), where the two lions at the sides are fancifully, and very elegantly, addorsed to the shield.¹

If, instead of two Supporters, one only was used, to hold a banner or shield, he was often set on his haunches, and such may still be imitated, in good heraldic taste, in modern times.

Mr. Elvin shows that he adheres to the old school in retaining the embarrassing term of "ducal coronet," instead of the more distinctive one of **CREST CORONET**, which has been adopted by recent writers; and consequently he has to lay down the paradox that "This Ducal Coronet must not be confounded with the Coronet of a Duke." (p. 30.) Nor does he recognise the elegant Panache,² once the rival of figured Crests. It is still with him "a double plume."

A plume of feathers consists of three. If more are in the plume the numbers must be expressed. Sometimes one plume is placed above another: it is then termed a double plume. (p. 84.)

But for a true taste of the olden vintage, from which he has filled his bottles, only read what he says of the Pelican—

The Pelican is emblematical of the four duties of a father to his children; generation, education, instruction, and good example. (p. 83.)

How that four-fold mystery is made out we need not stop to inquire: but we know for certain that this bird occurs in armory with two distinct meanings. In the coat of Pelham it is simply Canting, or Allusive to the name. In the arms of Bishop Fox,³ the founder of Corpus Christi college, Oxford, and of several other mediæval bishops, it is as certainly a religious emblem, and was regarded as typical of the Saviour himself, as declared in the motto attached to a pelican on the brass⁴ of Dean Prestwich at Warbleton,

Sic Xp'us dilexit nos.

But we must now take our leave of Mr. Elvin, after expressing our approbation of one passage in which he apparently exhibits sufficient courage and discrimination to reject a long string of nonsense that will be found in the older writers:

¹ Drawn in Mr. Hamper's copy of Dugdale's Warwickshire, (Brit. Museum, C. 45 k.) p. 552.

² See our vol. ii. p. 55.

³ "In 1494 he was translated to Durham, and . . . forthwith, out of a great vast hall in the Castle there, did take as much away as made a fair buttery and a pantry, even to the pulpits or galleries on each side the hall wherein the trumpeters or wind-music used to stand to play while the meat was usher'd in; and on the wall, which parted the said buttery from the hall, was a great Pellican set up to show that it was done by him, because he gave the Pellican to his arms." Athenæ Oxon.

⁴ Represented in Sussex Archæological Collections, ii. 307.

ABATEMENT, a mark of disgrace ; but, as persons are not compelled to use arms showing that they have been guilty of some dishonourable action, I consider it useless to give the various forms of abatements in a small work of this kind.

On turning to Hugh Clark, we find that this is exactly what is said by him, but in other words. Both writers, however, have forgotten that one abatement, the bâton of illegitimacy, is still to be found on the coats of the illegitimate descendants of Charles II. and William IV., whilst in many cases, not only the more conspicuous ones of the Dukes of Beaufort and Richmond, but in others dating from a much later origin, a bordure is used as an abatement with a similar meaning. These are strictly Differences of the nature of Abatements ; but there is no occasion to stigmatise them as "marks of disgrace," considering that they constitute merely a slight difference in armorial coats which are otherwise of the most illustrious significance.

We must now notice very briefly Mr. Cussans's *Grammar of Heraldry*. He founds his claims for acceptance on having hit the happy medium in producing a treatise neither too short nor too long, and on giving his illustrations as woodcuts attached to their explanations, instead of troubling his reader to refer to plates at the end of the book. The latter, we presume, is a reflection upon Hugh Clark ; but we do not perceive the triumphant superiority of the plan if it provides only "one hundred and sixty engravings," whilst Clark's are "nearly one thousand." Woodcut vignettes are no doubt preferable if they are well drawn and neatly engraved, but those of Mr. Cussans are neither. Nor are they always correct : as when the lozenge, fusil, masle, and rustre, and some of the crosses, are made to touch the edge of the shield, and the orle of hurts is placed colour upon colour.

In regard to the origin of Coat-armour this author does not limit it to any date, but he deliberately retails the old particulars of the arms of William the Conqueror and Henry II. as if they had never been disputed.

One peculiar fancy which Mr. Cussans parades is to style quarterings "quaterings," and quartered "quatered." The Plain Quartering or Grand Quarters, which we have already discussed, is with him "Quarterly of four, or Quaterly quatered." In p. 21 he confuses the *Inescutcheon* used as a charge,—and not always "on the fess point," when three are borne, as in the arms of Hay,—with the *Shield of Pretence*, which latter term is applicable to marshalling only.

He has adopted (p. 59) the term *Crest-Coronet* ; but he has also (p. 61) a term, *Crest-scroll*, which is at once new and manifestly inappropriate. He says that

Supporters are figures of men, beasts, birds, or imaginary creatures, which, *standing on the crest-scroll*, seem to support the shield placed between them.

Of the Viscount's coronet he says that eight or nine pearls are apparent in representations : although in all modern representations we have seven only.

On matters of title his ideas are strangely ignorant, or else his expressions strangely confused. He tells us (p. 55) that "the daughters of a peer take the same rank as that of their eldest brother during the lifetime of his father. Thus the sons and daughters of a Duke would be styled Marquis and Marchioness respectively." In p. 72 that "The wife of an Archbishop or Bishop derives no title from her husband's rank, and, unless she be a peeress in her own right, is simply addressed as Mrs.;" making no provision for the case (of which there have been several examples) of the Bishop himself being a Peer or a Baronet. Again, "In case of a peer leaving no issue, the title (if by patent) necessarily becomes extinct, as in the case of the late Viscount Palmerston;" taking no account of more distant male heirs of the body of the grantee nor of occasional special remainders. Nor are these the only inaccuracies or imperfections of expression betrayed by Mr. Cussans; but it is not worth while to pursue our examination.

We will only mention further that what are announced in his title-page as "the armorial bearings of all the Landed Gentry in England prior to the sixteenth century," turn out to be merely a transcript from Shirley's *Noble and Gentle Men of England* of the blazon of the families contained in that work, viz. the existing Landed Gentry whose male ancestry in the like position dates from the fifteenth century or earlier. Of course this forms as good a specimen of blazon as can be found for the quantity:¹ but it is evidently a very different thing from the promise of the title-page.

One of our ancient narrative Rolls of Arms, with explanations where required, bringing the terms of ancient and modern blazon, when different, into comparison, would form a much more desirable Appendix for such a manual.

ARCHITECTURE TESTED BY ARMORY.

St. Mary's Church, Nottingham: its probable Architect and Benefactors, with Remarks on the Heraldic Window described by Thoroton. By THOMAS CLOSE, F.S.A., Nottingham: Printed by Richard Allen & Son, Caxton House, 1866. 12mo. pp. 18.

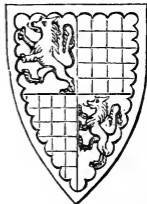
Thoroton, in his *Antiquities of Nottinghamshire*, when describing St. Mary's church in Nottingham, mentions these arms—

In a Window of the South Ile—Quarterly Gules a Lion Ramp. Or; and Cheque Or and Azure, all within a Bordure engrailed Arg. quarterly France and England; and

¹ The idea appears to have been borrowed from the *Practical Manual of Heraldry*, by Messrs. Baigent and Russell, published in 1854, in which the illustrations of Mr. Shirley's book were recommended for study. (See our vol. ii. p. 470.)

that again, impaling quarterly Or, a spread eagle Sable, and Gules a Lion Ramp. Arg. Gules a Saltire Arg. Nevil.

This is copied *literatim*, after the not very lucid typography of Thoroton's book. Mr. Close, the author of the able memoir before us, undertakes to show the proximate date when the beautiful church of St. Mary—at all events its nave and transepts—must have been built, from the evidence presented by this storied window, of which the masonry still remains, but not the glass.



The first shield described by Thoroton was that of Thomas Arundel, Archbishop of York from 1388 to 1396, and afterwards of Canterbury, viz. Quarterly of Arundel and Warren,¹ differenced by a bordure engrailed. The second was that of King Richard the Second; and the third that of the same monarch impaling Germany and Bohemia quarterly, for his first Queen: whose nuptials took place early in 1382, and her much lamented death in June 1394.

The fourth shield was assigned by Thoroton to "Nevil," but Mr. Close has much difficulty in appropriating it to any individual of that family likely to have been connected with Nottingham or its neighbourhood. If for Neville of Hallamshire, the martlet of Furnival is omitted; if for Archbishop Neville, the predecessor of Arundel, it wants the bordure by which he distinguished his coat. Without any difference it is the shield of the head of the family, the Earl of Westmerland.



From this armorial evidence Mr. Close concludes:—

¹ The Archbishop was a younger son of Richard Earl of Arundel, and grandson of Edmund Earl of Arundel by Alice de Warren, sister and heir to John Earl of Warren and Surrey. Seals of his grandfather and his father, both quartering Warren, have been figured in our vol. iii. pp. 54, 56.

The Perpendicular work in St. Mary's church is quite established by the heraldry of its window, as well as by the style of the architecture itself. The two royal shields shew that the works must have been in progress between 1377, the year Richard of Bordeaux succeeded to the throne,—possibly a few years earlier, and have been completed by 1394, when the good Queen Anne of Bohemia died.

Admitting the glass to be of the same time as the tracery of the window, and the surrounding architecture to be all in the same style, or nearly so, Mr. Close's arguments are conclusive. Looking to the testimony of the glass alone, we should be disposed to limit the date still further. We quite agree with Mr. Close that the arms of Anne of Bohemia would not have been put up after her death: and that two years later those of the next Queen, Isabel of France, would have made their appearance; but we do not agree with him in regarding the King's unimpaled coat as necessarily belonging to the period "before his first marriage, which took place in Jan. 1381-2;" because a King does not always, nor usually, impale the arms of his consort. In fact, the shield of France and England alone would probably be placed in the window as the arms of the King, and (at the same time) the impaled shield as those of the Queen: following the practice adopted on their seals, and exemplified in various other instances.

In our view, whilst the date of the window is by the first shield limited to the eight years during which archbishop Arundel presided over the see of York—being then, as Mr. Close observes, frequently resident in the neighbouring palace of Southwell, and (as Lord Chancellor) attendant upon the King in Nottingham castle, the death of the Queen in 1394 further reduces the period of its erection by two years. With that date the surrounding architecture coincides, such architecture as William of Wykeham, then living, had brought to its noblest proportions in his church of Winchester. To that celebrated man Mr. Close is tempted to turn his eyes as the "probable architect," to whom he alludes in his title-page, and he gathers support for this conjecture from Wykeham having been Archdeacon of Lincoln some thirty years before. We can scarcely be persuaded, however, that William of Wykeham, after he had become Bishop of Winchester and Chancellor of England, influenced the architecture of this church at Nottingham further than by the national taste which had emanated from his grand work.

The hood-moulding of a doorway in the north aisle terminates with two crowned heads, which Mr. Close believes to represent King Richard and Anne of Bohemia.

In strict accuracy, the eagle of the Empire should be double-headed, but it is remarkable that it occurs with a single head on Anne of Bohemia's own seal, engraved in p. 204 of Sandford's *Genealogical History of England*. And in the reign of Henry III. it had been sculptured with one head in Westminster Abbey, for the Emperor Frederick II. that King's brother-in-law.

Again, the lion of Bohemia, in due right, is entitled to two tails; but such minor peculiarities were not always regarded, especially for foreign arms.

St. Mary's at Nottingham contains two beautiful canopied altartombs, placed opposite to each other, north and south, in the transepts. Of one of these there is an engraving in Thoroton's book, (p. 487,) inscribed *M. majorum P. RICHARDUS PLUMPTRE generosus*. It is a canopied tomb, upon the table of which were once figures in brass of a man and his wife with a cross flory between them and two shields above. These brasses had been removed before Thoroton's time, together with some brass shields from the front of the tomb, and stone statuettes from the canopy. Mr. Close is of opinion that this monument commemorated either Henry Plumptre esquire, who died in 1408, or his younger brother John Plumptre, a rich merchant of the staple of Calais, five times mayor of the town, and twice its representative in parliament, and the pious founder in 1390 of a charity (Plumptre Hospital) which to this day bears his name.¹ It appears most probable that John Plumptre was buried in the chapel of his hospital, as in 1400 (fifteen years before his death) he founded a chantry at the altar of the Annunciation of the Blessed Virgin Mary, in the chapel built beneath the said hospital. (Thoroton, p. 494.)

Of the opposite tomb the owner is now forgotten. It sustains an interesting effigy of a merchant of the reign of Richard the Second, and we may refer to an excellent representation of that effigy drawn and etched by Mr. Robert Stothard, in the *Gentleman's Magazine* for January 1843. The whole monument is shown in the plate of Thoroton's work (as before), etched by W. Hollar in 1677. In front of the tomb, in niches, were statuettes of a bishop and a queen,² alternated with two angels holding shields.

¹ In the same plate of Thoroton is represented a gravestone inscribed *domus aeterna Joh'is Plumptre An. D'ni. MDLII. defuncti*, and above, within a quatrefoil, the arms of Plumptre, accompanied, in place of a crest, with the initial *p*.

² "In a sitting posture, having a coronet on her head." (Deering's *History of Nottingham*, p. 30,) and so represented by Hollar. Possibly the Blessed Virgin.

“In a high window of the middle [probably a clerestory window of the nave?], and on an old tomb,” was repeated a coat which is figured in the eighth page of Thoroton's plates of arms, and which he thus blazons:—Azure, a crosse paté with a basis and supporting laces between four mullets of six poynts within a bordure engrayled or. For these arms (now removed) Mr. Close has not been able to find an owner. “I suspect” (he says) “they are foreign arms; perhaps of some Bohemian in attendance on Queen Anne; still more probably of some foreign merchant of the staple at Calais, who, visiting his associate and friend John de Plumptre, may have died and been buried in St. Mary's, Nottingham.” We rather think this device has a religious significance, and have some suspicion it may have been intended for the armorial coat of the Priory of Lenton, to which the church of St. Mary's was appropriated. “The armes of this house ys golde and azure quarterly, over all a playn crosse sable bordered gold,” as described in the *Monasticon*, from the Harleian MS. 1499, p. 42: but as engraved in the *Notitia Monastica* it is a Calvary cross sable, standing on a basis of two steps, and fimbriated or. Or the device may have belonged to some guild or fraternity among the townsmen of Nottingham.




Thoroton mentions one more coat: which occurred both in a window of the south aisle and on a tomb which was inscribed, *Orate pro anima Johannis Samon et Agnetis uxoris ejus*. It was, Argent, a bend azure between a mullet pierced and an annulet gules—a device of true mercantile simplicity, and moreover conceived remarkably in the same vein as the coat of Plumptre, which was, Argent, a chevron between two mullets pierced and an annulet in base sable. The Samons were a family of the first rank in the town at the period of the erection of St. Mary's; and they afterwards resided at Annesley Woodhouse in the same county, where they entered their pedigree at the Visitations of 1569 and 1614. They adopted the canting coat of three salmons in pale, with which the above was quartered, in a south window of St. Mary's. (Thoroton, p. 493.)


Mr. Close adds various other particulars of the contemporary families who were probably benefactors to the fabric of St. Mary's; but the armorial insignia which may once have commemorated them have now all disappeared.

English Church Furniture, Ornaments and Decorations at the period of the Reformation, as exhibited in a list of the Goods destroyed in certain Lincolnshire Churches, A.D. 1566. Edited by EDWARD PEACOCK, F.S.A. 8vo. pp. viii. 271.

The substance of this volume consists of a series of returns made in 8 Eliz. by the churchwardens of 150 parishes in Lincolnshire, in regard to the disposal of such articles of Church Furniture as had been used in the preceding reign, but in 1566 were declared to be superstitious or unnecessary. The MS. is inscribed *Inventarium Monumentorum Superstitionis*. To this the Editor has added an appendix of several inventories and other documents of a similar character. His notes are elaborate, and full of curious information in regard to the ancient ritual and its requisites: but we feel bound to mention them more especially because they are full of genealogical information upon Lincolnshire families, and include the following pedigrees: Bellingham, Bishop, Callis, Healey, Meeres, Morley, Peacock, and Turney.

One of the most curious documents of the Appendix is an Inventory of the Goods of the Guild of the Blessed Virgin Mary in Boston, taken A.D. 1534. It is very copious, and abounds with the gifts made by members of rank on their admission to the brotherhood, or filling its offices, as thus:—

Item an altar cloth of tawny damaske w^t Egles standynge on bookes, w^t this l're  crowned, of the gift of m^r John Robynson esquier, w^t the armes of the said m^r Robynson in the myddes of the altar cloth, w^t a frontell of the same therto belonginge havynge the seide armes at every end of the seide frontell.

Item a vestymnt of tawny damaske, w^t Egles standing on bookes, w^t this l're  crowned, w^t an orfray of red velvett, of the gift of m^r John Robynson, and having his armes upon it, w^t all other thinges to the same belonging. (p. 202.)

Item an altar cloth of blak damaske of the gift of the seid m^r John Robynson, w^t his armes standing in the myddes therof, w^t a frontell thereunto belonginge, havynge the seid armes at every ende of the seide frontell. (p. 203.)

This shows how much personal heraldry was employed to decorate ecclesiastical vestments. It is not stated what the arms of Robynson were: but the person mentioned had been alderman of the guild for the years 1520, 1521, and 1522. The Eagle on a book was the symbol of Saint John the Evangelist, which was adopted as the arms of the Scriveners.

Another benefactor named Thomas Aubrey had presented various jewels, and—

Item a basen of silver w^t a rose in the myddes, gilt, w^t gryffyn hedis, of the gift of Thomas Awbre, weynge xx vnces iij q^{ar}ters.

Griffin's heads enter into several coats of this name, as in that of Andrew Aubrey, lord mayor of London in 1339, 1340, and 1351, who bore Or, a saltire azure between four griffin's heads erased gules,—the saltire, or Saint Andrew's cross, typifying no doubt his christian name.



But Thomas Awbrey had also presented to the Guild at Boston a vestment decorated with golden boars, and angels (p. 202) which must have been made for another family.

Subsequently, in the same inventory, we meet with a memorial of Thomas Benolte, Clarenceux, commemorating his holding the office of Bailiff of Boston.

Item a mantell for our Lady of cloth of tyseu, p^rfeld aboute w^t powther armyn, of the gift of maistres Thorneborow.

Item an other mantell of red and purple velvett, with the armes of England thereon, of the gift of Thomas Beynold al' Clarencius, bayly of this towne.

It would seem that this mantle for the image of the Virgin was made of a royal tabard: it was probably that which Benolte had worn as Windsor herald in the reign of Henry VII. and for which another was substituted at the commencement of the next reign. According to Mark Noble, it was in 9 Hen. VIII. that Clarenceux received a grant of the bailiwick of St. Botolph.

Another item of the same inventory is this—

Item xvj bannars to hange abowte the altars in the time of the Jubyle, wherof xiiij of them be w^t the Pope's armes and ij w^t the Kynges armes. (p. 206.)

The Jubilee had been in the year 1525, in the pontificate of Clement VII. We do not feel certain what "the Pope's arms" may have been. Not, we imagine, the personal arms of Clement VII. but in all probability the double-headed eagle displayed was regarded as the armorial ensign of the Popedom (see two papers upon this subject in the *Gentleman's Magazine* for 1847, vol. xxviii. pp. 480, 596,) although in the late Mr. Stacey Grimaldi's *Roll of Arms*, temp. Edw. III. (printed in the *Collectanea Topogr. et Geneal.* vol. ii.) where arms are described for the Emperor, and no fewer than thirty-three Kings, there are none for the Pope. In this same Boston inventory occurs an item of "ij copis of red velvet imbroderyde with splede egles and flowers of gold," valued at xxxs.

ROYAL TITLES OF PEERAGE.

The *London Gazette* of the 25th of May, 1866, announced that her Majesty had been pleased to create her second son Prince Alfred a Peer of the United Kingdom, by the titles of Duke of Edinburgh, Earl of Kent, and Earl of Ulster.

All these titles have previously belonged to members of the Royal Family, but under such different conditions that their present selection and association are remarkably at variance from all former precedents.

Ever since the two royal houses of Lancaster and York were united by the marriage of our first Tudor Sovereign, the second son of the Crown has always had the title of DUKE OF YORK. This title was

borne by Henry second son of Henry VII. during the life-time of his brother Arthur; by Charles, second son of James I. during the life-time of his brother Henry; by James, second son of Charles I. until his own accession to the throne. Two generations later the Stuarts still maintained this tradition: the last survivor of their royal line was the Cardinal of York, who had probably been styled Duke of York by his friends previously to his elevation to the purple at the age of twenty-two. Meanwhile, this Dukedom was given to the next brother of King George the First, to the second son of Frederick Prince of Wales, and to the second son of King George the Third. That in none of the last six creations the Dukedom of York should have descended to a successor must be deemed remarkable, if not unfortunate; but that circumstance has preserved it during three centuries as the second title in the peerage, and thus it awaited the disposal of her Majesty had she pleased to bestow it again in the like manner.

On the other hand, the title of EDINBURGH has never hitherto been used as the primary designation of any of our princes: though it has really been possessed by four of them. It was first bestowed in 1726 on Frederick the eldest son of George then Prince of Wales and King in the following year as George II.; but we apprehend that Frederick was never known by the designation of Duke of Edinburgh. On his grandfather's death he succeeded to the title of Prince of Wales, and on his own death his dignities of peerage were inherited by his son (afterwards King George III.), but still merged in that higher title. In 1764 one of the younger brothers of George III. was created Duke of Gloucester and Edinburgh, but the latter title was always the sleeping partner of the former, both with the first Duke of Gloucester and with his son, upon whose death this peerage,¹ after a duration of seventy years, became extinct in 1834.

The second title conferred on H.R.H. Prince Alfred is that of EARL OF KENT. This first became a royal peerage in 1321, in the person of Edmund of Woodstock, a younger son of King Edward I. It was enjoyed in succession by his two sons, and by the first husband and posterity of his daughter Joan, "the Fair Maid of Kent," who married Sir Thomas Holand, one of the founders of the Order of the Garter, and afterwards Edward the Black Prince, by whom she

¹ "Although the title of Gloucester and Edinburgh is placed here [*i. e.* under the alphabetical arrangement of EDINBURGH,] it is to be remarked that *no separate Dukedom of Edinburgh* was created by this Patent; one Dukedom only was created, and which was of the two cities of Gloucester and Edinburgh."—Courthope's *Historic Peerage of England*, p. 174.

became mother of King Richard II. There were four Holands Earls of Kent, and the last died in 1407. Subsequently, King Edward IV. bestowed this title upon a Neville, and afterwards on a Grey, and the Greys Earls of Kent lasted for two centuries and three quarters; the twelfth and last Earl of that family being elevated to the rank of Marquess in 1706, and to that of Duke in 1710, but finally dying without a male heir to his titles¹ in the year 1740.

It was after an interval of fifty-nine years that King George the Third again made this a Royal title by conferring it upon his fourth son, Prince Edward, the father of her present Majesty. He bore it for more than twenty years, and will always be known by it in history, as will his widow, her Majesty's mother, who survived him for forty-one years, devoted to the education and well-being of her only child (by her second husband)—our present Sovereign.

It might have been anticipated that the title of Duke of Kent would have been reserved for one of her Majesty's younger sons; but in this respect, as before, it has not pleased her Majesty to follow the precedents of the late Royal House of Brunswick Lunenburg.

According to our ordinary usage, the title of Earl of Kent would now become the designation by courtesy of the Duke of Edinburgh's son and heir, should he have one. But that usage, though still paralleled in continental royalty,² was not followed by our last royal

¹ In the year of his death Henry Duke of Kent was also created Marquess Grey, with remainder to his grand-daughter Jemima Campbell: whose daughter, again, was created Countess de Grey in 1816, with remainder to her sister Lady Grantham. Hence the present Earl De Grey and Ripon, Viscount Goderich.

² As in France the sons and grandsons of Louis-Philippe all received titles soon after their birth, and his eldest grandson and presumptive heir was styled the Comte de Paris. This appears to present the title of Comte in higher position than that of Earl sustains in England. But it is evident that in France old titles have been estimated rather with regard to their historical associations than to their reputed grade in point of dignity. The sons of Louis-Philippe were, 1. the Duc d'Orleans, 2. the Duc de Nemours, 3. the Prince de Joinville, 4. the Duc d'Aumale, and 5. the Duc de Montpensier; those of the Duc d'Orleans were the Comte de Paris and the Duc de Chartres; those of the Duc de Nemours were the Comte d'Eu and the Duc d'Alencon; the son of the Prince de Joinville is styled Duc de Penthièvre; and the sons of the Duc d'Aumale are the Prince de Condé and the Duc de Guise. Thus the several titles of Prince, Duc, and Comte ring the changes without regard to the ordinary estimation of those grades of rank. The sons of the late King of Belgium bore the ancient titles of Duke of Brabant and Count of Flanders. The younger sons of the King of Italy are Dukes, but those of the King of the Two Sicilies are Counts.

In France, at one time, certain titles were supposed to be appropriated to the sons of the sovereign, so far as three beyond the Dauphin: "La qualité du second fils est

house ; of whom it will be in general recollection that the present ex-King of Hanover was in his youth usually called Prince George of Cumberland, not Earl of Armagh ; and the present Duke of Cambridge was called Prince George of Cambridge, not Earl of Tipperary. So, the late Duke of Gloucester was in his father's lifetime not called Earl of Connaught, but Prince William of Gloucester. Should this usage be still maintained, the title of Kent will in future be heard no more, but be as completely merged as were, and are, those of Connaught, Tipperary, and Armagh.

Among H.R.H. Prince Alfred's new dignities that of ULSTER alone is the same which was assigned for the Irish title of the three princes of the House of Brunswick already named, who were the second sons in their respective generations. They were all Dukes of York and Albany in the peerage of the United Kingdom, and Earls of Ulster in the peerage of Ireland. The earldom of Ulster had been possessed in early times by the families of de Courcy, Lacy, and de Burgh, and from the last it descended with a heiress to Lionel Duke of Clarence, third son of King Edward III., and so to his heirs the Mortimers, Earls of March. It is thus a semi-royal title, but not of independent standing, having been always merged under one of a higher rank.

The Irish title which was associated with those of Kent and Strathern, in the person of her Majesty's father, was that of Earl of Dublin.¹ This now belongs to H.R.H. the Prince of Wales, upon whom it was conferred (by a distinct creation) in the year 1849,² in

celle de Duc d'Orleans; celle du troisième, de Duc d'Anjou; et celle du quatrième, du Duc de Berry. Apres cela il n'y a plus de fixe." (*Nouvelle Description de la France. Amsterd. 1719, p. 47.*) There might be some foundation for this statement : but such arrangements could last only so long as the "Sons of France" died without issue; and the branch of Orleans, taking root, spread into a goodly tree, whose latest branches have been above enumerated.

¹ His uncle Henry Frederick Duke of Cumberland had also been Earl of Dublin.

² The terms of the patent are, to hold such Earldom "to him and his heirs, Kings of the United Kingdom of Great Britain and Ireland, for ever." By which proviso it might be supposed to be intended that this dignity of Earl of Dublin should hereafter be regarded as annexed to the Crown, and perpetuated among the titles of the Sovereign, as is that of Duke of Lancaster.

Thus, in the possible (however improbable) event of the Prince of Wales dying leaving no surviving son but a daughter as his heir, this dignity would not become extinct, but would attach itself to the line of that daughter, "Kings of the United Kingdom."

We apprehend, however, that, notwithstanding this proviso, the Earldom of Dublin will, on the accession of the Prince of Wales to the throne, actually vest and merge in the Crown, precisely as the titles of Gloucester, Cambridge, and many others have

testimony of her Majesty's satisfaction upon the loyal entertainment which she that year received in Ireland.

In this circumstance we may perhaps detect the motive of the selection of Edinburgh upon the present occasion. As the Prince of Wales had honoured the metropolis of Ireland by annexing her name to his other titles, his brother has more conspicuously honoured the metropolis of Scotland by assuming as his actual designation that of Duke of Edinburgh.

It may be acceptable if we close these remarks by placing in one view the series of such princes of the blood royal as have received titles of peerage since the Union of the Roses.

Son of King Henry VII.

1494. Henry Tudor, created Duke of York: created Prince of Wales in 1503, and became King (Henry VIII.) in 1509.

Son of King James I.

1604-5. Charles Stuart, already Duke of Albany, Earl of Ross, and Lord Ardmanach in the peerage of Scotland, created Duke of York: created Prince of Wales in 1616; and acceded to the throne in 1625.

Sons of King Charles I.

1633. James Stuart, declared Duke of York at his birth in 1633, created 1643; created Earl of Ulster in Ireland 1659; acceded to the throne as James II. 1685.

1641. Henry Stuart, declared Duke of Gloucester 1641; created Earl of Cambridge and Duke of Gloucester 1644;¹ died unmarried 1660.

Nephew of King Charles I.

1644. Rupert, Count Palatine of the Rhine, created Earl of Holderness and Duke of Cumberland 1644; died unmarried 1682.

Sons of James Duke of York (afterwards James II.) by his first wife Anne Hyde.

1660. Charles, designated Duke and Earl of Cambridge; died 1661.

1664. James, created by patent 23 Aug. 1664, Duke and Earl of Cambridge and Baron of Dauntsey, co. Wilts; died 1667.

1666. Charles, designated Duke of Kendal; died 1667.

1667. Edgar, designated Duke of Cambridge; died 1671.

Son of the same by Mary of Modena.

1677. Charles, designated Duke of Cambridge; died 1677.

merged on former occasions, the more recent examples of which will be seen in the present Catalogue of Royal Peerages), and that the Sovereign will then have the same power as his Predecessors have exercised to grant it afresh to his eldest or any other son, or any other person, as may consist with the Royal pleasure.

In fact, we believe the remainder of the Earldom of Dublin is in the same words as are employed in the patent for the dignities of Prince of Wales and Earl of Chester, to which the Prince was created a few days after his birth in 1841.

¹ See a memoir on the Dukes of Gloucester since the accession of the House of Stuart, by the present Garter, in the *Gentleman's Magazine* for Dec. 1851, p. 619.

Husband and Son of the Lady Anne of York (afterwards Queen).

1689. George Prince of Denmark, created Baron of Wokingham, co. Berks, Earl of Kendal, co. Westm. and Duke of Cumberland. Extinct on his death in 1708.

1689. William, designated Duke of Gloucester; died 1700.

The only Son of the Elector of Hanover (King George I.)

1706. George-Augustus of Brunswick Lunenburg, created (in the reign of Queen Anne) Baron of Tewkesbury, co. Glouc. Viscount Northallerton, co. York, Earl of Milford Haven, co. Pembroke, and Marquess and Duke of Cambridge. Became Prince of Wales in 1714, and King in 1727 as George II.

The Brother of King George I.

1716. Ernest Augustus, Bishop of Osnaburg, created Duke of York and Albany in the peerage of Great Britain, and Earl of Ulster in Ireland. Extinct on his death in 1728.

Sons of George Prince of Wales (George II.)

1717-18. Frederick Lewis (afterwards Prince of Wales), who in the life-time of his grandfather King George I. was nominated Duke of Gloucester, Jan. 10, 1717-18:¹ but subsequently on the 15th July in the year 1726 was created Baron of Snowdon, co. Carnarvon, Viscount of Launceston, co. Cornwall, Earl of Eltham, co. Kent, Marquess of the Isle of Ely, co. Cambridge, and Duke of the city of Edinburgh in Scotland. Succeeded as Prince of Wales 1727; died 1750-1, and was succeeded by his son, afterwards George the Third.

1726. William Augustus, created (by his grandfather George I.) Baron of the Isle of Alderney, Viscount of Trematon, co. Cornwall, Earl of Kennington, co. Surrey, Marquess of Berkhamstead, co. Hertford, and Duke of Cumberland. Extinct on his death in 1765.

Brothers of King George III.

1760. Edward Augustus, created Duke of York and Albany in Great Britain; and Earl of Ulster in Ireland. Extinct on his death in 1767.

1764. William Henry, created Duke of Gloucester and Edinburgh in Great Britain; and Earl of Connaught in Ireland. Extinct on the death of his son the second Duke in 1834.

1766. Henry Frederick, created Duke of Cumberland and Strathern in Great Britain; and Earl of Dublin in Ireland. Extinct on his death in 1790.

¹ For some reason now unknown (unless it was a difficulty regarding the Prince's naturalisation, for he never even came to England during his grandfather's life,) the patent was not proceeded with. There is an octavo portrait (by G. Vertue) of Frederick Lewis, as a boy, but after he had been elected Knight of the Garter in 1717. In its first state he is designated Frederick *George* Duke of Gloucester; in its second Frederick *Augustus* Prince of Wales.

About the same period an infant brother of the same Prince was living, who was born Nov. 2, 1717, and died in February following. In a contemporary print he is represented in his nurse's arms, and styled William George Duke of Gloucester (see the *Gentleman's Magazine*, Nov. 1851, p. 512). This can only be explained as having originated from some misapprehension regarding the title then proposed to be given to Frederick Lewis.

Sons of King George III.

1784. Frederick, Bishop of Osnaburg, created Duke of York and Albany in the peerage of Great Britain, and Earl of Ulster in Ireland. Extinct on his death in 1827.

1789. William Henry, created Duke of Clarence and St. Andrew's in Great Britain; and Earl of Munster in Ireland. These dignities merged in the Crown on his accession to the throne as William IV. in 1830.

1799. Edward, created Duke of Kent and Strathern in Great Britain; and Earl of Dublin in Ireland. Extinct on his death in 1820.

1799. Ernest Augustus, created Duke of Cumberland and Teviotdale in Great Britain; and Earl of Armagh in Ireland. Now vested in his son the ex-King of Hanover.

1801. Augustus Frederick, created Duke of Sussex, Earl of Inverness in North Britain, and Baron of Arklow in Ireland, all in the peerage of the United Kingdom because of the recent Union of England and Ireland. Extinct on his death in 1843.

1801. Adolphus Frederick, created Duke of Cambridge, Earl of Tipperary in Ireland, and Baron of Culloden in North Britain (all dignities in the peerage of the United Kingdom). Now vested in his son the present Duke of Cambridge.

Sons of her Majesty Queen Victoria.

1849. Albert Edward, Prince of Wales, created Earl of Dublin.

1866. Alfred, created Duke of Edinburgh, Earl of Kent, and Earl of Ulster.

DOUBTFUL BARONETCIES.

TO THE EDITOR OF THE HERALD AND GENEALOGIST.

Whitemead Park, Coleford, 2nd October, 1866.

SIR,—My attention has been directed to an article in your August number "On Doubtful Baronetcies," among which Mr. Serjeant Burke includes that of "Campbell of Aberuchill." I was certainly very much surprised to find that there could exist the least doubt in regard to the hereditary honour which I and my ancestors have enjoyed, as Baronets of Aberuchill, since the year 1627.

Douglas's Baronage, to which work I beg to refer you, contains an account of the creation of the baronetcy in favour of my ancestor, Sir James Campbell of Aberuchill, and brings down the pedigree and title to the person of Sir James Campbell the 4th Baronet, my grandfather, who was succeeded by his second son Alexander—his eldest son Colin having died, without issue, in his father's lifetime. Sir Alexander was my father, and, as his eldest son, I succeeded him in the year 1824. The descent is therefore most unimpeachable, having uniformly been from father to son; no collateral descendant ever succeeded to the baronetcy. I may mention that the estate of Kilbryde, possessed by me, was purchased by Sir Colin Campbell, the 2nd Baronet, and was strictly entailed by my grandfather Sir James.

Serjeant Burke, in the article in question, uses a very vague mode of expression in speaking of the "doubtful baronetcies." He first enumerates

the baronetcies which he considers "particularly requiring looking into," and then he adds, "most of these are borne by distant collateral descendants, one through an heir female, and all by questionable inheritance; or at all events by pedigrees requiring investigation and confirmation by a competent tribunal." After what I have stated, it will be seen that no investigation is necessary as to my pedigree, the case being clear as day.

In these circumstances I trust you will make such an explanation in your next number as the case demands.

I am, Sir, your obedient Servant,

JAS. CAMPBELL, of Aberuchill, Bart.

Note. Having submitted this letter to the perusal of Mr. Serjeant Burke, we are favoured by him with the following remarks:—

"What Sir James Campbell states above as to his Baronetcy may be perfectly true, but it would be satisfactory if there were some positive public record of it. The assertion that it is a Baronetcy 'particularly requiring looking into' was grounded on the fact that in most modern Baronetages this Baronetcy is vaguely and dubiously given. Burke's *Peerage and Baronetage* in its earlier editions enters Sir James Campbell, Bart. of Aberuchill, as a Baronet of Nova Scotia, without any pedigree or date of creation whatever. The edition even of 1839 is the same, except that the creation is stated 13th Dec. 1627. In the edition for 1866 scarcely any pedigree is yet given, and the present Baronet is said to be the son of 'Alexander (not Sir Alexander) Campbell of Kilbride, who married in 1816 Margaret Coldstream.' Dod's *Baronetage* names the Baronetcy as created in 1628. Lodge's *Peerage and Baronetage* for 1866 makes the father of Sir James 'Sir Alexander Campbell, Bart.' and dates the creation 1627. Lodge's *Peerage* of 1859 names the present Baronet Sir James Campbell as the ninth Baronet, whereas on his own showing, in his letter, he must be the sixth Baronet—a curious circumstance, because if so, as he succeeded in 1824 (aged six), and the Baronetcy was created in 1627, there must have been only five Baronets before him within a space of one hundred and ninety-seven years. Debrett's *Baronetage* for 1865 calls Sir James Campbell, the present Baronet, 'the second Baronet,' and the edition for 1866 the '8th Baronet,' while it should be observed, in no other Baronetage of the present day is any number given to Sir James, to shew what Baronet in the descent he is. As these discrepancies are of some duration, Sir James's attention must have been called to them: at any rate, from their occurrence, and from the further facts that in the account in Douglas's *Baronage* no date is given to any birth, marriage, or death after 1703; and that there is no entry in the Lyon Office relating to this Baronetcy later than 1694; it is surely not too much to say that the Baronetcy of Campbell of Aberuchill is one which calls for such inquiry as may make its history and pedigree clear to the public."

“THE COULTHART ARMORIALS” AGAIN.

To the Editor of the HERALD AND GENEALOGIST.

SIR,—You must not flatter yourself that you have as yet succeeded in discountenancing the further propagation of “the Coulthart armorials,” with their attendant fictions.

A new book, bearing the date 1866, has been published under the title of *A Synopsis of Heraldry*, by C. N. ELVIN, M.A. It has a dedication plate inscribed “To John Ross Coulthart, Esquire, of Croft House, Ashton under Lyne, one of her Majesty’s Justices of the Peace for Lancashire,” under a representation of the arms which were granted to Mr. Coulthart by the English College of Arms in 1859, and which are described in your vol. iii. p. 253.

So far, so well: but in a subsequent plate the usurped arms are also engraved, not once, but twice,—once with supporters, and again without them: and in p. 39 the same are thus described:

Arms. Ar. a fesse betw. three colts courant sa.

Crest. A war-horse’s head coupéd ar. armed and bridled ppr. garnished or.

Motto. Virtute non verbis.

The ensigns armorial of the Coulthart family, now represented by John Ross Coulthart, Esq. as matriculated in the Lord Lyon’s Office, Edinburgh.

The arms with supporters, as depicted on P. at page 37, are held by prescriptive right by the family of Coulthart. Lower, in his *Patronymica Britannica*, on the origin and progress of surname literature, says, “It is deserving of mention that the head of the Coulthart family has immemorially borne supporters to his coat-armour allusive to the name, and perhaps this may be considered an unique instance of *canting supporters*, a colt and a hart upholding the ancestral escocheon.”

Now, really this is very disgraceful to Mr. Elvin and his book. It cannot be denied that Mr. Lower, falling into a trap, and misled by the fictitious mediæval seal bearing such arms and supporters (exhibited in your vol. iii. p. 19), was induced to make the above remark about “canting supporters”: but how is it possible that Mr. Elvin can have remained in ignorance of the complete exposure that these fabrications have since received at your hands and those of the Author of *Popular Genealogists*? Can he be really unaware that his name has already appeared (in your vol. iii. p. 151,) among the list of those who have assisted in propagating the legend and false armories of Coulthart, by the prominence he gave to them in his former volume of *Anecdotes of Heraldry*? Mr. Coulthart himself, who at least sanctions and probably pays for the present engravings, knows that the Lyon Office did not admit any such supporters, and that to talk of “prescriptive right” is absurd, since even the arms to which they are added cannot pretend to a date anterior to 1846 as the arms of Coulthart.

That was the year (as you shewed in your vol. iii. p. 46) in which the matriculation in the Lyon’s Office, which is cited as their authority, unguardedly took place: but your readers will remember that the English

College of Arms had previously refused to register the same coat, because it was actually the property of the ancient family of Colt, a family still existing and enjoying the dignity of Baronet.

Surely, the other gentlemen whose arms Mr. Elvin puts forth among his examples of armory must feel a certain discredit is thrown upon their heraldic insignia, by their appearing in such company.

Yours, &c. O. PHIL.

Note.—We observe the death announced of Mr. George Parker Knowles, the “Genealogist and Heraldic Artist,” whose name appears on the title-page of the Coult hart and Ross Pedigrees, as their author or editor. He died recently at Manchester, aged 68, and a brief account of him is given in *The Gentleman's Magazine* for November 1866, p. 708. His skill as an heraldic artist is highly eulogised, and several of his productions in that way are mentioned. It is further stated that he was “distinguished as a genealogist by the remarkable lucidity of his compilation:” but no allusion is made to the unfortunate Coult hart performance, nor indeed are any others of his productions as a genealogist named. EDIT. H. & G.

THE BURIAL-PLACE OF THE PEMBROKE FAMILY.

In reply to the inquiry in p. 96 I make the following extracts.

From a MS. description of the monuments in Salisbury Cathedral A.D. 1635:—

“There is a rich and rare peece of brasse in hand to be set up in the Lady Chappell for the E. of Pembroke, late L^d Chamberlaine.”

From Dr. Rawlinson's *History and Antiquities of Salisbury Cathedral*, 8vo. 1723:—

“On the north side of the altar is the dormitory of the Herberts Earls of Pembroke, first raised to the dignity of peerage for their singular loyalty to the heir of the house of York, true heir of the crown, Edward IV. Several of this family have been here interred, as, 1. Henry, who died 19 Jan. 1601; 2. William, who died 10 April 1630; 3. Philip, well known during the Rebellion, who died Jan. 23, 1649 (for whom a splendid monument was designed, and to that end a fair statue of brass of an extraordinary size was cast representing him in armour, &c. now in the Earl of Pembroke's seat at Wilton, but for what reason it was never erected I cannot tell); 4. Philip, who died in 1670; 5. William, who died 8 July, 1674; 6. Philip, who died in 1683; with several of the children, wives, and descendants of this noble family who lie undistinguished by any monuments over them.”

From Aubrey's *Natural History of Wiltshire*, edited by Mr. Britton for the Wiltshire Topographical Society, p. 77:—

“William Earl of Pembroke [the second of that name] . . . His body lies in the vault belonging to his family in the quire of Our Ladies

Church in Salisbury. At Wilton is his figure cast in brass, designed, I suppose, for his monument."

From Dodsworth's *History of Salisbury Cathedral*, p. 219 :—

"At the east end of the choir are interred several personages of the antient family of Herbert, Earls of Pembroke, &c. undistinguished by any sepulchral memorial.

Henry [2d] Earl of Pembroke interred	March 5, 1601
Lady Mary, Countess of Pembroke	1621
William [3d] Earl of Pembroke, died April 10	May 7, 1630
Philip [5th] Earl of Pembroke	December 24, 1669
William [6th] Earl of Pembroke	August 1, 1674
Catharine, Countess of Pembroke	February 28, 1677
Lady Ann Herbert	November 18, 1678
Philip [7th] Earl of Pembroke	September 10, 1683
Margaret, Countess of Pembroke	December 9, 1706
Barbara, Countess of Pembroke	August 9, 1722
Thomas [8th] Earl of Pembroke	January 31, 1732

"Near the above lie the remains of—

Charlotte, Viscountess Windsor, ¹ interred	November 23, 1733
[Thomas 1st] Viscount Windsor	June 19, 1738 ²
[Herbert 2nd] Viscount Windsor	February 9, 1758
[Alice] Viscountess Windsor ³	December, 1776

It is evident that Dr. Rawlinson was wrong in attributing the brass statue still at Wilton to Philip the 4th Earl. The first extract (written in

¹ Lady Charlotte Herbert, only daughter and heir of Philip 7th Earl of Pembroke, was married first to John second Baron Jeffreys of Wem (son of the Lord Chancellor), and secondly to Thomas younger son of Thomas 7th Lord Windsor and first Earl of Plymouth: he was created Viscount Windsor of the kingdom of Ireland in 1699, and an English Peer by the title of Baron Montjoy of the Isle of Wight in 1711. His death and that of his only son and successor (who died s. p. m.) occurred at the dates above stated.

² This date is misprinted 1737 in the book quoted from. Lord Windsor died on the 8th June, 1738. (*Gentleman's Magazine*, viii. 324.) His children had married shortly before,—Charlotte, on the 18th April, 1736, to John Kent, esq. of Salisbury; Ursula, March 20, 1737, to John Wadman, esq. of Imber, Wilts: and his only son, "April 16, 1737. Herbert Windsor, esq. eldest son of Lord Windsor, and Member for Cardiff, to the eldest daughter of the late Sir James Clavering, Bt. worth 60,000*l.*" (*Ibid.* vii. 252.) On the 26th of December following a son and heir was born (*ibid.* 766), but he did not live to inherit.

³ The wife of the second Viscount Windsor was Alice sister and coheir of Sir James Clavering, Bart. By this lady he left as surviving issue only two daughters, who became coheireses—Charlotte-Jane married to John fourth Earl of Bute; and Alice-Elizabeth married to Francis Viscount Beauchamp (eldest son of Francis Earl of Hertford), and died s. p. 1772. The Earl of Bute was created Viscount Mountjoy of the Isle of Wight, Earl of Windsor, co. Berks, and Marquess of Bute, in 1796; and was great-grandfather of the present possessor of those dignities.

1635) shows that it was intended for Earl William, who died in 1630: with which Aubrey coincides.

EDWARD KITE.

We may add a remark that our Correspondent's information—very satisfactory so far as it goes—does not extend to the fourth Earl, whose name and those of his two wives are absent from the above list.

According to Dugdale (*Baronage*, ii. 260,) Philip Earl of Pembroke and Montgomery, "departing this life upon the twenty-third of January, An. 1649, was buried in the Cathedral Church of Salisbury." Collins and Granger both state his death upon the authority of Whitelock's *Memorials*, p. 423, as having occurred Jan. 23, 1649-50, but it is not added where his body was interred. The date of the death of his first wife Lady Susan Vere is not mentioned in the *Peerages*. That of his widow, the celebrated Lady Anne Clifford, dowager Countess of Dorset, did not ensue until the 22nd March, 1675, and she was then buried with her ancestors at Appleby. It may perhaps be questionable whether Dugdale is correct in stating that the fourth Earl was interred in the family vault at Salisbury. Had his first Countess been buried in London or elsewhere? and was his body placed beside hers? On these points there appears to be still room for further inquiry.

EDIT. H. & G.

LAWRENCE OF ASHTON HALL, CO. LANCASTER.

At vol. II. p. 142 a doubt is expressed as to the existence of the family of Lawrence of Ashton Hall, Lancashire, on the ground that it is not noticed by Baines in his *History of the county*. It is true that work contains no detailed pedigree of the family, but the same may be predicated of the Parrs, the Byroms, and many others of whose reality no doubt can exist. Baines, however, does notice the Lawrences at vol. iv. p. 544, where, speaking of Ashton, he says: "In 1454 it was possessed by Sir Robert Lawrence, knt. whose son, Sir James, was knighted by Lord Stanley at Hutton field in Scotland. From him it descended to his grandson Sir John. Sir John died leaving an only daughter and coheirress (sic) Elizabeth, who married John Butler of Rawcliffe."

In Sims's *Index to Visitations* are the following references:—

"Lawrence of Ashton, 1549, fo. 73b, 6159, fo. 53b."

Bredon Old Hall, Tewkesbury.

HENRY PARR.

In turning over Fosbroke's *History of Gloucestershire*, I found the following statement, in vol. ii. p. 443:—

"Sir Robert Lawrence, of Ashton Hall, knighted at the siege of Ptolemais, 1191, was father of Sir Robert, s. and h. who by a dau. of James Trafford, of Trafford, co. Lanc. was father of James, s. and h. living 37 H. III. who by Matilda, d. and h. of John Washington, of Washington, co. Lanc. (whom he married in 1252, and had with her the manors of Wash-

ington, Sedgwick, &c. co. Lanc.), was father of John, s. and h., who levied a fine of Washington and Sedgwick in 1283, 14 Edw. I., and by Margaret, d. of Walter Chesford, esq. of co. Lanc. was father of John, s. and h., who presented to the church of Washington 1326, and d. about 1360, leaving issue by d. of Holt, esq. of Stubby, co. Lanc. Sir Robert Lawrence, son and heir."

What the value of the above may be, unattested by evidences, I must leave your Correspondents to determine. C. J. R.

EDGAR OF WEDDERLIE.

After a careful examination of my notes on this family, I have arrived at the irresistible conclusion, that the representation, in the male line, is *open* to any claimant who can command the requisite proofs.

From an impartial analysis of charters under the great seal of Scotland, wills, deeds, retours, seisins, &c., it must be clear to any one who takes the trouble to read for himself, that the authorities never could have given, and never did give, (as erroneously supposed,) on the death of Admiral Edgar in 1817, to Thomas Edgar of Glasgow (and representative of Keithock) permission to bear the arms of Wedderlie, and they were not betrayed into the error of trusting any spurious interpolation on the face of the grant of arms to David Edgar of Keithock in 1680, to the effect that he was "*of a younger brother of Wedderlie.*"

But this is not all, for it can be distinctly shown and proved by the documents alluded to, that the first *Edgar of Keithock* came *viâ* Edinburgh from Dumfries, and that Keithock belonged to the Lindsay family before that period; while, to go still further, these Dumfriesshire Edgars may be clearly traced, as small farmers, for a long way back; but, how far soever we go, it is quite impossible to show that they come of Wedderlie in Berwickshire, although the family of Wedderlie in the time of Robert the Bruce possessed lands there. They held their small properties under a peculiar tenure (of which more hereafter).

Gilbert Edgar of Sherington in Dumfries was the uncle of the first Edgar of Keithock (*vide* Inquis. Gen.), and was a grain merchant trading with *Dantzic* in *Poland*. The last Edgar of this line of Keithock was named David, and had a wife of the family of Guthrie. His kinsman probably, also a David Edgar and *likewise* married to a *Guthrie*, was a lawyer in Edinburgh, and purchased Keithock of his namesake. (*Vide* Decisions, Court of Session.) He was succeeded by his *eldest son* Alexander, who was in possession of Keithock, and using the arms granted to his father David Edgar in 1680, when "John Edgar of *Poland*," eldest lawful son of *David Edgar* of Keithock (that is of the first David), finding that the estate was gone, determined thus to preserve a record of his family; and the *mottoes* granted with the arms to David Edgar of Keithock in 1680 (junior line) and to John the son of David Edgar of Keithock in 1722 (senior line), preserve to some extent the sentiments of the grantees—1. "*Potius ingenio quam vi.*" 2. "*Apparet quod latebat.*"

BURNETTS IN THE DIOCESE OF SALISBURY.

In reference to the questions of H. G. B. (vol. III. p. 551) I beg to state that

ROBERT BURNET was instituted to the vicarage of West Lavington, 1734, and on the resignation of Thomas Burnet was appointed custos of the hospital of St. Nicholas, Salisbury, 1735; both preferments being in the gift of the Bishop of Sarum. In 1739 the bishop, by reason of lapse, appointed Robert Burnett to the vicarage of Willesford, Wilts. Robert Burnett died November, 1769, and was buried at West or Bishop's Lavington. He was probably the Robert Burnet, M.A. of Wadham College, Oxford, 1680.

In 1706 THOMAS BURNET was presented to the rectory of West Kington by Bishop Burnet. In 1711 made custos of St. Nicholas Hospital and prebendary of Lyme and Halstock. In 1715 Thomas Burnet became rector of Littleton Drew, the King patron *pro hac vice*; and, West Keinton thus becoming void by cession, he is again presented to it by the bishop. In 1738 he was presented as Thomas Burnett, D.D. to the living of Keinton West by the bishop *per cess.* of the said Thomas Burnett. He died 1750. Most probably he was Thomas Burnet of New College, B. and D.D. July 8, 1720.

In 1715 GILBERT BURNET was made prebendary of Beaminster Secunda in the church of Sarum: 1720 prebendary of Gillingham Majoris: 1726 he died.

I cannot speak positively as to the relationship, if any, between these Burnets and the bishop. Their holding preferments in his diocese and patronage may lead to a surmise that there was a relationship, and that this interest survived the bishop's death in 1714-15.

It is curious to note the explanations genealogies supply in connection with the exercise of episcopal and capitular patronage. Every institution book bears ample evidence to this point.

E. W.

LEE, of Hatfield, vol. III. p. 485.—The names of the two daughters of Robert Lee, of Hatfield, (son of Henry Lee,) were Elizabeth, married 12 May, 1641, to Thomas Sandys, afterwards Sir Thomas, and not Edward, (or Edwin, as in Hunter's pedigree,) and Susanna, or Susan, married 23 Oct. 1654, to John Walker, gent. Robert Lee, in his will, 5 April, 1659, names his son-in-law Sir Thomas Sandes.

Doncaster.

CHARLES JACKSON.

I beg for information concerning the family of GARDNER, of whom one, Thomas Gardner, lived at Canterbury at the close of the last century, and married Elizabeth, daughter of "Mr. John SANKEY, gent." of that city? (buried at Aberdare).

There is, I believe, in Islington or Paddington old churchyard, a tomb or vault of the family.

C. E. G.

HERALDIC CHRONICLE FOR 1866.

(The plan of this Chronicle has been described in our vol. II. p. 363. As there explained, its subjects are confined to the Creation or Extinction of Hereditary Dignities, to changes of Names and Arms, and generally to such events as affect families rather than individuals. We add the preferments of the professional Herald, and brief obituary notices of those who have rendered good service to the pursuits of Heraldry and Genealogy.)

Jan. 4. Edward *Buller*, of Dilhorn hall, co. Stafford, esq. one of the Knights of the Northern Division of that county, to take the name of **MANNINGHAM** before **BULLER**, and bear the arms of Manningham quarterly with Buller.

Jan. 10. Created **BARONETS**: Edward Manningham Buller, of Dillhorn hall, co. Stafford, esq.; Sir Roderick Impey Murchison, of Belgrave-sq. K.C.B. Director-gen. of the Geological Survey of the United Kingdom; William Fergusson, of Spittelhaugh, co. Peebles, and George-st. Hanover-sq. esq. one of H. M. Surgeons Extraordinary.

Jan. 29. James *Bell*, of Fawe park, Crossthwaite, Cumberland, and Devonshire-pl. Middx. esq. sometime M.P. for Guildford, and Mary Ann his wife, only dau. of Jeremiah Spencer and sister and heir of Jeremiah Spencer, both of South lodge, Cockermouth, deceased, to assume the name of **SPENCER** before **BELL**, and quarter the arms of Bell in the second quarter.

Jan. 30. Created **BARONETS**: James Young Simpson, of Strathavon, co. Linlithgow, and of Edinburgh, M.D. one of H. M. Physicians in Scotland; and Dominic John Corrigan, of Cappah and Inniscorin, co. Dublin, M.D. one of H. M. Physicians in Ordinary in Ireland.

Feb. 18. Died at Torquay, aged 80, the Right Hon. Thomas Robert Drummond, tenth Earl of Kinnoull, **LORD LYON KING OF ARMS** for Scotland. The conditions under which he held that office have been already detailed in p. 80. A memoir of his Lordship will be found in the *Gentleman's Magazine* for April.

Feb. 20. Created a **VISCOUNT** of the United Kingdom: the Rt. Hon. Sir Charles Wood, Bart. G.C.B. by the title of **VISCOUNT HALIFAX**, of Monk Bretton, co. York.

March 3. Died at Delrowe house, Aldenham, Herts, aged 82, Sir Adolphus John **DALRYMPLE**, of High Mark, co. Wigton, Bart. a General in the army. He was the elder and only surviving son of Sir Hew Whiteford Dalrymple, a General in the army, and Colonel of the 57th Foot, who was created a Baronet of the United Kingdom May 6, 1815. His father was a grandson of the Hon. Sir Hew Dalrymple, of North Berwick, third son of James first Viscount Stair, who was created a Baronet of Nova

Scotia in 1697, now represented by Sir Hew Hamilton Dalrymple of the same place, the sixth who has possessed that title. Sir Robert Dalrymple Horn Elphinstone, Bart. whose father was created a Baronet of Great Britain in 1827, is also descended in the male line from another son of the Hon. Sir Hew Dalrymple above mentioned, namely, from Hew, a Lord of Session by the title of Lord Drummore. The third brother, father of Sir Hew Whiteford Dalrymple, was John, Captain in the Enniskillen dragoons. The Baronetcy of 1815 has become Extinct. Of the late Sir Adolphus, who was M.P. for Weymouth 1817, for Appleby 1819 and 1820, the Had-dington burghs 1826, and Brighton 1835 and 1837, there is a brief memoir in the *Gentleman's Magazine* for May 1866.

March 5. Sir John Ralph *Milbanke*, of Eartham house, Sussex, Bart. H. M. Envoy Extr. and Minister Plenip. at the Hague, in compliance with the will of Eliza Emily Huskisson, late of Eartham, widow of the Rt. Hon. William Huskisson, to take the name of HUSKISSON after MILBANKE, and bear the arms of Huskisson quarterly with his own.

March 7. Died at the Great Western hotel, Paddington, aged 69, Sir John Roger KYNASTON, the third Baronet, of Hardwicke hall, co. Salop. He was the nephew of John Kynaston esquire, the representative of a very ancient Shropshire family, who assumed the surname and arms of Powell by sign-manual in 1797, in compliance with the testamentary injunction of his kinsman John Powell, esq. and was for many years M.P. for Shropshire. Being lineally descended from Edward Kynaston esquire, who by an inquisition taken in 1556 was found to be cousin and heir of Edward Grey the last Lord Powis, he preferred in 1800 his claim to the Barony of Powis, which had also been previously claimed by his grandfather John Kynaston esquire, in 1731. The case was attended with great doubts,—not of a genealogical nature, but as to the nature of the peerage itself, of which a full discussion by the late Sir Harris Nicolas will be found in the *Historic Peerage of England*. Many years after the claim had been tacitly relinquished, Mr. Kynaston was created a Baronet Dec. 8, 1818, with eventual remainder to his brother the Rev. Edward Kynaston. That brother succeeded in 1822, and died in 1839, leaving as his only son Sir John Roger Kynaston, now deceased, and as he never married the Baronetcy has become EXTINCT.

March 12. The Queen was pleased, by warrant under Her Royal Sign Manual, to institute a new decoration, to be styled THE ALBERT MEDAL, to be awarded, in cases where it shall be considered fit, to such persons as shall after the date of the warrant endanger their own lives in saving, or endeavouring to save, the lives of others from shipwreck or other peril of the sea.

March 21. Died, at Cambridge, CHARLES HENRY COOPER, Esq. F.S.A. Town Clerk of Cambridge. He was born at Great Marlow March 20, 1808, and was the eldest son of Mr. Basil Henry Cooper, solicitor, by Harriet daughter of Mr. Charles Shoppee of Uxbridge. He settled at

Cambridge in 1826, became Coroner of the borough in 1836, and Town Clerk in 1849. His industry as a compiler of history and biography was unceasing. His researches were perfectly ubiquitous, and his judgment and impartiality always conspicuous. His principal published works are a *Guide to Cambridge*, 1831, *The Annals of Cambridge*, in 4 vols. 1843-52, *The Memorials of Cambridge*, in 3 vols. 1858-66, and the *Athenæ Cantabrigienses*, of which the first volume was completed in 1858, and the second in 1861. The extent of reading which contributed to this compilation, as shown by the references to its authorities, is beyond all precedent. A third volume is partly printed; and, as Mr. Thompson Cooper was associated with his father in its production, it may be hoped that this long-acknowledged literary desideratum may still proceed to its accomplishment. Mr. Cooper had besides made very large biographical collections, which will go far towards the formation of a *Biographia Britannica*. Mr. Cooper's occasional papers were also numerous, and we cannot undertake to do more than allude to one or two which occur to us as lying immediately in our own path. In our vol. ii. p. 202, we gave the substance of his account of the Heralds' Visitations of Cambridge; and at p. 521 was inserted a valuable paper which he presented to the Cambridge Antiquarian Society containing "Corrections for the genealogy of Wenman." We may also refer to an elaborate memoir of Francis Thynne, Lancaster herald, prepared for the *Athenæ Cantabrigienses*, but published in the *Gentleman's Magazine* for July 1865, on finding that Thynne himself stated that he was never brought up in any university, although Wood has given him a place in the *Athenæ Oxonienses*. It is accompanied by a valuable list of Thynne's writings remaining in MS. in the British Museum. Many years ago Mr. Cooper printed in a Cambridge paper the sepulchral memorials of the neighbouring parishes, but we cannot state the particulars as we should wish. Further particulars respecting him will be found in the *Gentleman's Magazine* for June 1866. Mr. Cooper married in 1834 Jane youngest daughter of Mr. John Thompson of Prickwillow in the Isle of Ely; and he has left issue two sons, Mr. Thompson Cooper, F.S.A., Mr. John Wm. Cooper, LL.B. of Trinity hall, Camb. and one daughter.

March 26. Smith *Taylor*, of Upper Phillimore gardens, in the parish of Kensington, Middx. esq. and Alice Jane his wife, only dau. and eventually heir of James Whitehead, late of Oldham, co. Lanc. deceased, in compliance with the will of her maternal uncle William Whitehead, of Dobcross, in Saddleworth, co. York, to take the name of WHITEHEAD after TAYLOR.

April 3. Peter *Hassell* of The Laurels in the parish of Iron Acton, co. Glouc. gent. in compliance with the will of Benj. Ogden of Bristol merchant, to take the name of OGDEN only, and bear the arms of Ogden quarterly with his own.

April 16. James Edward *Boggis*, of Harewood-sq. in St. Marylebone, esq. Capt. h. p. 55th Foot, J. P. and D. L. for Essex, one of H. M. hon. corps of Gentlemen at Arms, in compliance with the will of Ann Rolfe of

Wormingford, co. Essex, spinster, to take the name of **ROLFE** after **BOGGIS**.

April 18. North *Burton*, of Thurland castle, co. Lanc. esq. great-nephew and heir-at-law of Richard Toulmin North of Thurland castle esq. to take the name of **NORTH** in lieu of *Burton*, and bear the arms of North.

April 20. Died, suddenly, on leaving a meeting at St. George's Hospital, aged 77, Sir Frederick Adair **ROE**, Knight and Bart. He was the youngest son of William Roe, esq. of Withdean, Sussex, by Susannah Margaret, daughter of Sir William Thomas, of Yapton, Bart. Having been appointed a police magistrate in 1822 at Marlborough-street, he was removed to Bow-street in 1832; on that occasion was knighted, and was created a Baronet in 1836. He married Mary, daughter of George Knowles, esq. of Emsal, co. York; but having died without issue, the title is Extinct.

April 23. Died, at Cannes, aged 87, the Right Hon. Charles Grant, **BARON GLENELG**. He was born at Kidderpore in Bengal, Oct. 26, 1778, the eldest son of Charles Grant, esq. a Director of the East India Company, by Jane, daughter of Thomas Fraser, esq. Having filled various important offices in the service of the state, and held a seat in the privy council from 1819, Mr. Grant was created a Baron of the United Kingdom in 1835, by the title of Baron Glenelg, a district of Inverness-shire, for which county he had sat in Parliament from 1818 to 1835. Having been always a bachelor, the dignity has expired with him.

May 1. Created **BARONS** of the United Kingdom: James Earl of Caithness¹ in Scotland, by the title of **BARON BARROGILL**, of Barrogill castle, co. Caithness; Thomas Baron Clermont in Ireland,² by the title of **BARON CLERMONT**, of Clermont park, co. Louth; and William-Meredith Baron Athlumney in Ireland³, by the title of **BARON MEREDYTH**, of Dollards-town, co. Meath.

May 18. Courtenay *Philipps*, of Coedgaing, co. Carmarthen, esq. late Major 15th Hussars, eldest son and heir of Richard Philipps otherwise Richard Mansel Philipps, esq. second son of Sir William Mansel, Bart. by Mary, dau. of John Philipps esq. of Coedgaing esq. to resume his ancient surname and arms of **MANSEL**.

May 24. The Most Exalted **ORDER OF THE STAR OF INDIA** (instituted

¹ The Sinclairs Earls of Caithness derived their peerage from a marriage in the 11th century with the heiress of Malise Earl of Strathern, Caithness, and Orkney. Their claim to the Earldom of Orkney was admitted by Hacon King of Norway in 1379, and on Orkney being attached to the crown of Scotland they exchanged their title for that of Caithness 1471. The present Earl is the 14th of Caithness. They have never before possessed a peerage of Great Britain.

² So created in 1852. Another branch of the family had previously enjoyed the dignities of Baron Clermont 1770, Viscount Clermont 1776, and Earl of Clermont, co. Louth, 1778, all in the peerage of Ireland: the first and last extinct with the grantee in 1806, the second inherited by his nephew, and extinct on his death in 1829.

³ The last created peer of that Kingdom: see our vol. ii. p. 545.

by letters patent Feb. 23, 1861, and then limited to the Sovereign, a Grand Master, and twenty-five Knights,) enlarged, and ordained to consist in future of the Sovereign, a Grand Master, and one hundred and seventy-five ordinary Companions or Members; together with such Extra and Honorary Members as her Majesty, her heirs and successors, shall from time to time appoint: the Viceroy and Governor-general of India for the time being to be the Grand Master; and the ordinary members to be divided into Three Classes: 1. Twenty-five Knights Grand Commanders; 2. Fifty Knights Commanders; and 3. One hundred Companions.

Thomas Durell Powell *Hodge*, of Lincoln's Inn, gentleman, only son and heir of Thomas Stoke Hodge, late of Sidmouth, surgeon, by Anne Durell his wife, eldest dau. of John Blake late of Belmont, co. Galway, gent. to take the name of **BLAKE** only, instead of Hodge, and bear the arms of Blake.

May 25. Her Majesty's second son, H. R. H. Prince Alfred Ernest Albert, K.G., K.T., created Earl of Ulster, Earl of Kent, and **DUKE OF EDINBURGH**.¹

May 28. Created an **EARL** of the United Kingdom,—John Baron Wodehouse by the title of Earl of Kimberley, of Kimberley, co. Norfolk.²

June 7. James Robinson Planché, esq. Rouge Croix pursuivant of arms, to be **SOMERSET** herald.

June 11. Created a **BARON** of the United Kingdom: Edwin Richard Windham, Earl of Dunraven and Mount Earl in Ireland, K.P. by the title of **BARON KENRY**, of Kenry, co. Limerick.

June 18. Created a **BARONET**: Thomas Watson of Henrietta-st. Cavendish-sq. M.D. President of the R. College of Physicians, and one of H. M. Physicians Extraordinary.

June 19. Died, at Alloa Park, Clackmannanshire, aged 70, the Right Hon. John Francis Miller-Erskine, 14th Earl of Mar and 11th Earl of Kellie. We notice this death because it separates two peerages of Scotland which have been united from the year 1829.

THE EARLDOM OF MAR is one of the earliest antiquity, having existed from the eleventh century, and (in the words of Lord Hailes) "before our records and before the era of genuine history." The male line of the ancient Earls failed in 1300 on the death of Thomas 13th Earl of Mar, when the Earldom went to his sister Margaret wife of the first Earl of Douglas, who thus became also Earl of Mar. Their son, James Earl of Douglas and Mar, was the hero of Otterburn, and on his death at that battle in 1388 his sister Isabel became Countess of Mar, and communicated her Earldom to two husbands: 1. Malcolm Drummond, Earl of Mar, 2. Alexander Stewart, Earl of Mar, illegitimate son of the Earl of Buchan a son of King Robert II. As she had no children on her death in 1408-9, the succession opened to the Erskines, derived through the families of Keith

¹ See remarks on these dignities in a previous page.

² This promotion has been made in recognition of Lord Wodehouse's services as Lord Lieutenant of Ireland.

and Monteith from a sister of Gratney Earl of Mar, the Earl of the ancient line who died in 1300; but their right was suspended till the widower's death in 1435—their claim was then disallowed, and in 1457 the earldom was conferred on John Stewart, a younger son of King James II. For a century longer the inheritance of the Erskines suffered an arbitrary interruption in favour of two other scions of the royal house, and lastly of the Regent Murray, until at length this Earldom was restored in 1565 to the Erskines, but only with the precedency of 1457. From 1565 to the present time the inheritance has descended in the male line of Erskine. The Earldom, however, suffered a memorable eclipse at the beginning of the last century, being forfeited in 1715 in the cause of the Old Cavalier, by John then Earl of Mar, and K.T. It was restored¹ in 1824 to John Francis Erskine, of Grange, at once his great-nephew and grandson, the old Earl's daughter having married her cousin the heir male. His son succeeded in 1825, and his grandson (now deceased) in 1828. In the following year (1829) the EARLDOM OF KELLIE also devolved upon him as the heir-male of Thomas Erskine, so created in 1619. The first Earl of Kellie was nephew to the Earl of Mar restored in 1565. He was a favourite courtier of King James the Sixth, having been the person who by killing Alexander Ruthven materially aided his Majesty's escape from the Gowrie conspiracy in 1600. He accompanied his Royal master to England; was in 1603 created Baron Dirletoun, in the peerage of Scotland, with remainder to heirs male; in 1606 Viscount Fenton,—being the first upon whom the dignity of a Viscount was conferred in Scotland,—with remainder, failing direct heirs male, to heirs male general; and in 1619 Earl of Kellie, with remainder to heirs male (having been elected a Knight of the Garter in 1615). These titles descended in the direct male line until the death of Archibald the seventh Earl of Kellie in 1797. They then devolved on Sir Charles Erskine of Cambo, the 8th Baronet (of Nova Scotia 1666) descended (though Sir Charles and Sir Alexander Erskine, both Lyon Kings of Arms) from a younger brother of the second and third Earls of Kellie. Next followed in succession his two uncles, the latter of whom died Earl of Kellie on the 3rd Dec. 1829.² The Earl of Mar then succeeded as heir male to the peerages conferred by King James VI. and already recited: and the same have now devolved on the next heir male, Walter Conynsby Erskine, esq. who is the son of the late Earl's uncle the Hon. Henry David

¹ An act of Parliament, passed in 1824, reversed the attainders of Mar, Kenmure, Strathallan, and Nairn. In the *Gentleman's Magazine* for August 1824, p. 172, will be found a catalogue of the Scottish Peerages attainted in 1715 and 1745, distinguishing those which were then Restored or Extinct, and describing the representation of the rest.

² This Earl of Kellie did not arrive at the dignity until the 7th Feb. 1828, at the age of 82; and he died on 3rd Dec. 1829. From the date of his marriage in 1781, the grave had closed upon four Earls of Kellie, besides several other males in his family, who then stood between him and the peerage: see the *Gentleman's Magazine* for Jan. 1830, p. 77.

Erskine. The Earldom of Mar, however, being heritable by heirs general, goes to a nearer relation, *i. e.* to his sister's son John Francis Erskine Goodve, esq. the son of Lady Frances Jemima Erskine, who was married in 1830 to William James Goodeve, esq. and died in 1842. If we regard the Earldom of Mar in its primitive antiquity, the late Peer was at once the premier Earl and the premier Viscount of Scotland. It is stated that all the estates of the late Earl accompany the Earldom of Kellie, and that none whatever are now attached to the ancient Earldom of Mar.

July 5. Created an EARL of the United Kingdom: Richard, Baron Cremorne, in Ireland, K.P. as EARL OF DARTREY.¹

Created a BARON of the United Kingdom; Charles-Stanley Viscount Monck in Ireland,² Governor-general of H. M. provinces in North America, by the title of BARON MONCK.

July 6. William Earle *Tyndale*, of Holton park, co. Oxford, esq. D.L. in compliance with the will of Elisha Biscoe, of Holton park esq. to take the name of BISCOE only, and bear the arms of Biscoe quarterly with Tyndale.

July 7. Created BARONETS: Dudley Coutts Marjoribanks,³ of Guisachan, co. Inverness, esq.; Henry John Ingilby,⁴ of Ripley, W. R. co. York, and of Harrington, co. Lincoln, clerk; John Ennis, of Ballinatown Court, co.

¹ Thomas Dawson esq. was created Baron Dartrey in the peerage of Ireland 1770, and Viscount Cremorne 1785. These dignities expired on his death in 1813; but, having been further created Baron Cremorne in 1797, with remainder to his nephew Richard Dawson, that barony devolved on his death on his great-nephew, who was father of the present Earl of Dartrey.

² Charles-Stanley 4th Viscount Monck is grandson of Charles-Stanley created Baron Monck in 1797, and Viscount Monck in 1800. The second Viscount (his uncle) was created Earl of Rathdowne in 1822, but died in 1848 s. p. m. when the Earldom became extinct. One of his daughters, however, is the wife of her cousin the present Viscount Monck.

³ This is the second Baronetcy conferred upon this family. Sir John Marjoribanks, Lord Provost of Edinburgh, was created a Baronet in 1815, and was grandfather of the present Sir Edward, of Lees in Berwickshire. Sir John's younger brother Edward was a partner in the banking-house of Coutts in London, and was father of the Baronet now created.

⁴ This is the fourth Baronetcy that has been enjoyed by an Ingilby of Ripley. The title was first conferred in 1642 on Sir William Ingilby, and became extinct with his great-grandson Sir John the fourth Baronet in 1772. Sir John left a natural son Sir John, who was created a Baronet in 1781, and who married Elizabeth, daughter and sole heir of Sir Wharton Amcotts of Kettlethorpe, co. Lincoln; which Sir Wharton was also created a Baronet in 1796, with remainder to his daughter's son, afterwards Sir William Amcotts-Ingilby; who, in consequence, succeeded his maternal grandfather as a Baronet in 1807, and his father in 1815. Both these patents of 1781 and 1796 expired on the death of Sir William (M.P. for co. Lincoln) in 1854, when the Rev. Henry John Ingilby (now the new Baronet) was his cousin, and the devisee of his estate.

Westmeath, esq.; Pryse Pryse,¹ of Gogerddan, co. Cardigan, esq.; Charles Henry Tempest,² of Heaton, co. Lanc. esq.; and Edward St. Aubyn,³ of St. Michael's Mount, co. Cornwall, esq.

July 12. Created BARONS of the United Kingdom: John Baron Heniker, in Ireland, by the title of BARON HARTISMERE, of Hartismere, co. Suffolk; the Rt. Hon. Sir Edward George Earle Lytton Bulwer Lytton, Bart. by the title of BARON LYTTON, of Knebworth, co. Hertford; and the Rt. Hon. Sir William George Hylton Jolliffe, Bart. by the title of BARON HYLTON, of Hylton, co. Durham,⁴ and of Petersfield, co. Southampton.

July 16. John Birch Webb, clerk, vicar of Weobley, co. Heref. and of Garnstone, in the same county, second but eldest surviving son of Daniel Webb of Audley-sq. co. Middlesex deceased, by Anne his wife, sister of Samuel Peploe, of Garnstone, esq. (in compliance with the will of the said S. P.) to take the name of PEPLOE only, instead of Webb, and bear the arms of Peploe quarterly in the first quarter with his own.

July 21. Created BARONETS: the Rt. Hon. Sir Frederick Pollock, of Hatton, co. Middlesex, knt. late Chief Baron of H.M. Court of Exchequer; Henry Edwards, of Pynest, W. R. co. York, esq.; and William Williams, of Tregulow, co. Cornwall, esq.

July 28. Created a BARON of the United Kingdom: Lieut.-Gen. the Rt. Hon. Sir Hugh Henry Rose, G.C.B., G.C.S.I., General Commanding H.M. Forces in Ireland, by the title of BARON STRATHNAIRN, of Strathnairn, co. Nairn, and of Jhansi, E. I.⁵

¹ This title is also a restoration. Sir Richard Pryse of Gogerddan was created a Baronet in 1641, and there were four Baronets of that creation, the last, Sir Carbury Pryse, dying about the year 1695. A junior male line succeeded to the estate, and lasted until 1798, when Lewis Pryse, esq. left as his heir his grandson, Pryse Loveden, son of his daughter Margaret, the wife of Edward Loveden Loveden, esq. of Buscot, Berks. He assumed the name of Pryse in the same year; his son took the name of Loveden in 1849, but resumed that of Pryse in 1863 (as recorded in our vol. ii. p. 369), and is the new Baronet.

² Sir Charles Henry Tempest is the nephew and heir of the late Sir Charles Robert Tempest, whose dignity, conferred in 1841, expired with him on the 8th December, 1865. (See our last volume, p. 568.)

³ This gentleman was the testamentary heir of Sir John St. Aubyn, Bart. who died in 1837, and some particulars of whose will may be found in the *Gentleman's Magazine* for that year, vol. xii. n. s. p. 542. The family were first raised to the rank of Baronet in 1671, and Sir John was the fifth and last of that creation.

⁴ The grandfather of Lord Hylton married, in 1769, Eleanor second daughter and eventually heir of Sir Richard Musgrave (afterwards Hylton) of Hayton Castle, Bart. devisee in 1746 of his uncle John Hilton, of Hilton Castle, co. Durham; which John Hilton was the son of John Hilton, esq. by Dorothy, eldest daughter of Sir Richard Musgrave (the grandfather). There is a long and interesting account of the family of Hylton in *The History of Darlington*, by Mr. Wm. Hylton Dyer Longstaffe.

⁵ "Sir Hugh Rose, who had been at first inclined to take his title from the river

July 30. George Hampden *Cameron*, of Hampden, co. Buckingham, esq. second son of Donald Cameron, of Lochiel, co. Inverness, esq. deceased, by Catherine Vere Louisa his wife, sister to George-Robert, Earl of Buckinghamshire, (in compliance with the will of his uncle the said Earl) to take the name of HAMPDEN after Cameron, and bear the arms of Hampden quarterly in the first quarter with those of Cameron.

Aug. 2. Created a BARON of the United Kingdom: the Hon. Edward Gordon Douglas Pennant, by the title of BARON PENRHYN, of Landegai, co. Carnarvon.¹

Aug. 3. George Burnett, esq. advocate, to be LYON King of Arms for that part of the United Kingdom called Scotland.

Aug. 5. Died, at Honingham Hall, Norfolk, aged 69, the Right Hon. and Rev. Henry William Powlett, third LORD BAYNING. This title was originally derived from an eminent citizen of London, Sir Paul Banning, or Bayning, who was created a Baronet in 1612, Baron Bayning in 1627, and Viscount Bayning in the same year. He was the father of the second Viscount, on whose death that dignity became extinct in 1638, and of two daughters, both created peeresses, Anne Viscountess Bayning, and Elizabeth Countess of Shepey. The former, when widow of Henry Murray, esq. Groom of the Chamber to Charles II. was created a Viscountess for life in 1674, and, dying in 1698, was the grandmother of Anne Egerton, married to Lord William Powlett, second son of Charles first Duke of Bolton. They had issue Henrietta, married to the Hon. William Townshend; whose son, the Right Hon. Charles Townshend, sometime Treasurer of the Navy, was in 1797 created Baron Bayning, of Foxley, co. Berks. His two sons, successively the second and third Barons, have each taken the name of Powlett,—the nobleman now deceased the compound name of William-Powlett (in memory of his great-grandfather Lord William above-mentioned) by royal sign manual, 8th Sept. 1823. He had succeeded his brother in the preceding month. Having lost his only son in 1864 the peerage has now become Extinct.

Aug. 16. John von Sonnentag Haviland, gent. to be ROUGE CROIX pur-suivant of arms.

(*To be continued.*)

Betwa, the scene of a brilliant operation in his Central India campaign, has determined, upon consideration, to assume the title of Strathnairn, from an ancient seat of his family, the Roses of Kilravock, near Inverness."—*Newspapers.*

¹ This title has been previously enjoyed, as that of a peerage of Ireland, from the year 1783 to 1808. Richard Pennant, esq. of Penrhyn Castle, was raised to that dignity, but died without surviving issue. His estate was inherited by his cousin George Hay Dawkins, esq. a grandson of Henry Dawkins, esq. of Jamaica, and Elizabeth Pennant. He assumed the name of Pennant, and died in 1840, leaving two daughters his co-heirs, of whom the elder became the wife of the Hon. Edward Gordon Douglas, brother to the Earl of Morton. This gentleman assumed the name of Pennant, and is the new peer, having been M.P. for the co. Carnarvon from 1841.

SOME ACCOUNT OF THE MANOR OF BUTTON OR BITTON, CO. GLOUCESTER.

BY THE REV. H. T. ELLACOMBE, M.A., F.S.A.

At the time of the Conquest the manor of Bitton was held of the King by one Dons, a Saxon, who held it in the time of King Edward the Confessor. There were two hides in Bitton, one of which belonged to the church.¹ In 1151, Robert Fitzharding, as a reward for his services to Maud the Empress and her son Duke Henry, obtained, with other estates, the manor of Bitton, appurtenant to which was the manor of Hannum or Hannam.² This included the whole parish, excepting what was within the bounds of Kingswood, or the Forest of Furches,³ and the one hide belonging to the Church. His son, Robert de Berkeley, afterwards held it. Early tiles with the arms of Berkeley have been found in the churchyard of Bitton. It then passed by a grant from Henry II. to Adam d'Amneville,⁴ to whose son Robert it was confirmed by Henry III., the service being one knight's fee.⁴

This Adam d'Amneville had another son, also named Robert, who usually occurs in records as Robert de Bitton or Button, and was the ancestor of the family of that name. In this family were

¹ Domesday, f. 170b., lxvii.

² This date is proved by Mr. Fleming in his argument on the Berkeley Barony before the Lords, July 1860.

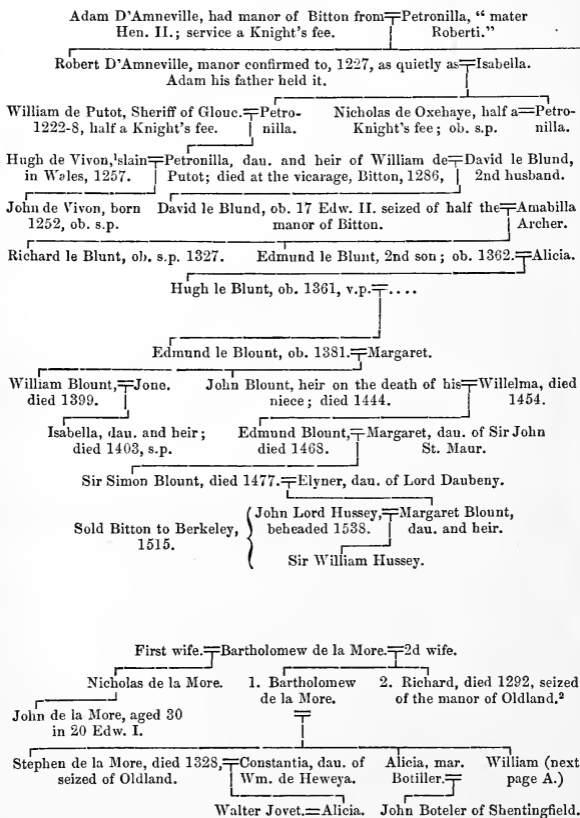
³ *Furchis*. 5 Hen. III. Close Roll, m. 12, Robert d'Ameneville is allowed to enjoy in peace his wood of Furcis, prope Bristol.

Patent Roll, 8 Hen. III., m. 2, the custody of Bristol Castle, with the wood of *Furches*, is committed to R. de Willington.

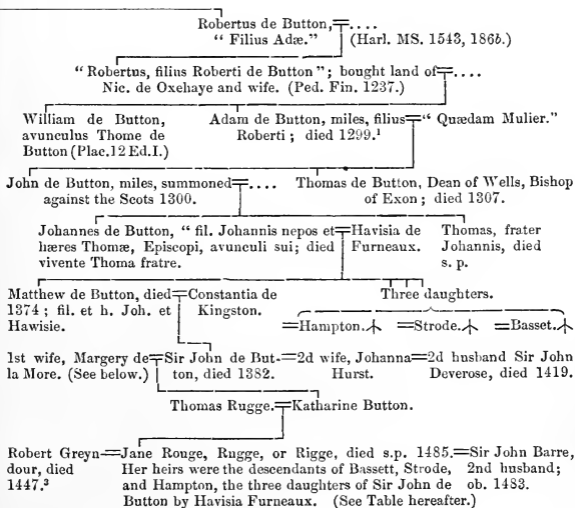
Charter, 13 Hen. III., part i. m. 18, in the charter of deafforestation, "*Boscus de Furcis*" is cited. After that, what remained was called "*Chacia de Kingeswode*." By *Ordinatio Forestæ*, 33 Edw. I., it is to be continued a chase.

⁴ His name occurs in a charter of confirmation of the manor, 11 Hen. III., No. 143, *p' servitium unius militis ita libere, &c.*, sicut unquam Adam pater suus illud tenuit de Rege Henrico avo nostro: sicut Carta Ricardi Regis avunculi nostri testatur." This grant is also recited in *Placita de Quo Warranto*, 1287, page 263. This record seems to shew that the Amnevilles held the manor directly of the Crown. Yet in 1287 it was considered to be parcel of the barony of Berkeley.

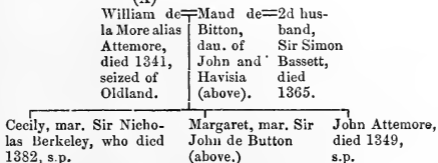
TABLES SHEWING IN BRIEF THE DESCENTS OF

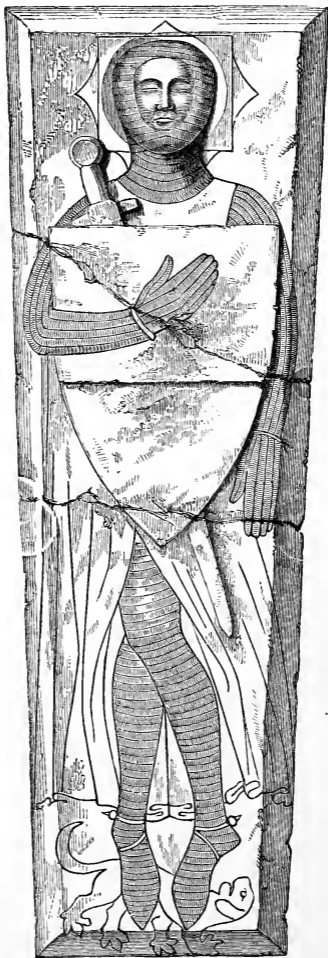
¹ See Pedigree of De Vivonia, in Coll. Top. vii. 137, and House of Yvery, vol. ii.² See Roberts's Calendarium Geneal. vol. i. p. xxv.

BLOUNT AND BITTON, DRAWN FROM RECORDS.



(A)

³ The writer has an original rent-roll of his demesne in the parish of Bitton, &c.



EFFIGY OF ROBERT DE BUTTON.

three bishops, one a Bishop of Exeter, who in 1299 built the chantry chapel on the north side of Bitton church over the bodies of his father and mother, there buried.¹

This family of Bitton also acquired lands in Bitton and Hanham, and ended in an heiress, Jane Rouge, Rugge, or Rigge, who married first Robert Greyndour of Newland, co. Glouc., secondly Sir John Barre of Rotherwas, co. Hereford. On her death without issue in 1485 the Hanham estates² (also called Barres Court Demesne³) reverted to the descendants of the coheiresses of Sir John de Button, who had married Basset, Strode, and Hampton; and so, Cradock *alias* Newton of Harp-tree, having married a Hampton, became the possessor of Barre's Court.

There were *two* Roberts de Button and a Robert d'Amneville. The effigy of the first Robert de Button was discovered in the churchyard of S. Mary's Bitton in 1826, on the south side, close to the church, the site no doubt of what was a mortuary chapel of the founder (see *Archæologia*, vol. xxii. p. 437, and vol. xxxi. p. 268). It is carved on the lid of his coffin, partly in relief and partly incised, as shewn in the opposite engraving. The armour shows he must have been the first of the name. (*See Pedigree.*) (His shield is charged with a fess, the upper outline of which is not distinctly shown.)

To return to Robert d'Amneville, who held the manor of Bitton. He had two daughters each called Petronilla,⁴ and, between these two, the manor was divided into Bitton and Oldland, and the service of half a knight's fee annexed to each.⁵ One of these daughters married Nicholas de Oxehaye,⁶ who had no issue, and that moiety of the manor was aliened to the family of

¹ See the licence for the Chantry at Bitton, in the Appendix.

² An *extent* of these estates, taken in the time of Robert Greyndour, 1431, is among the Add. MSS. in the Brit. Museum, No. 7361.

³ After the western portion was aliened to Keynsham Abbey, that portion was called West Hanham, the other portion, in which the Bitton estates lay, was called Hannam, or East Hanham.

⁴ In a Quo Warranto 15 Edw. I. it is stated that Robert D'Amneville had two daughters, Petronilla de Vivon and Petronilla D'Amneville. Rot. Claus. 18 Hen. III. m. 34; 19 Hen. III. m. 2. Plac. de Quo Warranto 15 Edw. I.

⁵ Testa de Nevill, W. Putot paid half a knight's fee which was Robert d'Amneville's; Nicholas de Oxehaye paid the other half.

⁶ Fine Roll, 13 Hen. 3; and in 1229 paid a fine "ut ne sit miles."

De la More;¹ being left a widow, she gave (according to the custom of the times) some of her lands to the nuns of Lacock Abbey.² These lands abutted on Barre's Court estate, and at the Dissolution were sold; and, after passing through many hands, not without many a suit, they became the property of Mr. Edwards, solicitor, of Bristol, and afterwards of Colonel John Freemantle of the Guards, who sold them to Mr. Samuel Whittuck about 1830.

The other daughter Petronilla married William de Putot, a person of some consequence, for he was Sheriff of Gloucestershire from 1222 to 1228. He filled several high offices, amongst others that of Warden of the Stannaries in Cornwall, and of the coast of the sea of Bristol. He had estates at Mangotsfield (a parish adjoining Bitton), and founded a chantry there. He and his brother-in-law, Nicholas de Oxchayc, each did service for half the manor of Bitton, thus completing the full knight's fee.

One only daughter was the issue of this marriage, who was called Petronilla. She took for her first husband a baron of some celebrity, Hugh de Vivon, by whom there was one son, John de Vivon, who was born at Sellinges in Kent 1252.³ This boy was left a minor, and she a widow by the death of her husband, who was slain in Wales in 1257.³

Petronilla de Vivon (having married for her first husband a person of some consequence,) retained the name of her first husband, though she married secondly one David le Blund, by whom she had one son called David. He married one Amabilla: to this son by her second marriage, and to his wife Amabilla, Petronilla de Vivon conveyed her Bitton estates, viz. the half manor of Bitton. It does not appear why she preferred these to her son by her first husband. The probability is that, as the heir of his father, he inherited large estates elsewhere; but that she did so is most certain, for in 1287 there was a trial at Gloucester between the two half brothers, John de Vivon and David le Blund, by which the former endeavoured to possess himself of the Bitton estate, but the jury gave a verdict in favour of David le Blund. At this trial⁴ it came out in the evidence that, after

¹ Inq. p. m. Petronillæ d'Amneville, 45 Hen. III. No. 38.

² Bowles's History of Lacock, p. xliii. from the Lacock Cartulary.

³ 1 Edw. I., No. 65, Inq. p. m. See Roberts's *Calendarium Geneal.* vol. i. p. 205.

⁴ See this remarkable record appended hereafter, No. 1.

the mother had conveyed the estates to her son David and his wife Amabilia, she left the place, but afterwards returned to visit her son and his wife, not as mistress, but as an ordinary friend. While there she was taken dangerously ill; and, that it might not be said that she died there, and so in possession of the place, she requested to be carried to the Vicarage House: this was done on a Monday, and there she died the following Saturday, anno 1286. Fragments of tiles with the arms of De Vivon (a label of five points in chief, see the House of Yvery, ii. 498,) have been found in Bitton churchyard.

David le Blund died July 1323 (probably at Bitton, as the inquisition on his death was held there), seised of half the manor and hundred of Bitton (for Bitton was then a hundred), the gift of his mother Petronilla de Vivon, a capital messuage, garden, dovecote, &c.¹ He was succeeded by his eldest son, Richard le Blount, who died 1327 without issue, when Edmund his brother and heir succeeded to the estates at the age of 30.² Edmund died in 1362 seised of the same manor; and it is also stated in the inquisition that he held a meadow called Holmeade, and another called Overmeade, which means the Upper Meade.³ These are two well-known extensive common meadows by the side of the Avon; they have lately been inclosed and sold, and all the rights of common extinguished. They were Lammas lands, and doled out in severalty for the crops.

The next heir of Edmund would have been his son Hugh, who resided at Filton, where the family held estates;⁴ but, he having died in his father's lifetime, Edmund Blount, his son, only nine years old, became the heir, and the custody of the estates was committed by the Crown to Thomas Stiward during the minority. This Edmund died in 1381,⁵ leaving a son and heir William only seven years old. In 1399⁶ he died, leaving an only daughter Isabella, upon whose death in 1403⁷ her uncle, John Blount (her father's brother), succeeded to the estates at the age of twenty-six.⁷ At his death in 1444 he held other estates in Bitton, besides

¹ Inq. p. m. 17 Ed. II., No. 51

² Ibid. 20 Ed. II., No. 41.

³ Ibid. 36 Ed. III., No. 35.

⁴ Ibid. 48 Ed. III., No. 97.

⁵ Ibid. 4 Ric. II. No. 4.

⁶ Ibid. 22 Ric. II. No. 7.

⁷ Ibid. 4 Hen. IV. No. 11.

the manor, capital messuage, dovecote, &c. as before recited.¹ The dovecote (*columbarium*) is still there.

The next owner of the estates was Edmund Blount, his son, who married Margaret, a daughter of Sir John Seymour (their arms impaled were on the old church porch at Mangotsfield). Mangotsfield also belonged to the Blounts as descendants from Putot. He died 1468.² Smythe in his *Lives of the Berkeleys*, No. 692 (there is an original MS.³ copy in the Heralds' College), says, "Bitton and Mangotsfield had for centuries one manor-house in common, till the Blounts built one at Mangotsfield." That is an Elizabethan building on Rodway Hill; but the *manerium* at Bitton has remains of Early-English domestic architecture about it, especially a *two-light* window, similar to the one at Coggs, Oxfordshire, engraved in Turner's *Domestic Architecture*, i. 161.

The son of Edmund Blount by Margaret Seymour, afterwards styled Sir Simon Blount, was born at Mangotsfield, October, 1472. He married Elyner, daughter of Giles Lord Daubeney, by which marriage there was one daughter, only two years old in 1477, when her father died.⁴ This daughter Margaret became the first wife of John Lord Hussey of Sleaford, who was beheaded at Lincoln in 1538. By this marriage there was a son, Sir William Hussey. In 1515 Lady Margaret Hussey (the last heiress of this branch of the Blount family) was not living. In that year, John Lord Hussey and his son Sir William aliened the manors of Bitton and Mangotsfield to Robert Dormer; who in the same year re-sold the same to Sir Maurice Berkeley, and so, that family again became possessed of the manor of Bitton, and it continued with them till about 1633, when the manor was dismembered and the estates sold to several persons.

The manor had passed before 1652 into the hands of John Mallet, esq. (the father of Lady Rochester) who in the survey of Kingswood Chase made in that year is called the "Chief Lord." But Sir John Newton appears to have had or claimed seigniorial rights in the same manor. He had by inheritance become possessed of Barre's Court and its extensive demesnes, consisting of the manor of East Hanham (held of the lords of Bitton and Old-

¹ Inq. p. m. 22 Hen. VI. No. 20 b.

² Ibid. 8 Edw. IV. No. 50.

³ See Notes and Queries, I. v. 616.

⁴ Inq. p. m. 16 Edw. IV. No. 79.

land), a distinct manor from that of Hanham or West Hanham hereafter mentioned, which belonged to the family of Saltmarsh, and afterwards to Keynsham Abbey.¹ Sir John Newton also acquired the other half-manor of Bitton called Oldland: thus he became possessed of all the manorial rights in the parish, excepting the prebendal manor (the old one hide of Domesday), and the view of frank-pledge in Oldland, then belonging to Lord Stafford, and now to Henry Howard, esq. of Greystoke and Thornbury; and the manor of West Hanham, (formerly belonging to the Abbot of Keynsham,) where there are remains of an Early-English barn, a chapel and hall, the ancient mansion of de Salso Marisco, who held Hanum before it was subinfeudated into East and West Hanham, under the early Berkeleys.² As for the manor-house and farm, a capital messuage, &c. at Bitton, those premises were sold about the same time to one John Brittain, who sold them to John Dennis, esq. of Pucklechurch, who was the owner in 1660. This once very influential Gloucestershire family terminated in two co-heiresses.³ Mary Dennis, the eldest, married in 1721 Colonel James Butler of Kilveleghan, Ireland, who about 1722-3 first by mortgage sold this estate to Thomas Edwards, esq. an eminent solicitor in Bristol, to whose use, after a protracted Chancery suit, it was at last decreed. From the Edwards family it passed by will to Thomas Edwards Freeman, esq. of Batsford, whence it descended to Sir Thomas Edwards Freemantle, Bart. who in 1847 sold it to the family of the present writer.

It is probable that d'Amneilles and De Vivons occasionally resided in the "capital messuage" of Bitton still called the Court. David le Blund certainly did, because it is in the trial at Gloucester in 1286 that Petronilla de Vivon visited her son and his wife there as a friend. Edmund le Blunt also resided there, because his name appears on a subsidy roll in 1327, when he is assessed for goods in Bitton. After this date the Blounts resided at Filton or Mangotsfield, for the name does not appear in later subsidies, and therefore Bitton Court (then called *Dennisses*) was probably let to a farmer. John Brittain lived there as such,⁴ having bought it of Berkeley, and sold it to Dennis of Pucklechurch, *ut supra*.

¹ See page 203.

² See the records appended, Nos. II. III. and IV.

³ See pedigree appended.

⁴ Parish rates.

The manorial rights were probably severed from the residence when Newton, who resided at Barres Court, got possession of the manors of Bitton, Oldland, and East Hanham.

As for the prebendal or rectorial manor, that is a totally distinct property. Bitton constituted a *hundred*, (afterwards called the hundred of Swineheved,) the rolls of which, temp. Ric. II. were sold at Puttick and Simpson's, in London, 1851, and some of them are now in my possession. Therein the several divisions of the parish are called tythings, and so there appeared at the hundred courts seven tythingmen, namely, decennarius de Buttone, Upton, Rectoria, Oldlond prima, Oldlond secunda, Hanam prima, Hanam secunda. Four milites were elected at each court and sworn as a jury by the steward. The perquisites of the court were divided into two moieties. The lord of Button took one half, and it is presumed that the lord of Oldland took the other half.

“The arms of Blount of Bitton were, Azure, two bars argent, over all an escarbuncle of eight rays or, pomettée and florettée gules. Other branches of the family omitted the escarbuncle.¹

“I cannot help thinking that in some manner Robert d'Ameneville, the father of Petronilla, to whom the manor of Bitton was confirmed by Hen. III., was related to Geoffry de Mandeville, whose shield on his effigy in the Temple church bears an escarbuncle of eight rays, and that therefore David le Blund placed that charge on his own coat upon his marriage with the widow of De Vivon, the heiress of the descendants of d'Amneville or Mandeville. There is one fact in favour of this view, viz. that the honour of Gloucester was for a time held by Geoffry de Mandeville, when he became Earl of Gloucester, ‘jure uxoris Isabel, the divorced wife of John Plantagenet’ (Nicolas), and Bitton was a part of that honour, and some part of the parish is still under its jurisdiction.”
—*From my Paper in Bristol Volume of Archæological Institute, 1851, p. 252.*

Hitherto, chiefly about Bitton proper; I now return to Hannum

¹ Our readers will not have forgotten the article in our third volume (pp. 218 *et seq.*) in which it was shown that the escarbuncle was not really the armorial charge of any ancient English coat, but that the constructional boss of the shield, which was independent of the actual armorial device, has been misinterpreted and confused with it. This remark applies to the case of Blount, as to Mandeville and all others. [*Edit. H. & G.*]

or Hanham, the principal dependency of Bitton. At the time of Domesday (f. 169, lx.) it was the land of "Ernulf de Hesding." It is next found to be held by a family de Hanham, and then by Salso Marisco or Saltmarsh, holding under the superior lord, but whether of Bitton or Oldland was a question raised in 1272, and decided by a jury in favour of the lord of Oldland (see Records hereafter), for before that date Bitton had been divided between the two co-heiresses of Amneville into two moieties, Bitton and Oldland (of which latter hereafter). According to the pleadings in an assise 15 Edw. I. (1287), in which John de Salso Marisco was plaintiff, the title of his family to this property was derived from a charter of Richard Foliot; but this appears doubtful, as his opponent, who obtained the verdict in the suit, asserted that the manor was granted by Robert Harding, the ancestor of the Berkeley family, to Robert de Hanum, the ancestor of that of Salso Marisco. In a previous action, 56 Hen. III. 1 Edw. I. (1272-3), the question had been, whether the wardship of the said John de Salso Marisco belonged to David Blount as owner of one moiety, or to Richard de la More, owner of the other moiety, called Oldland; and the Jury had decided in favour of De la More. The original grant of the manor to Harding was in these words, "manerium Bethone cum omnibus appendiciis suis;"¹ and when the manor was divided between the two Petronillas the moieties were called "medietas manerii de Button vocata Button," and "medietas manerii de Button vocata Oldland."

In 1329, under the name of the manor of *West Hanham*, (so called 1325 in a fine relating to John and Hawise de Button,) it was sold by Salso Marisco to William de la Grene, and John Bagworth (Fine 3 Edw. III. No. 20), who the following year gave the premises to the abbot and convent of Keynsham (Inq. ad qd. D. 4 Edw. III. No. 80 and 102), "a capital messuage," &c. &c. which at this time is called "*Hanham Court*." The walls of the house, especially the cellars, are very massive and ancient. There is also a little early church or chapel, as before stated, adjoining this mansion, with a late Norman font, and a more curious Norman piscina.

¹ Original grant, with seal appended, is in the Muniment Room at Berkeley Castle.

The other manor of Hanham was called Est or EAST HANHAM, which was held of the lord of Bitton, and it was here that the possession of De Buttons lay from an early period, as before shown. The first record in which the possession of de Button is called Est Hanam is in a Fine 1348 (21 Edw. III.), by which the widow Hawise de Button passed the premises to John and Alice Delarobe for her life.

At the Dissolution the manor of West Hanham, also called Hanham Abbot's, was surrendered to the Crown by Abbot John, 30 Hen. VIII. (see Eighth Report of Dep. Keeper, p. 25). 2 and 3 Philip and Mary, 1553, the Crown sold the reversion to Rowland Hayward, subject to a lease for twenty-one years to Ursula Gresly; Hayward, 2 and 3 Philip and Mary, 1555, to John Reed, who dismembered the manor by sale of divers lands for a thousand years; and 8 Eliz. 1566 sold the manor house and 1470 acres to John Lacy of London and Bristol. He was a cloth-worker, and had a house at Fulham, where Queen Elizabeth used to visit him. It remained in this family till 1633, when it was sold to T. Colston of Bristol, who in 1638 sold it to Francis and Henry Creswick, in whose family it remained till 1842, when it came into the possession of John White of Bedford Row, London, Esq. the present possessor of the manor of West Hanham. A few words more about East Hanham, which I have shown was the *locale* of the mansion afterwards called Barre's Court. When Leland made his Itinerary, circa 1546, he rested at Sir John Newton's at Hanham, where "he dwellyth in a fayre mannar place of stone caullyd Barrescourt." "There be divers villages together caullyd Hanhams;" and so we find Downe-Hannam and Hanham Prior's, so called from parts of it having belonged to the Priory of Farleigh, co. Wilts, to which it had been given by Hugh de Chaldfield and Leoselina his mother. (Dugdale, vol. v. 1825, p. 26.) At the Dissolution it came to the Crown, and was granted (7 Eliz. 1565) as a manor, with a messuage called "Le Grange," to Roger Langesford and Christopher Martin. Those parties sold to W. Neale, he to Weston and Ivey, and Weston to Richard Jones. The house was pulled down within memory.

OLDLAND MOIETY.

But I wish to say something more about the moiety of Bitton called Oldland, which apparently passed by purchase from Nicholas and Petronilla de Oxhaye to Richard de la More, who died s. p. 1292 (Inq. p. m.) seized of Oldland, and a capital messuage, &c. leaving Stephen de la More his nephew and heir, which Stephen (who died 1328, seized of the same premises,) by his wife Constantia de Heweya left a daughter, Alicia de la More, who married Walter Jovet, and a son, William de la More, who married Maud or Matilda de Button, the same who was remarried to Simon Basset (see Pedigree, p. 195). William de la More (also called Attemore) died 1341 seized of the manor of Oldland. By Maud de Bitton he had one son and two daughters, viz. John Attemore, Margery, and Cecily. John was only three years old at his father's death, and he died 1349, whereupon Cecily, only 14, succeeded as heir, and married Sir Nicholas Berkeley of Dursley. She died 1393. The inquisition on her death found her possessed of half the manor of Bitton, called "Holdlonde," held for her life, having aliened it by fine to Sir John Deverose and his wife Joanna, who was the relict of Sir John Button, the father of Katharine by his first wife Margery de la More or Attemore, the sister of Cecily de Berkeley.

The next heir of Cecily was John Boteler, of Shentinfeld, Berks, the son of Alicia de la More.

In 7 Hen. V. 1419, Sir John Deverose died seized of this manor, from whom it passed to his daughter and heir Joanna the wife of John Chesebrook. From these persons it passed by fine 10 Hen. V. (1422) to Thomas Wykis, who died 13 Edw. IV. 1473, and it continued in that family till 4 and 5 Philip and Mary, 1457-8; when Nicholas Wykis died seized of it, leaving a son Robert, who 20 Eliz. (1578) passed it by fine to Edward and Henry Coulthurst, and finally to the family of Weston, with whom it remained till 1652, when it was sold to Mr. Richard Jones of Bristol, merchant, for £1,854 10s.; on whose death, 1697, it passed by his will to his grandson, Thomas Trye, after having been greatly dismembered and encumbered. By some means the Newtons got hold of portions of it, but it was not till 1791 that the "reputed manor" and manor-house were sold by

public auction in Bristol. The Newtons deduced their title to the manor of Bitton, Oldland, and Hanham from 1662.

There is an entry in Domesday which implies that before the entire manor of Button was divided into two moieties, Oldland was a separate manor at that date. It is the land of Osbert Bishop of Exeter, and is called Aldelande, fol. 165 v.¹

Besides the manor of Oldland there is a distinct view of frankpledge in Oldland (see p. 201), an offset of the honour of Gloucester, which was once held by Henry II. by whom it was sold to Geoffry de Mandeville, Earl of Essex,² on whose death it devolved to Gilbert, son of Richard de Clare.

It appears by the Hundred Roll, p. 75, that this court or view was held by Gilbert de Clare, 1275. In the Quo Warranto Roll it is proved that David le Blund and Stephen de la More held the like view in their manor of Bitton. From the Clares it passed to the Earls of Stafford in the 10 Ric. II. (Inq. p. m. No. 38.) Hugh Earl of Stafford held the same, and one-third of a knight's fee in Oldland, Upton, and Breche, which John de Button once held.

16 Ric. II. Inq. p. m. No. 27, Thomas Earl of Stafford was seised of a view of frankpledge at Oldland, value 13s. 4d.

38 Hen. VI. No. 59, Inq. p. m. No. 59, Humphrey Duke of Buckingham held the same. It continued in the family till 1776, when the honour of Gloucester was sold to Edward Duke of Norfolk by the Earl of Stafford for 24,000*l.* but there was excepted "all that reputed manor, liberty, or fee of Ouldland, in co. Glouc. lying in Oland, Hanham, Upton Cheyney, or any of them," which by a deed of the same date is conveyed for the use of Henry Thomas Howard and his son in tail male.

Within the jurisdiction of this honour are Beach, Upton Cheyney, Barres Court, Oldland, and Hanham. The Court Rolls of these holdings are among the Stafford MSS. in the possession of Lord Bagot.

There is yet another lordship or subinfeudation to be noticed, namely, UPTON CHAUN or Upton Cheyney. In Domesday it is one of the hides belonging to the King, and it is called Optune,

¹ A view of the ancient chapel of Oldland may be seen in the *Gent. Mag.* Nov. 1830, with an account by the present writer.

² Fosbrooke, Glouc., vol. i. p. 126

p. 162b, and is accounted for to Earl Aluui, the same who is mentioned under Aldelande.

3 Edw. II. In a fine, John de Button bought land in Upton of Henry le Chaun, by service of a rose at Christmas during Henry's life.

7 Edw. II. Charter of free warren was granted to John de Bitton in Upton, Button, and Hanham.

In a fine, 18 Edw. II. it is recited that Upton Chaun, with land in Button, Hanam, Oldland, West Hanam, passed to John son of John de Button and Hawise his wife; and it is stated to be held by Henry Fitz Johan Chaun for his life.

31 Hen. VI. by a fine the manor of Est Hannam and Upton, with divers lands in Oldland, Upton Chaun, and West Hannam were settled in trustees for the use of Sir John Barre for life, and after his death to revert to his wife's heirs. In the Inq. p. m. of Sir John Barre it is recited that 22 Edw. IV. the manor of Est Hannam was held of Margaret Blount, lady of Bitton, and Jane Wykis, lady of Oldland; the lands in Upton Chaune were held of Stafford by a bunch of gillyflower (*gariofli*).

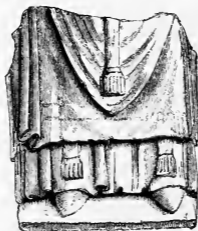
Lady Barre died 1485 (2 Rich. III.) seized of the manor of Est Hanham held of John Blount, lord of Bitton, and the manor of Upton Chaun held of the Earl of Stafford, Robert Basset one of her heirs. He died Oct. 13th, 1488; but in the inquisition on his death taken June following, no mention is made of any lands in Bitton, a strong proof that a distribution of the estate by Lady Barre had not then taken place. His son and heir was Giles Basset, who died Feb. 1543 seized of the manor of Upton Cheyne and Highfield (where he resided) in Bitton. His next heir was his son Robert, who held the same premises of Lord Stafford as of his honour of Gloucester. The property continued in this family till about 1650, much dismembered; but the manorial rights passed about that time to Brice Seed, in whose family it continued till by a marriage it came to the ancestor of Mr. Parker, the present possessor, who in 1700 bought under a private act the mansion and estate of Arthur Lacy, which that family had acquired by purchase in 1566 as part of the estate of Hanham Abbot's, and it is still called Upton House.

JOY or GEE MOOR is the name of another reputed manor. It lies in Oldland, and was the property of Weston some time lord of Oldland; his residence was called Weston Court. In court rolls of the lord of Bitton of later date the tything man of Gee Moor stands in the place of Oldland the second.

With so many entangled and conflicting subinfeudations (qu. before the statute "Quia Emptores") it can be no matter of surprise that there have been endless lawsuits respecting the exact rights and boundaries of each: and respecting the rights of common spread over many acres of open fields and meadows, including the right of pasture and cutting of wood in the royal chase of Kingswood, which abutted on the Hannam manors, and the digging of coal. With the exception of West Hanham and Mr. Howard's view of frankpledge in Oldland, the others are nearly lost sight of, and the entire parish has long been divided for civil purposes into three hamlets, with separate officers, viz. Bitton, Oldland, and Hanham.

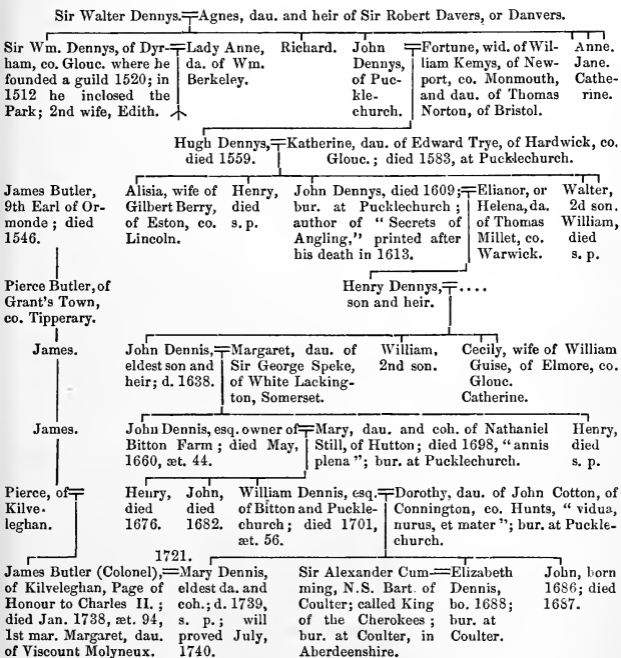
I have omitted saying anything about the Parsonage or Prebendal Manor, as that will come more properly under an account of the prebend of Bitton, and the churches of the parish.

The accompanying tables of descent will illustrate this brief history. In many points they will be found to differ from what is laid down in Atkyns' *History of Gloucestershire*, and Croke's *Family History*; but they have all been tested by inquisitions, fines, and other public records, and I am not aware of having made any statement which these documents will not prove.



Fragment of the Effigy of a Bishop dug out of the Walls of Bitton Church.

TABLE SHEWING IN BRIEF THE LAST EIGHT DESCENTS FROM
SIR WALTER DENNYS, OF CO. GLOUC.



LICENCE FOR THE CHANTRY AT BITTON.

(Extracted from the Register of Godfrey Gifford, Bishop of Worcester, 1268—1301. deposited in the Registry of the Bishop at Worcester, fol. 439.)

Pro perpetua Cantaria in Capella Beatæ Katerinæ Virginis de Button ad instanciam Venerabilis patris Domini Thomæ Episcopi Exoniensis concessa.—Universis presentes literas inspecturis Godefridus Episcopus salutem et pacem in Domino sempiternam.

Cum a nobis quod justum est petitur et honestum, consequens est ex caritatis affluentia petentis desideria libencius impleamus. Sane venerabilis fratris nostri Domini Thomæ Dei gratia Exoniensis Episcopi oblata nobis supplicatio continebat, quod cum ipse nuper speciali devocionis affectione ductus quandam capellam in honore beatissimæ Katerinæ virginis apud Button nostræ diocesis, in qua ipsius patris et matris corpora requiescunt humata, erigi et construï fecerit, ecclesiæ matriçi loci ejusdem contiguam et conjunctam, ac quandam cantariam pro animabus eorundem ipsiusque antecessorum et omnium fidelium defunctorum idem Episcopus ordinaverit temporum successu faciendam ibidem, Nos ad hujus cantariam perpetuendam nostram super hoc auctoritatem impartiri dignaremur, pariter et assensum. Volentes igitur ejusdem patris votivo affectui libenter annuere cujus affectus ad hoc dirigitur re ipsa probante ut cultus divinus per hoc quod agitur ampliatur, sperantesque quod ex hoc nullum futurum sit ecclesiæ matriçi prejudicium, presertim cum ipse in se et heredes suos ejusdem capellæ et capellani ministrantis in eadem onera susceperit perpetuo supportanda, prefatam cantariam et ipsius ordinationem ratam et acceptam habentes, dicto patri et ipsius heredibus eandem cantariam habendi et faciendi in eadem capella per capellanum idoneum suis sumptibus sustentandum, nobis vel aliis ad quem de jure pertinetur primitus presentandum tenore presencium plenam in Domino concedimus facultatem, et ipsam cantariam quantum ad nos pertinet confirmamus perpetuis temporibus duraturam; dumtamen dictæ ecclesiæ Rectoris et Vicarii affuerit expressus assensus. Et ne hoc apud quemquam effluentibus temporum curriculis in dubium revocetur sigillum nostrum presentibus duximus apponendum. Datum apud Bredon i. Idibus Maii anno Domini Millesimo ducentesimo nonagesimo nono.¹

¹ Views of the beautiful sedilia in this Chantry Chapel are given in detail in Colling's *Gothic Architecture*, vol. ii. pp. 52, 53.

LETTERS PATENT FOR THE GREYNDOUR CHANTRY AT NEWLAND, 1445-6.

(Rot. Pat. 24 Hen. VI. p. 2, m. 17.)

De Licentia acquirendi in partem Satisfactionis Greyndour.—Rex omnibus ad quos, &c. salutem. Sciatis quod cum nos nuper de gratiâ nostrâ speciali concesserimus et licentiam dederimus pro nobis et heredibus nostris quantum in nobis fuit, Johannæ quæ fuit uxor Roberti Greyndour armigeri quod ipsa quandam Cantariam perpetuam in ecclesia parochiali Omnium Sanctorum de Newelond in forestâ de Deue in comitatu Gloucestrîæ infra diocesim Herefordiæ ad altare Sancti Johannis Baptistæ et Sancti Nicholai in eâdem ecclesiâ de quodam capellano perpetuo divina in ecclesiâ predictâ ad altare prædictum pro salubri statu præfatæ Johannæ et Reginaldi West militis Domini La Warre et Elizabethæ uxoris ejus dum viverent, et pro animabus prædicti Roberti Greyndour militis patris et Marionæ matris ejusdem Roberti, ac Isabellæ quæ fuit uxor ejus, matris prædictæ Johannæ, Johannis Joce nuper viri prædictæ Isabellæ, Hawesiæ Bytton quondam uxoris Johannis Bytton senioris, Johannis Bytton militis avi prædictæ Johannæ, Aliciæ Sturye, Johannis Serjeaunt, Edmundi Forde et Johannæ uxoris ejus, ac animabus consanguineorum amicorum et benefactorum ejusdem Johannæ et animabus illorum qui manus adjutrices ad Cantariam illam sustentandam aliquo modo imponderent in futurum, necnon animabus omnium fidelium defunctorum, juxta ordinationem ipsius Johannæ in hac parte faciendam, celebraturo, erigere, facere, creare, fundare, et stabilire posset, ita quod postquam Cantaria illa sic facta erecta creata fundata et stabilita foret, *Cantaria Roberti Greyndour* nuncuparetur, et per idem nomen Capellanus ejusdem Cantariæ pro tempore existens implacitare et implacitari posset ac respondere et responderi in quibuscunque actionibus realibus, personalibus, et mixtis tam coram nobis quam coram quibuscunque justiciariis et iudicibus spiritualibus et secularibus in quibuscunque curiis et locis, et tam præfatæ Johannæ uxori prædicti Roberti quod ipsa terras, tenementa et redditus cum pertinentiis ad valorem duodecim librarum per annum tam de feodo suo proprio quam alieno quæ de nobis hæc tenentur in capite, dare posset et assignare Capellano Cantariæ prædictæ, habenda et tenenda sibi et successoribus suis Capellanis Cantariæ illius divina in capella prædicta pro statu et animabus prædictis sicut prædictum est imperpetuum celebraturis; quam eidem capellano quod ipse terras, tenementa, et redditus ad valorem prædictum per annum ac præfatæ Johannæ uxori Roberti accipere posset et tenere sibi et successoribus suis in forma prædicta, sicut prædictum est, imperpetuum similiter

licentiam dederimus specialem. Statuto de terris et tenementis ad manum mortuam non ponendis edito non obstante, prout in literis nostris patentibus inde confectis plenius continetur. Nos volentes concessionem nostram prædictam effectui debito mancipari concessimus et licentiam dedimus, pro nobis et hæredibus nostris quantum in nobis est, præfata Johannæ uxori prædicti Roberti quod ipsa unum messuagium, tria toftas, unum columbare, ducentes et tres acras terræ, triginta et octo acras prati et tres acras bosci cum pertinentiis in Lyddeney, Aylberton, et in parochia de Newelond in Foresta de Dene, quæ ad sex marcas, quinque solidos, et sex denarios extenduntur per annum, et quæ de aliis quam de nobis tenentur, sicut per inquisitionem inde coram Galfrido Holford escaetore nostro in comitatu Gloucestræ de mandato nostro captam et in Cancellarium nostrum retornatam est compertum, dare possit et assignare Johanni Clifford Capellano, Capellano Cantariæ prædictæ, habenda sibi et successoribus suis imperpetuum in valorem novem marcarum per annum in partem satisfactionis duodecim libratarum terrarum, tenementorum et reddituum per annum eidem Capellano et successoribus suis per nos nuper acquirendorum concessæ. Et eidem Capellano quod ipse messuagium, tofta, columbare, terram, pratum et boscum prædicta cum pertinentiis a prefata Johanna uxore Roberti recipere possit et tenere sibi et successoribus suis sicut prædictum est imperpetuum tenore præsentium similiter licentiam dedimus specialem, statuto prædicto non obstante. Nolentes quod prædicta Johanna uxor Roberti vel hæredes sui seu prædictus Capellanus vel successores sui ratione statuti prædicti per nos vel hæredes nostros, justiciarios, escaetores, vicecomites, aut alios ballivos seu ministros nostros vel hæredum nostrorum quoscumque inde occasionentur, molestentur in aliquo seu graventur. In cujus, &c. Teste Rege apud Westmonasterium, xxviiij die Februarii.

(*To be continued.*)

SHERIFF'S SEALS.

BY FRANCIS JOSEPH BAIGENT, ESQ.

To the Editor of the HERALD AND GENEALOGIST.

I am glad that you have called attention to this hitherto almost unnoticed class of seals.¹ The impressions preserved of these seals are not numerous; and this is to be regretted, as they would otherwise have furnished us with many coats which are now lost, as well as the real arms of many families to whom later or more modern coats have been assigned.²

Those who are conversant with early heraldry know full well that fictitious coats are innumerable, especially in the quartered shields of the latter part of the sixteenth and the following century, figured in the Visitations and other heraldic manuscripts. Innumerable instances might be given, but I will limit myself to a single illustration: *Sable, a chevron ermine between three unicorn's heads erased argent*, are recorded as the arms of the Overton family, co. Hants., and are so given among the quarterings of John Fisher, Esq. of Chilton Candover, in the same county (*vide* Harl. M.S. No. 1544, fol. 58,) whose ancestor Robert Tawke, esq. married Elizabeth sole daughter and heir of Isabella the only daughter of Sir William de Overton, knight. This Sir William de Overton was Sheriff of Hants in 29 Edw. III. A.D. 1355, and the above-mentioned coat was certainly not his arms, as I have now lying before me an original charter granted by this very Sir William de Overton, dated at Southampton, June 23, 1357 (31 Edw. III.): *Ego Willelmus de Overton miles dedi*
. In cujus rei testimonium huic præsentî cartæ sigillum meum apposui, etc. and this seal is still appended in perfect

¹ Herald and Genealogist, vol. iii. p. 381.

² The scarcity of impressions of these seals arises from the fact that the documents to which they were appended were of minor importance, and generally valueless after a few years. I have never met with a single instance of a Sheriff's seal being used as a ratifying seal (*ad majorem securitatem*) to a charter or grant of lands, though many thousands of such documents have passed through my hands.

preservation, and bears his armorial shield, *Six escallops, 3, 2, and 1, within a border*, and round the margin of the seal is inscribed *Sigillum . d'ni . Willelmi . de . Overton*. He died on 13th October, 1361, the year of the great pestilence, Thomas de Overton his son and heir being nineteen years of age, who married Johanna daughter of Sir William Bruyne of Rowner, co. Hants, and had a posthumous son, Michael de Overton, who died October 19th, 1389, and the above-named Elizabeth wife of Robert Tawke was his nearest heir, and aged twenty-three years.¹

Of the earlier Sheriffs of Hampshire I do not think I have seen more than three of their official seals, and these display the arms of Giffard, Bruyne, and Warbelton, all being of that character or class which you have named—a castle with a shield of arms in front, and generally the initials of the Sheriff on each side of the castle.

These seals, I am inclined to believe, first made their appearance in the latter part of the fourteenth century, and I do not think their origin can be carried back to an earlier period. As to their use, it must be borne in mind that the duties of the olden Sheriffs were not only different, but far more numerous than those required from their successors of the present day: in a few words, they held, in addition to present duties, the offices of Lord Lieutenant and Custos Rotulorum, and were receivers not only of the Crown rents, fines, and amercements, but even custodians of the royal castles, and of all the royal property within their respective counties. Moreover, in olden times the appointment was not limited, as at present, to a single year, but was held during the King's pleasure, so that it was not unusual to find the same person holding the office for ten or twelve years, or even for a much longer period. The annual system appears to have been introduced about the year 1370.

¹ I am well aware that my statements with respect to this match do not accord with the pedigree printed in Berry's *Hampshire Genealogies*, or with that given in Harleian MS. No. 1544, fol. 58, accompanied by the following attestation: "This pedigree was made, Registered, and allowed by me, Clarencieux King of Armes, according to the true Evidences and Charters of John Fisher of Chilton Candover in com. Southampton, Esq. ye xth day of May An^o D'ni 1573, and in the 15th yeare of the Reigne of Queene Elizabeth, &c.—ROBERT COOKE, CLARENCEUX ROY D'ARMES."

Having alluded to the circumstance of the olden Sheriffs having charge of the royal castles, it may be well to give a few instances. In the beginning of his reign Edward III. committed to Almaric la Zouch the counties of Cambridge and Huntingdon, and the royal castle of Cambridge, with appurtenances, to hold during the King's pleasure; and it is noted that no order was written for the castle and counties aforesaid to be delivered to him, *because the said Almaric was already Sheriff of the aforesaid counties*. To Richard de Perers, the counties of Essex and Hertford, and the royal castle of Colchester. To John de Brompton, the counties of Oxford and Berks, and the royal castle of Oxford; William de Whitfield, the counties of Somerset and Dorset, and the royal castle of Shirburne, with appurtenances; Thomas de Hadringham, the counties of Norfolk and Suffolk, and the royal castle of Norwich; Henry de Bishebury, the counties of Salop and Stafford, and the royal castles of Shrewsbury and Bridgenorth; William Botreaux, the county of Cornwall, and the castle of Launceston; Roger Rodde, the county of Devon, and the royal castle of Exeter; Roger de Chandos, the county of Hereford, and the royal castle of Hereford; Radulph de Sancto Laurentio, the county of Kent, and the royal castle of Canterbury; William de Semor of Hannington, the county of Northampton, and the castle of Northampton; John de Insula, of Woodburne, the county of Northumberland, and the royal castle of the town of Newcastle-upon-Tyne; Philip de la Beche, the county of Wilts, and the royal castle of Old Sarum; and Henry de Fauconbergh, the county of York, and the royal castle of York.¹

The earliest example of a Sheriff's seal which has come under my notice is that figured in *The Gentleman's Magazine* of August, 1856, p. 221. The original matrix or seal is of latten, and was found in November, 1855, by some workmen who were grubbing up the root of a tree on the skirts of Bagley Wood, near the old

¹ In the appointments of this date for the counties of Bedfordshire and Buckingham, Nottingham and Derby, Surrey and Sussex, Warwick and Leicester, and the counties of Cumberland, Lancaster, Gloucester, and Lincoln, no castles are named. The Sheriffs of these counties must have had an official residence of some sort if not a castle, and I question whether this might not be more of an omission in the record than anything else, as there were royal castles in most of these counties.

footpath from Oxford to Abingdon, in the parish of Sunningwell, Berks. It represents a castle with water at its base, and an ox issuing from the entrance; and on the side of the castle is a shield of arms, which I should describe as Barry of six, on a quarter a mullet. The writer of the communication, the Rev. Frederick G. Lee, of Sunningwell Rectory, aptly observes, "It appears,



from the introduction of the well-known device of an ox crossing a ford, that the owner of the seal, whoever he might have been, had some official connection with the city of Oxford, and the correctness of this idea seems to be in some way supported by the fact that the seal was discovered within four miles of that city." The general design of the seal induces me to assign it to the latter half of the fourteenth century; the tall towers with arrow-loops point to an earlier date than the other examples I am about to give, and the more pointed form of the shield is another characteristic. I have little or no hesitation in pronouncing it to be the seal of GILBERT WACE, who was Sheriff of the counties of Berks and Oxford in the 46th and 49th years of Edward III. (A.D. 1372 and 1375), and again in the 3rd and 11th of Richard II. (1379 and 1387), and whose armorial bearings correspond with those given upon the shield; Barry of six argent and gules, on a quarter of the last a mullet of the first.¹ I have already indicated that the Sheriff of Berks and Oxford (these two counties forming one sheriff-wick) had charge of the royal castle of Oxford, which is no doubt the building exhibited on the seal, as the introduction of the ox and water is a punning allusion to the place or castle.

¹ Sire William Wasse, barré de argent e de goules de vj peces, a un quarter de goules et un molet de argent. Roll temp. Edw. II. Bokinghamschire.

The sheriffs of Hampshire resided in Winchester Castle, which was in fact their official residence, and this alone I think sufficiently explains the reason of their seals exhibiting a castle, whilst the armorial shield in front of it identifies the individual. In illustration of these statements I will content myself with copying from my memoranda the entry of the appointment of a sheriff as recorded upon *Originalia Rolls* of the 15 Edw. II.

At Porchester, on the 8th October, 1321, the King, by writ of privy seal, committed to John de Scures¹ the county of Southampton and the King's castle of Winchester, with appurtenances; to keep from the feast of Saint Michael then last past, as long as it shall please the King. So that he shall pay annually the King's rents and dues into the King's Exchequer, also the royal debts, and all other things belonging to the office of Sheriff of the aforesaid county, and the keeping of its castle. And he shall answer to the King's Exchequer, as the other sheriffs and keepers of the castle have heretofore been accustomed.

And as for his predecessor—

John de Tichborne² is ordered to deliver to the same John de Scures the county aforesaid, together with the rolls, writs, memoranda, and all other things pertaining to the office; also the aforesaid Castle with its appurtenances, together with the arms, provisions, and all the rest of the King's property existing in the said Castle, together with all issues received from the aforesaid feast of Saint Michael which are in

¹ Lord of the manors of Nately Scures and Wickham, co. Hants. He held the office of sheriff of the county for seventeen years: his successor Robert Daundely was appointed on the 10th November, 1333, and Sir John de Scures was ordered to deliver to him the county, with the Castle of Winchester, etc. He held many important offices of trust during the reigns of Edw. II. and III. and died on 12th June, 1353.

² Son and heir of John de Tichborne and Margaret his wife, daughter and heiress of Roger Sifrewast, of Clewer, co. Berks. This Sir John de Tichborne was a person of great eminence in the reigns of Edw. II. and III. serving in several parliaments as knight of the shire, and held repeatedly the office of high sheriff in the counties of Hants, Wilts, and Dorset, and was one of the King's justices itinerant. On the 11th March, 1326-27, John de Stratford, Bishop of Winchester, granted permission to Sir Ralph de Beresford, Sir John de Scures, and Sir John de Tichborne, knights, the King's justices itinerant, to hold their Lenten assize within the diocese of Winchester. He was lord of Tichborne in 1312; received the knighthood between the years 1310 and 1313; was living on 27th June, 1337, and died before the end of 1338.

his charge, shall, by an indenture thereof made between them, be delivered into his custody.

No sheriff could transact business without a seal, for it was an article of the greatest importance. Signatures were not then in use, but the appending of a seal was the authentication of a document and gave it its validity, being of the same force as a signature is at the present day; when the seal itself, which was once all important, has become a mere fiction—generally a wafer or two already affixed—so that he who who signs has nothing to do with the placing of the so-called seal, though it is stated as otherwise upon the deed, the olden formula being retained.¹ Therefore, the uses of these Sheriff's seals were innumerable, and they were affixed to writs, letters, mandates, receipts, &c.; in fact, to all documents emanating from the Sheriff.

It may not be amiss for me to give a translation of a document which has still appended to it, in excellent preservation, one of these seals, exemplifying one of the many occasions in which they were called into requisition. It is a receipt dated May 5th, 1448.

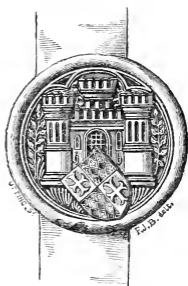
Be it known unto all by these presents that I, Henry Bruyne, late Sheriff of Southampton,² have had and received on the day of the making of these presents, by the hand of John Tyeer, from the men of the town of Southampton, by John Caus and Richard Thomas, their bailiffs, of their several dues owing to the Lord King, the sum of xxxiijs. viij^d., which xxxiijs. viij^d. I acknowledge to be paid, and the said men and John Cause and Richard are quitted. In testimony of which to these presents I have appended THE SEAL OF MY OFFICE (*sigillum officii mei*). Given at Southampton, on the fifth day of May, in the twenty-sixth year of the reign of King Henry the Sixth after the Conquest.

The seal affixed to this document is a very fine example, elegantly designed, and I should think can hardly be surpassed

¹ In the beginning of the eighteenth century the use of one's actual seal began to be discarded, and one seal may be seen impressed six or seven times upon the same deed, doing duty for as many individuals.

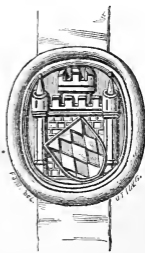
² Southampton is the legal name by which the county of Hants is always designated; I note this, lest some of your readers less familiar with the question should think it refers to a sheriff of the town of Southampton, more especially as the document is dated in that town. See quotation, page 217.

by any other specimen of this class of seals. The impression is formed of a dark brown wax—almost a black. It is of a circular form, and has the usual device of a castle (intended no doubt for Winchester Castle, the official residence), and below it, or rather in front, is a quartered shield placed in an oblique position; the arms are, 1 and 4, a cross moline, for Bruyne (Azure, a cross moline or), 2 and 3, Lozengy ermine and —, for Rokeley (Lozengy ermine and gules).



This Henry Bruyne was Sheriff of the county in the preceding year, viz. 1447, and was the eldest son of Sir Maurice Bruyne, knight, of Rowner, co. Hants, and of South Ockendon alias Wokynden Rokele in Essex. He soon afterwards received knight-hood, and held the office of Sheriff again in the year 1458, 37 Hen. VI.; he died in his father's lifetime, November 30th, 1461; Alice, aged 18 years, wife of John Berners, Esq., and Elizabeth, aged 17 years, wife of Thomas Tyrell, Esq. were his daughters and co-heirs. His initials **h. b.** are given just above the shield, on either side of the gateway; the portcullis is also represented, and the central tower is intended for the keep or inner castle. On the slip of parchment bearing the seal, just below the seal, is written in Latin, "Receipt of Henry Bruyne, Sheriff, for xxxiijs. viij^d. received from the men of the town of Southampton, etc. in the year xxvj."

The next example is a smaller seal, plainer in design and of a blunted oval shape; the shield of arms nearly covering the front of the castle. It is the official seal of William Warbelton, Sheriff of Hampshire in 1451,¹ and the shield is charged with his armorial bearings, Lozengy or and azure. The impression is formed of a dark brown wax, but not quite so dark as the Bruyne seal, and the document to which it is appended will illus-



¹ He is misnamed as THOMAS WARBELTON in the Lists of Hampshire Sheriffs printed in Fuller's Worthies of England, and in Berry's Hampshire Genealogies.

trate another of the many occasions which called for the use of a "Sheriff's seal," and is interesting in its concluding words:—"Given at my Exchequer, Winchester, the twentieth day of September in the 30th year of the reign of King Henry Vith after the Conquest," A.D. 1451. I will give, as I have done before, a translation:—

William Warbelton, Esquire, Sheriff of Southampton, to the Bailiff of the free town of Southampton, greeting. On the part of the Lord King, I order that, notwithstanding any privilege, you omit not to apprehend John Kelchet, searcher of the Lord King for the port of Southampton, so that he may be [brought] before the Barons of the Exchequer of the Lord King, at Westminster, on the morrow of Saint Michael, to render the Lord King an account of all the forfeitures seized by him in virtue of his office. And that you apprehend Robert Gosselyn, of Southampton, "Marchaunt," returnable on the quinzaine of Michaelmas, to answer William Bekke in a plea of transgression. And apprehend John Kyrkeby, of Southampton, in the aforesaid county, "Maryner," returnable in the octaves of Michaelmas, to answer Simon Kent, of Reading,¹ on the plea of owing viij*l*. And apprehend

¹ This individual was the father of the little boy commemorated by a small brass in the chancel of the church of Headborne Worthy near Winchester, interesting not only as showing the same distinctive gown still worn by the Winchester collegians, but even the first tonsure, which the scholars in olden days were wont to receive on their admission to Winchester College. The figure is about a foot in height, and represents him with his hands folded in prayer, and near his head is a scroll with the words of the Psalmist: "*Misericordias domini in eternum cantabo*"—*The mercies of the Lord I will for ever sing*. So appropriate to one destined for the priestly office dying in boyhood. Beneath the figure is inscribed:

*Hic jacet Johannes Kent, quondam Scholaris Nobi Collegii de Wynton-
chestre & filius Simonis Kent de Redyng, cujus anime propicietur deus.*

Though no date is given, on referring to the College Register I find that he was admitted as a scholar on the 23rd August, 1432, and died August 31st, 1435. The family appears to have been long located at Reading, and in the chancel of Saint Lawrence's church in that town is or was a brass to his grandfather and grandmother, executed I believe by the same hand:

*Hic jacent Johannes Kent, quondam Burgensis de Redyng, et
Johanna uxor ejus, quorum animabus propicietur deus: amen,*

This John Kent occurs as plaintiff in an action in the borough court of the city of Winchester held on 20 January, 1405-6,—"*Johannes Kent de Redyng, Mercer, quarens,*" etc. Another member of this family bearing the same name was mayor of Winchester in 1454-5, and a Richard Kent held the same office in 1469. His arms, Argent, two lighted tapers in saltire or, occur on a piece of painted glass of this date accompanied by an inscription,—*Scutum Ricardi Kent nuper majoris civitatis Wynton.*

Roger Wyner, of Southampton, in the aforesaid county, "Toker,"¹ returnable in the octaves of Michaelmas, to answer Galfrid Unton, Esquire, on the plea of owing xls. And apprehend Thomas Rogers, of Southampton, "Shipman," returnable in the octaves of Michaelmas, to answer Robert Aylward and Galfrid Unton in a plea of transgression. And apprehend Thomas Rogers, of Southampton, "Maryner," returnable in the octaves of Michaelmas, to answer Galfrid Unton on the plea of owing xls. And summon Simon Capon, of Southampton, "Fisshemonger," and William Capon, of the place, "Barbour," returnable before the King, in Chancery, in the quinzaine of Michaelmas, wheresoever, etc., to answer John Milne in a plea of transgression. And to apprehend, in the aforesaid form, David John, of the same place, "Marchaunt," returnable in the octaves of Michaelmas, to answer John Estefeld, on the plea of owing liij s. iiij d. And apprehend in the aforesaid form William Brokehurst, of the same place, "Botcher" [butcher], returnable in the quinzaine of Michaelmas, to answer Richard Lovell on the plea of owing xls. And what you perform hereupon certify to me without delay. Given at my Exchequer, Winchester, xxth day of September, in the xxxth year of the reign of King Henry the Sixth after the Conquest.

Before dismissing the seal appended to this document, it is but right that I should note that this seal, although used in 1451, is actually of earlier date. I carry it back to the year 1410, in which year, the 12th Henry IV. this same William Warbelton held office as Sheriff of Hants, being then in his twenty-eighth year; and holding the office again in 1451, his old seal was again used. He was also Sheriff of the counties of Surrey and Sussex in 1427.² In 1456, King Henry VI. granted to him in fee the office of Constable of Odiham Castle, co. Hants, and the keepership of its park. His Will is dated at Sherfield-on-Loddon, co. Hants, on 10th July, 1466, and directs his body to be buried

¹ I believe this means a dyer, and derived from the Anglo-Saxon, the word *Touken*, to dye.

² In the time of Edward II. and III. the family name was *WARBLYNGTON*, but after this period that of Warbleton or Warbelton was more generally employed, though the older name was still occasionally used; for instance, I find the above mentioned William Warbelton, Esq. recorded on the court roll of the city of Winchester, December 13th, 1413, as *Willelmus Warblyngton nuper Vicecomes Suthamptoniæ*, and he is so named in the List of Hampshire Sheriffs given in Fuller's *Worthies of England*.

before the image of Saint James in the choir of the priory church of Tanridge, co. Surrey, of which priory he was patron, owing to its having been founded by his ancestor Eudo de Dammartin. He was the last male heir of his family, and died on the 4th of January, 1468-9, at the advanced age of eighty-six; and the descendants of his paternal aunts, Margaret and Elizabeth, were his nearest heirs.

The third seal I have alluded to is that which belonged to John Giffard of Itchil, co. Hants, Esq. who was Sheriff of the county in the 11th Hen. VI. 1432-3, and died on the 10th June, 1444.



It is of a circular form, and displays a castle with a tower at each end, and an inner tower or keep; in front of the entrance is a small shield charged with ten roundels, and in the intervening space between the sides of the castle and the edge of the seal are his initials *i. g.* The coat is, Argent, ten torteaux. The family

held the estates of Itchil and Cove, co. Hants, from an early period; and it is a singular fact, that their armorial bearings are to this day the arms of the see of Worcester, owing to the circumstance of one of the family having been bishop of that see, Godfrey Giffard, consecrated 23rd September, 1268, and died on 26th January, 1301-2, at which time diocesan arms were beginning to be used. That they were originally the arms of the family, and not those of the see adopted by the family, I think is quite evident from their being given in that early roll of arms, temp. Edw. I. (Harleian MS. 6137), as the coat of Sir Alexander Giffard, elder brother to the Bishop, who died before 1279. The only similar instance is that of the arms of the Cantilupes borne by the see of Hereford, in memory of Thomas de Cantilupe, Bishop of that see from 1275 to 1282, who was canonized about thirty years afterwards; and, with but one or two exceptions, the arms of all the other English Sees give the emblems of the patron saint or saints of the cathedral church.

Fuller, in his lists of Sheriffs (*Worthies of England*), has appended to many of their names certain armorial bearings, but they are not trustworthy, and appear to have been adapted

almost at random from an Ordinary of Arms. Taking Hampshire for an example or two, Sir Maurice Bruyne (the father of the one whose seal has been noticed) has assigned to him, "Sable, three lions passant gardant betwixt two bends gemeros argent." To Sir John Lisle, knight, "Or, a fess betwixt two chevrons sable," instead of, Or, on a chief azure three lions rampant of the first. Robert White, Esq. (of South Warnborough) has, "Azure, a fess betwixt three flowers de liz or," in place of Argent, a chevron gules between three popinjays vert, beaked, collared and legged of the second, within a border azure charged with eight bezants, as appears upon his tomb; and Sir Thomas Stukeley, knight (of Hinton Ampner), "Azure, three pears or," and not as it should have been, Checky, argent and sable, a fess gules within a border azure. Moreover, the misprinting of names throughout is something very serious.

I will now notice the seal which you have mentioned¹ as engraved in the *Gentleman's Magazine* for June 1787, plate ii., fig. 4, of which it is there only stated: "Fig. 4 is an impression from a wooden seal, which wants decyphering." I regret that it is so imperfectly engraved, otherwise I should like to have seen it figured in your pages. The general design of the castle and other peculiarities are sufficient to show that this example belongs to the seventeenth century, as well as the width and shape of the shield of arms; the shield is placed just above the entrance or gateway, and occupies the entire space between the two flanking towers of the castle. To follow your own description: "It is in size about that of our old halfpenny," and the shield has "two coats impaled: a chevron between three pheons, and three boar's heads erect. In the margin are the initials P. H., and at the foot (as numismatists say, in the *evergun*,) I. B." The first coat you have correctly assigned in attributing the arms to the name of Holman, for again in this instance I have no hesitation in asserting it to be the official seal of Philip Holman, Esq., of Warkworth, Sheriff of Northamptonshire, in the 14th Car. I., A.D. 1638; whose armorial bearings were, Vert, a chevron between three pheons argent,² and the arms on the sinister side of the shield are

¹ Herald and Genealogist, vol. iii. p. 382.

² I have very recently seen some deeds executed by his son and heir, George

intended for those of his wife's family, who was the daughter of — Barton, of London,—Argent, three boar's heads erased gules. This Philip Holman, Esq., purchased the manor of Warkworth, co. Northants, with an estate at Grimsbury, in September 1629, of Sir Richard Chetwode, for the sum of 14,000*l.*; and was buried at Warkworth, July 4, 1669, æt. 76. The seal is evidently a copy of an older design, and is interesting as a very late instance of this type of a Sheriff's seal accompanied by a shield of arms. The other initials are probably those of the Under Sheriff.

My next example belongs to the last year of the Commonwealth,—the official seal of Edward Trussell, Esq., Sheriff of



Hampshire in 1660. The castle bears some resemblance to that given upon the seal previously noticed; the domes or cupolas of the side towers of the castle are likewise surmounted by flags. No shield of arms is given, but above the battlements of the castle appears the sheriff's crest,—*on a wreath, out of a mural crown an ass's head.* The sheriff's

initials (previously usual) have given place to the substitution of the date 1660, which is engraved on the lower part of the seal. The impression is formed of red wax, and his signature, EDW. TRUSSELL, SHERIFFE, is written above the seal, on the fold of the parchment. The document itself affords another illustration of the uses of these seals. It is an indenture, made 2 April, 1660, between Edward Trussell, esq. Sheriff, on the one part, and the Mayor, bailiffs, and commonalty of Winchester on the other part, witnessing the election of Thomas Cole of Liss, co. Southampton, esq. and John Hooke of Bramshott, in the same county, esq. as two fit citizens to attend for the said city in Parliament. This part of the indenture was left in the hands of the said Mayor, &c.

(To be continued.)

Holman, Esq. and his son, William Holman, Esq. and the seals exhibit the arms of Holman as mentioned. William Holman married a Hampshire lady, Mary daughter of Henry Wells of Brambridge, Esq. and lived at Longwood in this county.

SWILLINGTON OF SWILLINGTON.

The village of Swillington, whose name a once powerful and important knightly family adopted as their surname, stands upon the southern brow of the last range of hills which forms the northern boundary of the Vale of Aire. Its distance from Leeds, five miles eastward, is sufficiently great to separate it from all the evil influences of a great manufacturing town; and Swillington yet remains a quiet rural village of pretty aspect and delightful situation.

After the Norman Conquest it became part of the honor of Pontefract, and the property of Ilbert de Laci. In the Conqueror's time it was in the possession of two Saxons named Dunstan and Odo. Whether they were "the progenitors of a family which succeeded to the manor, and assumed the surname de Swillington as early as local names came into use, it is impossible to prove."¹ The historian Whitaker seems to think they were; for he continues, "they appear very frequently as witnesses to charters from the era of deeds with date, and present in succession to the rectory of Swillington till the beginning of the fifteenth century." I, however, have not the means of establishing the Doctor's conjecture as a fact; perhaps the following notice bears witness to the contrary:—

Fines 4 John. Between Jordan de Assartis, compl. and Ralph son of Richard, tenant, of one bovate of land in Swillington, with the appurtenances, the right of Ralph and his heirs. And he granted to the aforesaid Jordan and his heirs two bovates of land with the appurtenances in Birle, which lie between the lands of Ailsi son of Thomas de Betteley, and the land of Thomas Sutor towards the north, doing therefor the service which belonged, &c. to the chief lord of the fee for all service.²

There is a pedigree of the lords of Swillington, compiled by

¹ Whitaker's "Loidis et Elmete," p. 252.

² Harl. MS. 802; which is the authority referred to, except where another source is specially mentioned. Birle, now called Bierley, was a manor which belonged to the Swillingtons for many ages.

John Hopkinson, wherein it is stated that John Swillington lived in 1176, and he is given as the first of his race. Of him and his successors for three generations but little appears to be known. The pedigree says:—

SWILLINGTON OF SWILLINGTON. Argent, a chevron azure.¹

John Swillington of S. near Leeds, mar. and had issue
Adam.

Joan, who mar. William (? Walter) Calverley of Calverley, esq.

Adam Swillington of S. s. and h. of John, mar. and had issue

Sir Hugh Swillington of S. s. and h. of Adam, mar. and had issue

Robert Swillington of S. s. and h. of Sir Hugh, mar. and had issue

Sir Hugh Swillington of S. s. and h. of Robert, mar. and had issue

Adam, William, Agnes.

In the 11th Edw. I. Sir Hugh obtained a charter of free warren in Swindlington, Rodes, Birlee, Wybecey, Thorpe extra Well, and New-some.

I am not in possession of Hopkinson's reasons for fixing any of the above descents. Of Adam I find nothing. The name of Sir Hugh appears among those of the witnesses to the charter of Maurice Paganel to the burgesses of Leeds, dated 9 John (1207). About the year 1234 we find mention of William the son of Henry de Swillington,² but their position in the family I cannot determine. Dominus John de Swillington, presbyter, who was instituted vicar of Collingham, near Leeds, on the 7th kal. April 1275, is another unrecorded member of the house. The second Sir Hugh is the next heir to whose period of existence a date can be assigned. In 1280, 6th kal. Dec. he presented to the rectory of Swillington Robert de Swillington, sub-deacon, who would perhaps be his younger brother. In 1290 this Sir Hugh was called upon to show by what authority he had appropriated to himself a park in *le Rodes*, at a place called *Indansal*, when his attorney answered that he possessed *juxta curiam suam* a wood-close, containing four hundred acres, which had been held in the family beyond memory.³ Rodes is a township in the

¹ The "Constable Roll," printed in the Surtees Society's edition of Tonge's *Visitation*, gives the arms of Swillington—Argent, a chevron azure, a label ermine.

² Fox's *Pontefract*, p. 66.

³ Plac. de Quo Warr. i. p. 196.

parish of Rothwell, which is divided from Swillington parish by the River Aire. In Rothwell parish the family obtained lands, which they held for some years. Rothwell was held by the Lacis, their feudal lords, as long as that family existed. Among the fines of the 26 Edw. I. we find "between Adam, son of Hugo de Swillington, complain^t, and Hugo de Swillington, deforc^t, of the manor of Thorpe Pirrowe, Thorpe near Rothwell, and Swillington, with the appurtenances," another instance of their possessing lands in that parish. This Adam was the heir of Sir Hugh, as stated in the pedigree.

Perhaps Sir Hugh had also another daughter not mentioned in the pedigree. From Burton's Monasticon we find that Thomas, son and heir of William de Liversedge, by Margaret, daughter of Sir Hugh de Swillington, knt., quitclaimed to the convent of Fountains his right in a messuage and one oxgang of land in Liversedge, but no date is attached to the entry.

Between A.D. 1250 and 1300 it seems that a junior branch of this family had settled in Swillington; Mr. Hopkinson has made some important omissions in his descents. We have already noticed William the son, Henry de Swillington, a benefactor to Pontefract Priory *circa* 1234, and after an interval of perhaps ten years we find mention of other children of Henry de Swillington.

This is the final concord between Sir John de Wridlesford of the one part, and Henry son of Henry de Swillington of the other, of one bovate of land with the appurtenances in Swillington, whereof a plea was between them in the court of Sir Robert Stapleton at Pontefract by the occasion of the custody of the land and heir of Sir William de Swillington. Witnesses, Sir Robert de Stapleton, Adam de Preston, John de Swillington.

This would happen about 1250. At that time Robert de Stapleton was one of the superior officers of the Honor of Pontefract, whose heir, Edmund de Laci, was scarcely yet of age. If this was a junior branch of the family little seems to be known of it. At the death of Sir Robert de Swillington in 1391 we find that he held among other possessions in Swillington *tam le Newhall quam le Oldhall*. Perhaps *le Newhall* had been the seat of the second branch, then extinct, their possessions having reverted

to the heir of their common ancestors. To continue with the pedigree :

Sir Adam Swillington, knt. son and heir of Sir Hugh, married Margery, dau. of and had issue

William.

Reyner.

Robert.

I (Hopkinson) have an original lease from him to William, son of Henry de Bierley for ten years, at twelve pence a year, dated at Martinmas 1315; witnesses Thomas of Thornton and William of Bolling.

In the 2nd Edward II. this Adam had a grant of free warren in Swillington, Thorpe Perhowe, Rodes, Byrell, &c.; and in 1311 presented to the rectory of Swillington, and Margery his widow in 1344 and 1348. Adam's death seems to have occurred in 1327,¹ when he was in possession of the manor and mill of Leeds. Adam lived during a stormy period, and was an actor in the principal events of his day. In 1316 he was certified as lord of Swillington and North Bierley, and joint lord of Thorpe Pirrowe and Snape in co. Norfolk, and Middleton and Fordley, Dersham and Yoxford, co. Suffolk. In 1318 he was an adherent of Thomas of Lancaster, his feudal chief, and received a pardon for his felonies and trespasses. He continued in the service of the earl, was taken prisoner at Boroughbridge in 1322, and afterwards paid 1,000 marks for his life, and gave surety for his good behaviour. In 1324 he was returned by the sheriffs of Suffolk, Lincoln, and York, as summoned by general proclamation to attend the Great Council at Westminster on Wednesday next after Ascension day, 30th May; and in 1325 he was summoned from the county of Lincoln to perform military service in Guyenne, he having obtained a pardon upon condition of serving the King in his wars. He was summoned to Parliament at Westminster 3rd December, 1326. Burke gives his arms, Argent, a chevron azure, without any mention of the label.

From this point the pedigree seems to be very incorrect. William de Swillington, we are told, was the heir of Adam, but in the *Comptus* of the Honor of Pontefract in 1357, it is said

¹ Cal. Inquis. p. m. vol. ii. p. 210.

the lord of the honor then sold the wardship and marriage of *Robert*, son and heir of Adam de Swillington, for 200*l.* to Peter Routh. The pedigree gives Robert as the third son, and it seems strange that the heir of Adam, who unquestionably died in the 1 or 2 Edw. III. 1328, should be in minority in 1357. In the 17 Edw. II. 1323, Adam made a fine with the King of 100 shillings for licence to enfeof Alexander the son of William de Atherton, of certain lands and tenements in Swillington, which he held as of the honor of Pontefract.¹ Does this transaction indicate a marriage between the two families? In one of the windows of Swillington church the arms of Atherton, Gules, an annulet between three falcons volant argent, were found by Dods-worth. If it does, and Adam had a marriageable daughter in 1323, it seems scarcely possible that his heir should not be of age in 1357. It is however certain that Robert was a man of importance during the latter part of the reign of Edward III. The King appears to have had about his person a great many York-shiremen as officials of almost every grade. Their warrior kinsmen were also called in great numbers to fight his battles, and they readily responded to his call. "Old John of Gaunt, time-honor'd Lancaster," was then their lord, and he led them to battle. In the 26 Edw. III. Robert Swillington was taken prisoner at Calais by the French, and on the 12th October of that year the King paid 33*l.* 6*s.* 8*d.* towards his ransom. It would appear that this event happened before he had attained his majority.

The pedigree says that Adam was succeeded by—

William de Swillington, esq. s. and h. of Sir Adam, who mar. and had issue

Hugh.

Thomas, who mar. and had issue Eliz. his d. and

sole heir, who married John Gascoigne, esq. son of Sir William Gascoigne of Gawthorpe. He settled at Thorpe on the Hill.

Thorpe on the Hill is in the parish of Rothwell, and William de Swillington is said to have given this manor to his second son Thomas, whose daughter carried it to the Gascoignes, whose descendants held it certainly until the middle of the seventeenth

¹ Rot. Orig. i. p. 274.

century, and made it the birthplace of that William Gascoigne who added new glory to his highly honored name by his genius as a mathematician. On the 14th Sept. 1336, 10 Edw. III. William de Swillington was ordered to lead the Welsh levies into Scotland.¹ He is said to have been succeeded by his son Hugh, who married (though the name of his wife is unknown) and was in time succeeded by his son and heir Roger.

William Swillington cannot have been either son or heir of Adam. The pedigree itself settles that point by stating that he had free warren in Rodes, Bierley, Wibsey, and Shelf, in the 4 Edw. II. 1310, a year when Adam was young and fresh in possession of his estates. Hopkinson has stated that Adam had a brother named William, and it seems conclusive that that brother is identical with the William whom he makes Adam's heir. William Swillington, the founder of the Thorpe branch of the family, may therefore be considered the son of Sir Hugh, who in 1290 was called upon to show his right to the estates in the parish of Rothwell. How far the descents from him are correct I am not prepared to say. The only certain thing is the heiress married a Gascoigne, whose name for centuries was that of the lord of the manor of Thorpe.

There is no doubt that the heir to the Swillington estates who succeeded Adam bore the name of Robert.² I have already drawn attention to him twice as a minor. In 1376 we find him a husband, and styled *avunculus* to distinguish him from another Robert Swillington of Swillington, his contemporary. Robert the *avunculus* had married Margaret, one of the coheirs of Margaret, daughter of Richard de la Ryveres. Sarre or Savra the wife of John Garlek was the other. In the 50 Edw. III. Robert de Swyllington, kt. *avunculus*, gave half a mark for licence to acquire unto himself and the heirs of Margaret his wife the moiety in fee of 200 acres of land, and two acres of wood called

¹ Rot. Scot. i. 453.

² There is something perplexing about the number of Roberts we find at this period. I give another, but who he was I cannot say. "11th April, 1348. Letters testimonial to a marriage between Robert de Swyllington and Avora, daughter of Sir Stephen Waleys, knt. deceased. They were contracted on the Monday before the feast of Saint Thomas the Apostle, 1347, in the house of Thomas Basy in Micklegate, York, and were afterwards publicly married." *Fasti Ebor.* p. 444.

Bretonsdybbyng, with their appurtenances, in Dodyngton co. Northampton, of John Garlek and Savra his wife.¹

Bridges says the land in Dudington had belonged to John le Breton, who was succeeded by his sister Maud, the wife of Richard de la Ryvere. It then descended to Margaret, daughter of Richard de la Ryvere, a kinsman of the above Richard. She died in the 49 Edw. III. under age, and in ward to the King, and had Sara, wife to John Garlek and sister of Richard de la Ryver, and Margaret, daughter of Margaret Garlek, the wife of Robert de Swyllington, her heirs and successors.² It will be remembered that Peter Routhe had paid 200*l.* for the wardship and marriage of Robert, son and heir of Adam de Swillington in 1357-8. Therefore, if that marriage had ever been concluded, as is most likely, Margaret de la Ryvere was the second wife of this Robert. In "another descent" the pedigree mentions this Robert, calling him the third son.

Sir Robert de Swillington, third son of Sir Adam, mar. Margaret d. of Sir Richard de la Ryvers, and had issue Roger.

The alterations which this entry must undergo have been pointed out. This Robert, who is also called "senior," as well as "avunculus," died at Gunnelstone in Nottinghamshire 15 Rich. II. He had often fought in the continental wars of the Black Prince and the Duke of Lancaster. In June 1369, he and Godfrey Foljambe (both of whom had been seneschals of Lancaster's castle of Pontefract), and a great many other Yorkshire knights, crossed the seas with John of Ghent to Calais,³ and remained with their leader at least until 1375. This Robert must have been an exceedingly rich man. At his death he held manors in Essex, Northampton, Derby, Notts, Leicester, Norfolk, Suffolk, Lincoln, and York. His estates in the last named county were sufficient to give him an almost princely fortune. They were Shelf manor, Swillington manor, as well the New Hall as the Old Hall; a messuage and a carucate of land in Methley; a messuage and a carucate of land in Gerforth; a messuage and a

¹ Rot. Orig. ii. p. 338, 349.

² History of Northamptonshire, ii. 277; see also Rot. Orig. ii. p. 338.

³ Fœdera, vol. iii. p. 871; also Froissart, vol. i. p. 419, 1857.

carucate of land in Preston near Kippax and Little Preston; two messuages and 10s. rent in the city of York; the manor of Fairburn near Brotherton; the manor of Preston and 40 acres of land; a messuage and 8 acres of meadow at Great Preston; the hundred of Stafford; 10*l.* issue of the manor of Bradford; the manor of Aldmondbury held of the honor of Pontefract; the manor of Burghwallys; the *alternatim* advowson of the churches of Thurstleton and Baddesworth; and the advowsons of Byrkin and Twyford. Margaret his widow survived him many years, and appears to have died in 1415, in which year she gave 66*s.* 8*d.* to the fabric of York Minster.

Coeval with this Robert was Robert Swyllington junior of Swyllington. His will appears in the Testamenta Eboracensia, vol. i. p. 107. It was made on the 23rd May, 1379. The testator calls himself of Swyllington, and orders his body to be buried in the Lady chapel of Swyllington church before the altar. He had married two wives, Christiana, near whom he desired to be buried, and Alice, who survived him. He appoints as executors his uncle Robert and his brother William, and he names as legatees two daughters, Johanna and Isabel, although we do not know which of the two wives they were children of. His will is interesting. I am not able to give this Robert his proper place in the family; he appears to have been the son of a brother of Robert *avunculus*. I cannot understand how he could be a child of a sister. His will seems to have been made while he was yet comparatively young, and I think there is no doubt that he survived many years.

After him the name of another representative of the junior branch is to be found connected with the military service. On the 4th July, 21 Hen. VI. 1443, George Swyllington is mentioned at a meeting of the Privy Council as holding a command in France, and on the 19th August, 25 Hen. VI. there is paid to George Swyllington, esq. the sum of 11*l.* for expenses incurred by him whilst in custody of the town of Blay, in Guyenne. He seems about the last important member of the junior branch. The name of John Swyllington, yeoman-messenger, occurs among the officials of the royal "countynghous," appointed 13th Nov. 1454. In the 9 Hen. VII. one Ralph Swyllington,

clericus, appears to have been about the person of the King, and in 1524 we find him Attorney-General. The last member of the main line was Sir Roger.

Sir Roger Swillington, s. and h. of Sir Robert,¹ mar. two wives—

1st. Jane, d. of Sir Robert Nevile of Hornby; by her he had issue Sir John who died *s. p.* 6th Hen. V.; and a daughter Margaret who mar. Sir John Gray of Ingleby, co. Linc. and died *s. p.* 8 Hen. VI.

His second wife was Jane, d. of Philip Scrope, Esq. by her he had issue Sir Robert.

There is confusion here again. We are told this Sir Roger died 5 Hen. V. and that in the 3 Hen. VI. Sir John Gray, in his wife's right, held one knight's fee in Swillington, called Pateshull fee, and two carucates in Preston near Swillington, also one knight's fee at Preston near Garforth.

The pedigree also tells us

Sir Roger Swillington of Swillington, kt. s. and h. of Hugh, mar. Jane, d. of William Nevill of Hornby Castle, co. Lanc. and had issue dau. and sole heir, who married William Hopton, esq. and had issue Sir Arthur Hopton.

This Sir Roger's lady survived and married 2d Sir John Gray, kt. This Sir Roger at his death was seised of the manors of Swillington, Great Preston, Garforth, Rodes Hall, Wibsey, North Bierlay, lands in Shelf, Allerton-Bywater.

Sir Roger was one of the temporal peers summoned by letters of privy seal to the council at Westminster on the day of the Assumption of our Blessed Lady, 1401, and he attended. In the year 1408 he was performing military service in Flanders. He presented to the rectory of Swillington on the 9th March 1411. When he died it was found that he possessed the two parts of the manor of Swillington, the New Hall and the Old Hall, a messuage at York called Nesfield, a messuage at East Greenwich, and generally the possessions of Sir Robert. The name of his wife had been Joan, not Jane. In the 6 Hen. VI. Johanna, who was the wife of Roger de Swyllington, died possessed of all the Yorkshire estates of her husband, and most of those in other

¹ In another place the pedigree says he was son and heir of Sir Hugh; no doubt this is incorrect.

counties. The manor and advowson of Swillington then passed to the Hoptons, who present five times. In the 33 Henry VIII. Sir Arthur Hopton sold the manor of Swillington to a Mr. North. It is now the property of Sir John Lowther; Swillington Hall is his seat.

Dodsworth visited Swillington Church on the 3rd Sept. 1620. The following are his notes:—

In the Choir.—North Window.

Aldburgh.—G. a lion rampant arg. on his breast a fleur de lis az.

Swillington.—Arg. a chevron az. a label of three points ermine.¹

Mirfield.—Vert, two lions passant arg.

A lion rampant s. on his breast a mullet of six points or.

Multon.—Arg. three bars g.

East Window.

Quarterly France and England, a label of three points ermine.²

Percy.—Lord Percy.

Ros.—Lord Ros.

Clifford.—Lord Clifford.³

Nevile.—Lord Nevile.

Scrope.—Lord Scrope.

Arg. a chief g. a bend azure.

Swillington.—Arg. a chevron az. a label of five points g.⁴

Per pale g. and s. a lion ramp. crowned arg. on⁵ this a man kneeling in coat armour.

¹ Hopkinson does not mention the "label of three points," but it seems to have occurred in every escucheon placed in the church windows, and, as we have seen, it is given in the "Constable's Roll" printed by the Surtees Society in their edition of Tonge's Visitation. Tonge tells us "Arg. a chevron az." were the arms of Hopton of Swillington, the family which arose from the heiress of the house of Swillington.

² The arms of Thomas of Lancaster, for whom Adam de Swillington and so many other Yorkshire knights suffered fine and imprisonment.

³ This escucheon was no doubt placed here in commemoration of the "bloody Clifford" whose candle burnt out on the fatal field of Towton. He and "rough Northumberland," Ros, Nevile, &c. belonged to families whose ancestors had fought side by side with the warriors of the house of Swillington under the glorious banner of their Lancastrian leaders wherever those banners had been spread. It was no doubt in the midst of their heart-stricken misery for the dire mishap of their last fight that Margaret Swillington or some of her children erected these marks to the memory of those who died such a noble but cruel death.

⁴ Another difference, what does it denote? It occurs afterwards.

⁵ Probably ou' i. e. over.

Nevile.—Arg. a cross g.

Swillington.—Arg. a chevron az. a label of three points er.

South Window.

Lord Mowbray.—G. a lion ramp. arg.¹

De la Pole.—Arg. a fess between three leopard's faces or.

Swillington.—Arg. a lion ramp. s. on his breast a mullet of five points arg. adjoined to arg. a chevron az. a label of three points er.

Goldesborough.—Az. a cross flory arg.

Stapleton.—Arg. a lion ramp. s.²

North Window.

Ward.—Az. a cross flory or.

Swillington.—Arg. a chevron az. a label of three points er.

Vert, an eagle displayed or, billed and footed arg. on her breast a crescent arg.

G. on a chevron arg. three roses of the first.

Second North Window.

Monbocher.—Arg. three boiling pots g. a bordure s. besanté.

Swillington.—Arg. a chevron az. a label of three points ermine, paled with

Swillington.—Arg. on a chevron az. a mullet arg. pierced s. a label of three points g.

Arg. a chevron az. a crescent arg.

Melton.³—

Swillington.—Arg. a chevron az. a label of three points er. paled with

Kay.—Arg. two bends s. and

Atherton.—G. an annulet between three falcons volant arg.

Fourth North Window.

Lizars.—Az. a chief or.

Swillington.—Arg. a chevron az. a label of three points er. paled with—Arg. a chevron az. an annulet of the field pierced s. a label of three points.

Langton.—G. a chevron er. between three lions rampant or. paled with—G. a crescent (? annulet) between three falcons volant arg.

¹ Another energetic supporter of Thomas Earl of Lancaster.

² Stapleton, of Thorpe Stapleton, an adjoining hamlet. This escucheon was in the east window of the middle choir of the neighbouring church of Whitkirk.

³ ? Melton of Aston, a knightly family founded by Archbishop Melton.

East Window of the North Side.

S. two bars nebulé arg. on a chief of the second a martlet of the first.

Hastings.—Or, a maunch sable.¹

Per pale arg. a lion rampant s. on his breast a mullet or.

Swillington.—Arg. a chevron az. a label of three points er. paled with—Arg. a chevron az. a label of five points g.²

Swillington.—Arg. a chevron az. a label of three points er. paled with

Kirkby.—Arg. two bars and canton g. on the canton a cross moline or.

In the North Window above the Middle Alley.

Laci.—Or, a lion rampant purple.

Arm. Regis Danmarke.

Swillington.—Arg. a chevron az. a label of three points er.

Or, three torteaux.

G. a maunch or, a label of three points arg.

Third Window above.

Arma regis Scotiæ.

Monteacute.—Arg. three fusils in fess g.

Or, a cross engrailed s.

Greystock.—Barry of ten az. and arg. three chaplets of four roses g.³

Fourth Window above.

Quarterly France and England a label of three points arg.

FitzAlan.—Quarterly: 1 and 4. G. a lion ramp. arg. 2 and 3. Chequy or and az. Warren.⁴

Az. a bend or, a label of three points arg.

G. a cross arg.

East Window of the South Side.

Az. a chev. between three martlets arg.

¹ Hastings of Fenwick near Pontefract. They took a prominent part in the continental wars of Edward III.

² Does this indicate an intermarriage between the senior and junior branches of the Swillingtons?

³ Another victim of Towton field. He is buried in Saxton churchyard.

⁴ Edmund FitzAlan mar. the Lady Alice Plantagenet, sister and sole heir of John last Earl of Warren and Surrey of that name. FitzAlan was a partisan of the Earl of Lancaster.

Fulgeom.¹—Or a bend between six escallops arg.

FitzWilliam paled with Swillington.

South Window.

Marmion.—Vaire, a fess gules.

Second Window.

Ros.—Az. three water bougets or.

Quarterly, 1 and 4. Arg. on a bend between two cotices two griffins or.

2 and 3. two bars arg. ; paled with

Swillington.—Arg. a chev. az.

G. five fusils in fess or, paled with

Arg. a fess g. between three eagles displayed s.

Burgh.—G. a fleur de lis er. paled with

Swillington.—Arg. a chev. az. a label of three points er.

Third Window.

Arg. semé de billets, a lion rampant s.

Arg. a lion ramp. s. on his breast a mullet arg.

Swillington.—Arg. a chev. az. a label of three points er.

South Window above.

Arg. a bend between six martlets g.

Arg. four bars az. an orle of martlets g.

Plumpton.—Az. on five fusils in fess or, five escallops g.

Malo lacu.—Or, a bend s.

G. a cross moline arg.

Second Window.

Sayvill.—

G. a cross flory vairey or and g.

Az. three boats without sails and mast.

There are few country churches whose windows have held such a number of the escucheons of great and important men; but Dodsworth does not give any inscriptions or notice any monumental effigies to the memory of the Swillingtons. The church of Swillington is now a simple village church, and those who worship therein know not that its aisles have been trodden by the great and the powerful.

A. E. W.

¹ Foljambe: Geoffrey Foljambe and Robert Swillington were colleagues in the administration of the affairs of the honor of Pontefract.

SEALS OF THE SETONS.

(FROM LAING'S CATALOGUES OF SCOTTISH SEALS.)¹

The Seals of the Setons, published by Mr. Laing, present many interesting armorial features.

The simple bearing of this ancient family was three crescents: as it appears on the seal of Alexander de Seton *circa* 1230 (No. 890); and Sir Alexander Seton of that ilk (No. 891) bore his crescents within a royal tressure in the year 1337. He is supposed² to have been the brother, as he was the heir of succession, of Sir Christopher Seton, who married Christian Countess dowager of Mar, sister to King Robert I.

Robert Lord Seton, in the year 1600, quartered the crescents with three garbs for Buchan,³ all within the royal tressure: thus commemorating his descent from the Lady Margaret Stewart, only daughter and heiress of the gallant John Earl of Buchan, Constable of France, who was slain at the battle of Verneuil in 1424. This Robert (eighth) Lord Seton was created Earl of Winton, by charter dated Nov. 16, 1600: and died in 1603, when, his funeral happening on the 5th of April, the day upon which King James started upon his first journey to England, his Majesty was pleased to rest himself at the south-west round of the orchard of Seton, on the highway, until the funeral was over, that he might not withdraw the noble company, declaring that he had lost a good, faithful, and loyal subject.

On the seal of his wife, s' d' MARGARETE MONTGOMRI D. DE

¹ Most of the references are to the *Supplementary Catalogue* (or Second Volume) recently published. Where the former volume is referred to, the word *Catalogue* is prefixed to the number.

² Douglas Peerage of Scotland, edit. Wood, ii. 640. According to Sir Richard Maitland, the family historian Sir Alexander was Sir Christopher's son.

³ "The three garbs of the Earldom of Buchan have been carried by the families of Cumin, Stewart, Seton, Douglas, and Erskine, either as holding, or pretending to, that ancient dignity."—Seton's *Scottish Heraldry*, p. 348.



SET. which is described by Mr. Laing (*Catalogue*, No. 592) the same arms of Seton and Buchan occur under a peculiar arrangement. The lady was Margaret Montgomerie, daughter of Hugh Earl of Eglinton, and the shield is apparently quarterly of four: 1. Montgomerie; 2. Seton; 3. Eglinton; 4. Buchan; but Mr. Seton, in his *Scottish Heraldry*, p. 204, suggests that this may be understood as two plain-quartered coats dimidiated,—*i.e.* Montgomerie and Eglinton as quartered by the Earl of Eglinton, and Seton and Buchan as quartered by the Lord Seton. This, however, does not explain why the two latter are on the sinister side, and the lady's coats on the dexter.¹

Alexander Seton of Tullibody, laird of Geddes in 1493, had the garbs in the first and fourth and the crescents in the second and third quarters (No. 895).

George third Earl of Winton, second son of the first Earl, bore (in 1608) quarterly Seton and Buchan as before, and, in an escucheon surtout, a star of twelve points within the royal tressure, for the Earldom of Winton (engraved in Plate I. fig. 6).

The seal here represented is described (No. 896) as that of John Seton, first Baron of Cariston, co. Fife, second son of George sixth Lord Seton: and dated *circa* 1553. We think, however, its style of workmanship and the design of the helmet and mantling, is at least of a century later. The material of the matrix, which is in the possession of George Seton, esq. advocate, representative of the family of Cariston, being steel, also confirms that conclusion. It appears to have been attributed to the first Baron of Cariston on the authority of the following passage in Nisbet's *Essay on Armories*:—



The first of this family was John, second son of George Lord Seton and his lady Elizabeth Hay, daughter to George Lord Yester.² He carried first, Or, three crescents,

¹ In some cases where this occurs it has been supposed that, as in quartering, the place of honour was given to the family of higher rank. See Seton's *Scottish Heraldry*, p. 205.

² So printed by Nesbit; but Lord Yester's Christian name was John.

within a double tressure counter-flowered gules; and for a difference, as a younger son of the house of Seton, charged one of the crescents with a *bezant*, as on the roof of Samson's Hall in the house of Seton: he married Isabel Balfour, heiress of Cariston, and their son George Seton of Cariston laid aside the bezant, and placed in the centre of his paternal arms, between the three crescents, an otter's head for Balfour, as in Mr. Thomas Crawford's MS. of Blazons; and afterwards the family carried Quarterly, 1 and 4, Seton; 2 and 3, Gules, on a chevron or, between two otter's heads erased in chief and a fleur de lis in base of the second, an otter's head erased of the first."—*Essay on Armories*, p. 108.



The motto which appears in the engraving, HAZARD ZIT FORWARD, occurs also on the seal of the Earl of Winton, 1608. It means, as we presume,—Though the peril be great, yet we dare to go forward.

A seal of Seton of Touch (No. 902), of which the original (in steel) is in the museum of the Society of Antiquaries of Scotland, has this somewhat similar motto, FORDWARDS OVRS. The arms are Seton quartering Hay, three escucheons: the crest, a boar's head erased, and for supporters two greyhounds.

Alexander Seton, Lord President of the Court of Session, and Lord High Chancellor of Scotland, who was created Earl of Dunfermline in 1605, bore, Quarterly, 1 and 4, three crescents within a tressure; 2 and 3, on a fess three cinquefoils, for Hamilton. His mother was Isabella, daughter of Sir William Hamilton of Sanquhar, High Treasurer of Scotland. The crest in his seal is a crescent, placed on a wreath above a helmet; the shield being ensigned with an Earl's coronet. The supporters are two horses at liberty. The motto is SEMPER—accompanying the crest, as usual in Scotland. The legend in the circumference is—SIGILLVM ALEXANDRI SETONII FERMELINODUNI COMITIS, &c. and in the background of the lower part of the seal the city of Dunfermline is represented. This handsome seal, which is ap-

pended to a charter dated 1618, is engraved in Mr. Laing's Plate V. fig. 5.

Another seal of the same personage (attached to a charter dated 1610) contains a shield only, and thereon the quarterings of Hamilton and Seton are reversed in their position. (No. 898.)

On an earlier seal, used in 1598, when the Earl was only Lord Urquhart and Fyvie, and bailie of the regality court of Dunfermline, he combined the charges of Seton and Hamilton together, thus: on a fess transposed¹ three cinquefoils, and as many crescents in base, all within a tressure. (Catalogue, No. 741.)

A fourth seal, or signet, of the same Earl is here represented. It is from a letter addressed to the King in 1607, preserved in the Advocates' Library. The insertion of the cinquefoil of Hamilton within the crescent of Seton forms an elegant device, and is a combination resembling the fleurs de lis of Montgomerie within the gemmed annulets of Eglinton on the seal of Hugh sixth Earl of Eglinton, before shewn in p. 18. Both these designs prove that there was some heraldic taste in Scotland in the reign of James the Sixth.



The crest of a dragon spouting fire is borne also on the seal of George third Earl of Winton above mentioned. This dragon was converted into a quartering by Alexander Seton, Viscount Kingston, second son of the third Earl of Winton: a course which is thus noticed, but with disapproval, by Sir George Mackenzie:

"Some, when they are advanced to dignities, if they be not obliged to quarter the coat of some heretrix, for a difference take Crest or Supporters of the family out of which they are descended, and quarter with their paternal coat. As the Viscount of Kingston bears, first and fourth, the arms of Seton (three crescents within a double tressure), in the second and third, Argent, a winged dragon vert, vomiting fire, which dragon is the crest of his elder brother the Earl of Winton; but I approve not this way of marshalling, and I would rather allow a second brother, or any cadet, when nobilitated, to bear the arms of the house with a difference," &c.—*Science of Heraldry*, chap. xxiv.



¹ A *fess transposed* is when the fess occupies the chief instead of the middle portion of the shield.

Supporters in Scotland were not deemed so hereditary as the charges of the shield, and were therefore changed at pleasure, as is remarked by Sir George Mackenzie. We find several examples of this in the seals of the family of Seton. The shield of Sir William Seton, 1384, is supported by two lions, seated. (Catalogue, No. 738.) On that of George Lord Seton (*circ.* 1440) the supporters are two lions rampant guardant. (No. 739.) In 1605 the Earl of Dunfermline had, as we have seen, two unharnessed horses. In 1608 the Earl of Winton had two foxes (or mertrixes), which, unlike the horses, were not "at liberty," but collared and chained. The Earls of Eglinton now display two dragons, derived from the Seton crest,—“ever since they came from the House of Seton,” as remarked by Sir George Mackenzie. As now in France, and originally in England, supporters in Scotland are usually the same on each side of the shield.

THE EARLDOM OF BREADALBANE.

AMONG the many cases of disputed inheritance which have occupied public attention in past times, few have been more remarkable for the complexity of their relations, and the romance of real life involved in them, than the competition for the vacant Earldom of Breadalbane, which is now in progress. During the last four years, it has been submitted in various forms to legal arbitrament, but hitherto with no decided result. Finding in *The Scotsman* of the 5th of June, 1866, a very interesting narrative of the leading facts of this case, combined with a clear and impartial statement of the evidence adduced on either side, we gladly adopt it for the information of our readers, intending to report hereafter, as they may occur, any further stages in a contest of which the prize is not merely an Earldom, but one that is richly endowed with a rent-roll of 40,000*l.* a-year.

On the 8th November, 1862, within the Beau Rivage Hotel, on the banks of the Lake of Geneva, there died, at the age of sixty-six, after a sudden and short illness, John Campbell, second Marquis of Breadalbane in the Peerage of the United Kingdom, and fifth Earl of Breadalbane in the Peerage of Scotland. The Marquisate had been conferred on his father the fourth Earl, in 1831, by Earl Grey's Government, in consideration of his steady attachment to the Whig party, and not perhaps without some reference to the fact that Lord Kinnoull had been recently

elevated to the Lord-Lieutenancy of Perthshire by the immediately preceding Tory Government. This dignity, which was conferred only upon direct male descendants, became, by his Lordship's death without issue, extinct; but the succession to the Scotch Earldom, and to very extensive entailed estates in Perthshire and Argyleshire, devolved, in terms of the patent and under the destination in deeds of entail,¹ on the nearest heir male. During his Lordship's lifetime, and up to the time of his death, no doubt was known to have been entertained, and certainly no question was raised, as to the title of John Alexander Gavin Campbell of Glenfalloch to succeed as such heir. His claim rests on the allegation that he is the great-grandchild of William Campbell, of Glenfalloch, who died in 1791, through his second son; but his claim is now disputed by Charles William Campbell, Lieutenant in the Bengal Cavalry, and commonly known as Boreland, who is admittedly also a great-grandchild of the same Glenfalloch, but through his sixth son. There is no dispute as to the fact that the descendants of the eldest and intermediate sons of old Glenfalloch are all extinct, nor can there be any question as to the right of J. A. G. Campbell, whom we shall henceforth call Glenfalloch, provided his descent be legitimate. But this is denied by Boreland; the single, but, as we shall presently see, by no means simple, point at issue between the parties being whether Glenfalloch's grandfather and grandmother were ever married.

We do not propose to weary our readers with a detailed account of the proceedings in this case, an account which would be uninteresting to the initiated, and unintelligible to all others. Suffice it to say that, after competing petitions for service had been presented to the Sheriff in Chancery, the case was brought into the Supreme Court by advocacy on behalf of Boreland, and a petition was presented by him to the First Division of the Court of Session for the appointment of a judicial factor or receiver to uplift the rents and administer the estates, pending the ultimate decision on the merits. This petition was refused both in Scotland and, on appeal, by the House of Lords, but by a majority only in

¹ A new entail was made by John the third Earl in 1775. Premising that, as he was the only heir-male of John first Earl of Breadalbane then in life, he deemed it proper to carry out the intention of a former entail made in 1704, he proceeds, after naming the possible heirs of his own body, to will the succession of the junior branches descended from Sir Robert Campbell of Glenorchy, Bart. He names first John, "now of *Carwhin*," descended from Colin, of Mochaster; next, *Glenfalloch*; 3. *Lochdochart*; and 4. *Auchlyne*. On the death of the third Earl in 1783, the branch of *Carwhin* succeeded, and lasted until 1862.

both Courts, and mainly on the ground that the allegations of Boreland, however weighty in themselves, were as yet unsupported by proof, and therefore ought not to be allowed to interfere with the *primâ facie* and long recognised rights of Glenfalloch. The Court of Session at the same time expressly reserved to itself the right to interfere and grant such appointment at any stage of the case. Both claimants have since concluded a proof of their respective averments; and on that proof Lord Barcaple, on somewhat special grounds, to which we shall afterwards allude, decided in favour of Glenfalloch. The case was then pleaded orally before the First Division; and their Lordships having, on account of the "difficulty of the question, the importance of the interests involved, and the absence of authority," ordered written pleadings, they ultimately determined to submit these pleadings for the consideration and opinion of the whole Court.

We have thus far endeavoured to explain what the question in dispute is, and the position in which it stands. We now propose to state, as shortly as is compatible with clearness, the facts of the case, so far as they appear material, and the arguments deduced by both parties therefrom.

James Campbell, the second son of old Glenfalloch, and the person whose marriage is in dispute, was, in 1781, stationed at Bristol with a recruiting party of his regiment—the 40th Foot—in which he then held a commission as lieutenant. There appears little doubt that about the beginning of that year he eloped with Eliza Maria Blanchard, wife of Christopher Ludlow, a grocer and apothecary in the village of Chipping Sodbury, about ten miles from Bristol. During the latter part of the same year we have traces of him as engaged in regimental business both in Glasgow and *Edinburgh*. Thereafter, he appears to have been quartered for about eight months at Exeter, and in the summer or autumn of 1782 he sailed for America with a detachment of recruits. After remaining at Halifax, Nova Scotia, for about two years, he returned to England in February 1784 in the Prince of Orange transport. Except from a most important document, which we shall afterwards have to refer to at some length, there is no proof, whatever the probabilities may be, that Eliza Blanchard accompanied him to Scotland. From the date of the elopement, and up to the birth of a daughter, who was baptised at Devonport in May 1785, we have only two notices of her—a letter written from Glasgow on 7th September, 1783, by Colin (James's eldest brother), to another brother in Jamaica, in which he says—"I had a long letter from James lately,

from Halifax. He and Mrs. Campbell were both well. He does not mention having any increase to his family, and, for aught I know, they consist of no more than himself and his wife, whom I never saw, but she is exceeding well spoke of." We have also the fact that, in the list of officers, soldiers, and women who returned in *The Prince of Orange*, under the command of James Campbell, the first name which occurs among the women is Mrs. Eliza Campbell. From other evidence which we need not go into, there can be no doubt that this Mrs. Campbell and Eliza Blanchard are the same person. Shortly after, and no doubt in consequence of, the elopement, Ludlow threw up his business in Chipping Sodbury, and embarked for New York as a surgeon's mate. He remained there till 1784 in hospital practice, and, curiously enough, arrived in Portsmouth only about a month before the arrival of his wife and her seducer at Plymouth. Shortly after his arrival, and apparently while still on shipboard, Ludlow died, and as notices of his death appear in the newspapers of that date, we may not unreasonably conjecture that a fact so important to them came to the knowledge of James Campbell and Eliza Blanchard. Up to this date their cohabitation must have been adulterous, and any ceremony of marriage bigamous; but from this time they were free to marry, for adulterers are by the law of Scotland prohibited from intermarrying only in the case of a divorce having been obtained. This restriction, which is statutory, was first introduced into the law of Scotland by an Act passed in 1600, which prohibits adulterers from marrying "the persons with whom they are declared by the ordinar Judge to have committed the said crime and act of adultery." Further, seeing that James Campbell lived and died a domiciled Scotchman, such marriage, whensoever contracted, would have legitimatised any child born after Ludlow's death. The question, therefore, comes to be, Did the parties ever go through a ceremony of marriage?—or, failing proof of that, Did they live together, and behave to each other and the public in such a way as is inconsistent with any other theory than that of marriage, though from the lapse of time direct evidence of such ceremony cannot now be recovered?

James Campbell appears, about the period of Ludlow's death, to have been in very embarrassed circumstances. Soon after his return to England he sold out of the army; and the price of his commission—550*l.*—which was paid to Cox and Co., army agents, appears to have done little more than liquidate his debt to that firm. It appears, however, that he visited his father at Glenfalloch in 1785, and during that

visit probably announced his marriage to him. This may be gathered from the fact that in the following year we find the latter considering the propriety of disinheriting James, for his refusal to give any account of his wife or her family, "further than that she is his wife." This intention was not carried into effect; and the old laird died in 1791. Where or how the parties lived about this period, and up to 1793, and whether in Scotland or in England, does not appear very clearly from the evidence. There, are however, two entries in the register of baptisms at Gateshead, near Newcastle—the one entry, which is dated 20th January, 1788, is "Wm. John Lambe, S. of Jas. Campbell;" and the other, dated 6th October, 1789, "Susannah Sophia, D. of Jas. Campbell." It is satisfactorily proved that these entries refer to a son and daughter of James Campbell and his reputed wife, and that the first entry refers to Glenfalloch's father. In the books of H.M.S. Prince of Wales, to which the same person, on 29th Sept. 1807, was appointed midshipman, his age is stated to be nineteen, and his birthplace Edinburgh. The two entries, whether correct or not, are not inconsistent, and perhaps not very material.

In 1793, the Breadalbane Fencibles were raised by the Earl (afterwards first Marquis) of Breadalbane. He became colonel of the regiment, and through his recommendation James Campbell obtained first a lieutenant's and afterwards a captain's commission in the regiment. Campbell continued with this regiment, which, agreeably with the terms on which it was raised, was never out of Scotland, until it was disbanded in 1799. He then joined the Cambrian Rangers, which were at that time stationed at Gibraltar; and, on their being disbanded in 1802, he returned to Edinburgh, where he remained until his death, which took place in 1806. During this latter period, there is the most convincing evidence that he lived with and acknowledged Eliza Blanchard as his wife; and that she was recognised as such by his relations, friends, brother officers, and the public generally—sometimes rather unpleasantly by tradesmen, for during the whole of his life James Campbell never seems to have got his head fairly above water. To give even a summary of the evidence which has been adduced on this part of the case would be endless, but a few instances may be mentioned as tending to show its character. Immediately after joining the Fencibles, Campbell took a house for his alleged wife near Fisherrow, where the regiment was then quartered, and apparently introduced her openly as his wife; for in 1796, when his youngest son, Breadalbane Gavin, was baptised at Inveresk, we find as witnesses to the register

Archibald Campbell—apparently James's brother, who was then a writer in Edinburgh—and Captain Drummond of the Breadalbane Fencibles. It also appears that this entry is in the form used for legitimate children, and that a different form of entry was in the Inveresk register used for such as were illegitimate. About 1799, James visited his brother Colin, then proprietor of Glenfalloch, at the family mansion, and on this occasion he was accompanied by his reputed wife and children. The importance of this visit is enhanced by the fact that Colin was also an officer in the Fencibles. While abroad with the Cambrian Rangers, James Campbell granted a power of attorney to his wife to act for him in his absence; and Messrs. Blackwood and Son, haberdashers, Edinburgh, evidently shared the general belief; for, in 1803, when James was residing in College Street, Edinburgh, they served a summons upon her for 9*l.* 19*s.* 7*d.*, as the wife of James Campbell. But perhaps the most important piece of evidence on this part of the case which has been recovered is that, in 1804, James Campbell applied for and obtained letters of inhibition against his wife "Mrs. Maria Blanchard, otherwise Campbell." Of course, unless the parties were in point of fact married, such a proceeding was inept; for a man can inhibit only his lawful wife; and unless they both believed themselves married, it is difficult to divine what object there could have been in such a proceeding. James Campbell died in 1806, and from the time of his death his relatives and all persons connected with the family have acted, consistently, in a way which can only be accounted for by the universal understanding as to the existence of a marriage having prevailed during his life. This, of course, cannot be founded on as direct evidence of the marriage, but at this distance of time it may well be received as the strongest confirmation of such direct evidence. We propose to cite, in illustration, one instance only, but it is a very strong one. In 1812, by the death of the grandson of Colin, the succession to Glenfalloch opened to W. J. Lambe Campbell, if he were the legitimate son of James. On the other hand, if the family of James Campbell were illegitimate, John Campbell of Boreland (the present claimant's grandfather) was himself entitled to succeed, the intermediate heirs having all failed. Not only, however, was no doubt suggested as to Lambe Campbell's right to succeed; but his uncle, John Campbell of Boreland, himself acted for him in the matter; and, as his mandatory, signed the petition for his service as heir.

If we overlook the ugly circumstance that the connection between the parties commenced in adultery, the facts which we have been so

far considering seem to point strongly in favour of a marriage constituted by mutual acknowledgment and by undivided habit and repute. The evidence which we shall now have to consider, if admissible and reliable, tends in the other direction. Shortly after James Campbell's death, Eliza Blanchard appears to have gone to London; and on 23rd June 1807, she applied to the War Office for a pension as his widow. Her letter making this application contains statements so important and so material to the case that we make no apology for quoting it at length. It is addressed to Francis Moore, Esq., War Office, and is in these terms :—

“SIR,—I hope you will pardon the liberty I have taken in writing to you, but as my situation is a distressing one, I trust it will plead my excuse.

“I am the widow of Captain James Campbell, late Quartermaster in the 1st Battalion of the Breadalbane Fencibles, at the reduction of which he got a company in the Cambrian Rangers, and when that regiment was reduced, from ill health he was rendered unfit to enter again into His Majesty's service; and on the 24th October 1806 my husband died insolvent, and left me with three children, without the smallest means of support. I apply'd to the half-pay agent respecting the widow's pension, and have made oath before a magistrate; but, as I unfortunately lost my marriage-lines in America, I am inform'd it cannot be procured. My husband was Insign and Lieutenant in the 40th Regiment of Foot during the war with that country. At the end of the year 1780, he came to England to recruit, and in September 1782 I was married to Mr. Campbell in Edinburgh, by Mr. MacGregor, the Gaelic minister (who is also dead), as is Insign Wm. Willox, of the 40th, who was the witness to our marriage; and the June following we went to America, in the fleet that took out the preliminaries of peace twenty-five years agoe. The present Gaelic minister have been wrote to, and he says that he got no register from any of his predecessors. I have administer'd at Doctors' Commons for four months' pay due to my husband at his death, and I have a power of attorney which he sent me from Gibraltar at the time he was in the Cambrian Rangers. I beg, Sir, you will excuse my being thus particular, as my motive is to obviate any doubts of my being Mr. Campbell's lawful wife.

“Lord and Lady Breadalbane knows me, and I have frequently had the honour of dining with them while my husband was in his Lordship's regiment. His Lordship at present is not in town, or I would have asked him the fav^r. of writing to you. My case is hard. May I entreat you, Sir, to compassinate my situation, and would be doing an act of the greatest charity. I am not able to work for my support. Should you, Sir, have the goodness to take this into consideration, the widow and orphan's prayers will ever attend you.—I am Sir, with due respect, your obed^t. serv^t,

ELIZA CAMPBELL.”

The date given (1782), when the parties were in America, is of course wrong: but, being obviously an unintentional blunder, it does not detract from the importance of the letter, if otherwise trustworthy; for the letter evidently refers to the year 1781, when, as we have seen, James Campbell was himself undoubtedly in Edinburgh. On the same day she wrote to the Earl (afterwards first Marquis) of Breadalbane, asking him to say that she was James Campbell's wife; and in that letter she repeats her statements as to—(1.) The fact of her marriage by MacGregor twenty-five years ago; (2.) The absence of the register; and (3.) The loss of her marriage lines in America. The importance of the statements in the above letter can hardly be overrated, because, assuming such a marriage to have taken place at the date assigned, it was not only invalid, but an overt act of bigamy; and, if the foundation of the habit and repute can be proved to have rested on this alleged ceremony, it becomes utterly worthless, and for this reason:—Cohabitation as husband and wife, with reputation as such, do not, correctly speaking, constitute marriage, although this phrase is often loosely used. Marriage is essentially a consensual contract, and can be constituted by mutual consent, and by it alone. This is a universal law, and so far the marriage law of Scotland coincides with that of every other civilised nation. The difference which does exist between our law and that of some other countries consists merely in the amount and nature of the evidence which we admit as proof of such consent. By our law this consent may be proved by cohabitation with repute; but if such consent turns out to be itself illegal and null, as in the case of a bigamous marriage, the evidence which proves it is of course worthless. The validity or effect of a contract cannot be affected by the proof of its existence. Accordingly, we shall find that the question whether such a ceremony was gone through is treated by Boreland as the most important part of his case, and that the fact is most strenuously denied by the other side. The only other notice of this alleged ceremony is, that Eliza Blanchard appears to have twice mentioned incidentally that she had lost her marriage lines in America. After some delay, Lord Breadalbane wrote to the War Office to the effect that he had reason to believe that the parties were married, and she obtained her pension accordingly. We have also evidence tending to show that, after James Campbell's death, she was visited by the Ludlow family; and, in particular, by her own son, Daniel Ludlow, whom she must have left when a mere infant.

Before proceeding to give a brief *résumé* of the contentions of parties,

which have been already to some extent necessarily indicated, it may be right to explain that in the preceding narrative we have, in some instances, taken upon ourselves to state facts and deduce conclusions which are not admitted by the parties. This has only been done where the evidence appeared quite satisfactory; to have stopped and given the arguments on every non-admitted point, material or immaterial, would have been alike profitless and interminable, especially as the present practice of Scotch pleading appears to be to admit nothing which is not in your favour, and to deny everything which tells against you, quite irrespective of, and frequently ignoring, the clearest evidence.

It is maintained for Glenfalloch:—The whole burden of proof rests upon the other side, for the presumption of law is always in favour of legitimacy, and it rests with the party averring the contrary to prove his case. This general doctrine applies with tenfold force to a case like the present, where the legitimacy assailed has been uniformly recognised for upwards of sixty years, and by the parties most interested in disproving it. Moreover, the facts which are now pretended to have been recently discovered could have been as easily ascertained in 1807, when Eliza Blanchard obtained her pension as Campbell's widow, or in 1812 when Glenfalloch's father was served heir to the estate of Glenfalloch, as in 1862; and with this manifest advantage, that, had there been the faintest rumour of the questions now raised, plenty of evidence, which is now lost for ever, might have been obtained to refute them. It is quite evident that the delay and concealment were designed, and that parties have now come forward with a half-told story. As to the letter said to have been written by Mrs. Campbell to the War Office, it is admissible as evidence only to prove the fact that it was written, but not to prove the truth of the facts which it alleges; further, the statements in the letter are in themselves incredible. It is suspicious, in the first place, that MacGregor, the minister who is said to have performed the ceremony, and Willox, the only alleged witness, were both dead at the time when the letter was written. The statement that the then Gaelic minister had, in answer to a letter from her, written to say that he had got no register from his predecessors, is most improbable, because in Scotland such registers are kept, not by the minister, but by the session-clerk, and his natural answer would have been to direct her to apply to the proper quarter; but it was a very natural mistake for an Englishwoman to make, as in England registers are kept by the clergyman. Further, had there been marriage lines, there must have been a corresponding entry in the register; for, whatever irregularities

existed at that time in the way of certifying that banns had been proclaimed, when in point of fact they had not, the granting of a certificate uniformly led to a corresponding entry in the register; but all the registers of or near that date have been searched, and no such entry has been found. The reason stated by Boreland for parties wishing to obtain a certificate of marriage—viz. that Eliza Blanchard might secure a passage to America as an officer's wife—is unfounded, because Campbell did not at that time know that he was going to America; and, in point of fact, he was for fully eight months afterwards stationed at Exeter. But the object in making the false statement is quite plain—it was the readiest way of obtaining her pension, for which a certificate of marriage was necessary; and this is quite consistent with the character of the writer, who, when she had a purpose to serve, was not very particular as to the statements she made; as, in her application at Doctors' Commons for arrears of half-pay, she stated that her husband died domiciled in St. Dunstan's parish, Stepney, the truth being that he died in Edinburgh a domiciled Scotchman. The contention of Boreland—that, whenever a reputed marriage, however remote, is proved to have commenced in illicit intercourse, it lies with the party alleging such marriage to prove that a specific ceremony was gone through at a certain date—would introduce a most dangerous doctrine, and shake to the foundation the security of many Scotch families. In such cases, the best and only proof of a marriage is that the parties were always reputed married persons; and if more than this be demanded, the success of such a claim as the present can always be ensured—it will only be necessary, after ascertaining that a certain connection was illicit in its origin, to preserve proof of this, and to wait long enough to exclude the possibility of proving an actual ceremony. There is here no proof on what footing the parties cohabited during Ludlow's life, but from 1784, or at any rate from 1793, their whole conduct is irreconcilable with any other idea than that they were married persons; and there can be as little doubt that a legal marriage was entered into between the parties as soon as they had ascertained the fact of Ludlow's death—*i. e.* in 1784. This is a fact clearly established by presumptive evidence, and nothing more can be expected after such a lapse of time. Besides, it does not lie with Glenfalloch to prove such marriage, but with Boreland to disprove it; and this he has not attempted to do. Assuming that a bigamous ceremony was gone through, or even that the parties represented such to have taken place, it is absurd to attribute the habit and repute of marriage to such ceremony; for, in the

first place, it is part of Boreland's case that this ceremony was a secret one, and was carefully concealed from the world; and further, it is a ceremony which the parties themselves must have known to be null and void. Lord Breadalbane was informed of it for the first time by Mrs. Campbell's letter, and yet he had previously received the parties at his table as man and wife; his belief that they were so cannot, therefore, in any way, be referred to this alleged ceremony. Lastly, the marriage is proved, not merely by habit and repute, but by express acknowledgment. James declared to his father that Eliza Blanchard was his wife, even at the risk of being disinherited. The registered baptism of his youngest son as legitimate, the power of attorney granted to his wife, and the inhibition executed by him against her, are each separate and unequivocal acts of acknowledgment.

Boreland, on the other hand, maintains:—It is sufficiently proved by the evidence that a ceremony of marriage did take place between the parties in 1781, or at all events they represented such marriage to have taken place, and were believed in the representation. No other marriage except this invalid one has been shown to have taken place; the parties were, therefore, never legally married, and their children were illegitimate. Lastly, their cohabitation throughout, and the general belief that they were husband and wife, can all be traced to the existence, or supposed existence, of this invalid marriage; or, even if that is not held to be proved, still the habit and repute being clearly traceable to a period when the connection must have been adulterous, it cannot be set up as proof of a legal marriage. The fact that such a ceremony was gone through in 1781 is clearly proved by Mrs. Ludlow's letters to the War Office and Lord Breadalbane, as well as by her subsequent statements. That letter to Mr. Moore is evidently a truthful document; it is consistent with itself and with the proved conduct of herself and alleged husband. Moreover, the parties had at that time a strong motive for representing themselves as married. Campbell's regiment was then in America, and he knew that he would soon have to rejoin it there; but, except as his legal wife, Eliza Blanchard could not accompany him. It is said that it is improbable that parties should commit a deliberate act of bigamy, but improbabilities must always be looked at in connection with surrounding circumstances; and it is at least a more improbable circumstance that Eliza Blanchard should falsely accuse herself of bigamy. As to there being no entry in the register, that is a fact to which little weight can be attached. It is notorious that the registers were at that time most

disgracefully neglected. Besides, what more likely than that James Campbell purposely procured its omission? He wanted a certificate of marriage—that he must have at any risk; but everything else connected with the ceremony it was desirable to keep secret. Even assuming that there is not sufficient proof of this bigamous ceremony having taken place, it is quite clear that the parties made such a representation; and a habit and repute which is traceable to an alleged invalid marriage cannot prove a lawful marriage, for such repute must be traced back to the beginning of the connection; now, here the beginning was illicit—worse, it was adulterous—it was a mere pretence of being husband and wife. In such circumstances, the only way to prove a marriage is to show that a total change took place in the conduct of parties to each other, and to the public, at some specific date after they became free to marry—*i.e.* after Ludlow the husband's death. The consent necessary to make a marriage must be interchanged at some one time, and although the law does in certain circumstances presume such consent from the mere conduct of parties, and the reputation arising therefrom, it makes no such presumption when there is evidence of the same conduct and consequent reputation at a time when there could have been no marriage. In the present case we shall look in vain for the desiderated change. There was no alteration in the character of their connection from 1781 downwards. As they began, during Ludlow's life, so they continued after his death. The introduction of Eliza Blanchard as his wife, the baptism of his children as legitimate, and all the other facts which are said to prove this change, are a mere continuance of the old cohabitation. The inhibition and the power of attorney are pieces of evidence of the same character as the other acts—that is, a mere following out of the same ostensible acknowledgement which had been practised since 1781. No doubt Mrs. Ludlow and James Campbell intended to be husband and wife, and held themselves out as such; but they did not do this any more or in any different way in 1806 than in 1781. Nothing was done by the parties during this long period which can be reasonably construed as a conversion of the original adultery into a lawful marriage. Glenfalloch no doubt avers that a legal ceremony of marriage did take place in 1784, or soon thereafter, but he does not get beyond this unsupported averment; he does not pretend that there is a vestige of proof that such marriage ever did take place, but he maintains that it lies with Boreland to prove that it did not—to prove in fact a negative

—to traverse the globe like a second Wandering Jew, and so prove that no such marriage ever did or could have taken place. Such a contention needs no refutation; but if it did, Mrs. Ludlow's letter to the War Office supplies the deficiency. That letter, even if it be not held as proof of a pretended ceremony of marriage in 1781, is quite conclusive as to the non-existence of any other ceremony, because, if a second marriage had been entered into, it could only have been on the footing that both parties knew that the first ceremony was null; and, having that knowledge, it is absurd to suppose that Mrs. Ludlow would have attributed her marriage to the first ceremony, when she might quite as easily have attributed it to the other.

The grounds upon which Lord Barcaple's judgment (given in July, 1865), proceeded, were, that there was no sufficient proof that a marriage ceremony had taken place in 1781; that it did not appear from the evidence whether the parties lived as husband and wife in America, or up to the time of Ludlow's death; that, from that time, and down to 1784, they appear to have lived together, but that the evidence during that period would have been insufficient to establish a marriage by habit and repute; but that a distinct change took place in 1793, when Campbell joined the Breadalbane Fencibles, and that the evidence from that date, and down to 1806, was sufficient to establish a marriage by habit and repute. Apart from the evidence applicable to this particular period, his Lordship was also of opinion that the long and uninterrupted reputation that the parties were married was a strong presumption in favour of the contention that they contracted a marriage, at some time and in some form, valid by the law of the country where they then were, and that Boreland had not succeeded in overcoming that presumption.

Since the above statement was published, the Court of Session has given judgment on the 26th of June, 1866. The First Division had, on account of the difficulty and importance of the case, consulted the other nine judges, including Lord Barcaple; but one of them, Lord Kinloch, obtained leave of the Court to decline giving an opinion on account of his relationship to Boreland. The opinions of the eight judges consulted were unanimous in favour of Glenfalloch. Of the four judges of the First Division to whom the case was originally referred, the Lord President and Lord Deas agreed with the consulted judges; Lord Curriehill and Lord Ardmillan were in favour of Boreland holding

from legal presumption, and the evidence in the case that James Campbell was never legally married.

Glenfalloch is therefore confirmed in his former position by a majority of seven to two: but the claim to the Peerage has still to come before the House of Lords.

We add the following passages from the joint opinion of the Lord Justice Clerk, Lord Neaves, and Lord Mure, as further setting forth their deliberate judgment upon the marriage law of Scotland:—

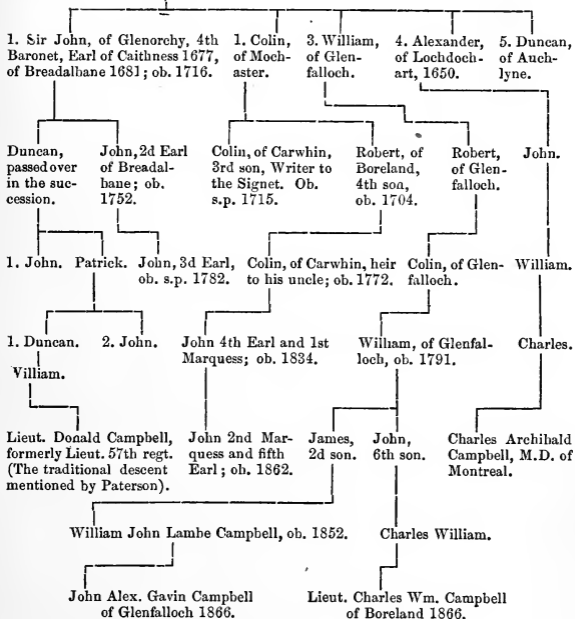
Little or nothing is known of the early cohabitation or repute of the parties elsewhere and prior to 1793. But at that date the parties cease to reside elsewhere, and come to reside permanently in Scotland, a country in which it must be presumed they knew that marriage could be established by tacit consent, as well as by celebration or express declaration. That of itself was a change of no small importance, because it made a marriage possible in this way, which in England was not possible without celebration. But not only did they come to reside in Scotland, but they placed themselves in such an intimate relation with James Campbell's friends and family as indicates in the strongest manner a matrimonial intention. * * * It may well be that James Campbell might wish to throw a veil over their early history, because that might have affected her reception, even though she had been afterwards married *in facie ecclesie*. But that he should persistently take her among his friends, introduce her to his brother and his brother's wife at the family seat, bring her into communication with Lord Breadalbane, the head of his clan and colonel of his regiment, as well as with Lady Breadalbane, and that he should name one of his sons after both of these distinguished persons "Breadalbane Gavin," and yet should mean and desire all the time that they should not truly stand in a matrimonial relation, would argue an amount of depravity and audacity which is beyond belief. No man in his senses would so dishonour himself and his connexions as to attempt such an outrage, and we hold it to be an inadmissible supposition. There must have been in such a mode of life, from year to year and from day to day, a perpetual and continually renewed declaration of marriage by these parties to all around them; and nothing should be permitted to contradict that evidence or proclamation of consent but the clearest proof, not of something antecedent to these actions, but of something concurrent and contemporaneous with them, proving that both of the persons in question knew and intended that no marriage was to exist, and that their children were to be bastards. * * * Even if the law of Scotland did not recognize cohabitation and repute as a tacit expression of matrimonial consent, the circumstances of the case would, in our opinion, be conclusive evidence, as in a jury question, of the fact that these parties were married. There is, we think, clear proof of the *animus* or intention to marry, of the persistent and manifest purpose to live and die as married persons, the parents of legitimate children. There is, after 1784, the removal of any impediment. There is ample opportunity for marriage in any competent form of law, and there is a manifest and repeated promulgation of the married relation both in conduct and by writing. All this surely, as in a question of fact, would be sufficient to prove marriage, but when there is the further element of the legal presumption peculiar to the law of Scotland the case appears to be placed beyond doubt.

Before quitting this subject, it may be right to state that a third aspirant to the honours and estates of Breadalbane has appeared in the person of Lieut. Donald Campbell, who claims to be descended from Duncan the disinherited son of the first Earl. This Duncan, who at one time went by the title of Lord Ormelie (as would appear from a protest made by Lord Saltoun against the vote of the then Earl of Breadalbane at the election of Scots Peers in 1721), was a party to the entail of 1704, by which the inheritance was settled on his younger brother John,—according to the power of designation which the patent from the Crown had given their father, as was explained in the article on that subject in our Vol. III. p. 524. Duncan is traditionally stated to have been set aside as imbecile; but it is also traditionally stated that he had two sons, John and Patrick, and that from the latter the descent has been carried down to the present day. The conjectural line of descent will be seen in the annexed pedigree, and is more fully discussed in a pamphlet entitled “*The Breadalbane Succession Case: how it rose and how it stands.*” By JAMES PATERSON, Searcher of Records. Edinburgh, 1863,” post 8vo. pp. 36. But the proofs of this descent are by no means satisfactory, as that writer himself admits, and he even states (p. 27) that, notwithstanding the current tradition of the existence of the brothers John and Patrick, and that they fought with their father at Sheriffmuir, “A very protracted and laborious search, in so far as it has yet gone, has failed to produce evidence from the public records that Duncan was a married man, or had a family. Down to 1704, when he would be forty-five or forty-six years of age, he is frequently found in recorded documents, but never in the relation of a parent.”

Had the third Earl, who was nephew to Duncan Lord Ormelie, been cognisant of the existence of any such elder branch, it may be presumed that he would have done them the tardy justice to have enumerated them among his cousins, when he made the entail of 1773.

Mr. Paterson also states (p. 3) that Charles Archibald Campbell, esq. M.D. of Montreal, represents the Lochdochart branch of the family; being the “son of Charles Campbell, esq. the last of Lochdochart.” (p. 36). But in the pedigree opposite Mr. Paterson’s title-page, in which Dr. Campbell is made only fourth in descent from Alexander Campbell of Lochdochart, 1650, there would seem to be one or more generations deficient,—unless Dr. Campbell be a person of very advanced age.

Sir Robert Campbell, of Glenorchy, 3d Baronet N.S.



NOTES ON THE MONUMENTS, &c., IN THE OLD CHURCH OF CHELSEA, CO. MIDDLESEX.

Mr. Thomas Faulkner compiled the history of several important parishes in the county of Middlesex; but all his books are unfortunately impaired in value by their extreme inaccuracy, to use no harsher term, and in none of them perhaps is this more palpable than in his *History of Chelsea*.¹

¹ Yet the work contains a large amount of varied information, collected with much industry and perseverance. It should be known, to the credit of the Rev. Weeden

Among his copies (Second Edition, 1829, vol. i. pp. 207 to 241) of the inscriptions on the monuments in Chelsea Old Church, I do not believe there is a single one free from errors or discrepancies of some sort. Corrections of the most important I here append.

P. 207. In SIR THOMAS MORE's inscriptions (though put forth as more accurate than any former copy) are these mistakes, besides others less material, viz.: Line 17, quem should be quam; 43, faeliciori should be fælicioris; 52, quæ should be hæc.

P. 212. The inscription on the HUNGERFORD monument in ten lines has twelve inaccuracies and three omissions, though none of importance. The arms of Hungerford, with their well-known quarterings of Heytesbury and Peverell, have been repainted with incorrect tinctures.

P. 214. The widow of the Rev. MONTAGUE RUSH should be described as of Heckfield (*not* Heathfield).

To the BUCKBY monument *add* these arms, Sable, a chevron between three buck's attires or.

To the SMITH and WILTON monument *add* the dates of 22nd Aug. 1781, æt. 33, and 10th Mar. 1781, æt. 23.

P. 215. In ADAM LITTLETON's monument, which has been "restored," incolis has been turned by the restorer into "inootis."

To the DENYER monument *add* that J. and M. D. were married 42 years; also *add* 64, 76, and 58 years, as the respective ages of the three persons. For "Elizabeth Denyer" *read* E. Dennis Denyer only daughter, &c.

P. 216. In the GERVOICE monument *add* after A. D'ni 1563 "a^o ætatis suæ 27." Besides that in the centre mentioned by Faulkner there are two other shields, viz. Sable, a chevron between three spear-heads or within a border gules, a mullet for difference; and Azure, three beacons burning or, two and one, a mullet for difference. One of the crests (omitted by Faulkner) above, is an animal's head (? a horse's) sable, ears, mouth, mane, and tooth gules. Inside the arch are the Gervoice arms with a *crefcant* for difference.

P. 217. The arms on the PALMER monument are not impaled, but on two oval shields.

P. 218. For "south wall of lower chancel" *read* north.

EDWARD STANLEY, ob. 23 July 1751, æt. 61.

ANN d. of HUGH STAFFORD of Pynes, co. Devon, ob. 30 July 1722, æt. 18. HUGH her brother, only son of said Hugh Stafford, ob. 29 April, 1729, æt. 23.

Add names of Marianne, æt. four months, George, æt. six years, and John, æt. three years, children of GEORGE HAY DRUMMOND (*not* G. A. D.) prebendary of York, and Elizabeth Margaret his wife, who died in Nov. and Dec. 1795 and Jan. 1796.

(The errors in the LAWRENCE and COLVILL epitaphs will be noticed in another article.)

Butler junior (brother of the late Bishop of Peterborough), who was then a school-master resident in Chelsea, that the book owes very much throughout to his assistance. The reflections and remarks are generally his. He translated for Faulkner all the Latin epitaphs: and of their Latin verses gave poetical versions in English, to which his initials W. B. are attached. (EDIT. H. & G.)

P. 223. Hewit should be HEWITT, Jan. 7th should be 17th, wife's age 58, and husband's age 75.

Add, Edward Read's wife was Mary, his age 82.

P. 225. The age of Charles Cheyne, Viscount Newhaven, should be 78 not 74.

JAMES BUCK, Esq.

Add that he died 21 Decr., 1680, and was son of Matthew Buck, esq. of Winterbourn, co. Gloucester, by Mary his wife, dau. of Sir Peter Buck, of Rochester, knt. and that he married Eliz. dau. of Humphrey Rogers of Richmond, Surrey, esq., by whom he had five sons and one dau. viz. James, Francis, Elizabeth, Charles, John, and Richard, whereof the first four were surviving at the time of the erection of this monument.

Add that his wife, Elizabeth, ob. 23 Nov. 1674, æt. 50, and lies buried at Barkhamstead, Hertfordshire, with her ancestors. ARMS, Per fess wavy read Per fess nebulj.

RICHARD GUILFORD (not Guildford). *Add* his 1st wife was Abigail, dau. of John Wood of the county of York, by whom he had a dau. Judeth, and his 2nd wife was Eliz. dau. of Roger Friend of Lambeth, by whom he had Anne and Abigail, and a son Charles.

Add, his age was 66, and that Abigail (not Margaret) his dau. wife of George [Hooper] Bishop of Bath and Wells, and executrix of her brother Charles, erected the monument in 1709.

P. 226. Jeannot should be Jennett, the wife of Alex. Hamilton. Her husband died 30 Nov. 1724, æt. 72.

P. 227. William the husband of Sarah Collins died 10 Sept. 1828, æt. 72.

Capt. Chambers' wife was dau. of William Wylly, Attorney General at Bahama, and died æt. 24.

P. 228. "Teak Sydenham Edwards" should be Sydenham Teast Edwards, Esq. F.L.S. Wathelin should be WAKELIN. *Add*, she was widow of Thomas W. of York Buildings, Westminster, apothecary, who died 7 Sept. 1722, æt. 44.

Capt. William Daniel, R.N. (not Daniell) died æt. 67 not 61.

P. 232. *Add* D. (dominus) between Gregorij and Dacres.

P. 236. In the Duchess of Northumberland's monument the names of her daughters should be Mary, M'garet, Katerin, Kat'in (*sic*), and Temperance, not Mary, Catherine, Frances, Margaret, and Temperance.

P. 238. The Guilford impalement should be Quarterly, 1. West, 2. La Warre (quartering Cantilupe), 3. Mortimer, and 4. Grelle.

Besides making these mistakes, Faulkner has omitted altogether the inscriptions on eight monuments, viz. those to

1. MARY BOLNEY, widow, late of Little Chelsey, daughter of Bartholomew Smith, esq. of the Soke, in Winchester; who married first John Wybarnd, esq. of Cawkwell, Kent, by whom she had two sons and three daughters; and afterwards George Bolney, of Bolney, esq. by whom she had three sons and six daughters. She died 1716, æt. 88.

2. ANN LOWFEILD, daughter of Thomas Lowfeild, esq. who died 25 Dec. 1720. (ARMS: on a lozenge, Per fess vert and or, a pale counter-changed, in chief a bull's head erased sable, in base two garbs of the last.

3. ANN CULLIFORD, wife of Captain Richard Culliford, died 8th 7^{ber}, 1726, æt. 67. (ARMS: Argent, a fess gules between three horses sable, impaling Azure, a lion rampant crowned between three cross-crosslets or.)

4. BENJAMIN DODD, died 10 Nov. 1796, æt. 70.

5. MATTHEW SQUIRE, esq. Rear-Admiral of the Red, died 22 Jan. 1800, æt. 55.

6. CHARLES, only son of PHILIP MILLER, esq. author of *The Gardener's Dictionary*,¹ died 6 Oct. 1817, æt. 78.

7. ISABEL MARGARET CHARLEMONT, died 15 Sept. 1824, æt. 14.

8. HENRY COOPER, barrister, died 19 Sept. 1824, æt. 41.

The monument to Colonel the Hon. Henry Cadogan, who was slain at Vittoria in 1813, is in the New Church, and not in the Old, as stated by Faulkner, p. 229.

Monuments to the five following persons have been erected since the publication of his work:—

1. Maria, wife of J. C. HYDE, surgeon, of Queen's Elm, eldest daughter of the late Capt. John Maude, R.N., died 4 Oct. 1831, æt. 46.

2. JOHN BEECH, esq. died 8 Nov. 1836, æt. 80; Sarah, his wife, died 16 Nov. 1839, æt. 78.

3. JANE TYNDALE, widow of Col. Tyndale, late of the Life Guards, and eldest daughter of the Rev. Mountague Rush, of Heckfield; (buried near her mother, Jane Rush,) who died 25 Sept. 1842, æt. 72.

4. Rev. JOHN RUSH, LL.B., Rector of Hartwell cum Hampden, Bucks, and Incumbent of this Church, who died 4 June, 1855, æt. 85. His is the only inscription to a Protestant clergyman which I have seen ending with the words, "May his soul rest in peace."

5. Rev. EDMUND STAUNTON, A.M., youngest son of John Staunton, esq., late of Longbridge, in the county of Warwick; who died a bachelor, 16 Sept., 1835, æt. 58. (Arms: Argent, two chevrons within a bordure sable.)

Twelve Hatchments still remain in the Church; as to them Faulkner is entirely silent. They are as follows:—

(On the south wall of the chancel:)

1. Cadogan (as hereafter, No. 11), impaling, Argent, a fret gules, Blake. With crest, supporters, and motto, *Qui invidet minor est*. (Dexter side shaded.) For George third Earl of Cadogan, who died

¹ A monument "erected by Edward Layton, esq., who married the only daughter" of the deceased. There is in Faulkner's History, vol. i. p. 250, an engraving of the monument of Philip Miller in the churchyard.

1864, having married Louisa Honoria Blake, sister to Joseph Henry first Lord Wallscourt.

2. Sable, a chevron between doves argent; impaling, Gules, a chevron argent between three lions rampant or. Crest, over an esquire's helmet, a dove argent. Motto, *In celo quies.* (Dexter side shaded.)

(On the north wall of the chancel, near the Gervoice monument:)

3. Argent, a bear salient sable; impaling, Gules, a chevron argent. (Sinister side shaded.) This has been removed (since these notes were first taken) to make room for a glaring marble slab erected in 1866 to commemorate the tardy respect borne by the relations of a Mr. THOMAS LONG, who died in 1829.

(On the north wall:)

4. Quarterly: 1 and 4, Argent, a fess gules, in chief a bar indented of the second, Hatchett: 2 and 3, Gules, six cross-crosslets or, 2, 1, 1, and 2, between two flanches argent. An escutcheon of pretence, Per pale or and azure, three chevrons counterchanged. Crest, on a wreath, a leopard passant proper. (All shaded.) For Charles Hatchett, esq. F.R.S., whose portrait, and an account of his residence, Bellevue House, and its contents, is given by Faulkner, ii. 89.

5. Same as last without the crest. (Sinister side shaded.)

(On the east wall of the nave above the arches:)

6. As No. 9 hereafter, but the arms in a lozenge, without crest or motto. Background all black.

7. Azure, three fish haurient or; on an inescutcheon, Argent, on a chevron gules three lions rampant or. Crest, a dexter hand, cuffed, holding a scimitar. Motto, *Resurgam.* (Sinister side shaded.)

8. Per bend sinister ermine andermine, a lion rampant or, Edwards, impaling, Gules, a chevron between two mullets pierced in chief and a crescent in base or, on a chief azure three mullets pierced argent. Crest, on a wreath: A man's head in profile helmeted proper. Motto: *A vinno dew Derwid.* (Dexter side shaded.)

9. Quarterly: 1 and 4, Azure, on a bend engrailed or three martlets gules, Dawson; 2 and 3, Azure, three torches erect sable, inflamed gules. On an escutcheon of pretence, Argent, a chevron sable, in chief a bar engrailed gules, Freame. Crest: An estoile of six points or. Supporters: Dexter, an Irish wolf-dog; sinister, an elk; both proper, collared and chained or. Motto: *Toujours propice.* Dexter side shaded,—for Thomas Viscount Cremorne, who died in 1813; having married for his second wife Philadelphia-Hannah only daughter of Thomas Freame, esq. of Philadelphia.

(On the south wall:)

10. Argent, on a chief or a raven proper, impaling, Paly of five argent and sable, on a chief gules (Sinister side shaded.)

11. Quarterly, 1 and 4, Gules, a lion rampant regardant argent; 2 and 3, Argent, three boar's heads coupéd sable, Cadogan; impaling, quarterly: 1 and 4, Argent, a pale gules, on a chief sable three escallop shells, the pale charged with a mullet argent for difference: 2 and 3, Argent, a fess chequy, in chief a chevron gules. Crest, Out of a coronet or a dragon's head vert. Motto, *Christ the hope of glory.* (Dexter side shaded.) For the Hon. and Rev. William Bromley Cadogan, Vicar of Chelsea, who died in 1797, having married in 1782 Mrs. Bradshaw, a widow.

12. Sable, three lions passant in bend between two bendlets, and in chief a griffin's (?) head erased argent; impaling, Sable, a fess ermine. Crest: A swan's head coupéd argent, gorged with a coronet or. Motto, *Resurgam.* (Dexter side shaded.)

The foregoing description is perhaps imperfect in some particulars, for the position of the hatchments, from distance and want of light, is not always favourable for their examination. The attempt to assign them to the persons they were intended to commemorate is also necessarily imperfect, from a deficiency of ancillary means of information. Any remarks towards their further elucidation will be thankfully received.

On a door leading from the west end of the Lawrence Chapel are the following arms finely painted in an oval (perhaps about 75 years ago): Or, a lion passant between three hawk's lures gules, Lewer¹; impaling, Sable, a bend or between three cocks, wings erect, argent. Crest: on a wreath, a lion's jamb argent, holding a sword proper, hilted or. Motto: PERSEVERE.

There is no old stained glass in the church. The sepulchral brass commemorating Sir Arthur Gorges has lately been discovered, and is now placed above the Gorges monument near the Stanley Chapel. It represents a gentleman in half-armour, with beard and drooping ruff edged with lace; he kneels on a cushion, with his six sons behind him; opposite is his lady with her five daughters. Between them is a table covered with a fringed cloth, on which are two books. The daughters wear their hair back from their foreheads, high ruffs, and long streamers reaching from their shoulders to the ground. The principal figures are 9 inches high, the children somewhat less. The accompanying shield of arms measures 9½ by 8½ inches, and bears

¹ The Lawrence Chapel was purchased by Mr. Lewer in 1789. Faulkner, i. 220.

Quarterly : 1. Lozengy [or and] azure, a chevron [gules.]
 2. Argent, a whirlpool azure.
 3. . . . on a chief . . . three roundels.
 4. . . . a fess lozengy azure between three stag's heads caboshed; impaling [Ar.] six cross-crosslets fitché 3, 2, and 1, on a chief two mullets pierced. Crest: A greyhound's head erased and colored . . .

The first quarter is the coat of Gorges, derived from Morville; the second the allusive coat of that name, Lat. *gorges*; the arms impaled being those of Clinton. This identifies the memorial as that of Sir Arthur Gorges, and his second wife the Lady Elizabeth, daughter of Henry Earl of Lincoln.¹

The funeral helmet of Sir Robert Stanley, K.B. (ob. 1632) is still suspended near his monument. It is richly painted and gilded, and surmounted by the crest of the eagle and child.

An oaken bookcase placed against the south wall of the church contains the following books attached by chains :—

A magnificent Bible without its title: probably the "Vinegar bible" by Baskett, Oxford 1717.

The Book of Common Prayer. London, 1723.

Homilies. Oxford, 1683. This has the autograph on the title-page of *J. Trelauny*.

Foxe's Martyrs, vol. i. ninth edition. London, 1684.

————— vol. iii. London, 1684.

There is but one bell (which bears the inscription of "Thomas Janaway of London, fecit 1762") in the tower; but another, given by a gentleman in 1679, to commemorate his escape from drowning in the Thames hard by, is placed on a bracket just inside the church door, having been removed from the clock tower in March 1862. Its inscription runs thus: "The gift of the Honorable William Ashburnham, esq. Cofferer of His Maiesties Household, 1679." The stop at the end of the inscription consists of three small bells, 2 and 1.

Nothing is more memorable in the early history of Chelsea than the residence of Sir Thomas More, but the exact locality of his mansion is undetermined, and has given rise to much discussion.

Dr. King (Faulkner, i. p. 119) states that each of the following

¹ Faulkner (vol. i. p. 57) has printed the will of Lady Elizabeth Gorges, who died July 18, 1643.

four houses lays claim to this honour, viz. the Duke of Beaufort's, Sir John (Joseph?) Alstone's, Sir Reginald Bray's, and Sir John Danvers'.

He gives it as his opinion that Beaufort House "bids fair to be the place where it stood." His reason for so thinking is, that the Chancellor's grandson, who wrote his *Life* and was born in the beginning of Queen Elizabeth's reign, said that Sir Thomas More's house was the same "which my Lord of Lincoln bought of Sir Robert Cecill."

Dr. King having proved, more or less satisfactorily, that Beaufort House was once in the occupation of Sir Robert Cecill, comes, not unnaturally, to the conclusion that it must have been identical with that in which Sir Thomas More lived; and his view of the case has been generally adopted. (*Vide Gentleman's Magazine*, 1833, "Memorials of Sir Thomas More.")

I think, however, much may be said in favour of the pretensions of Danvers House. Mr. Roper (Sir Thomas More's son-in-law) seems to have retained possession of some lands in Chelsea called the "Moore House;" whilst the bulk of the property came through the Marquis of Winchester to Lord Dacre, whose widow bequeathed it to Lord Burghley, with remainder to his son Sir Robert Cecill, (afterwards the Earl of Salisbury,) who, I have no doubt, built, to the west of the old mansion, the building afterwards known as Beaufort House. In Dr. King's time the initials of Cecill and his wife, with the date 1597, were still existing on the front of this house.

Cecill afterwards sold this property to the Earl of Lincoln, who also purchased of Mr. Roper the "Moorehouse" lands. (*Dom. State Papers*, James I. xcvi. 132.)

The greater part of the property, with the new house, went with Elizabeth, the daughter of the Earl of Lincoln, to her husband Sir Arthur Gorges, from whom it passed, through the parties described in Faulkner's *History*, to the Duke of Beaufort, who gave the mansion for the first time its name of BEAUFORT HOUSE.

The other property,—that bought of Mr. Roper and known as "Moore house," was sold by the son of the Earl of Lincoln to Sir John Danvers, who afterwards built on it a new mansion, known as DANVERS HOUSE.

In further support of the claims of Danvers House, there is the statement of Aubrey that Sir Thomas More lived where Sir John Danvers's house once stood, where, when Aubrey wrote, two pyramids still existed, marking the site of a gate-house from the roof of which Sir Thomas was once nearly thrown by a madman. (*Aubrey's Lives*, vol. ii. p. 462; and see *Wood's Athenæ Oxon.* p. 30.)

Still it may be that this house retained by Mr. Roper was that mentioned by King, who says that Sir Thomas More "built at a good distance from his mansion-house a pile called the 'New Building,' which contained a chapel, a library, and a gallery," and which is probably identical with that (formerly part of the possessions of her husband) granted to Lady More in 1544, and which was then in the occupation of the Rector.

If this be so, it will account for both Beaufort House and Danvers House having such apparently strong pretensions to stand on the site of the house of Sir Thomas More, and the honour must in future be divided between them.

Of the two other houses for which the same reputation has been claimed I can say but little.

ALSTON HOUSE (formerly SHREWSBURY HOUSE) lay between the Bishop of Winchester's Palace and the Old Manor House,—which, I presume, is identical with Sir Reginald Bray's house mentioned by Dr. King.

THIS OLD MANOR HOUSE¹ was divided from Sir Thomas More's grounds by Church Street and the parish church, to the east corner of which the grounds of the manor-house probably extended. Sir Thomas More is stated (Lysons, p. 53) to have hired a house at Chelsea for the reception of aged people who were supported by his bounty. Perhaps this circumstance may have connected his name with a house he never occupied.

The subterranean passage from Alston House leading towards the King's Road, according to Faulkner, (i. p. 279,) and towards the river (exactly the opposite direction,) according to a letter he prints at the same page, was, I imagine, a passage in which water-pipes were laid to the conduit at the north-west corner of Rolls Nursery Ground, near the King's Road, which supplied the water to Winchester Palace, Beaufort House, and the Old Manor House. Another subterranean passage discovered, or said to be discovered, a few years ago between Oakley Street and Cook's Ground, extending south towards the river, was probably a similar pipe-way for the supply of Winchester Palace. Local gossip—I will not dignify it with the name of tradition—asserted it was a secret communication between the Bishop of Winchester's Palace and the chapel in Cook's Ground, once used by French Protestant Refugees.

Chelsea.

WALTER RYE.

¹ The New Manor House built by Henry the Eighth was immediately to the east of the Bishop of Winchester's Palace.

SURNAMES AS EVIDENCE OF DESCENT.

Possessors of high-sounding names sometimes assume themselves to be, as a matter of course, descendants of those who once bore them with distinction among our ancient nobility; and, on the other hand, regard all who are not designated by similar appellations as of low origin and ignoble derivation. A Beaumont or a Daubigny will look down, for example, upon Brown, Jones, and Robinson, as of an inferior caste; while he considers that he himself springs from a family of royal or patrician position. Yet I have known a parish-clerk and a butler named Beaumont, and an eating-house keeper a veritable Daubigny, though disguised as Dobney. But I think there is abundant evidence to prove that surnames furnish by no means an infallible indication either of distinguished or of mean descent; that, in fact, persons bearing common names may trace back to illustrious ancestors, and probably that persons bearing noble names may prove to have had for their progenitors individuals of humble position. As early as the 2nd Edw. IV. Thomas Nevyl occurs as a yeoman at South Skyrley, in Yorkshire; in 12 Hen. VII. Bartholemew Percy as a hatmaker in Leicester; and in 2 Hen. VIII. Richard Nevyl as a fustian shearer in London.¹

In illustration of this subject, the pedigree of William Belward, lord of Malpas in Cheshire, may be quoted. It is given in Lower's *Essay on Family Nomenclature*, vol. ii. p. 49, on the authority of Camden, who alleges that he took it out of an ancient roll belonging to Sir William Brereton of Brereton, knight.

From this pedigree we learn that William Belward, lord of Malpas in Cheshire, had two sons. The eldest, "Dan David" of Malpas,² was called on account of his scholarship "Le Clerke;" the second was known only as "Richard." "Dan David" had three sons: 1. William, called "De Malpas" from his estate; 2, Philip, called "Gogh,"³ that is, red, and his descendants took the name of Egerton; 3, David, who took the name Golborne, from his estate, and one of whose sons took the name Goodman, or rather received it from others, from the excellence of his character. Richard, the second son of William Belward, had three sons: 1, Thomas, called De Cotgrave, from his estate; 2,* William, called De Overton, from his estate; 3, Richard, surnamed

¹ Sanctuaries of Durham and Beverley (Surtees Society, 1837), pp. 127, 141, 165.

² Living temp. Richard I. [1189-1199, A.D.] See Lysons's *Britannia: Cheshire*.

³ Living in early part of the 13th century. See Lysons's *Cheshire*.

Little, from his diminutive stature. This last person had two sons: 1, one called Kenclarke, that is, "knowing scholar," and 2, John Richardson, from his father's Christian name. In presenting this family tree, Mr. Lower says that "it will be seen that in four descents, and among fifteen persons descended (paternally) from one and the same individual, there were no less than *thirteen* surnames." And the same authority adds that this one family affords five descriptions of surnames, namely, foreign, as Belward; local, as De Malpas, De Cotgrave; from personal qualities, as Gogh or red, and Little; from mental qualities and attainments, as Goodman and Kenclarke; and from the paternal name, as Richardson.

It may reasonably be presumed that the example here given was not isolated, and different from others of the same date; that, in fact, it furnishes a correct idea of the process of name-giving then prevalent throughout the country. If so, we may infer one or two principles of general application from the nature of this pedigree.

1. That the eldest sons took their surname from the principal estate of the family, and that when names became fixed their descendants generally continued the name.

2. That second and sometimes third sons took their names from the smaller estates of the family, perpetuating those names subsequently among their descendants.

3. That landless sons received and transmitted to their progeny descriptive and paternal surnames.

Thus, in the case before us, the Malpases may be supposed to represent the eldest branch of the former lords of Malpas; the cadets of the house are represented by the Egertons, Golbornes, Cotgraves, and Overtons. So, also, the youngest brothers of all are represented by the Goodwins, Littles, Kenclarkes, and Richardsons.

4. That paternal surnames generally are probably those of descendants of youngest sons of old houses; seeing that had Richard been the eldest and Thomas or William the youngest son of Richard, William Belward's son, then the representatives of the third son would have been either Thompsons or Williamsons, instead of Richardsons. In this way, the whole of this class of names might be accounted for.

This supposition seems the more likely, as, in the large towns, where trades were carried on, nameless people would acquire designations derived from their trades and occupations, as Goldsmith, Leech, Barber, Smith, Tailor, Lorimer, Mason, Taverner, Carpenter, and so forth, from the fact of their being constantly associated with such trades and occupations; while, in the rural districts, the younger sons of the

proprietors of the soil, being connected with neither, and possessing no estates, would naturally receive either the names of their fathers, with the affix "son" attached, or some appellation suggested by a mental or bodily characteristic.

If these conjectures be true, then of *Punch's* four Rhine tourists—Smith, Brown, Jones, and Robinson—rejecting Jones as a Welshman, Smith would be the descendant of a townsman, and Brown and Robinson descendants of the youngest sons of some Norman baron.

Camden (quoted by Lower) states that Hugh Montfort's second son, called Richard, being lord of Hatton in Warwickshire, took the name of Hatton; and that the youngest son of Simon de Montfort, earl of Leicester, staying in England when his father was slain and his brethren had fled, took the name of Welsborne. Instances of this kind could be multiplied; and therefore is it clear that modern surnames furnish a very imperfect proof of ancient descent, and that the lineal male descendants of the old aristocratic families of this country are as numerous, or rather more numerous, among the possessors of the commonest names than among the owners of the more imposing order of appellations; the numbers of younger sons always, I fancy, exceeding those of the fortunate elder sons, and thus the surnames taken from estates are far fewer than those given to the Dicks, Harrys, Toms, Bobs, Jacks, and so on, the *progenitors* of the modern Richardsons, Harri-sons, Thompsons, Robertsons, Johnsons, *et hoc genus omne*.

If these inferences be correct, the genealogist, in tracing the pedigree of a family in a date before surnames were fixed, would ascertain first what were the principal and subordinate manors of the family at some certain time, as early as might be, and then would ascertain the history of their transmission; for in this way, rather than by identity of surname, would consanguinity be followed out.

In regard to heraldry, also, after hereditary arms-bearing began, we should expect to find in similarity of family insignia evidence of relationship rather than in identity of surname. On this supposition, all the male descendants of William Belward, lord of Malpas, would wear coats substantially the same, though differenced in some degree by marks of cadetcy, or changes of colour, metal, or fur. Should this prove to be a rule, the Egertons, Golbornes, Cotgraves, and Overtons, will be found using armorial bearings much alike¹; and we may expect to discover the landless members of the family either not assuming arms

¹ Not having ample access to authorities on this subject, the writer is unable to test his conjecture by reference to facts and evidences. Some inquirer more favourably placed in this respect would, however, no doubt find the investigation interesting.

(having no followers), or ranging themselves under the banners, and assuming the arms, of different barons of high position. Our guides in unravelling ancient genealogies should therefore be, in addition to the succession to family estates, the coats of arms used by families ; as in early times they would resemble each other often when surnames were totally different and afforded no clue to identity of origin.

If there be family types of physiognomy, too, it need not surprise us to find strong resemblances among persons known by different surnames, should they be (as they are often) lineal male descendants of a common progenitor.

In the outset, I ventured on the assertion that persons known by names of distinguished families might probably be descended from ancestors originally of obscure position. The reasons to be assigned in support of this opinion are various. One is the fact that in the middle ages the serving-men and menials took the names of their masters, or sometimes received them from other persons. In Walter Scott's story, "The Abbot," occurs the description of a conflict in the streets of Edinburgh between the retainers of the Leslies and the Seatons, when the cry is raised "a Leslie, a Leslie!" on one side, replied to by "a Seaton! a Seaton!" on the other; leading us to the conclusion that the partizans took the respective names of their leaders. So also in "Romeo and Juliet" the citizens shout, "Down with the Capulets! Down with the Montagues!"—meaning thereby the followers of the great houses who were known by the names of their chiefs. These examples, taken from fiction, illustrate actual usages; and show that the ancient houses, like the old Highland clans, gave their names to those who drew the sword for the cause of the house or the clan. It would hence be inferred that many a Capulet, or Montague, or Leslie, or Seaton, was no blood relation, but simply some stout dependant, who was allowed to use the name of the family he served. Again; names have often been assumed without warrant; as armorial bearings have been taken by mere pretenders. As descendants of the classes here mentioned now exist, they represent the persons who use illustrious names without any claim to descent from their rightful bearers in ancient days.

The lesser suggestions arising out of the Malpas pedigree are not without their use and significance in genealogy; but I here leave the subject to be pursued by other inquirers, hoping that something has been done to indicate how much more might be accomplished by an abler pen and a better informed investigator than the writer. J. T.

SEMI-ROYAL TITLES OF PEERAGE.

To the Editor of the HERALD AND GENEALOGIST.

I have no doubt that the synoptical catalogue given in your last Part (p. 174) of the Royal Titles of Peerage that have been conferred in England during the three past centuries, was welcomed by many of your readers as well as myself. Its perusal has induced me to form a correspondent list of those Titles of Peerage which have during the same period been bestowed upon the "left-handed" relatives of our Princes; and, as this has certainly some historical interest, I beg to offer it for your use, in order that you may place it in some measure in connection with the other, for in several instances the same titles occur in both. It was with some surprise I perceived that the persons included in the former list amounted to seven-and-twenty, and I imagine that few will have anticipated that the number of my present list should rise to so many as eighteen.

N. H. S.

Son of King Henry the Eighth.

1525. Henry FitzRoy, created Duke of Richmond and Somerset, and Earl of Nottingham. Extinct on his death in 1536.

Sons and Mistresses of King Charles the Second.

1663. James Crofts (son of Lucy Walters) on his marriage with Anne Countess of Buccleuch assumed the name of Scott, and was created Baron of Tynedale in Northumberland, Earl of Doncaster, and Duke of Monmouth. He and his wife were in 1673 created Duke and Duchess of Buccleuch, Earl and Countess of Dalkeith, and Baron and Baroness Whitchester and Eskdale, in the peerage of Scotland. Attainted 1685: but his son Henry, having succeeded his mother as Duke of Buccleuch in 1732, was in 1743 restored by Act of Parliament to the dignities of Earl of Doncaster and Baron of Tynedale, which are now vested in his descendant Walter-Francis 4th Duke of Buccleuch and 6th Duke of Queensberry.

1670. Barbara Villiers, created Baroness of Nonsuch, Countess of Southampton, and Duchess of Cleveland: with remainder to her eldest and third sons Charles and George FitzRoy, and their heirs male. Extinct in 1774 on the death of her grandson William Duke of Cleveland and Southampton hereafter mentioned.

In 1827 this title was revived in favour of the grandson of her daughter Lady Grace FitzRoy, who was the wife of Henry Vane, 1st Earl of Darlington. William Harry 3rd Earl of Darlington was created Marquess of Cleveland in 1827, and Duke of Cleveland in 1833: and his grandson Harry-George is now the 4th Duke of this creation.

1672. Henry FitzRoy (second son of the Duchess of Cleveland), created Baron of Sudbury, Viscount of Ipswich, and Earl of Euston, all in Suffolk; created Duke of Grafton in 1675. Now represented by his descendant William-Henry 6th Duke of Grafton.

The second Duke of Grafton inherited in 1723 the titles of Earl of Arlington, Viscount of Thetford, and Baron of Arlington, on the death of his mother, whose father Henry Bennet (an uncle of the first Earl of Tankerville) had been created Baron Arlington in 1664, with remainder, failing his issue male, to the heirs of his body, and was advanced to the Earldom, with the same limitation, in 1672. These dignities remain merged in the Dukedom of Grafton.

1673. Louise Renée de Penencourt de Queronaille, created Baroness of Petersfield, Countess of Farnham, and Duchess of Portsmouth for life. Extinct on her death in 1734.

In 1684 the Duchess of Portsmouth was by Louis XIV. created Duchess of Aubigny—a title then extinct by the demise of the last Stuart, Duke of Richmond and Lennox, in 1672,—with remainder to her son and his issue male, remainder to the crown of France. By this grant the present Duke of Richmond and Lennox (see hereafter, under 1675) is also Duke of Aubigny, a dignity confirmed in 1777, and again in 1816.

1674. Charles FitzRoy (eldest son of the Duchess of Cleveland), created Baron of Newbury, co. Berks. Earl of Chichester, co. Sussex, and Duke of Southampton, with remainder to his brother George. Succeeded his mother as Duke of Cleveland in 1709. Both dukedoms became extinct on the death of his only surviving son in 1774.

In 1780 the title of Southampton, with the dignity of a Baron, was bestowed on Lord Charles FitzRoy, brother to the third Duke of Grafton; whose grandson is the present and third Lord Southampton of that creation.

1674. George FitzRoy (third son of the Duchess of Cleveland), created Baron of Pontefract, Viscount of Falmouth, and Earl of Northumberland: created Duke of Northumberland in 1682. Extinct on his death in 1716.

1675. Charles FitzCharles (son of Katharine Pegge), created Baron of Dartmouth, Viscount of Totnes, and Earl of Plymouth. Extinct on his death in 1680.

1675. Charles Lennox (son of the Duchess of Portsmouth), created Baron of Settrington, co. York, Earl of March, and Duke of Richmond; also in the same year Baron Methuen of Torbolton, Earl of Darnley, and Duke of Lennox in the peerage of Scotland. Now represented by his descendant Charles-Henry 6th Duke of Richmond and Lennox, and of Aubigny in France (as above stated).

1676. Charles Beauclerk (son of Nell Gwyn), created Baron of Heddington, and Earl of Burford, both co. Oxford; created Duke of St. Alban's in 1684. Now represented by his descendant William Amelius Aubrey de Vere, the 10th Duke.

Mistress and Son of King James II.

1685. Catharine Sidley, created Baroness of Darlington and Countess of Dorchester, for her natural life. Died 1692.

To her daughter by the King the name of Darnley was given. Lady Katharine Darnley was married first to James Annesley, third Earl of Anglesey, and by him was mother of Lady Katharine, married to William Phipps, esq. ancestor of the present Marquess of Normanby. The Countess of Anglesey (having been divorced) was re-married to John Sheffield, Duke of Buckingham and Normanby, and her son Edmund the second Duke was the last of that family.

1686-7. James Fitz-James (son of Arabella Churchill, sister to the great Duke of Marlborough), created Baron of Bosworth, co. Leicester, Earl of Tinmouth, co. Northumberland, and Duke of Berwick-upon-Tweed. Attainted 1695.

The Duke of Berwick was subsequently by the King of Spain created Duke of Liria and Xerica in Valentia, which dignities descended to the descendants of his first marriage. Also, by the King of France, Duke of Fitz-James, a title now enjoyed by the Duc de Fitz-James, descended from the Duke of Berwick's second marriage.

Though not an actual peerage, it may here be noticed that Charles Edward Stuart, the young Chevalier,¹ assumed his grandfather's title of Albany; he travelled under the title of Count of Albany in early life, and resumed it after the failure of his efforts to establish his royal title. He left a natural daughter (as supposed by a Scotch lady named Walkenshaw), who went by the title of Duchess of Albany, and died in 1824.

Mistresses and Daughter of King George the First.

1716. Erengard Melosina de Schulemberg, created Baroness of Dundalk, co. Louth, Countess and Marchioness of Dungannon, co. Tyrone, and Duchess of the province of Munster, in the peerage of Ireland; and, in 1719, Baroness of Glastonbury, co. Somerset, Countess of Feversham in Kent, and Duchess of Kendal, co. Westmerland, for life. Princess of Eberstein, in the empire of Germany, 1723. Died 1743.

1721. Charlotte Sophia (wife of the Baron Kilmansegg), Countess of Platen in Germany, created Countess of Leinster, in the peerage of Ireland; and, in 1722, Baroness of Brentford, co. Middlesex, and Countess of Darlington. Died 1730.

1722. Melosina de Schulemberg (daughter² of the Duchess of Kendal and Munster), created Baroness of Aldborough, co. Suffolk, and Countess of Walsingham, co. Norfolk, for life. (Married in 1733 to Philip Earl of Chesterfield.) Died 1778.

Mistress of King George the Second.

1740. Amelia Sophia de Walmoden, created Baroness and Countess of Yarmouth,³ for life. Died 1765.

Son of King William IV. who had been Duke of Clarence and Earl of Munster.

1831. George FitzClarence, created Earl of Munster, Viscount FitzClarence, and Baron Tewkesbury. Represented by his son now Earl of Munster.

At the same time his three surviving brothers, Frederick, Adolphus, and Augustus, who were placed in remainder to the peerage, were raised to the rank of Younger Sons of a Marquess; and three of his sisters, Sophia wife of Sir Philip Charles Sidney, Bart.,⁴ Mary wife of Lieut.-Colonel Charles Richard Fox, and Augusta widow of the Hon. John Kennedy Erskine, were raised to the rank of the Daughters

¹ His father had been commonly called the Chevalier de St. George.

² The Countess of Walsingham was the reputed "niece" of the Duchess, and is so termed in many works on the Peerage. Walpole, however, speaks very decidedly upon her parentage, and says it was confirmed by her resemblance to the King.

³ This title had become extinct eight years before, on the death in 1732 of William Paston, second Earl of Yarmouth, the last of that memorable family; and it is remarkable that, in the person of that nobleman's first wife, the title of Countess of Yarmouth had been borne by one of the natural issue of King Charles the Second, Charlotte Jemima Maria, whose mother was the Viscountess Shannon, a daughter of Sir William Killigrew.

⁴ Sir P. C. Sidney was in 1835 advanced to the titles of Lord De Lisle and Dudley of Penshurst, to which he had some hereditary claim.

of a Marquess,—their sisters Elizabeth Countess of Errol¹ and Amelia Viscountess Falkland² having previously attained higher rank.

Wife of Augustus Frederick, Duke of Sussex and Earl of Inverness.

1840. Lady Cecilia Letitia Underwood (daughter of Arthur Saunders Gore, 2nd Earl of Arran, K.P.), created Duchess of Inverness. Living 1866.

¹ The Earl of Errol, her husband, was in 1831 created a British peer by the title of Baron Kilmarnock.

² Lord Falkland, her husband, was in 1832 created a British peer by the title of Lord Hunsdon.

RETURNS from ULSTER KING AT ARMS of the number of the existing PEERS of IRELAND, exclusive of those who have seats in the House of Lords by virtue of Peerages of GREAT BRITAIN or of the UNITED KINGDOM; and of the number of CREATIONS and PROMOTIONS made in the PEEERAGE of IRELAND since the Union, with the Dates of such Creations and Promotions.

(Made pursuant to a Motion of Sir Colman O'Loughlen, and ordered by the House of Commons, April 10, 1866.)

The number of the existing Peers of Ireland, exclusive of those who have seats in the House of Lords by virtue of Peerages of England, Great Britain, or of the United Kingdom, is 115

The actual number of the Peers of Ireland is as follows:—

Duke	1
Marquesses	12
Earls (including his Majesty the King of Hanover as Earl of Armagh)	66
Viscounts	40
Barons	70

189

Of whom are Peers of England, Great Britain, or the United Kingdom 74*

Peers who are Peers of Ireland only 115

[Now reduced to 108]

* Now increased to 81 by seven creations made during the year 1866, which will be found specified in our Heraldic Chronicle, at pp. 187, 188, 190, 191.

CREATIONS MADE IN THE PEERAGE OF IRELAND SINCE THE UNION.

			Date of Patent.
Rendlesham	Baron		1 February 1806.
Kiltarton	Baron		18 May 1810.
Castlemaine	Baron		24 December 1812.
Decies	Baron		22 December 1812.
Garvagh	Baron		28 October 1818.
Howden	Baron		19 October 1819.
Downes	Baron		10 December 1822.
Bloomfield	Baron		10 June 1825.
FitzGerald and Vesey	Baroness		31 July 1826.
Guillamore	Viscount		6 January 1831.
Talbot and Malahide	Baroness		28 May 1831.
Carew	Baron		14 June 1834.
Oranmore	Baron		4 May 1836.
Dunsandle and Clanconnell	Baron		6 June 1845.
Bellew	Baron		17 July 1848.
Clermont	Baron		6 March 1852.
Fermoy	Baron		10 September 1856.
Athlumney	Baron		14 December 1863.

Number of Creations 18

PROMOTIONS MADE IN THE PEERAGE OF IRELAND SINCE THE UNION.

8 <i>Marquisates</i> :	<i>Created.</i>	<i>Date of Patent.</i>
Altamont, Earl of	Marquess of Sligo	3 Jan. 1801.
Ely, Earl of	Marquess of Ely	2 Jan. 1801.
Ormonde, Earl of	Marquess of Ormonde	12 Jan. 1816.
Londonderry, Earl of	Marquess of Londonderry	13 Jan. 1816.
Conyngham, Earl of	Marquess of Conyngham	15 Jan. 1816.
Westmeath, Earl of	Marquess of Westmeath	5 Feb. 1822.
Ormonde, Earl of	Marquess of Ormonde	12 Jan. 1825.
Clanricarde, Earl of	Marquess of Clanricarde	26 Nov. 1825.
19 <i>Earldoms</i> :		
Donoughmore, Viscount	Earl of Donoughmore	3 Jan. 1801.
Caledon, Viscount	Earl of Caledon	2 Jan. 1801.
Kenmare, Viscount	Earl of Kenmare	3 Jan. 1801.
Limerick, Viscount	Earl of Limerick	22 Jan. 1803.
Dunlo, Viscount	Earl of Clancarty	12 Feb. 1803.
Gosford, Viscount	Earl of Gosford	4 Feb. 1806.
Oxmantown, Viscount	Earl of Rosse	3 Feb. 1806.
Somerton, Viscount	Earl of Normanton	4 Feb. 1806.
Charleville, Viscount	Earl of Charleville	5 Feb. 1806.
Cañer, Lord	Earl of Glengall	15 Jan. 1816.

Mountjoy, Viscount	Earl of Blesinton	12 Jan. 1816.
Sheffield, Baron	Earl of Sheffield	16 Jan. 1816.
Bantry, Viscount	Earl of Bantry	13 Jan. 1816.
Kilmorey, Viscount	Earl of Kilmorey	5 Feb. 1822.
Monck, Viscount	Earl of Rathdowne	5 Feb. 1822.
Mount Earl, Viscount	Earl of Dunraven and Mount Earl	5 Feb. 1822.
Ennismore, Viscount	Earl of Listowel	5 Feb. 1822.
Norbury, Baron	Earl of Norbury ¹	23 June 1827.
Northland, Viscount	Earl of Ranfurly	14 Sept. 1831.

16 *Viscounties*:

Yelverton, Baron	Viscount Avonmore	2 Jan. 1801.
Longueville, Baron	Viscount Longueville	3 Jan. 1801.
Bantry, Baron	Viscount Bantry	5 Jan. 1801.
Monck, Baron	Viscount Monck	6 Jan. 1801.
Kilconnel, Baron	Viscount Dunlo	7 Jan. 1801.
Tullamore, Baron	Viscount Charleville	8 Jan. 1801.
Kilwarden, Baron	Viscount Kilwarden	9 Jan. 1801.
Newcomen, Baroness	Viscountess Newcomen	29 Jan. 1803.
Templetown, Baron	Viscount Templetown	13 Feb. 1806.
Lismore, Baron	Viscount Lismore	24 May 1806.
Erris, Baron	Viscount Lorton	28 May 1806.
Frankfort, Baron	Visc. Frankfort de Montmorency	12 Jan. 1816.
Adare, Baron	Viscount Mount Earl	13 Jan. 1816.
Ennismore, Baron	Visc. Ennismore and Listowel	15 Jan. 1816.
Kiltarton, Baron	Viscount Gort	16 Jan. 1816.
Castlemaine, Baron	Viscount Castlemaine	5 Feb. 1822.

Number of Promotions,—8 Marquises, 19 Earldoms, 16 Viscounties, total 43.

¹ The creation of Lord Norbury to be Earl of Norbury and Viscount Glandine being conferred with a further remainder than that belonging to his Barony, was treated as a new peerage; for which the extinctions of three peerages, Newcomen, Whitworth, and Carleton, were reckoned, in accordance with the 4th Article of the Act of Union.

DOUBTFUL BARONETCIES.

The Editor of *The English Baronetage*, 1741, after stating in his Preface that he does not profess to include the Baronets of Nova Scotia, except some few of English families, adds:²

² The passage is an amplification of the following, which had appeared in *The English Baronets*, printed for Thomas Wotton, 1727: "Neither was it thought proper to take notice of several, who, tho' they assume this *Title*, have either no

Neither has it been thought proper to take notice of several, who, tho' they assume the title, have either no patent or sufficient authority for their so doing, to make out their claim to it; or else, tho' they themselves may be truly within the limitations of a patent, the dignity has been forfeited long since, and extinguished in their families, by an act of attainder; as Sir James Harrington, of Ridlington, in Rutlandshire, and others. We had, nevertheless, some thoughts of publishing the accounts of Sir Thomas P'Anson, Sir James Bunce, Sir William Courtenay, and some others, whose ancestors procured a sign-manual for this title, but never took out their patents for it; and as they still labour under this defect we have therefore omitted them in this present edition.

Three classes of Doubtful Baronetcies are here described or referred to: 1. Those whose claims were imperfect from their patents not having passed the great seal; as P'Anson, Bunce, Courtenay, "and some others;" 2. Those where the dignity had been assumed by persons not within the limitations of hereditary descent from the grantee, of which no examples are named; and 3. Those where the descent was unquestioned, but the right to the dignity had been forfeited by attainder, as Harrington "and others."

It may be interesting to review the subsequent fate of the titles then considered Doubtful; and, first, of those supposed to have been

Forfeited by Attainder.

We are aware of two thus circumstanced, Harrington and Graham; the former from its possessor having incurred the penalties of High Treason as one of the Regicides or Judges of Charles I., the latter as a partisan of James II.

HARRINGTON, OF RIDLINGTON, CO. RUTLAND, 1611.

Though not inserted by Wotton in his Baronetage of 1741, this family found its way into that by Kimber and Johnson in 1771, but with this apology in the Preface:

We have given place to the Pedigree of Sir James Harrington, of Ridlington, in Rutlandshire, though perhaps improperly, as that title is said long since to have expired in an Act of attainder; but, by others, supposed to be an illegal Act, and that the right to the title is still good.

In the article itself, however, not a word of explanation is given, the reader (if he happened to have read the preface) being left to surmise when the attainder was enacted.

Patent, or sufficient Authority, for their so doing, and to evince their Right to this Dignity; or tho' they may be within the Limitations of a *Patent*, the Dignity has been extinguished by an *Attainder*."

Sir James Harrington, created a Baronet in 1611,¹ was the father of Sir Edward, and grandfather of Sir James, who took part in the Trial of King Charles I. We are not aware where any biography of Sir James Harrington (as the name was then generally written) is to be found;² but some of the leading events in his history may be traced in the Journals of the Houses of Parliament. In Feb. 1645 a petition was presented in his favour from the Militia of the Tower Hamlets, that the place of Lieutenant of the Ordnance should be conferred upon him. The House did not agree to this, but they made him an allowance of four pounds a week, to commence from the 1st Jan. 1645, for his present support. He afterwards became one of the Council of State. Having been appointed one of the Judges for the King's trial, he sate during only one day, the 23rd January, 1648-9. When the House of Commons proceeded to hear evidence against the Regicides, with the view to an intended Act of Pains and Penalties, upon the 1st of July, 1661, it was stated that Sir James Harrington and John Phelps could not be found, but a resolution was passed that they should be immediately apprehended. Harrington appears to have escaped capture. By the Act 13 Car. II. c. 15, among other penalties it was enacted that William Lord Mounson, Sir Henry Mildmay, Sir James Harrington, Robert Wallop, esq. and John Phelps, and every of them, "be degraded from their several titles of honour, dignities, and preheminences, and should not thereafter use the name, stile, addition, or title of Lord, Baronett, Knight, Esquire, or Gentleman, or have any coates or escutcheons of armes whatsoever;" but it has been held that this Act did not affect the baronetcy beyond the regicide's own life, and therefore the dignity was justifiably resumed by his posterity.

GRAHAM, OF ESK, CO. CUMBERLAND, 1629.

This dignity is described in the Baronetages as now possessed by Sir Robert James Stuart Graham, the tenth that has enjoyed the title. It was not however acknowledged as an existing dignity in the Baro-

¹ Sir James the first Baronet was buried at Ridlington in 1613 (see his epitaph in Wright's History of Rutlandshire, p. 110); and so early as 1617 Sir Edward Noel,—who had been styled of Brook in the same county, when created a Baronet in 1611,—was created Baron Noel of Ridlington. The sisters and coheirs of Harrington sold the manor shortly after the death of Sir James. (Ibid. p. 108.)

² The Rev. Mark Noble's memoir of Harrington, in his *Lives of the Regicides*, surpasses the usual inaccuracy of that most incorrect compiler. He confuses him with James Harrington the author of *Oceana*, and styles him knight only, stating that, "to disgrace him, he was at the Restoration degraded from his knighthood."

netages of the last century, and it seems doubtful whether it survived the attainder of the third Baronet in 1690.

The dignity was conferred on Sir Richard Graham, a gentleman of the bedchamber of Charles the First, in 1629. His grandson Sir Richard, the third Baronet, who was Secretary of State to King James the Second, was created a peer of Scotland as Viscount Preston, co. Haddington and Lord Graham of Esk in 1681, and Baron of Esk in England in 1688. This last dignity, which was conferred by James just at the period of the Revolution, was not allowed, and in 1690 the Lord Viscount Preston was attainted, having been condemned of high treason, together with Mr. John Ashton. The latter was executed, but the Viscount received a pardon; and, dying in 1695, was succeeded in his Scottish peerage by his son—the Act of attainder not operating in Scotland. Charles, the grandson and third Viscount, died without issue in 1739.

The Rev. William Graham, grandson of Dr. William Graham, successively Dean of Carlisle and Wells, is stated to have then succeeded to the English Baronetcy; but he would seem to have rather assumed the Scottish peerage, if we may depend upon the following announcement of his decease which appears in the Gentleman's Magazine for 1774, p. 447:

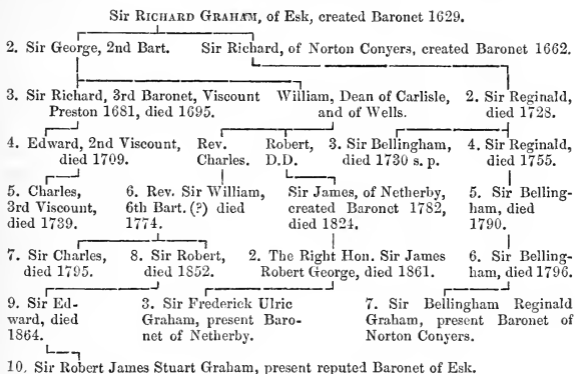
Sept. 21. At Mr. Lewis's, in Carmarthen, the Right Hon. and Rev. William Graham, Lord Viscount Preston.¹

Still, neither as a peer nor a baronet, is the existence of this person or his posterity admitted in Wood's edition (1813) of Douglas's Peerage of Scotland; nor is he inserted in Kimber and Johnson's Baronetage 1771, either in a distinct article or in the account of this family given in relation to the Norton Conyers branch, which is also descended from the first Baronet of Esk.

In the Baronetage of 1819 an article for Graham of Esk is inserted, and thenceforward the title is recognised by all subsequent works of that class; but we have failed to discover anywhere that the attainder of 1690 has actually been reversed.

As this family has received three distinct Baronetcies, in virtue of which the persons who have assumed the title amount to twenty altogether, among whom will be found the name of a late very eminent statesman, we annex a skeleton pedigree showing at one view the several lines of descent:

¹ This announcement, however, is accompanied by the inaccurate statement that he was the *son* and successor of the Viscount who died in 1738-9.



Baronetcies wanting Letters Patent.

COURTENAY, OF POWDERHAM, 1644.

The family of Courtenay coquetted with the title of Baronet in a most extraordinary and irregular way, scarcely condescending to assume it, and yet allowing it to be attributed to them, if we may believe the statement made upon this subject in Collins's Peerage.

Sir William Courtenay, though married in early youth to a daughter of the great Parliamentarian General Sir William Waller, adopted Loyalist views. He was still too young to take arms during the civil war, "but he favoured the King's party, and a little before the restoration of King Charles II. he, with Sir Coplestone Bampffield, raised a gallant troop of horse, of one hundred and twenty gentlemen, all persons of good quality and estates, with which they secured and disarmed disaffected persons, and brought the county of Devon into their subjection. Some time before the Restoration (it is added) he was created a Baronet; but not affecting that title, as much greater he thought of right appertained to his family, never took out his patent, and therefore was not inserted in the list of Baronets; but he was always styled Baronet in the commissions sent him by the King."¹

And so it went on for three generations. Sir William was succeeded by his grandson of his own name, who was not only, like his grandfather,

¹ Collins's Peerage, 1779, vi. 259.

county member, but also Lord Lieutenant of Devonshire; and to him, in 1736, succeeded his son Sir William Courtenay, who was at last raised to the peerage by the title of Viscount Courtenay, of Powderham Castle, May 6, 1762 (and, as it happened, died before the end of the same month). Finally, in 1831, the family re-established their claim to the Earldom of Devon.

It seems, therefore, that for a century before 1762, the head of the family was always known as Sir William Courtenay, and esteemed to have the rank of a Baronet, and yet his right to the dignity was so incomplete, that the Editor of the Baronetage of 1741 did not feel himself justified to insert an article upon the family.

A mystery still hangs about the assumed Baronetcy of Courtenay. It is usually attributed to the Earl of Devon by our modern authors on dignities. The date assigned to it is 1651, and by Lodge and Dod it is described as a Baronetcy of Ireland. The origin of this assertion we are totally at a loss to imagine. We find it stated (College of Arms, Norfolk, iv. 210) that a writ of privy seal for creating Sir William Courtenay a Baronet was dated as early as Feb. 1644; and Le Neve states that "Sir William Courtenay had a like patent with Acland in 1644, but never passed the patent." (Baronets, ii. 230.)

This refers to the Baronetcy conferred upon Sir John Acland of Columb John in Devonshire, now represented by Sir Thomas Dyke Acland, the tenth Baronet, and of which the Baronetage gives the following account :

Sir John Acland was, in consideration of his faithful services, advanced to the degree of a Baronet in the 20th year of Charles I., but amidst the confusion of those times the letters patents were destroyed, and new letters not being granted till after the Restoration [actually not until 1677,] by reason of a long minority in the family, there was in them inserted a special clause of precedency from the date of the first, June 24, 1644.

The long minority referred to was that of Arthur grandson of Sir John: he died in 1672, when the inheritance reverted to his uncle, Sir Hugh Acland, to whom the title was exemplified in 1677. Probably until that time, as with Courtenay, there had been no letters patent to Acland, but only a writ of privy seal.

PA'NSON, OF ASHBY ST. LEGER'S, CO. NORTHAMPTON.

This Baronetcy seems to rest upon as good foundation, and to have been recognised in as satisfactory a manner, as that of Courtenay,

though (like that title) unconfirmed by letters patents, and therefore not admitted into works on the Baronetage.

Sir Brian I'Anson of London is said to have been knighted by King James I. He was Groom of the Bedchamber to Charles I. ; for whom he is said to have raised a regiment of horse, and the sum of 10,000*l*. The King gave him a warrant for a Baronetcy, which was recognised by Charles II. in the following document :

“ Charles, by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, &c. To all to whom these presents may come or concerne, greeting. Whereas, the King our late royall father, of blessed memory, hath been graciously pleased, in consideration of seuerall good and acceptable services performed unto him by our trusty and wel-beloued sir Brian I'Anson, knight, to grant him a special warrant directed to his attorney or sollicitor generall, for the expediting vnto him his Majesty's letters patents for the dignity of a Baronett, which, by reason of the late troubles, have not been passed. And forasmuch as both he and his eldest sonne have faithfully discharged their duty in the execution of publike and priuate affaires committed to their trust and care, both at home and abroad, and haue attended our seruice with great constancy, resolution, loyalty, and good affection to vs and our affaires, and haue thereby very well deserved of vs, Know ye, therefore, that we, taking into serious consideration his said many long, constant, and faithfull seruices, haue given, granted, conferred, and confirmed, and doe, by these presents, giue, grant, conferre, and confirm vnto him, the said Brian I'Anson, knight, of Ashby Leodger, in the com. of Northa', and the heirs males of his body lawfully begotten, the said title and dignity of Baronet of the kingdome of England, to haue, hold, and enjoy, from the date hereof, the said title and dignity in all actes and places, together with all preheminenes, rights, priuiledges, and advantages, thereunto belonging or any wise appertaining, in as full and ample a manner as any other Baronet of our said kingdom doth now hold and enjoy, or ought to have held and enjoyed the same. And our will and pleasure is, that this our present grant, vnder our royall signature and priuy seale, haue in all things the same power, force, and virtue, as our letters pattents vnder the great seale of England to that effect, vntil they be expedited vnto him, which, for want of convenience, are not passed at this present time ; and we doe hereby require our attorney or sollicitor generall for the time being to cause the said letters patents to be expedited vnto him, or in case of his decease to his eldest sonne, or to his heires males, with all the vsuall formalities and clauses requisite thereunto, and with a discharge of soe much money as is vsuallly reserued to vs, in consideration of that dignity, without further warrant. Given at the Louvre, in Paris, the 6th day of May, 1652, and in the fourth yeare of our reigne.”

Dr. Henry I'Anson, son of Sir Brian, was afterwards called “ Sir Henry ;” his son was called Sir Thomas ; and in the next generation “ Sir Thomas I'Anson ” was by patent under the great seal appointed to the office of Gentleman Porter of the Tower of London. His son, the Rev. Sir Thomas Bankes I'Anson, was Rector of Corfe Castle, and died Jan. 25, 1799 ; leaving a son, the Rev. Sir John Bankes I'Anson,

also Rector of Corfe Castle, who died on the 28th Oct. in the same year.

A Pedigree in the *History of Dorsetshire* (1796), mentions Mr. John I'Anson, an uncle of the last mentioned, as "now living in Channel Row, in the parish of St. Margaret's, Westminster." The pedigree has been reprinted in the new edition of the History, now in course of publication; and it is not therein stated whether this John survived to inherit the title; but at an earlier part of the same volume there is given (p. 418) a pedigree of Fyler of Heffleton, in which the same person is distinctly styled "Sir John I'Anson, Bart. of Epsom." His only daughter and heir was married to Samuel Fyler, esq. of Twickenham, and was mother of Thomas Bilcliffe Fyler, esq. formerly M.P. for Coventry. The name of I'Anson is still borne by various members of this family.

It appears therefore that Sir John I'Anson was the seventh and last Baronet—admitting this to have been an actual Baronetcy, though not confirmed by letters patent. The date of Sir John's death we have not discovered.

BUNCE, OF LONDON.

Of this family we have found no printed account; but Peter Le Neve's manuscript Catalogue of Knights supplies the following information:—

Sir James Bunce was a member of the Fishmongers' Company, an Alderman of London, and Sheriff in 1643. He never became Lord Mayor; but in 1648 was committed to the Tower of London.¹ In acknowledgment of his loyalty, he was knighted by Charles II. at the Hague in May 1660. He is said to have been nominated a Baronet soon after.

He had issue John, his heir, (aged 2 in 1631): and the son of John, "Sir James," styled himself a Baronet. He was living unmarried in 1696. So far from Le Neve.

From the allusion to "Sir James Bunce" in the Preface to the

¹ This was on occasion of a refusal to publish in the City the Act for the extradition of the Royal line, the abolishment of Monarchy in the kingdom, and the setting up of a Commonwealth. Sir Abraham Reynardson, then Lord Mayor, was displaced: Thomas Adams, John Langham, and James Bunce, aldermen, were committed to the Tower: see Kimber and Johnson's *Baronetage*, vol. ii. pp. 14, 17. Adams and Langham were both created Baronets in 1660; and probably the honour was designed for Bunce at the same time. Sir John Langham was Bunce's brother-in-law, having married Mary daughter of James Bunce. (*Ibid.* ii. 14.)

Baronetage of 1741, it might be supposed that the same, or another Sir James, was living at that time. We have not, however, discovered any further particulars of this family, which is unnoticed either by Courthope or Burke in their works on Extinct Baronetcies, and equally by all the authors on existing titles.

PALMER OF WINGHAM.

To the Editor of THE HERALD AND GENEALOGIST.

SIR,—Among “Doubtful Baronetcies” I perceive a claim advanced in Walford’s *County Families of the United Kingdom*, (Second Edition, 1864, p. 768,) to that of Palmer, of Wingham in Kent, created in 1621. This was the same family which, in its later generations, resided at Dorney Court, near Eton, in Buckinghamshire; and Sir Charles Harcourt Palmer, the sixth and last acknowledged Baronet, died in 1838.

The Baronetcy, conferred in 1621, was admitted to be extinct, and is accordingly placed among the list of Extinct Titles at the end of Debrett’s *Baronetage*, edit. 1840, and in the Addenda to Burke’s *Extinct and Dormant Baronetcies*, 2nd edit. 1841, p. 602.

No revival of the title has been admitted in Burke’s *Peerage and Baronetage*, in Debrett’s *Baronetage*, in Dod’s *Peerage, Baronetage, &c.* or in the *Court Kalendar*.

Mr. Walford himself acknowledges that the title “was not assumed between 1838 and 1862.” It may therefore be properly demanded, In what way did “Sir William Palmer” establish his claim to it in the latter year? or had he any other authority than his own for assuming it?

He is, it appears, one of an Irish house of Palmer, and is resident at Streamstown, near Mullingar, co. Westmeath: his father having been the late Patrick Palmer, esq. LL.D. of Glanmore, co. Longford.

Mr. Walford asserts that “Sir William” is descended from Henry, a younger son of Thomas the first Baronet of Wingham. This assertion receives no support from the pedigree as printed in the old *Baronetages*. It is there stated that the first Baronet had six sons, of whom three were Sir Thomas (his successor), Sir Roger, and Sir James: the other three, whose names are not given, all died in infancy.

Sir Roger and Sir James were both distinguished courtiers: the former, a Knight of the Bath, after having been Cupbearer to the two Princes of Wales, Henry and Charles, became Master of the Household and Cofferer to Charles I. The latter was a gentleman of the Privy Chamber, and Chancellor of the Order of the Garter: he acquired Dorney by his first marriage, and was father of Sir Philip Palmer, of Dorney, Cupbearer to King Charles II. whose grandson, Sir Charles, eventually inherited the

Baronetcy. By his second marriage, Sir James Palmer was father of Roger Earl of Castlemaine, the husband of Barbara Villiers Duchess of Cleveland.

This family, therefore, was by no means an obscure one, or one whose genealogy is unknown. It requires a considerable amount of assurance in a man to fasten himself on to a race of this importance. Still, if the race has been numerous, as the Palmers were, and if two centuries have elapsed from the generation through which the inheritance is claimed, it is easy to make such a claim, but difficult either to prove or disprove it. For these reasons it becomes more desirable that some efficient tribunal should be instituted for the trial and establishment of such claims, or for their effectual repression, if unfounded. They are apt to make their way from one book of reference to another, by the goodnature or perversity of the Editors: and the only check that can at present be made to them is the ungracious and inefficient one of an occasional doubt expressed by those who are deemed very officious or very ill-natured for their pains. There was a time when the title now borne by "Sir Grenville Temple, of Stowe," (upon which such grave doubts have been recently published in your pages,) was actually suppressed and withdrawn from the public view. In the edition of Debrett's *Baronetage* published in 1840 it is not to be found: but gradually it has re-appeared and made its way into Debrett, and into Burke, and Dod, and the Court Kalendar: and so it may be with Palmer of Wingham, or with other assumed revivals of some of the earliest and most honourable Baronetcies.

In another page of the *County Families*, under the name of Nicholl-Carne, of Nash Manor, co. Glamorgan, there appears the following very extraordinary statement in regard to a Baronetcy:—

The dormant baronetage of Stradling of St. Donat's is centred in, and claimed by, this family.

This notion of claiming a Baronetcy by virtue of female descent is, so far as I have heard or read, perfectly original: and the term "Dormant" is certainly misapplied to this dignity, when all the male heirs of the grantee included in the remainder are well known to be exhausted. It is nearly a hundred and thirty years since the title in question really became extinct, on the death of Sir Thomas Stradling, in 1738.

Yours, &c. N. O.

Note. Our correspondent, so far as the particular case of Palmer is concerned, may be reassured. In the "Third Edition 1865" of Walford's *County Families*, (which he evidently has not seen,) Mr. Palmer of Streamstown is reduced to the rank of Esquire. But we find that there are other Irish cousins claiming descent from the Palmers of Wingham, whose claim is not unchallenged. In the *Gentleman's Magazine* for March 1866 appeared the following letter referred to the Palmers of Palmers-town, co. Mayo, Baronets of Ireland, created 1777:—

"Mr. URBAN,—In looking over the genealogy of the Palmers, Baronets, of co. Mayo, in Burke's *Peerage and Baronetage*, I perceive that their descent is given as

emanating from a son of Sir Henry Palmer of Wingham. This is a somewhat extraordinary statement, as the coat of arms borne by the Palmers of Mayo is wholly different from those borne by all recognized branches of Palmer of Wingham. It is also a strange fact that the Palmers of Mayo have never been recognized as relatives by any of those who were unquestionably branches of the family of Wingham; whilst, on the other hand, it is positively asserted in Kimber's *Baronetage* (1771) that the Palmers of Dorney were the only remaining branch in the male line, and no attempt was ever made to impugn that statement. I am, &c. "PALMA VIRTUTI."

The note alluding to "the dormant baronetage of Stradling" remains in the third edition of *County Families*.

To the Editor of THE HERALD AND GENEALOGIST.

SIR,—You have done well in seconding the appeal of Mr. Serjeant Burke upon the doubtful inheritance of Baronetcies. It has, however, occurred to me that the most effectual mode of putting a stop to the undue assumption of this dignity would be—instead of making any direct attack upon living titulars, which in some cases would be a penalty of real severity, and in many a matter of great difficulty—to establish a rule that no one, not even the son, should assume *for the future* this title, *i. e.* not be admitted to it at Court, in commissions to the Army and Navy, or other public appointments, to degrees at the universities, &c. or be acknowledged in parliament, the courts of law, or other public places within State control, without having proved his right thereto by a pedigree entered at the Heralds' College, which College should give notice to the *London Gazette* of the fact, as thus:

Sir ROBERT SMITH, admitted a Baronet of the creation of 21st May, 1621, as [son] and successor to his cousin Sir Lionel Smith, late Baronet.

(Signed by two Members of the College of Arms.)

From the natural course of deaths the doubts now entertained would thus be gradually and effectually set at rest, without putting any one to the shame of dropping the title by which he had become known to society.

Yours, &c.

A NON-PRACTISING BARRISTER.

Note. We think our Correspondent's suggestion as effectual as it is moderate and considerate, if it can be duly and thoroughly enforced. We may remark that it has this further recommendation, that it follows the old course in regard to Baronetcies. There is already in the Heralds' Office a series of Baronets' Pedigrees, placed upon record in confirmation of their titles: but it has never been carried out to such an extent as to become an effectual barrier to unfounded claims. This has arisen, if we are rightly informed, from this mode of registration not being at present imperative. When first instituted, by royal warrant, in Dec. 1782, it was resisted by an influential number of the Baronets, and they were successful in obtaining, from his Majesty George III. a concession that it should not be deemed necessary for Baronetcies of earlier date than 1783. It would be, however,

in the case of old titles, where genealogy becomes obscure from the lapse of time, that such a scrutiny would be most useful, as a barrier against unfounded claims.

The Baronetcy belonging to the family of Nightingale was established in the manner suggested, in the year 1797, and the case may be briefly noticed by way of example. It had been unclaimed for three quarters of a century, from the time of the decease of Sir Robert the fifth Baronet in 1722. He was the last descendant in the male line from the first marriage of the first Baronet; and the heir at his death in 1722 was Edward, grandson of the first Baronet by his second marriage. This Edward survived only until the 2d July in the following year, not having assumed the title; and his eldest son was a lunatic, for which reason (as it would seem) the title was allowed to rest unclaimed. The Sir Edward who established his right to the Baronetcy in 1797 was great-grandson of the Edward who died in 1723.

DUKEDOMS IN ENGLAND.

To the EDITOR of the HERALD and GENEALOGIST.

Sir,—In your Review of Sir Bernard Burke's *Extinct and Dormant Peerage*, you have extracted some passages from his Preface, but you have not noticed the following:—

All the English Dukedoms created from the institution of the Order down to the commencement of the reign of Charles II. are gone, except only Norfolk and Somerset, and Cornwall enjoyed by the Prince of Wales, [perhaps the royal title of Duke of Lancaster maintained by the Sovereign, should also here be alluded to.] At one time, in the reign of Elizabeth, Norfolk and Somerset having been attained, the whole order of Dukes became extinct, and remained so for about fifty years, until James I. created George Villiers, Duke of Buckingham.

This is not strictly correct. It was in 1623 that the Marquess of Buckingham was promoted to the grade of Duke; and in order to countenance that extraordinary mark of the King's favour, another Dukedom, that of Richmond, was (with one day's precedence) conferred on the King's cousin Lodovick Stewart, Duke of Lennox in Scotland (who was already Earl of Richmond in England, by patent 1613). But eighteen years earlier the King's younger son Charles (afterwards King Charles I.) had been created Duke of York, by patent dated Jan. 6, 1604-5. Therefore, from the attainder of the Duke of Norfolk in 1572, until the creation of the Duke of York in 1604-5, was an interval of only thirty-three instead of fifty years. Besides, the Duke of Lennox had come to the English Court on the first accession of his royal cousin in 1603, and was "the Duke" of those days, as the Duke of Cumberland was in the reign of George the Second, and as we remember the Duke of Wellington to have been, *par eminence*, in our own time.

Yours, &c. N. O.

ARMS OF FAMILIES OF HODGES AND HODGETTS.

I observe, in p. 96, a query respecting the arms of a family of Hodges of London, granted by Camden in 1610, viz. : Argent, three crescents sable, on a canton of the last a ducal coronet or. These arms (but with the field *or*) occur in a MS. dated 1676 as the bearings of "Hodges of Wigorn." There is a copy of Camden's grant (dated 5 Oct. 1610) in the Harl. MS. 1380, f. 24. It is in favour of John Hodges, of Bodway (Broadway?) co. Worcester, gentleman, and exemplifies "the armes belonging to him by descent from his auncestors, viz. Or, two [three] crescents sable, in a canton of the second a duke's crowne of the first; and withal assigns a crest, viz. within a crowne or a crescent sable. A family of this name seated at Broadwell, Gloucestershire, bore this coat, particulars of whose pedigree will be found in Rudder's History of that county.

The same coat, but with an Antelope's head coupé or for crest, was also borne by Hodges, of Hanwell, Middlesex, and of London, whose pedigree of four descents was recorded at the Middlesex Visitation of 1663, and the family is stated to derive from Hodges of "Rigton," co. Salop. These arms are, in Berry's *Heraldic Dictionary*, assigned to "Hodges of Hanworth, Middlesex, and London 1610."

I can give no particulars of the ancestry of the Baronet mentioned by your correspondent, but he may be identical with William Hedges, of London, merchant, "descended out of Wiltshire," (see *Townsend's Calendar*), who was knighted March 6th, 1687-8, and, if so, I presume he was of the same family as Hedges, or Hodges, of Shipton Moyne, co. Gloucester, and of the county of Wilts, noticed by Rudder, who bore, Azure, a fesse between three crescents argent.

With regard to your correspondent's remark, that most families of this name bear crescents, I may mention that a family of Hodgetts, of Kingswinford, Staffordshire, a name which, though common enough in this neighbourhood, is rarely met with elsewhere, originally bore, Argent, on a chevron azure three *crescents*; but in 1768 John Hodgetts, of Prestwood, esq. having succeeded to the estates of his kinsman Humphrey Hodgetts, of Stafford, and being (as the grant expresses it) desirous of bearing that gentleman's arms, had assigned to him the coat of the aforesaid Humphrey (in chief three birds and in base a fleur de lis), with the addition of his own arms—on a chevron three crescents.

A similar coat was also granted to the late Mr. T. W. Hodgetts, of Hagley; and about twenty-five years ago the Heralds, for some unknown reason, assigned the same coat, with a few trifling variations, to a family of *Bennitt*, of Dudley.

Stourbridge.

H. SYDNEY GRAZEBROOK.

NORTON, ELLIS, AND TICHBOURNE FAMILIES.

I am desirous of information concerning the family of Sir Dudley Norton, long Chief Secretary for Ireland, which office he resigned from age and infirmities in 1634. The only pedigree I can find of his family is in the Visitation of Berks, 1623, which states him to be third son of John Norton, of Wyarton in Boughton-Monchelsea, co. Kent, to have married Margery, daughter of Sir Nicholas Masters, of Kent, and to have had a son Dudley; also that he had three sisters and two brothers, Henry and Francis, the latter marrying Dorothy, daughter or sister of Sir Thomas Farnfold, by Dorothy daughter of Bartholomew Rogers, by Anne daughter of Richard Ellis.

But, according to MacSkimin's *History of Carrickfergus* (Belfast, 1829) he had four brothers, none being named as above, and all of whom had commissions in Queen Elizabeth's forces in Ireland, viz. Robert, Gregory, Thomas, and Humphrey; and a sister married to Robert Ellis, a Captain in the army, who came to Ireland with Sir Hugh Clotworthy. This Robert Ellis was probably nephew of Thomas Ellis of Stoneacre in Otham, co. Kent, who died 1583. The chief line of the Nortons lived at Chart Sutton in Kent, near Stoneacre, and a match between Norton and a coheir of Ellis had taken place in the 15th century, in right of which the former quartered Ellis, Stoneacre, Barry and Sevington. Robert Ellis was progenitor of a family widely spread over Ireland, of whom a full account is given in Part IV. of my "Notices of the Ellises." The Kentish families of Moore (afterwards Earls of Drogheda), Beresford (Earls of Tyrone), St. Leger, and Whyte, all went over to Ireland in the reign of Elizabeth, and have left in that country numerous descendants.

Sir Henry Tichbourne of Ichinbeam, co. Hants, is stated to have had a sister married to Thomas Ellis of Wardhouse, co. Leitrim (presumed younger son of the aforesaid Robert Ellis), temp. Eliz. or James, from whom is descended the present R. H. Ellis, Esq. of Wardhouse. But this match is not noticed in any pedigree of Tichbourne; I should be glad if any correspondent could verify it.

Charlwood, Surrey.

W. S. ELLIS.

SUTTON.—Thomas Sutton, Esq. Founder of the Charterhouse, died in 1611, and left Richard Sutton of London, Esq. his executor. Query, had Richard Sutton any children—what were their names, and is any register to be found concerning them?

THE HERALDRY OF BRISTOL CATHEDRAL,

by the Rev. JOHN WOODWARD.

The present paper will, it is believed, be found to contain a complete and accurate account of the various shields of arms which appear in the stained glass windows, the masonry, the stall work, and the monumental tablets of Bristol Cathedral.¹ After being for some years in manuscript it is now printed, not merely because its compiler supposes that such a record may be useful and interesting, both to heralds and genealogists, but because he hopes that others who have the opportunity will follow his example, and at once catalogue the heraldic remains, both ancient and modern, which exist in our cathedral and abbey churches.

Many of these are, it is believed, much richer in heraldic illustrations than is the one which forms the subject of the present paper. If such catalogues were generally made, we should have at our command a mass of materials which would be of much service in enabling us to illustrate and elucidate many matters, both in heraldry and genealogy, which are now obscure and unintelligible. It appears exceedingly desirable that this should be done at once, since the growing wish that our cathedrals and abbey churches should be restored to something like their pristine beauty is causing the removal of many monumental memorials which, however interesting they may be to the genealogist or student of heraldry, are yet rightly considered not to adorn, but to disfigure, the edifices which contain them.

An illustration of these remarks is afforded by what has taken place at Bristol, where, during the recent restorations, the organ screen, rich in armorial bearings, has been most advantageously swept away; while the huge monuments of Sir Charles Vaughan²

¹ The monuments in Bristol Cathedral, ancient and modern, are briefly described in Britton's *Architectural History of the edifice*, 4to. 1830, pp. 57-64. He gives no particulars of the heraldry, and no other work on the cathedral contains an account of the shields of arms which has any pretensions to accuracy and completeness.

² Sir Charles Vaughan bore, Sa. three infant's heads couped at the shoulders, crined or, and having snakes enwrapped about their necks proper. Sir John Young's arms were, Lozengy argent and azure, a bend gules.

and Sir John Young, with their recumbent effigies, have been removed, not only from positions which they should never have occupied, but from the sacred edifice itself, and are now decaying under the influence of the weather in the graveyard adjoining the cathedral.

The arms of the noble family of Berkeley, the munificent founders of the abbey, occur, as might be expected, very frequently in the building. Usually they are represented in the form used by the family at present, viz.:—Gules, a chevron between ten crosses patée argent. They are thus figured on the shields of the recumbent effigies of three of the ancient Lords of Berkeley;¹ in the stained glass of the great east window, and in the north-west window of the chancel; on the reredos; and over the door leading to the Berkeley Chapel, which is now used as a vestry by the minor canons. In this last position the arms twice alternate with a shield charged with a chevron only; this last was the original bearing of the family,² and the crosses patées were afterwards added for difference or cadency. The present arms also appear differenced thus:—

Berkeley, with a label of three points (north-east window of chancel).

Berkeley, with a label of four points (Berkeley Chapel).

Berkeley, the chevron charged with three ermine spots (north-east window of chancel).

Berkeley, the chevron charged with five ermine spots (great east window).

Berkeley (as in the last), with a label azure (south-east window of chancel).

Among the shields of arms which ornament the upper and more recent part of the fine Norman arch, formerly the great

¹ See note on p. 309.

² Moris de Barkele, goules ung cheveron d'argent. Roll temp. Hen. III. (edit. Nicolas,) p. 15.

In Lysons's *Gloucestershire Antiquities*, plate cvi. represents a series of the seals of the Berkeley family. Three have the chevron alone, being anterior to the introduction of the crosses. These are: 1. That of Robert de Berkeley, who died 4 Hen. III. He is figured upon horseback, carrying before him a shield, upon which the chevron, seen in profile, takes the appearance of a bend sinister. 2. Thomas de Berkeley, 20 Hen. III. A shield charged only with a chevron. 3. Maurice de Berkeley, who died 1281: the like. Thomas, son of the last, who died 15 Edw. II. has the crosses.

gateway of the original monastery, is one of Berkeley in which the crosses are converted into roses for difference.¹

The Bohun coat in the great east window is worthy of attention. The white rose and the sun in splendour, badges of the House of York, appear in the western window of the south transept. The curious arms, or heraldic device, of Abbot Newland (1481—1515), consisting of a heart distilling blood and pierced by three passion nails, with the initials of his name, I. N. in chief, occur on the reredos, on one of the bosses of the transept roof, on one of the bells in the tower, and, supported by two angels, at the feet of his monumental effigy in the present chancel. And the initials and rebus of Abbot William Burton (a bur plant issuing from a tun) appear on the upper part of the reredos.

² TRANSEPT.—(*North Wall.*)

1. PETER MAZE, High Sheriff of Bristol, died 1849, aged 81.

Erm. on a bend engr. az. betw. two eagles disp. another bend plain or charged with three lions pass. ppr.

2. WILLIAM GORE, Lieut.-Colonel of the Bristol Volunteers, died 1814, aged 63.

A. The arms of the city of Bristol.

B. Gu. a fess betw. three cross-crosslets or (Gore); impaling, Gu. three fleurs-de-lis or, on a chief indented arg. a lion pass. betw. three (roundles) for

(*West Wall.*)

3. ELIZABETH COOKSON, died 1852, aged 63.

Per pale arg. and gu. two legs in armour coupéd at the thigh counterchanged (Cookson); impaling,

Paly of six, gu. and or, on a bend sa. three mullets of the second (Elton).

4. WILLIAM WOOLERY, of Barbadoes, died 1789, aged 48.

. two woolpacks in pale inclosed by two flaunches or, each charged with a gu.

(The charges and tinctures are indistinct. Burke, in the *General Armory*, gives the following arms for the name Wolley, Vert, a fleur-

¹ Sire Thomas de Berkeleye, de goules, od les rosettes de argent, et un cheveron de argent. Roll of Edw. II. under Gloucestershire, (edit. Nicolas,) p. 77.

² On the floor of the nave there was formerly a small lozenge-shaped marble slab, to the memory of (Sarah ?) Grylls, and bearing the arms, Or, three bendlets enhanced gu. but it is not now visible.

de-lis or, betw. two woolpacks in pale arg. inclosed by two flaunches of the third, each charged with a wolf pass. az.)

5. SUSANNAH COBHAM, of Barbadoes, died 1806.

Quarterly, 1 and 4, Gu. on a chev. or three lioncels ramp. sa. (Cobham);

2 and 3, Gu. two lions pass. in pale or (?) for . . . ; impaling, Sa. an eagle disp. in bend betw. two cotises arg. a canton sinister or (Jordan).

6. Mrs. ANN BATTYN (relict of WILLIAM DOTTIN BATTYN), of Barbadoes, died 1799.

Az. a saltire betw. four fleurs-de-lis or ; impaling,

Quarterly, 1 and 4, Az. two lions pass. in pale or ;

2 and 3, Az. two bends or.

(The tinctures are doubtful. Burke, *General Armory*, gives for Dottin of Barbadoes, Pæan, two lions pass. in pale per pale or and arg.)

7. DUNCAN CAMPBELL, of St. Vincent, died 1797, aged 56.

Gironny of eight or and sa., a bordure counterchanged (each piece of sa. charged with three ermine spots arg.)

8. SARAH wife of Colonel (afterwards General) EYRE COOTE, and daughter of John Rodbard, Esquire, died 1795, aged 30.

Arg. a chev. sa. betw. three coots ppr. (Coote), on an escutcheon of pretence or a chev. ermine betw. three bulls (?) sa.

9. EDWARD APPLEWHAITE, Esquire, barrister, of Barbadoes, died 1803, aged 34.

Arg. a fess engr. az. betw. three apples slipped and leaved ppr.

(I do not find these arms attributed to this name in Burke's *General Armory*.)

10. THOMAS DANIELL, of Barbadoes, died 1802, and ELEANOR his wife, died 1774.

Paly of six, sa. and erm. a lion ramp. arg.

11. JOHN WEEKS, died 1819, aged 74.

Paly of six, gu. and or, on a chief az. three eaglets disp. of the second.

12. JUDITH daughter of REYNOLD ALLEYNE, of Barbadoes.

(This coat is indistinct, but is probably):

Quarterly, 1 and 4, Per chev. gu. and erm. in chief two lion's heads erased or;

2 and 3, Arg. a lion ramp. sa. (?)

(*South Wall*.)

13. WILLIAM BURTON, of Rutland, died 1817, aged 80.

Arg. on a bend cotised sa. three lion's heads erased or; a

martlet for difference (these arms are not given to this name in the *General Armory*); impaling,

Sa. two lions pass. paly of six arg. and gu. (Strangways).

On the same monument: Capt. WILLIAM HENRY STRANGWAYS, R.M. nephew of the above, died 1841, aged 53.

Strangways as above; impaling, Per fess sa. and gu. a pile in bend sinister issuing from the base arg. (.)

(*South-East Wall.*)

14. JOSEPH BUTLER, Bishop of Bristol (and afterwards of Durham), died 1752.

A. The arms of the see of Bristol, Sa. three open crowns in pale or; impaling, Arg. between two bendlets engr. three covered cups sa. for Butler.

B. The arms of the see of Durham, Az. a cross betw. four lions ramp. or; impaling Butler.

(*Floor.*)

15. MARY LONG, died 1765, aged 64 (no tinctures given).

(Sa.) a lion pass. (arg.) on a chief (of the second) three crosses crosslets (of the first); impaling,

Quarterly, 1 and 4, Per fess (az. and or), on a pale counter-changed three buck's heads erased (of the second) (Roper); 2, (Gu.) ten roundles (bezants) 4, 3, 2, 1, a canton erm. (Zouche);

3, two chevrons . . . a label of five points

16. GEORGE SMYTH, of North Nibley, county of Gloucester, died 17 $\frac{1}{2}$, aged 48. (No tinctures shown).

(Sa.) on a chev. engr. betw. six crosses patée fitchée (or) three fleurs-de-lis (az.) each charged on the top with a plate; impaling a fess wavy betw. six billets

(*On South-East Pier of Tower.*)

17. ANTONY HENDERSON, Esq. M.P. died 1810, aged 48. (No tinctures shown).

(Gu.) three piles issuing from the sinister (arg.) on a chief (of the last) a crescent (az.) betw. two ermine spots; impaling, on a chev. . . . betw. three ram's heads coupéd as many roses for

SOUTH AISLE.

18. Capt. J. ELTON, R.N. (second son of Sir Abraham Elton, Bart.); killed in a sea-fight 1745.

Paly of six gu. and or, on a bend sa. three mullets of the second, a crescent for difference; impaling,

Quarterly, 1, Az. a fesse and in chief two mullets or (Yate).

2, Gu. a chev. arg. betw. three crosses patée or (. . . .).

3, Gu. a stag's head caboshed or (. . . .).

4, Az. a fess arg. betw. two chevrons or (. . . .).

His wife was Caroline, daughter and co-heiress of Charles Yate of Coulthrope, co. Gloucester.

19. FRANCES, daughter of JOHN LYTE BELL, of Barbadoes; died 1813, aged 21.

Sa. a fess erm. betw. three church-bells or.

20. Lieut.-Gen. RICHARD BRIGHT, died 1831, aged 91; and Mary Peck Maye his wife, died 1824, aged 72.

. . . . between eight cross-crosslets three boar's heads coupé

21. Sir EDWARD WILLIAMS, Bart., of Langoed Castle, co. Brecknock, died 1804, aged 76; and Dame Elizabeth his wife, daughter and co-heiress of John Rily, of Epsom, died 1812, aged 67.

Arg. a stag tripping ppr., the badge of Ulster, on an escutcheon of pretence or a fess betw. three crosslets az. (Rily).

22. EDWARD RILEY, Esquire, died 1828, aged 85.

Or, a fess betw. three crosses formée vert.

23. JOSHUA BERKELEY, D.D., Dean of Tuam in Ireland, died 1807, aged 65.

Gu. a chev. betw. ten crosses patée arg.

24. WILLIAM CARY, of Clovelly, died 1724, aged 25.

Arg. on a bend sa. three roses of the field.

25. MARY SPENCER GROSSETT, of Lacock Abbey, co. Wilts, died 1820, aged 36.

Quarterly, 1 and 4, Arg. on a bend az. three acorns or (Muirhead);

2 and 3, Az. three mullets in fess arg. between in chief an acorn or, and in base three bezants barwise (Grossett); impaling,

Quarterly, 1 and 4, Paly of six, or and az. a quarter ermine (Shirley).

2 and 3, Az. three swords bendways ppr., hilted or (. . .).

26. Dean ROBERT BOOTH, son of Baron Delamere, and brother of the Earl of Warrington. (Dean of Bristol from 1708 to 1730.)

Arg. three boar's heads erect and erased sa. langued gu.

27. Bishop ROWLAND SEARCHFIELD, died 1622.

Per pale, Sa. three open crowns in pale or, being the arms of the See of Bristol; impaling, Arg. three cross-bows bent, each loaded with a three-headed bird-bolt sa., a chief vert (Searchfield).

(The tinctures are not shown on the monument, and are here given on the authority of Bedford, *Blazon of Episcopacy* (plate 13, page 23). Barrett, in his *History of Bristol*, blazons them, Az. three cross-bows stringed arg. a chief or.)

28. (On the same tablet as the preceding.) Dean EDWARD CHETWYND, S. T. P.; died 1639.

Per pale (az.) a chev. betw. three mullets (or), (Chetwynd), impaling a fret

29. (On the floor.) JAMES PHILLIPS, of Huntington, co. Hereford, and of the Inner Temple.

. . . . a lion rampant plain collared and chained

30. Over the door which formerly led from the south aisle into the choir are the arms of Henry VII. (or VIII.). Quarterly, 1 and 4, Az. three fleurs-de-lis or (France); 2 and 3, Gu. three lions pass. gard. in pale or (England). The shield is crowned and supported by a dragon gu. and a greyhound arg.

31. Over the door which leads from the south aisle into the vestibule of the Berkeley Chapel (now the minor canons' vestry) are four stone shields: two of the Berkeley arms, two charged with a chevron; the latter was intended for Berkeley ancient, the crosses having been added as a difference, as already explained in p. 290.

32. (In the clerestory.) WALKER of Redland; died 1830, aged 68.

Walker (viz.: Arg. a falcon rising pr. belled or, on a chief az. a bezant betw. two estoiles of the second); quartering and impaling, Gu. a saltire or surmounted by another vert (Andrews).

(This monument is placed too high to be easily deciphered.)

NORTH AISLE.

33. Sir ROBERT CODRINGTON¹ (died 1618) and family.

Quarterly, 1 and 4, Arg. a fess embattled, counter-embattled

¹ John Kelloway of Collumpton (d. 1530) married Joan Tregarthian, and left co-heiresses who married Greville of Penheale, Codrington of Codrington, Harwood, and Cooke. The arms are usually, Argent, two grooving irons in saltire sable between four pears or. (*Notes and Queries*, 1st S. vii. 529.)

sa., fretty gu. between three lions pass. of the last (Codrington).

2, Arg. a chev. betw. three escallops sa. (Tregarthian.)

3, Sa. two groving irons in saltire betw. four pears or. (Kello-way.)

There are three smaller escutcheons on this monument, viz. :—

34. Codrington, as above.

35. Codrington, impaling, Quarterly, 1 and 4, Sa. on a bend betw. three pheons arg. as many buckles gu. (Stubbs); 2 and 3, Lozengy arg. and sa. (. . . .)

36. Samwell. Arg. two squirrels sejant addorsed gu.

37. (On the floor.) ANN THROKMORTON, daughter of Sir Nicholas Throkmorton, Baronet, of the Forest of Dean, d. 1698. (Gu.) on a chev. (arg.) three bars gemelles (sa.) (No tinctures indicated.)

38. CHARLES PETER LAYARD, D.D., Dean of Bristol, died 1803, aged 55.

Gu. a chev. or betw. in chief two mullets of six points of the last (the edges issuing rays), pierced of the field, and in base a crescent arg., on a chief az. three mullets as before. (Blason taken from Burke's *General Armory*.)

39. JOHN HOWE, died 1828, aged 71, and Bethia his wife, died 1815, aged 51.

Or, a fess betw. three wolf's heads erased sa. (Howe); impaling, Arg. a fess nebulé betw. three mullets sa. (. . . .)

40. JOHN WALLIS, died 1777, aged 74.

Erm. a bend or (tinctures doubtful).

41. ANNIE, died 1792, aged 72.

FLORENCE, died 1794, aged 73.

SARAH, died 1801, aged 73 ;

daughters of Rev. JAMES HARCOURT, D.D., Prebendary of Bristol Cathedral.

Gu. two bars or.

42. PHILIP FREKE, died 1729, aged 68.

Sa. two bars arg. (? or), in chief three mullets of the last ; impaling, Sa. three lions ramp. arg. two and one. (. . . .)

43. WILLIAM BARTON BURTON, of Oakham, co. Rutland, died 1838, aged 78.

Sa. a chev. or betw. three owls (arg. ?) crowned of the second.

44. The Hon. ABRAHAM CUMBERBATCH, Member of Council, Barbadoes, died 1796, aged 42.

Gu. an eagle disp. betw. three trefoils or.¹

45. ABRAHAM CUMBERBATCH, of Barbadoes, Senior Member of Council, died 1785.

Cumberbatch, as above; impaling

Quarterly, 1 and 4, Sa. two swords in saltire ppr. hilted or, between three coronets of the last, one in chief, two in flanks; 2 and 3, Vert, a fess dancettée erm.

46. JOHN FRANCIS WOODWARD, Captain in the 51st Light Infantry, died 1828, aged 28.

Rev. FRANCIS BLAKE WOODWARD, M.A., died 1829, aged 24.

CHARLES WOODWARD, of Eton College, died at Eton 1825, aged 17.

Az. a pale engr. (for difference) betw. two eagles disp. arg.

47. Rev. Lord WILLIAM HENRY SOMERSET, son of Henry 5th Duke of Beaufort, and Canon of Bristol, died 1851.

Per pale, 1st, quarterly, France and England, within a bordure goboné arg. and az. (Somerset.)

2nd, Quarterly, 1 and 4: Az. a cross moline, in dexter chief a fleur-de-lis or. (Molyneux.)

2 and 3, Gu. on a fess betw. five martlets arg. a crescent sa., thereon another of the second (for difference). (.)

48. Colonel Lord JOHN THOMAS SOMERSET, seventh son of Henry 5th Duke of Beaufort, died 1846.

Somerset, as above, impaling, Paly of six arg. and az. over all a bend gu. (Annesley.)

49. Lieut.-General RAYMOND, of Elmdon Lee, co. Essex, died 1830, aged 69; married Anne, daughter of Alexander Forbes, of Crishal Grange, Essex.

Sa. a chev. betw. three eagles disp. arg. on a chief of the last a bend engr. az. betw. two choughs ppr. (a crescent gu. for difference). (Raymond.) On an escutcheon of pretence az. three boar's heads arg. muzzled gu. (Forbes.)

50. JOHN CONYBEARE, Bishop of Bristol (1750—1755).

The see of Bristol (as in No. 27); impaling, Arg. a saltire sa. over all a pale gu.

51. wife of JAMES TIERNEY,² and daughter of Henry Vassmer, died 1771 (?), aged 46.

¹ These arms are not given to this name in Burke's *General Armory*, but see *Herald and Genealogist*, vol. iv. pp. 77-79.

² The Tierney arms, as usually drawn, also contain a chief ermine, thereon three

Per pale, 1st, Az. a sword erect pr. hilted or, betw. two lions respecting each other of the last. (Tierney.)

2nd, Az. a crane arg. with its vigilance or, betw. three bezants. (Vassmer.)

52. On the floor is a slab covering the remains of Bishop Westfield (1642—1644). The arms on the shield are nearly obliterated, but appear to be ¹—

Per pale 1, a cross 2,

REREDOS AND SCREEN.

On the Reredos ² are six finely-carved shields, charged with the arms of England, Berkeley, and Clare.

Nos. 1 and 4, Clare. (Or,) three chevronels (gu.)

Nos. 2 and 5, England. (Gu.) three lions pass. gard. in pale (or.)

Nos. 3 and 6, Berkeley. (Gu.) a chev. betw. ten crosses patée (arg.)

On the carved balustrade beneath the great east window are shields bearing France and England quarterly; (Arg.) on a chief (gu.) two mullets (of the field) (the arms of Abbot Elyott); and Berkeley, as above. Small shields charged with the arms of Abbot Hunt, which were (Az.) a saltire (or); of Abbot Newland, or Nailheart; and with the passion emblems, also appear upon the reredos.

On the modern screen which separates the choir from the transept are the arms of the See, and those of Abbot Somerset, (Az.) a saltire (arg.) between a portcullis in chief and three fleurs-de-lis in flanks and base respectively, (all or.)

In the spandril above the north door leading into the Elder Lady Chapel are two shields, the one charged with the arms of the Abbey (identical with those of the See), Sa. three open crowns in pale or; and the other bearing the arms of the Abbey impaled with those of Abbot Somerset as given above. The modern north door leading into the transept has over it two shields bearing the arms of the See and of the Berkeleys.

trefoils slipped vert; but there is no indication of the chief perceptible now; but this monument and the preceding one, which were formerly in the chancel, have been removed to the clerestory of the north aisle, and are (like No. 32) placed too high to be readily deciphered.

¹ Bedford (*Blazon of Episcopacy*) gives these arms as, Gules, a cross between four garbs or, on the authority of Harl. MS. 1441, &c. Barrett's *History of Bristol* says, Argent, a cross sable.

² Represented in Plate vii. of Britton's *Bristol Cathedral*.

NEWTON CHAPEL.

Over a small altar-tomb is a shield painted on the wall, and containing the arms of Sir RICHARD NEWTON CRADOCK, Justice of the Common Pleas, who died in 1444 (Arg. on a chev. az. three garbs or).¹

In this chapel there are also two other altar-tombs bearing effigies; on that of Sir JOHN NEWTON (d. 1661) are his arms, as above, impaling, Per pale or and gu. an eagle disp. with two heads sa. (for his wife Grace Stone.)

The other tomb is of earlier date, and bears several shields of arms, some of which are mutilated, and in many of the quarterings the charges and tinctures are doubtful in consequence of the shields having been repainted since the monument was first erected.

1. Newton (Arg. on a chev. az. three garbs or,) impaling Paston, Az., six fleurs-de-lis arg., three, two, one, a chief indented or,² for Sir Henry Newton, knight, and Katharine, dau. of Sir Thomas Paston.

2. A large escutcheon of 24 quarterings, in three rows of eight in each; the dexter side is a good deal damaged, and the 1st, 9th, and 17th quarters are consequently illegible.

1, (missing).

2, Erm. three fusils in fess sa. (Sherborne.)

3, ?

4, Gu. three arg.

5, Paston.

6, Sa. a fess betw. two chevrons or. (Gerbridge.)

7, Paston.

8, Sa. (? az.) a chev. arg.

9, (missing).

10, (as 8).

11, Gu. a bend betw. two crosslets arg. (probably meant for Furneaux, who bore gu. a bend betw. 6 crosslets or.)

12, Erm. a fess gu. (Bitton.)

13, Az. an escutcheon within an orle of martlets arg. (Walcote.)

14, Gu. a chev. betw. three martlets arg.

15, Erm. a chief indented gu. (Heingrave.)

16, Bitton. 17, (missing). 18, ?

¹ This tomb is erroneously ascribed to the Chief Justice, who is buried at Bitton.

² All the Paston coats are thus blazoned, but the proper Paston arms were *Arg.* six fleurs de lis *az.* a chief indented *or.*

- 19, Paly of six or. and az. (Gournay.)
 20, . . . two gambs in saltire
 21, Arg. a lion ramp. gu.
 22, (as 6).
 23, (as 8).
 24, Az. a cross patée throughout, or. (Maultby.)
3. A lozenge-shaped shield of twelve quarters: two in the top and as many in the bottom row; the other two rows each consisting of four quarterings. I am by no means sure that this shield was not originally of the ordinary shape and of sixteen quarterings, as it appears to have undergone mutilation.
- 1, Erm. two bars wavy az.
 2, Arg. a fess betw. a chief indented az.; and a chev. gules in base (?)
 3, Erm. a chief indented gu. (Heingrave.)
 1 4, Or (on) a chev. sa. betw. three lion's heads erased gu. (as many plates).
 5, Az. an escutcheon within an orle of martlets arg. (Walcote.)
 1 6, Arg. a chev. sa. between three bear's heads coupéd az. muzzled or. (? if for Berry, *vide infra*)
 7, Heingrave.
 1 8, Arg. a fess betw. three crescents gu. (Watsand.)
 9, Az. a lion ramp. guard. or. (Hatherfield.)
 1 10, Sa. a fess between two chev. or. (Gerbridge.)
 11, Arg. on a chev. gu. three lozenges (? fleurs de lis) or. (Peever.)
 1 12, Az. a cross patée throughout or. (Maultby.)

There are also on this tomb six smaller shields, viz.:

- 1 1. Paston, impaling, Or, a chev. betw. three lion's heads erased gu.
 2. Newton, impaling, Erm. three fusils conjoined in fess sa. (Sherborne.)
 3. Paston, impaling, Erm. a chief indented gu. (Heingrave.)
 1 4. Paston, impaling, Arg. a chev. sa. betw. three bear's heads coupéd az. muzzled or.
 5. Paston, impaling, Arg. a cross engrailed sa. (? gu. for Gurney.)

¹ These quarterings have been elucidated by a reference to the arms of Sir William Paston of Paston, as given in the MS. account of standards borne in the reign of

- ¹6. Paston, impaling Az. a cross patée throughout or.
(Maultby.)

BERKELEY CHAPEL (OR CHAPEL OF THE VIRGIN).

In the Berkeley Chapel (now used as a vestry for the Minor Canons) and separating it from the south aisle, is an altar-tomb, upon which, on the side toward the vestry, are the following shields:—

1. Berkeley. (Gu. a chev. betw. ten crosses patée arg.)
2. Ferrers. (Vairé or and gu.)
3. England. (Gu. three lions pass. guard. in pale or.)
4. De Quincy. (Gu. six mascles or, 3, 2, and 1.)
5. Berkeley (as above, with a label of four points). (Engraved in Britton's *Bristol Cathedral*, plate viii. and in Lysons's *Gloucestershire Antiquities*, plate xcvi.)

The second Thomas Lord Berkeley married Joan, dau. of William de Ferrers Earl of Derby, by Margaret daughter of Roger de Quincy, Earl of Winchester. In the groining of the canopy above this tomb are twelve shields of Berkeley ancient, without the crosses patée. The arms of Berkeley and Elyott are depicted on some of the encaustic tiles which remain in this chapel.

Henry VIII. preserved in the College of Arms and printed in Bentley's *Excerpta Historica*. These arms are, Quarterly, I. and IV. Quarterly, 1 and 4, Argent, six fleurs-de-lis azure 3, 2, 1, a chief indented or; 2 and 3, Or, on a chevron between three lion's heads erased gules as many plates. II. Azure, a cross or. III. Quarterly, 1, Argent, a chevron sable between three bear's heads coupéd azure muzzled or; 2, Ermine, on a chief . . . three lozenges conjoined fessways . . . 3, Sable, a fess between two chevrons or; 4, Argent, a fess between three crescents gules. In the Visitation of Norfolk of the year 1563, the Paston quarterings are as follows:—

1. Paston. Arg. 6 fleurs de lis az. 3, 2, 1, a chief indented or.
2. Peeche. Arg. a fess betw. 2 chev. gu.
3. Leeche. Erm. on a chief indented gu. 3 open crowns or.
4. Comerton. Or. a chev. betw. 3 helmets gu.
5. Walcot. Az. an inescutcheon within an orle of martlets arg.
6. Berry. Arg. a chev. betw. 3 horse's heads gu.
7. Heingrave. Erm. a chief indented gu.
8. Watisham (or Watsand.) Arg. a fess betw. 3 crescents gu.
9. Hatherfield. Az. a lion ramp. guard. or.
10. Gerbridge. Sa. a fess betw. 2 chev. or. (Gerbridge also bore, Erm. on a chief gu. 3 loz. or, as above.)
11. Pebber (or Peever.) Arg. on a chev. gu. 3 fleurs de lis or.
12. Maultby. Az. a cross formée or.

ORGAN SCREEN.

On the organ screen (removed at the recent restoration) were the arms of Henry VIII. (France and England quarterly), crowned, and supported by a dragon gu. and a greyhound arg., and of Edward Prince of Wales, France and England quarterly, a label arg. This shield was surmounted by an early example of the well-known badge of the Princes of Wales,—the three ostrich feathers issuing from the coronet, and also shields charged with the arms of the Berkeleys, the city of Bristol (Gu. to the sinister a castle on a mound pr., the dexter base barry wavy of six arg. and az., thereon a full-rigged ship issuing from behind the castle, rigged and masted ppr. the sails of the second); the Merchant Adventurers of Bristol, (Barry undé of eight ar. and az. on a bend or a dragon pass. with tail extended vert, on a chief gules a lion of England betw. two bezants); the See impaling the arms of Bishop Mansel (Sa. a chev. betw. three mullets or); the See impaling the arms of Bishop Ironside¹ (Quarterly az. and gu. a cross fleury or); and the See impaling the arms of Bishop Wright (Per pale or and arg. on a chev. az. betw. three boar's heads coupéd sa. as many bezants). Bishop Wright's initials and monogram were also sculptured on this screen.

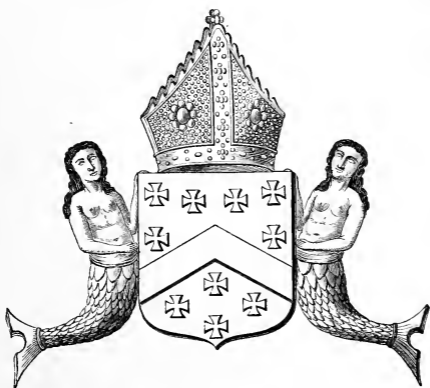
STALL WORK, &c.

Beneath the poppy-heads of the desks in front of the Minor Canons' stall on the south side, and of the Dean's stall on the north side, are finely carved shields of the arms of Abbot Elyott. (Arg. on a chief gules two mullets of six points pierced of the first.) The shield is also charged with a crozier erect in pale (the head upon the chief) and passing through the mitre, which is placed between the letters R. and E. (as in the annexed engraving.)

On the west poppy-head of the desk of the north row of stalls is a finely carved shield of the arms of Berkeley, supported by two mermaids, and surmounted by a mitre² (not upon a wreath, and not charged, as the present crest of the family is, with the bearings of the

¹ Mr. Bedford, in his *Blazon of Episcopacy* (p. 23), gives the following arms for Bishop Ironside:—Per pale azure and gules, a cross flory counter-flory or, from *Dale's Catalogue of English Nobility*, and Quarterly gu. and a cross counter-flory or, according to Townshend's MS.; both being incorrect if the shield on the screen be good evidence. His gravestone in the church of St. Mary Somerset, London, is carved with a cross flory, but the field is not parted.

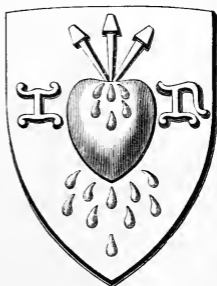
² The head of the effigy of Maurice 3rd Lord Berkeley, ob. 1326, is supported by a mitre rising from an open crown.



BERKELEY.



ABBOT ELYOTT.



ABBOT NAILHEART.

shield). The mermaids were an old badge of the Berkeleys. Thomas Lord Berkeley, who died in 1417, is represented on his sepulchral brass at Wootton-under-Edge, with a livery collar composed of mermaids;¹ and on the seal of the Lord of Berkeley in the reign of Edward III. the arms are supported by a merman and mermaid.

Upon other parts of the stall-work are the arms of Paul Bush—the first Bishop of the See. He bore, Arg. on a fess gu. between three boars passant sa. a rose between two eagles displ. or.²

At the restoration which was effected a few years ago, the stall-work was cleaned and repaired, and in the new work the following arms appear. I have supplied the tinctures.

I. The arms of the See. (Sa.) three open crowns in pale (or.)

II. (Gu.) on a bend engr. (or) a shepherd's pipe or baton (az.) all within a bordure nebulée and, being the arms of the present Dean, Gilbert Elliott, D.D.

III. Three coats in pale, being the arms of Canon Edward Bankes, B.C.L., between those of his two wives, the lady Frances-Jane Scott, dau. of Lord Chancellor the Earl of Eldon; and Maria, daughter of the late Hon. Edward Rice, D.D. Dean of Gloucester, and cousin of the present Lord Dynevor. 1. (Arg.) three lion's heads erased, two and one (gu.), between the upper ones an anchor (sa.), on a chief wavy az. a portcullis chained (or), (Scott). 2. (Sa.) a cross engr. (erm.) between four fleurs-de-lis (arg.), a mullet for difference. (Bankes.) 3. Quarterly. (1.) (Arg.) a chev. (sa.) betw. four ravens ppr. (Rice.) (2.) (Gu.) a lion ramp. within a bord. engr. (or). (Talbot) (3.) . . . three stag's heads caboshed (4.) (Arg.) on a cross (sa.) five crescents (or) in the first quarter a spear's head (gu.) (Griffith.)

IV. Per pale (gu. and az.) a griffin segreant (arg.), over all on a fess dancetté (or) three crosses patée of the first, for Canon Edward Girdlestone, M.A.

III. Per pale baron and femme, two coats. (1.) (Sa.) on a chev. betw. three mill-pecks (arg.) as many mullets (gu.), Canon Henry Moseley, M.A. (2.) (. . . .) a chev. betw. two garbs in chief, and a toison d'or in base

V. Quarterly, 1 and 4, (Or), a lion ramp. (gu.) ; 2 and 3, (Az.) a garb (or), over all in the fess point a label charged with a crescent

¹ Engraved in Boutell's *Monumental Brasses and Slabs*, 8vo. 1847, p. 56, and the collar of mermaids at p. 135. See also Moule's *Heraldry of Fish*, p. 113.

² Mr. Bedford, *Blazon of Episcopacy*, says *two* boars, and cites the grant by Barker. Ashmole MS. 808.

for difference, being the arms of the late Canon John Guthrie, M.A. who died in 1865.

VI. The See, impaling (Arg.) a fess nebulée between three trefoils (gu.), for the Venerable Thomas Thorpe, Archdeacon of Bristol.

VII. The See, impaling (Gu.) a chev. between three lion's heads erased (arg.), for the Worshipful C. J. Monk, Chancellor of the diocese.

VIII. On a poppy-head near the Precentor's desk is a small shield charged with the arms of the late Rev. R. L. Caley, M.A. Precentor, viz. Quarterly arg. and sa. on a bend gu. three mullets of the first. (On this coat the tinctures are indicated.)

IX. The bearings of the philanthropic Edward Colston are introduced into the carved ornamentation of the new stall work, but the anchor and dolphins are not inclosed in a shield.

THE WINDOWS.

The East Window.

England. Gu. three lions pass. gard. in pale or.

Berkeley. Gu. a chev. betw. ten crosses patée arg.

Berkeley of Stoke Gifford. Gu. a chev. erm. betw. ten crosses patée arg.

Clare. Gu. three chevronels or.

Warrenne. Chequy or and az.

Dispenser. Quarterly arg. and gu. in the second and third a fret or, over all a bend sa.

Bohun.¹ Az. a bend arg. cotised or betw. six *demi*-lions ramp. of the last.

Beauchamp. Gu. a fess betw. six cross-crosslets or.

Wellyngtone. Gu. a saltire vair.

(.) Gu. a fess betw. three martlets arg.

De la Rivière. Az. two bars dancettée or.

Bradestone. Arg. on a canton gu. a rose or.

Fitz-Alan. Gu. a lion ramp. or.

Montacute. Arg. three fusils conjoined in fesse gu.

Basset. Erm. on a canton gu. a mullet pierced or.

De la Mare. Gu. on a canton arg. an eagle displ.

Beauchamp. Or a lion ramp. sa. crowned gu.

(Part of this window, containing twelve of the above shields, is engraved in Lysons's *Gloucestershire Antiquities*, plate xciii.)

¹ This is a curious variation of the Bohun coat. The shield is a small one, and the *demi*-lions may have been used for lack of room. It is, however, possible that it may be a true differenced coat. In the chancel south-west window the full arms appear.

North-East Window of Chancel.

1. Gu. on a chev. betw. ten crosses patée arg. three ermine spots sa. (Berkeley of Stoke Gifford.)

2 and 3. Gu. on a chev. or three estoiles sa. (Cobham of Sterborough.)

4. Berkeley, a label az.

South-East Window of Chancel.

In the tracery at the top of this window are six shields:—

1. Gu. a fess betw. six crosslets or. (Beauchamp.)

2. Quarterly, 1 and 4, Gu. a mullet or. (.).
2 and 3, Sa. a cross or. (.).

3. Barry of six or and vert, over all a bend gu. (Poynings.)

4. Arg. on a canton gu. a rose or. (Bradestone.)

5.¹ Az. three open crowns in pale or. (Engraved in Lysons's *Gloucestershire Antiquities*, plate xciv. fig. 3.)

6.² Gu. a chev. or. (.)

In the transom tracery are two shields:—

1. Or, three eagles displ. sa. (Rodney?); impaling, Arg. on a chev. or three buck's heads caboshed. (.)

2. The latter coat alone.

Two knights in the lower lights bear on their shields and surcoats:

1. Arg. a cross gu. (This figure is represented in Lysons's *Gloucestershire Antiquities*, plate xciv.)

2. Gu. a cross arg. (Knight Hospitaller.)

At the base of the window are four shields:

1. Gu. a chev. erm. betw. ten crosses patée arg. (Berkeley of Stoke Gifford.)

2 and 3. Gu. on a chev. or three estoiles sa. (Cobham of Sterborough.)

4. As No. 1, but with a label az.

North-West Window of Chancel.

1. Sa. a cross or. (.)

2. Or, a lion ramp. sa. crowned of the field, a bordure gu. (Gournay.)

3. Quarterly gu. and or, in the first quarter a mullet arg. (Vere.)

¹ Probably for the Abbey of Bristol: Sable, three open crowns in pale or.

² Vide "*Notes and Queries*," 3rd Series, vii. p. 337.

South-West Window of Chancel.

In the tracery at the top of the window are three shields :—

1. Barry of six or and az. on a chief of the first three pallets, between two esquires dexter and sinister of the second an inescutcheon arg. (Mortimer.) (Engraved in Lysons's *Gloucestershire Antiquities*, plate xciii.)
2. Arg. a bend sa. a label gules (St. Lo.) (Engraved *ibid.*)
3. Gules, a chevron or. (.)

In the lower lights of this window are two knights, one of whom bears upon his surcoat and shield the arms of Berkeley; the other upon his shield only as No. 3 above, Gu. a chev. or.¹

In the base of the window are three shields:—

1. Berkeley, a label az.
2. Chequy or and az. (De Warrenne.)
3. Az. a bend arg. cotised or between six lioncels rampt. of the last. (De Bohun.)

East Window of the North Aisle.

At the base of this window are three achievements (arms, helmet, mantling, and crest):—

1. Or, a chev. gu. betw. three torteaux, a crescent for difference. (Glemham.) (For Dean Henry Glemham, afterwards Bishop of St. Asaph, 1667—1670.)
2. Quarterly of six:
 - 1, Glemham, differenced as above.
 - 2, Arg. four bars gu. over all a lion ramp. or, ducally crowned per pale of the first and second. (Brandon.)
 - 3, Az. three boars pass. in pale or. (Bacon.)
 - 4, Sa. a bend arg. (Antingham.)
 - 5, Sa. a fess betw. two chevrons or. (Baynard.)
 - 6, Az. a fret or. (.)
3. Glemham, plain, impaling Parker: Arg. betw. two bars sa. charged with three bezants, a lion pass. gu. in chief as many buck's heads caboshed of the second.

Crest, a hawk with wings expanded arg. membered gu. belled or.

¹ The central light of this window contains the effigy of an archbishop in the act of benediction. He is represented as wearing a peculiarly formed mitre which rises from a coronet or open crown. Possibly the shields which are now gu. a chev. or, were originally charged with the ancient arms of Berkeley—gu. a chev. arg. This window, like most of the others, has undergone restoration.

East Window of the South Aisle.

At the base of this window are three achievements similar to those above, viz. :—

1. Glemham, impaling Brandon.
2. Glemham, impaling, Sa. a chev. between three leopard's heads or. (Wentworth.)
3. Glemham, impaling Bacon.

Memorial Window in South Aisle.

Quarterly, 1 and 4, Arg. on a fess az. betw. three leopard's heads ppr. a cross moline betw. two crosslets or (Loscombe)
 2 and 3, Arg. a chev. voided gu. betw. three laurel leaves vert.
 (.)

The West Window.

This window contains only two mitred shields of arms. The dexter half of the first is now a piece of plain glass, but probably once contained the arms of the See of Bristol. The sinister half is filled with the arms of Robinson, Or, on a chevron vert betw. three stags tripping ppr. as many cinquefoils of the field.

The second shield contains the arms of the See of London, Gu. two swords in saltire ppr. hilted or, impaling Robinson, as above; the sinister half of this shield has been broken and is imperfect. John Robinson, Dean of Windsor, consecrated Bishop of Bristol 1710, translated to London 1713, was Lord Privy Seal, and died 1723. (See Sir Harris Nicolas's *Synopsis of the Peerage of England*, pp. 834 and 870.) Mr. Bedford, in the *Blazon of Episcopacy* (p. 24, plate 13) gives the arms thus: Vert, on a chev. betw. three bucks trippant or three cinquefoils gules, on the authority of Cole's MS. and (oddly enough) of the "Window at Bristol." There, however, they certainly are as I have blazoned them above, and they are also correctly depicted in the window at Fulham. (Lysons's *Environs of London*.)

This very debased window will be removed in the course of the restoration of the nave, but it is to be hoped that the coats above blazoned will be preserved and inserted in some one of the new windows.

THE ARCHWAY.

On the upper and more modern part of the fine Norman archway which now connects the upper and lower College Greens, and which was

formerly the great gateway of the monastery, are the following arms :—

On the North side,

1. England.
2. Berkeley.
3. Quarterly :
 1. Barry of eight, or and gules. (Poyntz.)
 2. Quarterly per fess dancette arg. and az. (Acton.)
 3. Paly of six or and az. on a fess gu. three mullets of the first. (Clanbow.)
 4. Quarterly gu. and or, over all a bend arg. (Fitz-Nicholas.)
4. France and England, quarterly, and crowned.
5. Berkeley. Gu. a chev. betw. ten roses arg.
6. A cross

On the south side,

1. France and England quarterly.
2. Berkeley.
3. Cobham.
4. Newland, or Nailheart.
5. Elyott.
6. Berkeley. Gu. a chevron

Note on the Berkeley Effigies. (See p. 290.)

The Altar-tomb in the eastern arch, connecting the Elder Lady Chapel with the north aisle, supports the recumbent effigies of a knight and lady, and was considered by Gough to be the tomb of the founder of the monastery—Robert Fitz-harding. This supposition is certainly erroneous, and the founder was buried at the entrance to the Choir. Mr. Britton assigns it, with greater probability, to the third Maurice, Lord Berkeley. My own opinion, which I express with great diffidence, is that it is not earlier than the thirteenth century. The jupon is charged with the family arms, and the head is supported by a bascinet, which is surmounted, as I have already observed, by a mitre rising from an open crown.

The two sepulchral niches in the south aisle contain effigies which are usually attributed to Thomas Lord Berkeley (ob. 1243) and to the second Maurice Lord Berkeley (ob. 1326), but it would not be easy to identify them. The effigies are cross-legged, the surcoats are long and plain, but each knight bears upon his left arm a heater-shaped shield charged with the chevron and crosses patée. The armour is principally plate, and my own opinion is that there is not so great a difference in the date of the effigies as there would be if the supposition were correct which assigns them to the above-mentioned persons.

LETTER OF PETER LE NEVE, NORROY,
IN VINDICATION OF HIS OFFICIAL RIGHTS.

As a specimen of the manner in which the Officers of Arms in the last century used sometimes to vindicate their proper privileges against interlopers and private speculators in the art of Armory, the following letter of Peter le Neve, Norroy, to an arms-painter at Wakefield in Yorkshire, may be thought interesting. It appears that Norroy had engaged an authorised agent for the West Riding, in the person of a Mr. Mangay at Leeds, by whom he had been informed of the intruder's proceedings. There was an eminent native of Leeds who bore the name of Mangey, and rose to distinction as a divine (see Nichols's *Literary Anecdotes* and a recent publication entitled *Leeds Worthies* by the Rev. R. V. Taylor, B.A.), but whether Norroy's agent was of the same family we have not ascertained.

The original of this Letter (which has been before published in 1850 in *Notes and Queries*.) is now in the possession of Edward Hailstone, esq. F.S.A. of Horton Hall, Bradford.

“ MR ADDINALL,

“ I understand by Mr Mangay, my Deputy at Leeds for the West Riding, that you contemn my lawful authority of Norroy King of Arms, and have done and will do as you say things relating to Heraldry contrary to my prohibition.

“ These are therefore to acquaint you, that, if you continue in the same mind, and will usurp on my Office, I intend to make you sensible of the wrong you doe to me in my Office, by taking out pro^ogs against you, and making you pay for your transgression. I shall give you no hard words, but shall be as good as my word, if there is law in England to restrain you; so choose whether you will doe me good or evil, you shall find me accordingly your friend or open enemy.

PETER LE NEVE, *Norroy*.

College of Arms in London, 28th May, 1719.

MANOR OF BITTON, CO. GLOUCESTER.

(Continued from p. 210.)

The following records of proceedings at law in the reigns of Henry III. and Edward I. illustrate the descent of the Manor of Bitton and Hannum, together with the genealogy of the parties concerned, and also afford some remarkable evidence of the manners and usages of the age.

The first is an entry of an Assise of Mortdancester, brought by John de Vivonia, son and heir of Petronil de Vivonia, against David le Blunt and Amabil his wife, for a messuage and two carucates of land in Bitton, which were claimed by David and Amabil, by the gift of the same Petronil. This action exhibits in a remarkable manner the importance of the livery of seisin which accompanied, or rather constituted the most important part of, the gift of land. No dispute was raised as to the charter of feofment by Petronil to David and his wife, but it was alleged that she continued in seisin till her death, and therefore her heir could oust the grantee. Her answer to this plea was that Petronil enfeoffed David and Amabil of the tenement, with all chattels and crops thereon, except one palfrey which was expressly reserved, and absented herself for six weeks from the house, but afterwards returned, not as mistress but simply as a common friend or visitor; and, falling sick there, she was so fearful of endangering the title of her grantees by dying in the house, that she caused herself to be carried to the vicar's house in the town, where she died. This story furnishes a curious illustration of the contemporary treatise of Britton. See Introduction to Britton, 1865, xxxvi.; *ib.* vol. i. 259, 265.¹

The three next records belong to a lingering suit of trespass in the nature of ejectment for the wardship of the infant heir of the Manor of Hanam, then held by a family of the name of Saltmarsh. The parties between whom the seignory of the manor, and the consequent right of wardship, was disputed, were Richard de la More on the one side and David Blunt and Petronil his wife on the other side, the other defendants in the

¹ I am indebted to Mr. F. M. Nichols, F.S.A. the Editor of Britton, for some valuable legal remarks on these proceedings.—H. T. E.

action (John Micegros or Musegros and another) being apparently agents of the Blunts. The action was tried by inquest or jury, and determined in favour of the plaintiff Richard de la More.¹

The fifth record relates to the same wardship of the infant heir of Saltmarsh. The former proceedings were in the last year of Henry III. and first of Edward I. when the heir was in every sense an infant. In the 15th year of Edward I. the heir, John Saltmarsh, had attained the age of discretion, which gave him a right to oust the guardian of land held in socage, but not the age of 21 years, which would have entitled him to livery of land held by knight service.² He then claimed, by writ of Mortdancer, to have seisin of the Manor of Hanam, which, since the decision of the former action, had remained in the hands of the lord, Richard de la More.

The defendant's (de la More's) answer to the action is simply, that the manor is held by knight service, and that he claims the wardship till the lawful age or majority of John. The pleadings in this action show the history of the title of both the parties. The title to the land was derived by the plaintiff Saltmarsh from an ancestor, Robert de Hanam, who was enfeoffed by Robert Harding, temp. Hen. II. The title to the seignory was acquired by De la More by purchase from Petronil de Amneville, who being, with (her niece) Petronil de Vivon, coheir of (her father) Robert de Amneville, obtained the seignory of this manor of Hanam as part of her purparty, Robert de Amneville having, as it is stated, been enfeoffed of the same seignory by Robert de Berkeley, son of Robert Harding. This latter statement is confirmed by the verdict of the jury in the Assise, who found that the manor was held by military service, and they were the more ready to come to this conclusion because the manor was parcel of the Barony of Berkeley, which was itself held of the Crown in chief by that tenure.

The sixth record is a plea of Quod Permittat,³ brought by Master Thomas de Button, or Bitton, against the same Richard de la More, to enforce the right of Thomas to estovers of housebote and heybote, that is, to take wood for fuel and fence in the wood of Richard. From this action, which was determined in

¹ See before, p. 203.

² See Britton, edit. F. M. Nichols, 1865, vol. i. p. 9.

³ See Britton, vol. ii. p. 160.

favour of the plaintiff Thomas de Bitton, it appears that he derived his estate in Bitton from his uncle William de Bitton, whose heir he was.

I. Placita de Juratis et Assisis coram Will'o de Saham, Ricardo de Boyland, Rogero Loveday, et Johanne de Mettingham, Justiciariis Itinerantibus, apud Gloucester in crastino clausi Pasche anno Regni Regis Edwardi filii Regis Henrici Quintodecimo. [A. D. 1287.]

Gloucester XV° Saham.

Membrane 16.

Assisa venit recognitura si Petronilla de Vivonia, mater Johannis de Vyvonia, fuit seysita in dominico suo ut de feodo de uno messuagio et duabus carucatis terræ cum pertinentiis in Button die quo, &c. quem messuagium et terram David le Blunt et Amabilla uxor ejus tenent. Qui venerunt. Et nihil dicunt quare assisa remaneat nisi tantum quod dicunt quod predicta Petronilla de cujus morte, &c. non obiit seysita de predictis tenementis in dominico suo ut de feodo.

Dicunt enim quod eadem Petronilla tenementa predicta simul cum aliis tenuit de Domino Rege in capite, et quod eadem Petronilla per longum tempus ante mortem suam, de assensu et voluntate Domini Regis nunc, ipsos David et Amabillam de tenementis predictis feofavet et in plenariam seysinam posuit. Et de hoc ponent se super assisam, &c. Et profert quandam cartam sub nomine predictæ Petronille, quæ predictum feoffamentum testatur, et similiter litteras Domini Regis nunc quæ testantur quod ipsa Petronilla de licencia ipsius Domini Regis nunc ipsos David et Amabillam feoffavit, &c.

Et Johannes dicit quod qualiscunque prelocucio facta fuit quod predicta Petronilla feoffasse debuit predictos David et Amabillam de tenementis predictis, seu qualiscumque cartam eis inde fecit, quod ipsa Petronilla nunquam se de tenementis illis dimisit aut statum suum mutavit. Immo bona et catalla sua semper in eodem mesuagio semper remanserunt (et cum carucis suis terram aravit et seminavit) et quod eadem Petronilla seysinam suam usque mortem suam continuavit, et inde obiit seysita in dominico suo ut de feodo. Et quod ita sit petit quod inquiretur per assisam. Et David et Amabilla similiter. Ideo capiatur assisa, &c.

Jurati dicunt super sacramentum suum quod predicta Petronilla de licencia Domini Regis nunc feoffavit predictos David et Amabillam de predictis tenementis cum omnimodis mobilibus et bladibus infra predicta tenementa existentibus, excepto uno palefrido tantum quem

sibi reservavit, et se per sex septimanas de predictis tenementis elongavit. Et dicunt quod postea eadem Petronilla ad predicta tenementa non ut Domina tenementorum, immo ad predictos David et Amabillam visitandos ut amica communis accessit, et ibidem infirmabatur, ita quod eadem Petronilla quodam die Lunæ, ne seysinam quam predictis David et Amabillæ fecerat interumperet, se elongari fecit et portari usque domum Vicarii predictæ villæ, et in eâdem domo die Sabbati sequenti obiit. Quesiti si blada et alia bona in predictis tenementis existencia post mortem predictæ Petronillæ devenerunt in manus executorum predictæ Petronillæ seu in manus predictorum David et Amabillæ, dicunt quod bona et blada et alia quæcumque integre devenerunt per feoffamentum predictum in manus ipsorum David et Amabillæ absque hoc quod ipsa Petronilla in vita sua seu executores sui post mortem suam se in aliquo intromiserunt. Unde dicunt precise quod prædicta Petronilla non obiit seysita de predictis tenementis in dominico suo ut de feodo, et ideo consideratum est quod prædicta David et Amabilla eant inde sine die, et quod prædictus Johannes nichil capiat per assisam istam sed sit in misericordia pro falso clamore, &c.

II. Placita coram Domino Rege. In Octabis Sancti Hillarii anno Regni Regis Henrici filii Regis Johannis quinquagesimo sexto. [A. D. 1272].

(Rot. 56 Hen. III. m. 17.)

GLOUC.—Magister David le Blund de Bristoll * * * * * in misericordia pro pluribus defaultis versus Ricardum de la More. Idem David * * * attachiatus fuit ad respondendum prædicto Ricardo de placito quare cum custodia manerii de Hannum cum pertinentiis quod fuit Mauricii de Salso Marisco ad ipsum Ricardum pertineat, habenda usque ad legitimam ætatem heredis prædicti Mauricii, eo quod idem Mauricius manerium illud de prædicto Ricardo tenuit per servicium militare, prædicti David et Petronilla una cum aliis manerium prædictum violenter ingressi homines prædicti Ricardi in eodem manerio inventos malectraverunt, et ipsum Ricardum et homines suos a prædicta custodia ejecerunt, ad grave dampnum ipsius Ricardi et contra pacem, &c. Et unde queritur die Dominica proxima ante Nativitatem Beatæ Mariæ anno liij^o venit ibidem simul cum aliis et in homines ipsius Ricardi insultum fecerunt et ipsos malectraverunt et ipsum Ricardum et homines suos a prædicta custodia ejecerunt, unde dicit quod deterioratus est et dampnum habet ad valenciam centum librarum. Et inde producit sectam.

Et Magister David et Petronilla per attornatum ipsius Petronillæ

veniunt et defendunt vim et injuriam, quam, &c. Et dicunt quod non debent ei ad hoc breve respondere. Dicunt enim quod prædictus Ricardus alias in Curia Domini Regis hic implacitavit eisdem David et Petronillæ de prædicta transgressione per hujusmodi breve et per Inquisitionem, in qua se de consensu pertinentium posuerunt, coram Vicecomite captam convictum fuit quod prædicti Magister Ricardus et Petronilla una cum aliis fecerunt prædicto Ricardo prædictam transgressionem ad dampnum ipsius Ricardi unius marcæ, quæ postea missa fuit coram Rege hic et per considerationem curiæ idem Ricardus recuperavit prædicta dampna sua versus eos, per quod ipsi quoad prædictam unam marcã et eandem transgressionem et per idem breve non teneantur prædicto Ricardo alias respondere. Dies datus est eis de audiendo iudicio suo a die Paschæ in unum mensem ubicumque, &c. Et sciendum quod attornatus Petronillæ uxoris prædicti David non fuit admissus eo quod contra pacem, &c. Et dictum est prædicto Ricardo quod sequatur defaultum versus eam.

III. Placita coram Domino Rege. In Octabis Sancti Hillarii anno Regni Regis Henrici filii Regis Johannis quinquagesimo sexto.

(Ibid. m. 23.)

LINC.—Ricardus de la More per attornatum suum opponit se iiij die versus Johannem de Micegros, Gulielmum de Sandhurst, et Petronillam Vyvone uxorem David le Blund, de placito quare, cum custodia manerii de Hanum cum pertinentiis quod fuit Mauricii de Salso Marisco ad ipsum Ricardum pertinens habenda usque ad legitimam ætatem heredis prædicti Mauricii, eo quod idem Mauricius manerium illud de prædicto Ricardo tenuit per servicium militare, prædicti Johannes, Gulielmus et Petronilla manerium prædictum violenter ingressi homines prædicti Ricardi in eodem manerio inventos maletractaverunt et ipsum Ricardum et homines suos a prædicta custodia ejecerunt ad grave dampnum ipsius Ricardi et contra pacem, &c. Et ipsi non veniunt, &c. Et præceptum fuit Vicecomiti quod distingat eos per omnes terras, &c. et quod haberet corpora ad hunc diem. Et Vicecomes mandat quod Rogerus le Proi, Nicholas Hulbert, Nicholas le Heyward et Stephanus de la Forleye manucapiant prædictum Johannem, et Johannes le Vacu . . . , Walterus del Broke, Robertus le Fadre, et Walterus Col manucapiant prædictum Gulielmum. Ideo ipsi in misericordia. Ideo præceptum est Vicecomiti quod distingat eos per omnes terras, &c. Ita quod, &c. Et quod, &c. Et quod habeat corpora a die Paschæ in unum mensem, v. &c.

IV. Placita coram Domino Edwardo Rege filio Domini Henrici Regis et Consilio suo apud Westm: In octabis Sancti Hillarii anno regni ipsius Domini Regis primo. [A.D. 1273].

(Rot. 1 Ed. I. m. 9.)

GLOUC.—Præceptum fuit Vicecomiti, quod in pleno comitatu suo venire faceret coram eo et custodi placitorum, &c. xij. tam milites quam alios liberos et legales homines de vicineto de Hanum, per quos, &c. et qui nec Ricardum de la More nec Johannem de Mucegros (nec David le Blund et Petronillam uxorem ejus—*erased in orig.*) aliqua affinitate attingant; et per eorum sacramentum diligenter inquireret si cum custodia manerii de Anun cum pertinentiis quod fuit Mauricii de Salso Marisco ad ipsum Ricardum pertineat usque ad legitimam etatem hæredis prædicti Mauricii, eo quod idem Mauricius manerium illud de prædicto Ricardo tenuit per servicium militare, prædictus Johannes una cum aliis manerium illud violenter ingressus homines prædicti Ricardi in eodem manerio existentes maletractavit et ipsum Ricardum et homines suos a custodia illa ejecit ad grave dampnum ipsius Ricardi et contra pacem, etc. sicut prædictus Ricardus dicit; vel si prædictus Johannes statim post mortem prædicti Mauricii priusquam dictus Ricardus vel aliquis alius ex parte sua fuisset in eodem manerio seisisus manerium illud in manus Domini Edwardi filii Domini Regis salvo jure, eo quod ipse tanquam ballivus domini sui intellexit quod dictum manerium tenebatur de domino suo, et prædictum Ricardum et homines suos non ejecit nec maletractavit sicut prædictus Johannes dicit, et inquisitionem venire faceret a die sancti Michaelis in xv. dies, &c. Quia tam, &c. Et Vicecomes misit inquisitionem, quæ dicit quod custodia manerii de Anun post mortem prædicti Mauricii pertinuit ad prædictum Ricardum, habendum usque ad legitimam etatem heredis prædicti, eo quod prædictus Mauricius tenuit de prædicto Ricardo prædictum manerium, scilicet duas virgatas terræ, per servicium militare, et residuum manerii prædicti per socagium. Et quod idem Ricardus statim post decessum prædicti Mauricii seisivit prædictum manerium et in seisinâ plenâ fuit quousque prædictus Johannes de Mucegros et homines sui, contra pacem Domini Regis, ad grave dampnum ipsius Ricardi, de prædicto manerio et seisinâ sua ejecit et homines ipsius Ricardi in eodem manerio inventos maletractavit. Ad quem diem prædictus Johannes non venit. Ita quod præceptum fuit Vicecomiti quod faceret eum venire in octabis Sancti Martini audiendum inde iudicium suum; quo quidem die ipsa loquela remansit sine die per mortem Henrici Regis, &c. Et postea præceptum fuit Vicecomiti quod faceret eum

venire ad hunc diem in eodem statu, &c. Et Vicecomes mandat quod manucaptus fuit ad veniendum ad hunc diem, et Johannes non venit. Et quod compertum est per prædictam inquisitionem in quam prædictus Johannes se posuit quod idem Johannes ejecit prædictum Ricardum de prædicto manerio, et similiter quod manerium illud est de feodo ipsius Ricardi, ut illud in quo prædictus Mauricius tenet duas virgatas terræ cum pertinentiis de prædicto Ricardo per servicium militare; et statim post mortem ipsius Mauricii idem Ricardus seisivit prædictum manerium in manu sua custodiendum sicut prædictum est, et fuit inde in seisina pacifica donec prædictus Johannes * * * ipsum inde ejecit. Consideratum est quod prædictus Ricardus retineat seysinam suam de prædicta custodia et Johannes in misericordia * * * et satisfaciât prædicto Ricardo de dampnis suis tam pro ejectione prædictâ quam pro eo quod homines ipsius Ricardi maletractavit, quæ taxantur per Justiciam ad

Et similiter compertum est per recordum coram Henrico Rege a die Paschæ in unum mensem anno regni sui quinquagesimo quarto, per quandam inquisitionem quam idem Dominus Rex fieri fecit quod David le Blund et Petronilla uxor ejus procuraverint, quod prædictus Johannes ejiceret prædictum Ricardum de prædicta custodia ad dampnum ipsius Ricardi unius marcæ occasione prædictæ procurationis. Et præterea compertum est per ultimam inquisitionem quod prædicta custodia pertinet ad prædictum Ricardum. Consideratum est quod prædictus Ricardus recuperet seysinam suam tam de prædicta custodia tam versus prædictos David et Petronillam uxorem ejus quam versus præfatum Johannem, &c. et dampna, scilicet quæ taxantur ad decem marcas super ipsos Johannem, Davidem et Petronillam.

V. Placita de Juratis et Assisis coram Willielmo de Saham, Ricardo de Boylande, Rogero Loveday, et Johanne de Mettingham, Justiciariis Itinerantibus, apud Glouc. in crastino Clausi Pasche anno Regni Regis Edwardi filii Regis Henrici quintodecimo.

Gloucestre XV° Saham

(Rot. 15 Edw. I. m. 29.)

§ Assisa si Mauricius de Salso Marisco, pater Johannis filii Mauricii de Salso Marisco, fuit seisitus in dominico suo ut de feodo de manerio de Hannum cum pertinentiis die quo, &c. Et si, &c. Quod Ricardus de la More tenet qui venit, et bene cognoscit omnes articulos brevis, set dicit quod idem Johannes seisinam de predicto manerio nondum habere debet. Quia dicit quod predictus Mauricius pater ipsius

Johannis de cujus morte, &c. tenuit predictum manerium de ipso per homagium et servicium militare, scilicet per servicium sextæ partis unius feodi militis, de quo servicio ipse fuit seisisus per manum ipsius Mauricii, unde dicit quod ipse nichil clamat in predicto manerio nisi tantum custodiam usque ad legitimam etatem ipsius Johannis ratione predicti servicii militaris. Et Johannes dicit quod idem Ricardus custodiam de predicto manerio ratione minoris etatis suæ habere non debet, dicit enim quod antecessores sui tenuerunt predictum manerium antiquitus de Ricardo Folyot per servicium decem solidorum per annum pro omni servicio, et per cartam ipsius Ricardi Folyot et scripta quorundum aliorum feoffatorum suorum et confirmationes Regum Angliæ de tenura de Hanum—quæ profert et quæ hoc testantur; quod quidem servicium idem Ricardus de la More postea perquisivit de Petronilla de Amneville, de qua predictus Mauricius predictum manerium tenuit per predictos decem solidos pro omni servicio, unde dicit quod idem Ricardus non potest esse melioris condicionis quam predicta Petronilla, desicut ipse preparatus est verificare quod predictus Mauricius pater suus tenuit predicta tenementa in sokagio et non per aliquod servicium militare, &c.

Et Ricardus de la More dicit quod quidam Robertus Harding feoffavit quendam Robertum de Hanum antecessorem ipsius Johannis de predicto manerio tenendo per servicium militare. Et quidam Robertus de Berkleye filius ipsius Roberti Hardingi postea feoffavit de servicio illo quendam Robertum Amneville, de quo exierunt quædam Petronilla de Vivon et quædam Petronilla de Amneville, et dicit quod servicium illud accidit eidem Petronillæ de Amneville in propartem, quæ quidem Petronilla ipsum Ricardum de la More de servicio illo feoffavit. Et dicit quod predictus Robertus de Amneville fuit seisisus de predicto servicio militari et similiter predicta Petronilla, et similiter ipse Ricardus de la More per concessionem predictæ Petronillæ, et per manum predicti Mauricii bis in ultimis scutagiis quæ cucurrerent, et de hoc ponit se super assisam.

Et Johannes dicit quod predictus Mauricius pater suus tenuit aliqua tenementa de predicta Petronilla de Amneville, set dicit quod predictum manerium de Hanum est de honore de Button, quod quidem manerium omnes antecessores sui tenuerunt in sokagio preter unam virgatam terre in eodem manerio, quam tenebat per servicium militare. Et dicit quod predicta Petronilla nec aliquis alius de quo antecessores ipsius Johannis manerium illud tenuerunt [umquam aliquam custodiam nec servicium militare] ab aliquo antecessore suo habuit quousque predictus

Ricardus de la More scutagium a predicto Mauricio per frequentes distractus extorsit. Et hoc petit quod inquiretur per assisam.

Juratores dicunt super sacramentum suum quod predictus Ricardus de la More bis fuit seisitus de scutagio per manus predicti Mauricii patris predicti Johannis. Et Juratores quesiti si aliquis antecessor predicti Johannis umquam aliquid fecerit pro predicto manerio alicui alii capitali domino ejusdem manerii, an ipsi domini umquam aliquam custodiam ab aliquo antecessore ipsius Joh' (habuerunt), dicunt quod non nisi predictus Ricardus de la More nomine custodiæ istius Johannis. Quesiti eciam utrum antecessores ipsius Johannis tenuerunt predictum manerium de predicta Petronilla et ejus antecessoribus in sokagium an per servicium militare, dicunt quod melius credunt quod tenuerunt per servicium militare, et hoc quia predictum manerium est de baronia de Berkleye (que quidem baronia tenetur de Domino Rege per servicium militare), sed dicunt quod antecessores ipsius Johannis tenuerunt circiter unam virgatam terræ vel duas virgatas terræ de predicto manerio in sokagium, quæ quidem continentur in predictis scriptis quæ predictus Johannes protulit, &c. &c.

Dies datus est eis de audiendo judicio suo apud Westmon. a die Sancti Michaelis ad unum mensem.

(No Judgment has been found.)

VI. Placita apud Westm. coram Thoma de Welaund et sociis suis Justiciariis Domini Regis de Banco, termino S. Michaelis anno Regni Regis Edwardi duodecimo. [A.D. 1284].

(Mem. 89 d.)

GLOUC.—Ricardus de la More summonitus fuit ad respondendum Magistro Thome de Button de placito quod permittat ipsum habere rationabile estoverium suum in bosco ipsius Ricardi in Buttone quod in eo habere debet et solet, &c. Et unde dicit quod ipsemet tempore pacis et tempore * * * Domini Regis nunc fuit in seisina capiendi rationabilia estoveria sua in predicto bosco ipsius Ricardi in Buttone, et in housebote et heybote, ad arandum et claudendum ut de feodo et jure; capiendo inde explecia, &c. quousque jam tribus annis elapsis quod predictus Ricardus ante * * * * * ipsum impedivit quominus estoverium illud habere potuit, unde dicit quod deterioratus est et dampnum habet ad valenciam centum librarum. Et inde producit sectam, &c. Et Ricardus venit et defendit vim et injuriam quod, &c. Et bene defendit quod predictus Thomas nunquam

fuit seisitus de predictis estoveriis habendis ut de feodo et jure. Et de hoc ponit se super patriam. Et magister Thomas similiter. Postea a die sancti Mich. in tres septimanas venerunt Juratores, qui dicunt super sacramentum suum quod quidam Gulielmus de Button avunculus predicti Thomæ, cujus heres ipse est, toto tempore vitæ suæ habuit predicta estoveria in predicto bosco, et postea quædam mulier mater predicti Thomæ, quæ tenuit tenementa ad quæ predicta estoveria pertinent ad voluntatem ipsius Thomæ, habuit estoveria predicta et illa cepit tota vita sua, et post ejus mortem predictus Thomas voluit capere predicta estoveria in predicto bosco et Ricardus et ballivi sui illum non permiserunt. Et quia mater predicti Thomæ, quæ tenuit predicta tenementa ad quæ predicta estoveria pertinent ad voluntatem ipsius Thomæ, fuit in seisina de predictis estoveriis, habendis tota vita sua, et illa seisina fuit seisina predicti Thomæ, consensus est quod Thomas recuperet inde seisinam. Et similiter dampna sua quæ taxantur per juratores ad viginti solidos. Et Ricardus in misericordia, &c.



Seal of Matthew de Button (who was hanged or beheaded for killing 48 deer in Kingswood), attached to a deed dated at Hannam, on the Feast of the Assumption, 29 Edw. III. (25 Aug. 1355,) relating to lands at Goldwell, within the Hundred of Button, as drawn in the Harl. MS. 1443, fol. 41.

ARMORIAL WINDOW OF THE GURNEY PEDIGREE.

There were probably few manor-houses in ancient times that were not decorated in some degree with armorial insignia ; particularly in the windows of the great hall, which, being open to the view and contemplation of all comers, would at once in those days of heraldic knowledge inform every intelligent stranger of the ancestry and the kinsfolk of the family. At a comparatively late period, in the sixteenth and seventeenth centuries, it became very usual to form an armorial pedigree in painted glass, representing the successive generations by their matrimonial impalements. Examples of such windows may still be sometimes seen, though seldom in a perfect state.

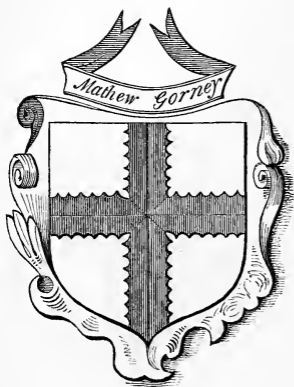
The accompanying engravings represent the eight remaining shields of an Armorial Pedigree of the family of Gournay or Gurney, which originally adorned their hall at West Barsham in Norfolk.¹ The last (it will be observed) bears the figures 19, and the whole number was probably 20, for they correspond with an old pedigree which was transcribed by Sir Henry Spelman in 1639, and which concludes in the following words : “ All these matches, except the last (*i. e.* Gurney and Lewknor, two generations later than Gurney and Holdich), are to be seen in colours in the Halle of Sir Henry Gawdy’s house, w^{ch} some-tyme was the Gurnays’ house.” This was a house at Norwich, in the parish of St. Julian’s, and the same pedigree seems to have been displayed in both mansions.

From West Barsham the glass shields now represented were removed to Walsingham Priory; but a few years ago they were presented by the Rev. D. H. Lee Warner to Daniel Gurney, esq. who has erected them in his own house at North Runcton.

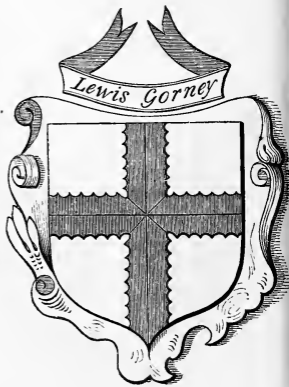
In Nos. 1 and 2 the engrailed cross of Gurney appears alone. In No. 6 it quarters de Burnham, commemorating the marriage of Matthew de Gournay with Rose, daughter and heir of Reginald de Burnham. This Reginald was the son of Philip, lord of Burnham-Thorpe and Harpley, in the reign of King Stephen,

¹ Record of the House of Gournay, pp. 319, 489.

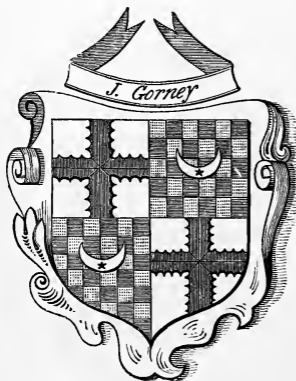
No. 1.



No. 2.



No. 6.



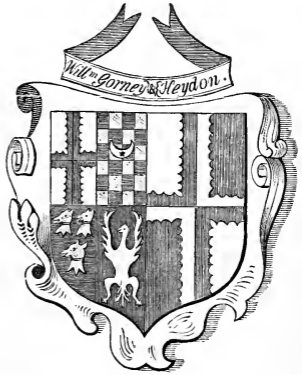
No. 8.



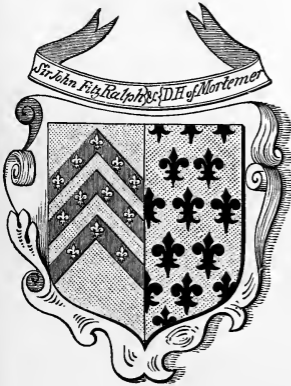
No. 9.



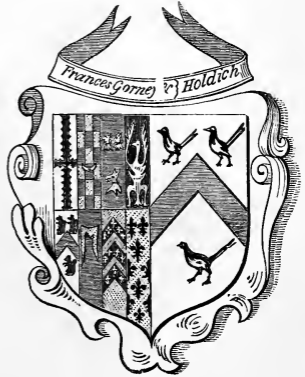
No. 13.



No. 15.



No. 19.



and a cadet, as is supposed, of the great house of Warren, the head of which, Hameline, Earl of Warren and Surrey, gave the heiress Rose to his feudatory Matthew. These arms, however, are undoubtedly of later heraldic origin, as is betrayed by their modern mode of differencing with a mullet upon a crescent. They were evidently designed to coincide with the assumption that the Burnhams were a branch of Warren.¹

In No. 8 a third quartering is introduced, that of Baconsthorpe, derived, as is supposed, from the marriage of William de Gourney (III.), living temp. Edw. I. with Katharine, daughter of Edmund Baconsthorpe. The impaled coat is that of Wauncy, for the wife of Edmund Gurney, temp. Edw. III.

In No. 9 Wauncy is added as a quartering, and the impalement is for Jerningham; it having been supposed that John Gurney, knight of the shire for Suffolk temp. Hen. IV. married Margaret, daughter of Sir Thomas Jernegan or Jerningham, of Somerleyton, in Suffolk. (*Arms*: Argent, three buckles gules.) But this is an error (and Sir Henry Spelman's pedigree is also incorrect in this particular), for Sir John Gurney married Alice, daughter of John de Heylesdon; and Margaret Jerningham was the wife of his nephew and eventual heir Thomas Gurney.

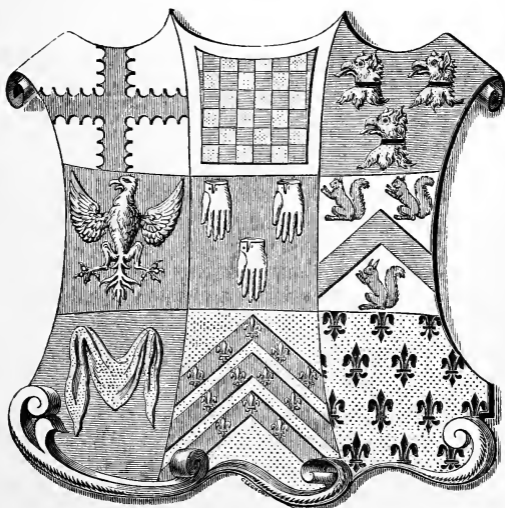
In No. 13 the same quarterings are impaled with Heydon, for William Gurney, living temp. Hen. VII. and his wife Anne, daughter of Sir Henry Heydon, who brought him the manor of Irsted. (*Arms*: Quarterly argent and gules, a cross engrailed counterchanged.)

No. 15 represents the arms of Sir John FitzRalph and his wife Margaret, daughter and heir of Sir Thomas Mortimer, of Attleborough. Their grand-daughter Maud FitzRalph became the wife of Sir Robert Conyers of Finningham, in Suffolk, whereby the quartering of FitzRalph was inherited by Lovell upon a Lovell marrying an heiress of Conyers; and Anthony Gurney, esq., temp. Hen. VIII., married Margaret, daughter and coheir of Sir Robert Lovell of Hingham, by Ela, daughter of Thomas Conyers, esq.

In the last shield, No. 19, we find the eight quarterings thus marshalled: 1. Gurney; 2. de Burnham; 3. Baconsthorpe; 4.

¹ At Gurney's Place in Norwich the arms of Warren de Burnham were represented as chequy within a bordure (as quartered in the opposite achievement).

Wauncy; 5. Lovell; 6. Conyers; 7. FitzRalph; and 8. Mortimer. The impalement of Holdich is for the wife of Francis Gurney, Helen, daughter of Robert Holdich of Ranworth, esq. (Argent, a chevron azure between three pies proper.) Francis was the son and heir of Anthony Gurney of Great Ellingham, in Norfolk, esquire; and died before his father, whose death occurred in 1555-6. It is probable, therefore, (as before suggested,) that No. 19 was not the last of the series of shields, for they are certainly of a period somewhat later than that date.



Gurney, Argent, a cross engrailed gules.

De Burnham, Chequy or and azure, within a bordure argent.

Baconsthorpe, Azure, three griffin's heads erased or, collared sable.

Wauncy, Gules, a falcon displayed argent.

——, Gules, three gaunts or gloves argent.

Lovell, Argent, a chevron azure between three squirrels proper.

Conyers, Azure, a manchet or.

FitzRalph, Or, on three chevrons gules twelve fleurs de lis argent, 5, 4, 3.

Mortimer, Or, fleury de lis sable.

We are indebted for these particulars, and also for the engravings, to *The Record of the House of Gournay*, compiled by Mr. Daniel Gurney, F.S.A., and privately printed by him in the year 1848.

Of all the families commemorated in that excellent example of genealogical history, there is none more distinguished in the centuries next following the Norman conquest of England than that of Wanci, with which Gurney formed an alliance in the reign of Edward the Third, and thereby became possessed of the manor of West Barsham.

Hugh de Wanci is named in the Domesday Survey as the mesne tenant of West Barsham, under the Earl Warren, and it is remarkable that their names are associated in the Battle Abbey Roll (Leland's copy), thus:—

Warrene et Wauncy,
Chanunt et Chauncy.

The family is supposed to have derived its name from Wanchy or Vanci, a place near Neufchatel in Normandy.

The same Hugh occurs in 1085 as one of the witnesses to a charter of Earl Warren to the priory of Castle Acre, and again as witnessing a charter of the second Earl to the same foundation. He was moreover himself a material contributor to the establishment of that religious house, as is related in the following passages of two of the Earl's confirmation charters:—

Hugo quoque de Wanci dedit ecclesiam de Depeden et terram quæ ad eam pertinet, et decimam ejusdem manerii; Ecclesiam de Barsham, cum terra ad eam pertinente, et decimam manerii, et tres socmannos ejusdem manerii; unum molendinum ad Illandam. Omnes quoque homines sui francigenæ decimas suas dederunt, scilicet, Willelmus Talebot, Osbernus de Denevella, Radulfus de Wanci, Euremundus, Radulfus Crispus, Goscelenus, Waleranus, Lectmerus, Brungarus.

Et post obitum ipsius (Hugonis de Wanci) Radulfus filius ejus dedit molendinum de ponte de Barsham, et 3 cotarios, et 60 acras brueriarum, et tres socmannos ejusdem manerii qui manent apud Snaringas. Omnes quoque francigenæ sui decimas suas dederunt. Hæc omnia Radulfus et Rogerus filii ejus posuerunt super altare S. Mariæ. Teste Rogero dapifero, Petro Chanewicts, Ricardo de Sancto Claro, Radulfo filio

Hachene, Herelwino de Paneworde, Gaufrido de Favarces, Willelmo filio Lesteini.¹

There are other early memorials of this family in the Register of Castle Acre, and Mr. Gurney (at p. 368 of his *Record*) has ventured to construct a pedigree from them; it must be admitted, however, with such imperfect success as is usually attendant upon that obscure period of genealogy. He has placed the "Radulphus et Rogerus filii" of the above passage as sons of Ralph; and yet he finds that Hugh was the son and heir of Ralph, and confirmed the gifts of his father and his aunt Osmod, or Osmud, wife of Philip de Vealtre. Possibly the words "filii ejus" refer to the first-named Hugh, not Ralph; Ralph might be then the eldest son of Hugh, and the second Hugh son and heir of Ralph.²

There was also a Walter de Wancy, of whom the following record occurs, but who has no place in the pedigree:—

Walter de Wancy concedit monachis de Acra 4 acras de terra arabili in campis de West Barsham, in cultura una apud Lusethorn versus meridiem. Concedit etiam eis ut in perpetuum habeant ix^{xx} oves in eadem villa, et ut communicent in tota communi pastura ejusdem villæ et in tota pastura quam habuit in brueria versus Crece. Teste Radulfo de Wancy milite, &c.

The witness here mentioned was probably a second Sir Ralph, and father of William,—“Willelmus de Wancy filius et hæres Radulfi de Wancy militis,” which William gave to the monks of Castle Acre another charter and release of the advowson and lands at West Barsham.

In the Annals of Roger Hoveden a *dominus de Wanci*—his Christian name is not mentioned,—is stated to have died at the siege of Acon in 1191.

Mr. Gurney (in his pedigree) supposes that there were three successive Sir Williams, of whom the first was summoned to do military service in 21 Edw. I.; the second was knight of the

¹ Dugdale's *Monasticon*, new edit. vol. v. p. 50.

² John Lestrange and John de Dynham witnesses to Ralph's charter, No. 5, were living in 24 Hen. III. See Blomefield's *Norfolk*, 8vo. vol. vi. p. 4.

shire for Norfolk in 26 Edw. II.; and the third was knight of that shire in 15 Edw. III.; but none of their alliances are recorded. There is a remarkable deed of entail (unfortunately without date) entered in the Chartulary of Castle Acre; whereby the manors of West Barsham and Depeden were settled (by a Giles de Vauncy, no doubt placed in possession for the purpose,) first on Sir William de Vauncy, knight, and then in succession on his seven sons, William, Walter, Edward, Thomas, Nicholas, Robert, and Hugh; of whom, Walter and Robert were both clerks, and Hugh was Rector of Harpley in Norfolk.

The last Sir William de Waunci died before the 30th Edw. III. 1357, leaving issue Sir Edmund de Waunci, who at that date occurs as lord of Depeden and West Barsham. He served with distinction in the wars of that martial age. In 1356 he was in the retinue of the Prince of Wales in Gascoigne,¹ and at the battle of Poitiers had the good fortune to be the captor of Philip of France, afterwards Duke of Burgundy.² He died in 46 Edw. III.: leaving issue a son and heir Edmund, then seven years old, who died shortly after, and was the last in the male line.

Sir Edmund had two sisters, who became heirs to their nephew, —Johane, wife of Sir Nicholas Damory, and Katharine, wife of Edmund de Gurney; and, as the former had no issue, the lands of this ancient family came to the Gurneys.

In the armorial glass the arms of Waunci appear as Gules, a falcon displayed argent: and the old pedigree of Gurney which has been already mentioned (as existing in a copy made by Sir Henry Spelman,) contained the following passage:

Edmond Gurney married the daughter and heir of William Wancy, chevallor, who granted to them boath, and their heirs, a present yearlye, and all rents of cent marcs, to be levied out of his manors of West Barsham and Denvor, and his land and tenements in West Barsham and Pulam, with a clause of distresse in any part of eych, for default of payment, a^o Ed. [III.] 31. *The sayd deed of Wauncy sealed with a splayed faulcon.*

¹ Rymer, vol. v. p. 849.

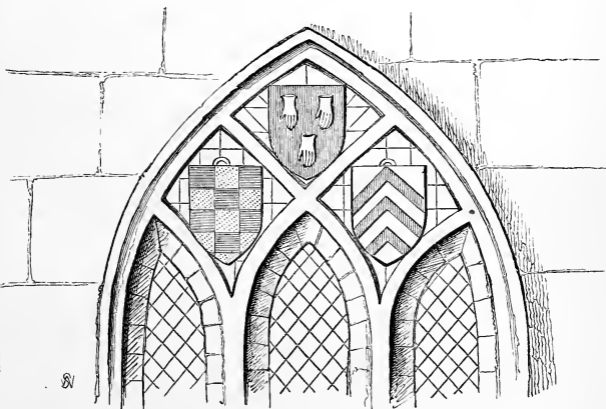
² See the Gentleman's Magazine, Dec. 1849, p. 580.

This is probably the authority upon which the impalement is founded. The same bearing, but with different colours, and described as an eagle instead of a falcon, occurs in the Roll of Arms temp. Edward III.¹



Monsire de Wancy port d'argent a une egle espanie d'asur, beke et peds gules.

But the usual coat of Waunci was an allusive one of three *gauns*, or gloves, as appears from abundant evidence: and this still remains, with the noble coats of Warren and Clare, in the chancel window of West Barsham church.² In 1 Edw. III. Sir



William de Waunci held the eighth part of a fee in North Barsham of the Honor of Clare, the heiress of that Honor being then Joanna wife of David de Strabolgi, Earl of Athol.³

¹ Edit. N. H. Nicolas, 1829, p. 12, but there misprinted *Wauty*, and in the Index *Wauty*.

² "The Gurney badge, the wrestling collar, was also in the window, but the pane of glass that contained it being loose it was given to the present family." *Record*, p. 489.

³ *Calend. Inq. p. Mortem*, 1 Edw. III. vol. ii. p. 5.

The same coat of Wauncy was in a window of Denton church in Norfolk,¹ but is now removed to North Runcton.

In the Roll of Arms temp. Edw. II. the blazon of the gloves is thus given, among the knights of the county of Suffolk:

Sir William de Wauncy de goules a vj. gauns de argent.

—six gloves instead of three; unless, which is not improbable, vj is an error for iij.²

There is, however, in the church of West Barsham a gravestone, in a somewhat mutilated condition,³ which bears traces of a shield of six gloves (as represented in the annexed engraving). It is conjectured to have been placed in commemoration of Sir William de Wauncy the third, who was knight of the shire for Suffolk 15 Edw. III. and died before 1357.

¹ *Record of the House of Gournay*, p. 358.

² Blomefield, *History of Norfolk*, iii. 751, says that William de Wauncy bore, Gules, six dexter hands erect argent, and again (753) that the arms of Wauncy were three dexter hands erect. But the charges are misnamed: and they were not represented erect. In armory, hands are usually erect: these gloves are placed in the contrary position.

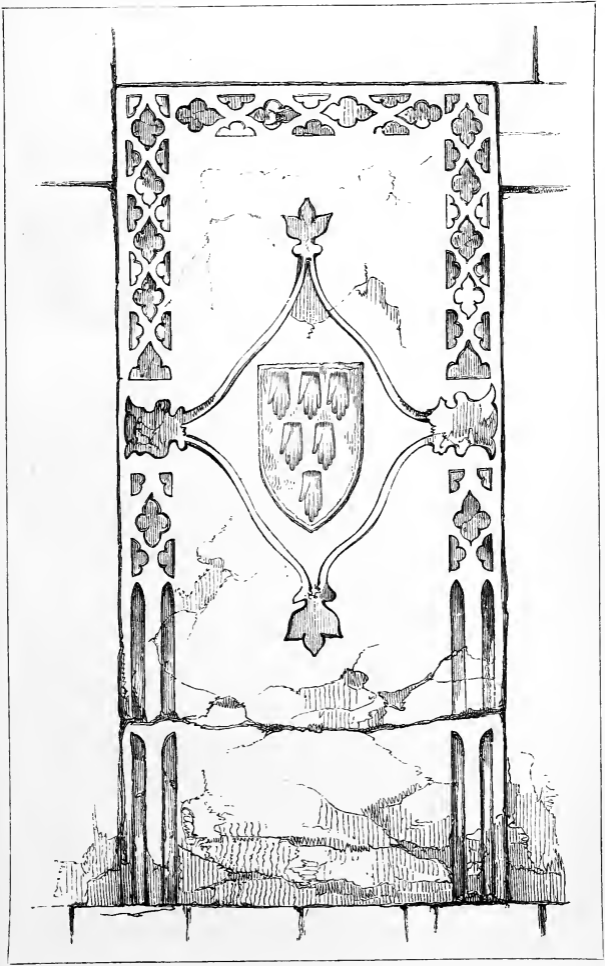
The family of Talbot, of Fincham, in Norfolk, assumed the coat of six gaunts, 3, 2, and 1, as feudatories of Waunci, as early as the reign of Edw. I. The seal of Sir Adam Talbot, appended to an indenture of exchange of lands in Fincham with Sir John Curpel, 25 Edw. I. bears a shield of this coat, but no legend. Dashwood's *Sigilla Antiqua*, First Series, Plate v. fig. 2. A seal of Thomas Talbot attached to a deed 18 Hen. VI. to Sir Nicholas Thryston, Vicar of St. Martin's in Fincham, bears the same coat. Legend **TMIBOT**. Second Series of the same, Plate vi. fig. 4.

Blomefield, under Fincham, mentions the same seal (as used 17 Hen. VI.) but again incorrectly describes the gloves as "dexter hands couped at the wrist." In the church of Fincham St. Michael these arms appeared, the field Argent, the tincture of the "hands" not mentioned. Blomefield also mentions the same arms as occurring in Thursford church (v. 824), calling them the arms of Wauncy.

The name of William Talebot has already occurred in p. 326 among the free tenants of Hugh de Wanci, who gave their tithes to Castle Acre, in 1085, or shortly after.

"Johannes Talbot tenet in Fyncham unum feodum militis de Willelmo de Wauncy, et idem de Comite Warrenne et Comite Radulfo, quod Adam Talboth quondam tenuit, xl s." Inquis. 20 Edw. III.

³ In the *Record of the House of Gournay*, p. 409, it was incorrectly represented that this shield bore remains of the cross of Gurney impaling the cross of Heydon, it being supposed that this was the gravestone of William Gurney V. who married Anne Heydon. The shield and other decorations are incised in the stone, and there is no appearance of its having been inlaid with brass; but the floriated border which surrounds the shield may be compared with that which inclosed the effigy of Nichol de Gore 1320, at Woodchurch in Kent. Boutell's *Monumental Brasses of England*.

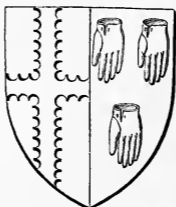


In the armorial roll of the reign of Edward II. we find also a branch of this family in Northamptonshire, bearing three gloves, but differencing by a sable field :—

Sire Robert de Wauncy de sable a iij. gauns de argent.



WAUNCY
OF NORFOLK.

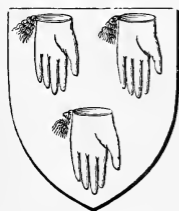


GURNEY AND WAUNCY.



WAUNCY
OF NORTHAMPTONSHIRE.

These flourished for several generations at Astwell in that county. Robert de Wanci, the first of them on record, occurs with Walter de Ely as conducting the daughter of the Comte of Bretagne and the daughter of the Emperor of Cyprus, from Rouen to Chinon, temp. Richard I.¹ In 1198 he witnessed two charters of King Richard, dated at Chateau Gaillard, to the



abbey of Stratford Langthorne in Essex; and he subsequently witnessed the charter of King John for the exchange of the Andelys. Various notices occur of later members of the family,² which is represented in the female line by Sir Arthur Brooke, Bart., of Oakley, in the same county, who quarters for Wauncy the old Norfolk or Suffolk coat (rather than the Northamptonshire blazon,)—Gules, three falconer's gloves argent, tasseled or.

This family spread also, in early times, into other counties. Nicholas de Wauncy was sheriff of Surrey and Sussex 34 Hen.

¹ Stapleton's Rolls of the Norman Exchequer, p. cxlvii.

² See several quotations in the *Record of the House of Gournay*, p. 367, and the *Collectanea Topographica et Genealogica*, iv. 223.

III. Geoffrey de Wauncy held lands in Oxfordshire and Wiltshire and other places in the reign of Edward I. His name occurs as Gefrai de Waunci¹ in St. George's Roll of Arms, with the old coat of Gules, three gaunts argent; and the same is given for "Ion de Waunci," in the very ancient roll in the possession of the Society of Antiquaries, No. 17.

Clyve Wauncy (now Clevancy) in the parish of Hilmerton, hundred of Kingsbridge, North Wilts, was so called from William and Godfrey de Wancy, knights, owners temp. Hen. III. and Edw. I. under the fee of the Earl Marshal.²

There is still a family of Wansey, which has been settled at Warminster in Wiltshire from the reign of Henry VIII. Henry Wansey, esq. F.S.A., was a well-known antiquary of the last generation, author of a work on Stonehenge, and a coadjutor of Sir Richard Colt Hoare, who placed his name on that portion of the *History of Modern Wiltshire* which contains the hundred of Warminster, folio, 1831. His nephew, William Wansey, esq. (late of Arborfield, near Reading, and now of Bognor,) is also a Fellow of the Society of Antiquaries (elected in 1833), and has twice served the office of Prime Warden in the Company of Fishmongers of London.

In the British Museum³ there is a highly valuable Norfolk feodary (hitherto unpublished) of the time of Edward I. The following extract (fol. 35), relative to William de Wauncy, the lord of West Barsham, will show the curious nature of this record:—

Willelmus de Wauncy capitalis dominus de Westbarsham tenet in eadem villa j capitale mesuagium, quindicies viginti acras terræ, et vij. acras prati, unum liberum aprum et liberum taurem (*sic*), liberam warrennam per cartam Henrici regis, patris regis Edwardi qui nunc est. Et habet visum franci plegii per visum baillivorum hundredi, sed nescitur quo warranto. Et habet libertatem faldi et j. molendinum ventricium. Item habet weyf de averis extractis, sed nescitur quo warranto. Et omnia predicta tenet in capite de comite Warrennæ per

¹ But misprinted Waunei in *Archæologia*, vol. xxxix. p. 436.

² Aubrey's *Wiltshire Collections*, edited by Jackson, 4to. 1862, p. 169.

³ Additional MS. 21,415. A book consisting of forty closely-written pages, written upon vellum, of a large octavo size. Purchased of J. Newman 10 May, 1856.

servicium unius militis. Et facit sectam apud Castelacre de curia in curiam pro se et tenentibus suis qui de eo tenent. Et dictus comes de domino rege. Item habet nundinas in autumpno die decollationis sancti Johannis.

Idem Willelmus tenet per predictum servitium vicesies et duo .xx. acras terræ arabilis, quas quinginta villani de se tenent cum quinquaginta mesuagiis, et valet servicium eorum per annum x. li. v. s. et o. et ad scutagium viginti solidorum xvij. s. et ad plus plus, etc.

Item Willelmus habet xiiij cotarios, qui tenent xiiij cotagia.

[Then follow numerous passages relative to his sub-tenants.]

PARISH REGISTER OF BRAILSFORD, CO. DERBY.

The parish register of Brailsford, co. Derby, commences with the year 1647, and during the period of the Commonwealth is kept with unusual care and accuracy, the entries being made with an exactness which finds no parallel in any later years. Those who are accustomed to search this class of records are aware how frequently the appointment of a lay registrar resulted in a display of negligence, ignorance, and party spite; for, however well-intentioned the order of Parliament might have been, it was manifestly impossible to find in most country parishes a layman whose education qualified him to act as the clergyman's substitute in this respect.

At Brailsford internal evidence shews that the register was kept by one whose sympathies were with the King, and it may almost be presumed that he was rector of the parish, and had not been affected in his position by the changes around him. A few extracts from the Register will suffice to exhibit the condition in which the records were preserved by him.

Anno Dñi 1647.

B aptisati.

C oniugati.

S epulti.

B. Crompton, Rebekah, filia Johañis & Mariæ	nata	} 16 {	Janu.
	bapt.		

1648.

Memorandū. C. R. began his R. 1625, March 27; set up

standard at Nottingham 22 Aug. 1642. Beheaded at Whitehall 1648, Jan. 30.

M. L^d Capell Baron of Hadham beheaded at Westminster March 9.

M. A deare yeare. Oatmeale in the north at 3^d per pound; wheate, Winchester measure, at 18 a hoope, viz. 2*l.* 16*s.* 0*d.* a load.

1649.

B. Crompton, Abrahamus, filius Johis & Mariæ $\left. \begin{array}{l} \text{natus} \left\{ \begin{array}{l} 3 \\ 8 \end{array} \right\} \\ \text{bapt.} \left\{ \begin{array}{l} 3 \\ 8 \end{array} \right\} \end{array} \right\} \text{April.}$

C. Taylor, Samuel, filius magistri T. de Checkley rec-
toris, Suñers, Jana, filia Gilbti S. Darbiensis } 4 August.

1650.

B. Crompton, Samuel, filius Johis & Mariæ, 16 Feb. bap., natus 11 circiter horam septimam antemeridianam.

Memorandū. Gen. Cromwell went into Scotland this yeare 1650.

Memorandū. Car. 2^d coronatus Scotia Sconia juxta Johnston. Sermon preached by Mr. Robt. Douglas, minister at Edinburgh, moderator of y^e Coñmission of y^e generall assembly, 2 Kings, ii. 12, 17.

1651.

B. Peach, Abrahams, filiꝛ Wiłmi & Eliz: 21 Dec.

Memorand' 1651.

Mr. Love }
Mr. Gibbons } beheaded 22 August.

The battell of Worcester 3^d Sept.

James Stanley, E. of Darby, beheaded at Boulton in Lancashyr & Captain John Benbow at Shrewsbury 15 Octob.

S^r Timothy Fetherston beheaded at Chester 22 Octob.

1652.

B. Alt, Margarita, filia Wiłmi & Mariæ. Memorandū p maꝯ: Greavs non secundū statuta ecclesiastica 5 Maii.

1653.

- B. Crompton, Maria, filia Johānis & Mariæ, nata ultimo Aprilis circiter horam 4tam pomeridianam, et baptizata 8 Maii.
 S. Greavs, Jana, uxor Wiłmi, mortua 3 Julii, quæ Jana filia Wiłmi Knifeton, soror Gilberti Knieton militis, sepulta 5^o Julii.

1654.

- S. Greaves, Wilme, filie Wiłmi & Janæ, mortuus 8 sepultus 12 Junii.
 C.

{	Sleigh, Nicolaus	{	corā Som : Sleigh militi	}	Aug. 12.
	Miles, Jana		p Joh: Crompton		

 B. Crompton, Elizabetha, filia

{	Johānis	}
	Mariæ	

 quæ quidem Eliz. nata 8^o circiter horam decimam pomeridianam, baptizata autem p magistr. Cotes de West Bridgford 14 Januarii.

1655.

- B. Robinson, Anna, filia magistri Henerici, p mag: Robinson in domo 15 Maii.

1656.

- S. Millington, Johānes, mortuus 27, sep. 28 Maii. Concio funeb. p mag. Crompton.
 S. Crompton, Maria Johānis, mortua 11 circa horā ultimā antemeridianā, sepulta 13 Aug. Concio funeb. p mag. Poole de Mugginton, Job. 5, 26.
 S. Robinson, Henricus,¹ minister ejectus è Long Whatton Lecestr. mortuus 2 Oct. Sepult. Long Whatton.
 B. Scurr, Ellen, filia Johānis de Brackendale Cumberlandiæ, bap. 12 Oct.

1657.

- S. Pegg, Wilme, texte date Deut. 32, 29, mag. Cromptō quē desid. tractavi Ffeb. 2.

1658.

- S. Kinge, Mathew, ibat lectum valens, mort: 28 April eodemq; die sepultus.

¹ Son of William Robinson, D.D. also Rector of Long Whatton, who was the uterine brother of Archbishop Laud. See Nichols's Leicestershire, iii. 1106, 1107.

ORIGIN OF THE FAMILY OF DE BURGH.

The prevalent accounts of the origin of this family are unfounded, in so far as they assert Serlo de Burgh to have derived his name from a place called Tonsburgh in Normandy, and to have built Knaresborough Castle. He might, as is stated, have come in with the Conqueror, but he is not mentioned in Domesday. There is a "Serlo" mentioned as under-tenant of lands in Wilts, Dorset, Somerset, Essex, and Leicestershire, but not in Yorkshire. Serlo de *Burci* is mentioned as under-tenant in Somerset, and as tenant-in-chief in that county and Dorset; but there is no reason to suppose this person to be the same as Serlo de Burg. Knaresborough (*Chenaresburg*) is mentioned in Domesday as *terra Regis*. Serlo de Burg first occurs in the Pipe Roll for 1131, along with his son Osbert, in connection with Yorkshire; and he also renders an account for the *farm* of the revenues of Notts and Derby. Eustace fitz John, his presumed nephew, in the same roll renders an account of the farm (of the King's revenues) of Burg (Boroughbridge) and Chenardesburg; and William de Vesci married Burga sister of Robert de Stuteville (then) lord of Knaresborough. Henry I. granted to Eustace fitz John *int. alia* eleven carucates of land and the service of Serlo de Burgh.^a

Serlo de Burg evidently took his name from Boroughbridge (Burg). The above notices strongly countenance the alleged common origin of the families of De Burgh and Vesci, which is further confirmed by the fact of both families bearing a cross for arms.

The relationship of the family of Hubert de Burgh with William fitz Adelm is not supported by any documentary proof;^b nor indeed is the descent of the latter from Serlo de Burg. But the contemporary existence at that period of two great families of the same surname would alone render such a relationship probable, although in the case before us there is a difficulty which is opposed to that view. This, however, is lessened if not overcome by the deduction from the subjoined genealogical table, that a cross was borne by Hubert or his ancestors.

Hubert de Burgh is said to have been born in Norfolk. In this county the parish of Burgh St. Margaret's in the hundred of East and

^a *Dug. Bar.* i. 91.

^b Dugdale calls him nephew of Wm. fitz Adelm, "if our best genealogists are not mistaken."

William fitzAdelm,¹ 1177, Governor of Ireland, ob. 1204-5.

Richard de Burgo, Lord-Lieutenant of Ireland, ob. 1243.

Walker de Burg, ob. 1271, bore, Escartille d'argent et gules, un *crois* passant Quarterly, Or gules;² *a quo* Earls of Ulster, and azure;³ a who bore, Or, a *cross* gules. In the seal of Lady Elizabeth Clare, figured in the *Topographer* and *Genealogist* (l. 222), whose husband's wife Elizabeth was daughter of Elizabeth de Burgo, the *cross* occurs.

¹ Mr. Planché (Journ. of Archaeol. Assoc. vol. ix.) mentions a charter of Willielmus fil. Aldelini Regis Radulphus and Radulphus fil. Aldelini.

² Roll of Arms, 13th cent. Harl. MSS. 6589, and *Archæologia*, vol. xxxix.

³ Charles's Roll, temp. Hen. III.

⁴ In the *Liber Niger* (1166) Hubert de Burgh is said to hold Rameli of Roger de Curcell.

⁵ This Margery, Dugdale says erroneously, was a nun. But the match and descent of the property are proved by Inquisitions. Tunstall Manor, in Kent, was alienated to Hubert de Burgh. After his death, Margery, his widow, possessed it in dower and died seized 44 Hen. III., when John de Burgh, her son, had livery of it. His son John died seized of it 1279, when it passed to Margery, his daughter, 7 Edw. III., Stephen de Cobham, her grandson, was owner. (Hasted's Kent, fol. ed. ii. 572.)

⁶ A branch of the Vescys was settled at Brampton, in Yorkshire. Hugh Vessy, of Brampton, and Matilda his wife, are mentioned in a deed 1253. Their arms a plain *cross* are carved in the church. (Hunter's South Yorks. ii. 179.) A plain *cross* occurs on the seal of John de Vesci, circ. 1260, as also on that of the same or another John de Vesci, with a label of five points, circ. 1292. (Laing's Scottish Seals, 1st series, p. 139.) In Charles's Roll, temp. Hen. III., the arms of John de Vesci are blazoned as Or, a *cross* sable; those of William de Vesci are the same with the addition of a label gules.

Hubert de Burgh,⁴ Earl of Kent, ob. 1243.

John de Burgh, 1263.

John de Burgh, ob. 1279.

Margery,⁵ dau. and coheir, ux. Sir Stephen de Penchester; bore, Gules, a *cross* argent.³

Joan, dau. and coheir, ux. Sir Henry de Cobham "le uncle;" bore, Gules, a *cross* argent between twelve fleurs-de-lis or;³ but temp. Edw. II. Gules, a *cross* argent only. (Roll of arms.)

Sir Stephen de Cobham, bore, Gules, a *cross* argent and a label azure. (Roll of arms, temp. Edw. II.)

Serlo de Berg, 1131.

Osbert, 1131.

Eustace, fil. Joh. witness with his brothers, to foundation deed of Cirencester Priory, 1133. (Dugd. Mon.); ob. 3 Hen. II. very old; mar. 1st Beatrice, d. and heir of Ivo de Vesci.

William de Vesci, ob. 1184. Geoffrey.

Eustace de Vesci, ob. 1216.

William de Vesci, ob. 1253. A William de Vesci, circ. 1220, bore on his seal a *cross* patonce. (Seton's Scottish Heraldry.)⁶

Aldelini Regis Dapiferis, witnessed by his son

West Flegg, *appears to have given name to a family.* Sir Reyner de Burgo was owner of the manor early in Hen. III.; and if not earlier, yet subsequently, several members of his family are recorded as having interest in land.^c No arms of this family are known. Sir Reyner married Joan coheir of Pouchard. Sir Robert Nereford married Alice the other coheiress. This Sir Robert was Constable of Dover Castle *under Hubert de Burgh*, and built a chapel with the consent of Alice his wife, which was dedicated 1221 by Jeffry de Burgh Bishop of Ely, nephew of Alice and brother of Hubert, the deed of foundation being witnessed by John de Burgh, *Raymund de Burgh*, &c.^d Raymund was probably the nephew of Hubert of that name.^e The preceding circumstances strongly support the connection of Hubert with the Norfolk family of the name. The lordship of Burg was *farmed* by several persons of the Crown, and in 1201 King John granted the lordship or the farm of it to Hubert de Burgh. Did this place give name then to Hubert's family, or were they derived from that of Serlo de Burg?

To assist in determining this question, we must consider the arms borne by Hubert and his family. Mr. Planché, in his Paper on the Earls of Kent, gives an engraving of a seal which he used containing three lions passant. But this seal seems to have been an official one; the charges being the royal arms. Another of his seals bears *seven lozenges vaire*,^f which was also used by his grandson John de Burgh, who confirmed a grant made by his father John de Burgh, 1272, to Edward I. and sealed with *seven lozenges vaire and a label of three points*.^g This would seem to have been the family bearings; but before the practice of quartering was introduced, different seals were used by the same person in respect of alliances and properties accruing with them. The use, therefore, of these seven lozenges does not signify that they were the only or ancient arms of the family; and the cross borne by Sir Stephen de Penchester evidently in right of *his* wife, as it was certainly by Sir Henry de Cobham in right of his wife, their daughter, may with propriety, considering all the circumstances of the case, be regarded as the ancient coat of her family.

^c *Coll. Top. and Gen.* vii. 197.

^d Blomefield and Parkin's *Hist. of Norf.* vii. 75.

^e *Journ. of Arch. Ass.* ix. Art. on Earls of Kent by Mr. Planché.

^f Hubert de Burgh, Earl of Kent, granted lands to Anselm de Guise in Bucks and Glouc. who bore the same coat with a canton or. (Guillim, *Introd.* p. 7).

^g *Hist. of Norf.* vi. 256. In the Roll of Arms of the thirteenth century edited by Mr. Walford in the *Archæologia*, vol. xxxix. John de Burgh is said to bear *masculée de veire et de gulez*. There is no De Burgh in the Roll of 1240-5.

A family of De Burgh is met with at an early period in Yorkshire, who might be descended from Serlo de Burg. Thomas de Burgh occurs in 1166 as one of the tenants of the Earls of Richmond in Richmondshire.^h One of this family is mentioned in the Roll of Arms, 1337—50 as Monsire de Burgh who bore *D'argent a une fes de sable, trois rondeux d'or en le fes*. And a Thomas de Burgh with the consent of Sara de Nevill his mother, then a widow, grants the manor of Skyerwith in the seventh year of John.ⁱ

A Philip de Burgh is mentioned in the *Liber Niger* 1166 as holding one knight's fee in Suffolk of the honour of Clare. This might be the Philip de Burgo (filius Episcopi) who married Alice daughter of Ralph de Pickford, whose son Bertram (dead in 1219) had a son and a grandson of the same name (Bertram). Mr. Eyton gives a pedigree and some notices of this family in his *Antiquities of Shropshire* (vi. 270); but is silent as to the arms the family bore.

It would appear from the frequent occurrence in their pedigree of the name of Bertram, that a branch of this family settled at and gave name to Burgh Hall, co. Stafford. Their descent as given in Dr. Howard's *Miscellanea Genealogica* (p. 89) begins with Hamo de Burgh, "dominus de Burgh Hall," who had a grandson Bertram de Burgh living 55 Hen. III. whose son Sir Bertram had a son and grandson of the same name. The family ended in an heiress married temp. Edw. III. to Sir John de Knightley, whose descendants quarter in respect of this match, *Or, three stag's heads caboshed sable attired gules*.

W. S. E.

THE EFFIGY IN TRINITY CHURCH, CHESTER,
 ATTRIBUTED TO JOHN WHITMORE, MAYOR IN A.D. 1369-1372.

To the Editor of THE HERALD AND GENEALOGIST.

Dear Sir,—The accompanying engraving represents a monumental statue in Trinity Church, Chester, which has long been supposed to represent John de Whitmore, Mayor of that city from A.D. 1369 to 1372. As I have recently explained the reasons¹ which lead me to consider this John de Whitmore to be the son of William, Lord of

^h Gale, *Reg. Hon. de Richmond*.

ⁱ Hunter's *South Yorkshire*, i. 229.

¹ See pp. 26, 30, of the present volume.

Whitmore in Staffordshire, and Agnes de Hasalwall his wife, I wish to present the evidence in favour of the right identification of this effigy.

In Daniel King's *Vale Royal of England* (edition of 1656), I find in Part II. p. 48, the following passage in his description of Trinity Church. "Neer thereunto is a very ancient Tombe of white Stone, with a Statue lying upon it in Arms; his Shield expresly shewing it to be an *Ancestor* of the *Whitmores*; whereof remain yet Families of good Worship in this County of Chester: but who this was, appeareth not: and if there were any Inscription, the same is utterly extinguished."

But in the same part, p. 176, King records among the Mayors, 1369, Jo. Whitmore junior, 1370-72, Jo. Whitmore, and underneath adds—

"*Hic Jacet Johannes de Whitmore, obiit 3 Kal. Octob. 1374.*

"See this monument in *Trinity Church in Chester.*"

Again, in the list he records as mayor John Whitmore, A.D. 1411-1414, William Whitmore, A.D. 1450, and John Whitmore in 1473. These dates do not agree with those given in Part I., but the fact that three of the name were mayors justifies the following citation from Part II. p. 124:

And we come thence to *Thurstanton*, the ancient seat of the *Whitmores* of *Thurstanton*, the owner now Whitmore, esquire; which race, whether they had their beginning from the city of *Chester*, in which have been many maiors of that name; or, that from them came the name into *Chester*, their own evidence, wherewithall I am not acquainted, can better declare it than I can.

It might be perhaps inferred that the inscription had been discovered at the date when King compiled his list of Mayors. I will, however, cite one more authority. Hemingway (*History of Chester*, ii. 96), writes—

Near the east door, adjoining the monument of the Allens, was formerly an ancient tomb of the Whitmores, with an effigy in mail, of white marble, with the family arms on the shield; it is mentioned in *King's Vale Royal*, p. 84, but even at that time (1620) the monumental inscription was utterly extinguished. The original inscription was as follows: "*Hic Jacet Johannes de Whitmore, obiit 3 Kal. Oct. M.ccc.lxxiv.*" He was mayor of *Chester* in 1372. The figure was removed in consequence of some alterations, and deposited in a vault under the seat now occupied by Dr. Thackeray.

Some ten years ago the statue was thus described in a letter to me by a gentleman who had visited *Chester*: "It is now near the southwest entrance, by the side of the baptismal font. It is mail clad, and on the shield are the arms of Whitmore. The monument was dis-



EFFIGY IN TRINITY CHURCH, CHESTER.

covered in 1853 under a pew at the south-west end; a portion of the face, hands, and knees having been barbarously cut away to suit the flooring of the pew. In its perfect state the monument must have been one of the purest symmetry and beauty, and was evidently the work of an eminent sculptor. Around the edge of the slab the legend runs thus: *Hic jacet Johannes de Whitmore qui obiit 3 Kal. Octob. A.D. 1374.*

“A tablet was found at the same time and place, which is now affixed to the wall over where the effigy was found. This tablet is modern in comparison with the monument, and contains the following inscription.”



Lastly, in the engraving of this effigy published by Thomas Hughes, esq., of Chester, the inscription is represented as still remaining, though in an imperfect state. At present it is understood that, owing to repairs in progress in the church, it is impossible to obtain access to the monument; but we seem warranted in saying that the evidence is, that an inscription presumed to be contemporaneous with the statue still remains, and declares it to be the monument of John de Whitmore.

I do not intend to write more about the Whitmores of Thur-

stanton, a family possibly extinct in the male line in all its junior branches, but will copy the following passage from Mortimer's *History of the Hundred of Wirrall*, co. Chester, p. 265:—

The Whitmores, so long the lords of Thurstanton, have already been noticed. An ancient pedigree traces the maternal descent of Randal the third of that name, Earl of Chester, to the Whitmores, and certainly a figure cased in armour, which occupies a niche in the staircase leading from the hall to the chapel, has for centuries been pointed out as the effigy of the Earl Hugh his father It may here suffice to state that the Whitmores were unquestionably in possession of Thurstanton at the latter part of the reign of Edward I. In a document of that date reference is made to the father and grandfather of the then proprietor, since which, during the long period of upwards of five hundred years, their descent is regularly ascertained by existing registers.

Can any of your readers furnish an account of this pedigree of the Earls of Chester, or of the document dated in Edward's time? Can any one show an example of the arms borne by the Haselwall or Haswell family, supposed to be the coat containing a chief borne quarterly or alternately by the Whitmores of Cheshire?

W. H. WHITMORE.

Boston, U.S.A., January 1867.

BASILDON CHURCH AND ITS ARMORIALS.

To the Editor of THE HERALD AND GENEALOGIST.

SIR,—From the elaborate series of Church Notes by the Rev. Alfred Inigo Suckling, LL.B., entitled “Antique and Armorial Collections,” now in the MS. department of the British Museum, vol. xv. Addit. 18,490, we find he visited several churches in Berkshire in the year 1839, and among the number that of Basildon. “Basildon Church,” Mr. Suckling remarks, “stands in a fertile flat, close upon the bank of the Thames, sheltered, low, and warm. Its interior arrests immediate attention by the justness of its proportions and the elegance of its traceried windows.” Then follows a disquisition upon its general features as a building, agreeing for the most part with Mr. J. H. Parker's remarks in the *Ecclesiastical and Architectural Topography of England*, Berkshire, No. 182.

After mentioning the benefactions to this parish by Dame Kathe-

rine Lidcott and William Allen, Mr. Suckling gives coloured drawings purporting to represent the arms on several hatchments then adorning the interior of the church. Of these, representations are annexed hereafter.

They are succeeded by a drawing of the brass commemorative of John Clerk and Lucy his wife, dated 1497, which brass is mentioned by Elias Ashmole in his *Antiquities of Berkshire*, and by the Rev. Herbert Haines in his *Manual of Monumental Brasses*. John Clarke, or Clerk, married Lucy, daughter of Sir Walter Moyle, and their descendants still exist in repute at Ardington, a few miles from Basildon.

Mr. Suckling then proceeds to note the more "modern memorials which occur in various parts of the building," none of which, however, have any co-incidence with the arms on the hatchments already referred to; but, he says, "the arms represented in the drawing occur on achievements placed against the walls of the nave and chancel. On one omitted in the illustration, Benyon de Beauvoir, is quartered by the following coat: Argent, a chevron gules between two cinquefoils of the second in chief and an eagle displayed sable in base. There is also this bearing: Argent, a falcon open proper; impaling Or, on a chevron gules between three crescents azure as many étoiles argent."

The last-named should be described thus: Argent, an eagle rising proper, between three heraldic fountains, on a canton gules a caduceus or, wings thereof of the first; and the impaled coat should have *two crescents in chief*, and an *escallop in base*, azure. This hatchment is for Sir Francis Sykes, second Baronet, and Mary Anne (Henniker) his wife, whose monumental inscriptions are on the exterior of the church.

The achievement for Benyon de Beauvoir should be marshalled in this way: Baron—quarterly, 1st and 4th, Argent, a chevron gules between two cinquefoils in chief sable and in base an eagle displayed of the last, for de Beauvoir; 2nd and 3rd, Vairé or and sable, on a chief wavy gold an Eastern crown between two mullets gules, for Benyon; Femme—the arms of Sykes, as just given. This corresponds with the following inscription in the interior:—

In a vault of this church are deposited the remains of ELIZABETH, wife of RICHARD BENYON DE BEAUVOIR, of Englefield House, in this county. She was the only daughter of Sir Francis Sykes, Bart., and the Hon. Lady Sykes, of Basildon House, in this parish; was born August the 24th, 1775; and died October the 29th, 1822, ætat. 48.

Mr. Benyon assumed the name of de Beauvoir only in the year of

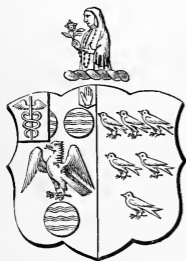
this lady's death, and was afterwards undecided as to which of the two names he should give the preference, sometimes signing, by way of compromise, "R. Benyon de B."

Two other epitaphs on the north side of the church agree with a hatchment which Mr. Suckling has not included in his notes :

Near this spot are deposited the remains of Sir FRANCIS SYKES, Baronet. He was born 22nd May, 1730, and died 11th January, 1804. He possessed many of the virtues of public—all of social and domestic—life, which he practised without pretension, under the influence of the warmest affection.

Sacred to the memory of the Hon. ELIZABETH LADY SMITH, eldest daughter of the Right Hon. William Monckton Arundell, second Viscount Galway, by his wife Elizabeth, daughter of Joseph da Costa Villa Real, Esq. Born 20th July, 1754 ; married first in 1774 Sir Francis Sykes, of Basildon Park, in this county; and secondly in 1805 Sir Drummond Smith, of Tring Park, in the county of Herts; and died the 2nd of July, 1835.

The attributes ascribed to Sir Francis Sykes in such glowing terms were not altogether imaginary or unmerited, and many a pleasant story is yet related of him, both at Thornhill and Basildon. His first wife Catherine (Ridley) died at Calcutta 30th Dec. 1768, when he immediately relinquished high office and emolument, and returned to England. The parish register of Thornhill, near Leeds, informs us that Francis, son of Francis Sykes, was *baptized* 22nd May, 1730 ; and, again, that another son, Francis, was baptized 26th Feb. 1732 ; the inference being, that the former died an infant, though the burial entries afford no evidence of the fact.

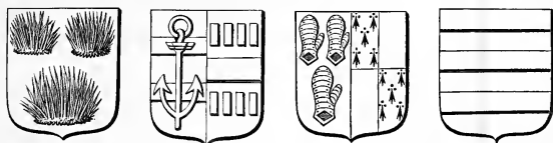


The arms on the hatchment are these : Baron—Sykes, as before described, being a modified adaptation of the ancient arms of Sykes of Leeds ; Femme—Sable, six swallows, three, two, and one, for Arundell. Crest. A demi lady of Bengal, in the complete dress of that kingdom, holding in the dexter hand a rose gules.¹

Reverting to the illustrations of the four achievements given by Mr. Suckling, they may be described as follows :—

1. Gules, three tufts of reed, otherwise

¹ The grant of this coat and crest was made by Leake Garter and Browne Norroy, March 1, 1763, to "Francis Sykes, of Ackworth Park, co. York, esquire, late Chief or Governor of Cossimbuzar factory, belonging to the East India Company, in the kingdom of Bengal: son of Francis Sykes, of Thornhill, near Wakefield, esquire,



sedges, or. These certainly represent the arms borne by several families of the name of Sykes, but not by the one located at Basildon, nor had these insignia ever any place in the church. Hence we may infer that Mr. Suckling trusted to memory, aided (probably) by some dictionary of arms, which did not contain the correct bearing; and so gave the ensigns of Sykes of the *Berks*, Lancashire, instead of those of *Berkshire*.²

2. Baron—Argent, two bars azure, over all an anchor or, for Allen of Streatley, Berks; Femme—Gules, a fess between eight billets or, for May of Breamore, Hants, and elsewhere. (This hatchment, now destroyed, seems commemorative of William Allen, Esq. a justice of the peace for Berkshire, who died Nov. 1745, rather than of William Allen, benefactor to Basildon, an eminent Turkey merchant in London, who died 25 Feb. 1719.)

3. Baron—Azure, three gauntlets or, for Fane; Femme—Quarterly ermine and gules, for Stanhope. (Charles, first Viscount Fane—not *Vane*—married Mary, sister of James, first Earl Stanhope, and died 7th July, 1744.) The gauntlets should be *dexter*, backs affrontée, and not *sinister*, as given by Mr. Suckling. See Titles of Cleveland, Westmoreland, &c.

4. In the original, impaled with Fane; Barry of six or and sable, for Marriott. (Charles, second and last Viscount Fane, married Susannah, widow of Sir William Juxon, Bart., and daughter of John Marriott, Esq. He died 24th Jan. 1766.)

The last Viscount Fane left two sisters his co-heirs: Mary, wife of Jerome, Count de Salis, and Judith (sometimes called *Dorothy*), wife of John Earl of Sandwich; and of these ladies, upon his final return to England, Mr. (afterwards Sir) Francis Sykes purchased a considerable estate at Basildon, part of which remains in his family. Q. F. V. F.

and grandson of William Sykes, of Kirkheaton, esquire, descended from the family of Sykes, of Kirkheaton, Spofforth, and Leeds, whose original was of the county of Cumberland, as appears by an entry in the last Visitation of Yorkshire, who bore, Argent, a chevron sable between three fountains or sykes proper." (Register Coll. Arms, X. 464.) The crest is misdescribed in Fairbairn's *Crests*.

² The same error occurs in the Baronetages published in the early part of the present century.

THE BARONY OF HYLTON.

To the Editor of THE HERALD AND GENEALOGIST.

DEAR SIR,—There is a misapprehension in your note at p. 191. The account of the family of Hylton, in the *History of Darlington*, to which the reader's attention was drawn, refers to the Westmerland and South Durham families of the name, rather than the baronial stem.

Perhaps the following summary of the previous history of the application of the title Baron to the Hyltons may be worth a place in the *Herald*. The orthography *Hylton* is used in the general as being now the universal spelling of the name of the manor of Helton, Hilton, or Hylton. It is, however, right to observe that, though early examples of it occur, its more common use did not regularly set in until the last century.

The new peer is unquestionably the senior co-heir general of the blood of the Hyltons of Hylton, whose history loses itself in the mists of antiquity and mythic tradition, but whose estates in Durham, on the sure evidence of the Exchequer records, were created before the death of King Henry I. The junior co-heirship is vested in the baronetical family of Brisco, of Cumberland. In consequence of the abolition at an early period of the law of primogeniture as to females, any peerage belonging to the Hyltons would be in abeyance between the co-heirs. The new grant, being in tail male, does not affect to be a determination of that abeyance, if such existed, as to a barony descendible to females.

The Hyltons, from at least the fourteenth century to the extinction of the eldest male blood, in 1746, were popularly known as Barons Hylton or Barons of Hylton, and one of their widows who died in 1450 occurs as Baroness. The other Barons of the Bishoprick were not titled in a similar manner, nor were those of the realm, with the exception of the Barons of Greystock and the Barons of Stafford. The other peers were merely summoned as lords of this or that place. All persons holding lands in barony or in chief of the King or of Counts Palatine were Barons in the large use of the term, but only the greater lords of the realm (at least after the time of Henry III.) were admitted personally to Parliament, and probably similar restrictions might prevail as to the councils of the Bishop of Durham.

The Peerage Commissioners were unable to discover the origin of the distinction which thus occurred in the families of Stafford and Grey-

stock. They concluded that they had by custom been well known by the titles of Baron in respect of their land baronies, and were therefore summoned by them, without any necessary connection between them and their right to sit in Parliament. They noticed that the persons called Barons of Wahull, or Wodhull, in Berkshire (now Odell), and Barons of Skyrpenbeck, in Yorkshire, were not summoned to Parliament, and that the Hyltons were paralleled in the palatinate of Chester by the Barons of Kinderton. There are a few other Northern parallels. The Blenkinsopps, of Bellister, were sometimes called Barons; the Whitfields, Earls; the Conyerses, Earls of Sockburn; and the heiress of Fitz-Marmaduke, Countess of Ravenshelm.

The title *BARON OF HYLTON* is occasionally found even in legal documents and signatures. In the visitation pedigrees the qualified style "*called Baron of Hylton*" discreetly follows the word Knight or Squire proper to the bearer. We frequently find churchwardens of the seventeenth century, a little puzzled no doubt, substituting *Baronet* for Baron in their notices of the melancholy Baron Hylton's charity.

It is obvious that, as Hylton Castle is in the Palatinate, the popular term could, at the best, be only an allusion to a certain status in reference to the Bishop and his councils long ago defunct. But as it is unquestionable that, in late times, a claim to peerage has been urged, it will be well to examine the occurrences of the name in the records of Parliament.

Robert de Hilton, apparently in right of a tenancy descending to him from his grandmother, Joan, eldest co-heir of Wm. de Bretun of Essex, who held of the King in chief,¹ was summoned to Parliament in 1295, 1296, and 1297, and to military musters as a Baron, from 1297 to 1303. He was not summoned to the meetings of Parliament in 1299, 1300, and 1302. The marriage with Margaret Thweng, and her two daughters and co-heirs mentioned by Dugdale, in connection with this Robert, must be transferred, on some indisputable evidence, into which we need not enter here, to Robert Hilton, of Swine, in Yorkshire. The coheirship given by Townsend, *Collectanea Topogr.*

¹ In 54 Hen. III. 1269-70, an Essex jury during the proceedings consequent upon the Dictum de Kenilworth presented that Robert de Helton (grandfather of the Baron summoned), who was in the castle of Alnwick against the King, had land in the hundred of Karleford in Waldringfell; and in the summons roll for an army to meet at Worcester in 1277 there is this express entry, "Essex. Memorand. de heredibus Willelmi de Bretun *qui de Rege tenuit in capite*, ux. Roberti de Hilton, ux. Walteri de Anaver', ux. Willelmi de Huntinfeud."

et Genealogica, vii. 67, falls to the ground, so far as Hylton is concerned, but not as to Thweng.

There are no more summonses until those to Sir Alexander de Hilton, from 1332 to 1336. After that time none occur for his descendants. He did not die until 1361. His successor was born about 1340, and cannot have been by Maude the co-heir (not the eldest it is believed) of Emildon, who died his widow in 1369, for her heiress was a daughter by Acton, her first husband. It is amusing to see her descendants traced in some modern works on peerages¹ as heirs of Hylton. The error is venial, arising from imperfect information. Somebody found an heiress of Hilton's widow, and concluded that she represented Hilton himself.

Considering that the summons of Alexander de Hilton was only issued before 1340, it may be assumed that he had some heiress for a previous wife, or that he still held some land of Breton. I rather think that the last was the case, and that he sold his possessions about the time that the summonses cease. It seems certain that he was then parting with some which were not held in chief. His grandfather had in 1280 acknowledged that he and his heiress-wife held a messuage and four carucates of land in Lalleford and Criche of Adam de Lasey by the service of 20*l.*, and a year after Hilton gave Lacy 45*l.* for a remission of all arrears of services for lands in Essex. Now Alexander de Hilton presented to the living of Lawford in 1334, but seems to have alienated the manor in or before 1336, for Benet de Cokfield, knt. died seised of it in 15 Edw. III. (1341), and his son Thomas, who was entitled in remainder, had previously in 1336 itself granted an annuity out of the manor to his brother Walter.²

As before stated, no more summonses to Parliament occur, but it is curious to observe that in the Parliament of 1 Henry IV. 1399, *Le Baron de Hilton* sat, and in that of 11 Henry IV. *Le Baron de Kynderton*, though neither he nor his ancestors appear to have been summoned. The Hylton of 1399 was, we know, a person of great consequence, and he and Kynderton may have been present merely for the sake of the usurper obtaining their good advice.

¹ Banks's *Baronia Anglica Concentrata*, and Courthope's *Historic Peerage*.

² Newcourt's *Repertorium*, Inq. p. m. Benet de Cokfield, 15 Edw. III. Rot. Claus. 10 Edw. III. m. 33, dors. I am truly obliged to the present owner of Lawford Hall, Mr. Francis M. Nichols, for his calling my attention to these proofs of the descent of some at least of the Breton lands to Alexander de Hilton, and the loss of them in his time.

There are many cases of summonses to persons who sat in parliament, yet to whose heirs no similar writ followed. It does not seem that any strong case could have been made by the later Hyltons in support of a case for summons.

Among the incidents of the Episcopal barony, we may mention that cases occur where the eldest son of a Baron Hylton is so called in his father's lifetime. One of these is explained by the blindness of the father, and his consequent unfitness for the field; another by a settlement by which the estate became the son's. Like the Conyers family, the Hyltons attached supporters to their arms. Ralph Spearman, of Eachwick, remembered "remarking that on Mr. Jolliffe's carriage, the Hyltons' (his Lady's) escutcheon of pretence and the azure lions supporters on each side were all charged upon the Jolliffe's arms," an extraordinary arrangement.

A claim by the Jolliffes to revive the supposed peerage of the Hyltons was, it is said, at one period favourably entertained by the ministers of the day; but as it was considered invidious or injudicious to restore so ancient a barony, George the III. was preferably disposed to a new creation; which was by no means in accordance with the views of Major Jolliffe. When pressed by the Earl of Liverpool to accept a baronetcy, the suggestion appeared to Mr. Jolliffe to convey something so like an insult, that he is reported to have made the following sarcastic reply: "Your proposal, my lord, if acceded to, would only enable me to do by patent, what I already practise as a gentleman—namely, walk out of a room after the very numerous tribe who have recently been elected as fit subjects for such a dignity." The Major was succeeded by Hylton Jolliffe, the "hero of the chase." The great objectors to the proposed creation were the youngest co-heirs of the ancient barony, the Briscos. "If you think," writes Sir John Brisco to Allan the antiquary in 1783, "that the Family Roll will be of any service to me in prosecuting my claim, I would be very much obliged to you, if you will favour me with a copy of it. Nothing is yet done in this barony. Jolliffe was very importunate in Lord North's administration, as he has also been in that of Lord Shelburn's, that in case the title shall be allowed in the House of Lords, that a preference may be given to his Lady, but that hitherto he has not been able to establish a promise. I am told he now says that he will not stir further in the matter, unless he can obtain such a promise." Allan, like a prudent man, kept on terms with both litigants, and thus got all the information he could from them both. In the same year Mr. Robert

Lemon, clerk to Mr. Astle in the Record Office, was down on Jolliffe's behalf procuring copies of Inquisitions and Registers, and was in correspondence with the Dugdale of Darlington.

The present Jolliffe does not seem to be afflicted with the strained objections of his predecessor. He accepted a Baronetcy in 1821, and now the new creation follows. It is a pity that the castle to which the title is made to refer is severed from the blood of its ancient owners.

In a paper on Guyzance published in the 8vo. series of *Archæologia Eliana* I gave the evidences of the earlier Hyltons, and a pedigree embracing them. There is, however, a slip in it. From the Placita de quo Warranto stating that Robert de Hilton in 1293 produced a charter of 1256-7 granted *eidem Roberto* I naturally inferred that the Robert of 1256 lived at least to 1293, leaving it in doubt whether the summonses belonged to him or to his grandson or both. The difficulty arose from our being in ignorance of the period of the intervening baron, Alexander, of whose name and succession we were only informed through the dower of his wife and the description of his son. But, during Mr. Tate's investigations for his *History of Alnwick*, a charter has turned up at Durham, granted by "Alexander de Hiltonne, Dominus de Renyngton," touching the possessions of Alnwick Abbey in that manor which descended to the Hiltons from the Tisons. It is dated Epiphany 1290 (Jan. 6, 1290-1). The brief enjoyment of the estates by Alexander is defined closely enough, and the scribe of the Placita has jumped to a wrong identification. In 1289 Robert de Hiltone held the Tison estates of John de Vescy; in 1293 another Robert presented the charter of 1256-7. For some little time between 1289 and 1293 Alexander was the Baron.

Perhaps the readers of Surtees and the Herald may not object to have the pedigree reproduced as corrected, with sufficient of the evidences to prove it mentioned.

W. HYLTON DYER LONGSTAFFE.

Romanus, styled de Helton, or Knight of Helton, agreed with the convent of Durham in 1157 touching the chapel of Helton; held of the Bishop of Durham in 1166 three knight's fees of ancient feoffment, *i.e.* created before the death of Hen. I. 1135.

┆
Alexander de Helton (*next page*).

Alexander (I) de Helton, Lord of Helton, made another agreement with the priory in 1172, reciting that he and his father had chosen and presented a chaplain to the chapel. Was the fifth attesting witness of a charter of 1180, made "in the presence of Lord Hugh, Bishop of Durham, and of the Barons of the Bishoprick in full court at Durham." Accounted for 4*l.* scutage during the vacancy of the see in 1197. The early seal given by Surtees, and the entry in the *Liber Vitæ Dunelm*, attributed to this Alexander, must be transferred to Alexander (II).

Probably the Agnes de Hilton to whom German Tison was married (in his old age). In 1209 Tison had protection against any distresses for payment of a debt which Agnes de Hilton his wife had contracted before his marriage without his consent. In 1211 Tison and Agnes his wife paid 10 marks that Henry de Ferlington (custodian of the Hilton estates since 1208) might hold to his agreement with them concerning two parts of a moiety of the vill of Hetton (Helton?).

William de Helton, dead before 1208, when Henry de Ferlington and Agnes his wife (Charter Roll; *sister*, Fine Roll) had a confirmation of Bishop Philip's grant to them of the lands which were William de Helton's and of Alexander his heir. The grant successively extends to German, Alexander's brother, and to his sisters, in case of his own death in minority.

Dame Bone Tison, named as daughter of German in the *Alnwick Chronicle*, carried his estates to the Hiltons, probably married about 1198, as her son was of age about 1220.

Sir Alexander (II) de Helton, *knt.* a minor, 1208; founded St. Lawrence's chantry in Monk-Wearmouth Church for the lords of Hilton, by a charter recited by Prior Ralph of Durham (1214-33), to which is attached the grantor's seal of *Arms*:—a demi-lion passant. Made certain arrangements with the convent of Swine in case he should die in 1241-2-3. Took journey to Jerusalem with the Earl of Albemarle and other nobles in 1241 (Matt. Paris), and seems to have died on his expedition.

Agnes, mentioned in *Liber Vitæ Dunelm.*, apparently a coheirress (with the wife of a Sutton) of the Verli family, owners of Swine and Winestead in Holderness. Some daughter, minor, 1208. *minors*, 1208.

Sir Robert (I) de Hilton, *knt.* a minor in 1243 and 1246, when Archbishop Grey, superior lord, dealt with the custody of the land which was Sir Alexander de Helton's in Swine and Winestead. Of age 1254, when he was described as son and heir of Sir Alexander, and sealed with the same archbishop's seal, his own not being known. His own seal presented the arms mentioned in a roll t. Edw. I. *Argent et ij barres azure. Qu.* If not derived from Grey? Settled the manors of Swine and Winestead on his son William's marriage with Maud Lascelles in 1288. Dead before Epiphany, 1290-1.

Joan, eldest daughter and coheirress of William de Breton.

Alexander (III) de Hiltonne, Lord of Renyngton; Jan. 6, 1290-1. Dead before 1293.

Elizabeth, had dower 1303-4.

William *a quo* HILTON OF SWINE. German, "son of Sir Robert de Hilton, *knt.*" acquired lands at Blagdon, parish Stannington, before Robert Bertram's death in 1299, which were alienated by his nephew Robert FitzAlexander de Hilton.

Sir Robert (II) de Hilton, among the knights who witnessed his father's charter in 1290-1, Lord of Hilton in 1293. Summoned to Parliament 1295 to 1297, and to military musters 1297 to 1303. In the English raid of 1319, in which Robert Nevil, the Peacock of the North, fell, "the Baron off Hilltoun was takyn." (Barbour.) Executed a charter, endowing his chaplain, Saturday after Epiphany, 1322. Dead before March 23, 1322, when the Wearmouth Roll mentions his mortuary.

Dame Joan, dead before March, 1322, as appears in the claims of the Prior of Durham for mortuaries.

Robert, son of Robert the Lord of Hilton deceased, died before Mar. 1322, and apparently in *vita patris*, mentioned in the said claim for mortuaries.

Sir Alexander (IV) de Hiltone, *knt.* Lord of Hilton, summoned to Parliament 1332-6, Inq. p. m. 16 Hatfield (1360-1).

1. Alice, named in her husband's charter of 7 Mar. 1336, to the Abbey of Alnwick. 2. Matilda, dau. and coheir of Richard de Emildon and widow of Richard Acton, the wife of Hilton in 1351, when they were patrons of Jesmond Chapel.

THE BARONS OF HYLTON.

Issue by her first husband.

REVIEW.

NOTICES OF THE ELLISES of England, Scotland, and Ireland, from the Conquest to the Present Time, including the Families of Alis, Fitz-Elys, Helles, &c. By WILLIAM SMITH ELLIS, Esq. of the Middle Temple. 1857—1866. 8vo. pp. viii. 300. [Part 4, pp. 300.] *Not Published.*

THIS laborious compilation has been issued at intervals in four Parts, of which the first is dated 1857 and the last March 1866. We have already, in our vol. III. p. 182, given some account of the earlier portions, and in p. 273 of the same volume is a letter addressed to us by the Author, communicating some further explanation of his plan and intentions.

The Author's research has been so ubiquitous that it is difficult to describe all the various branches of his inquiries. In addition to what we have previously stated, we will take a brief survey of the contents of his Fourth Part.

It begins with notices of families of Ellis bearing *Goat's heads* either as charges or for crest. This emblem is stated (p. 185) to have been probably derived from Robert fitz Hoelis de Chevreuille, or *de Caprevilla*, a Norman who lived at Chevreuille, near Rouen, in 1053.

In pp. 187—194 are further notices of De Helles, Hellys, and Hills in Kent, conjectured to be a branch of Alis of Allington.

In pp. 194—205 the descent of the Fitz-Elyses. These were a Yorkshire and Lincolnshire race, of whom were William and Conan fitz Elias, supposed brothers, who were both minors in 1166. Their families bore the same arms, a bend between six fleurs de lis, but with the tinctures, argent and gules, reversed. The name flourished in several other counties, particularly at Waterperry in Oxfordshire; and in Wiltshire and Hampshire.

At p. 205 commences an account of Elys of Norfolk and Suffolk, among whom, as elsewhere, we find proof that the name, in some cases at least, originated from a maternal ancestor named Aeliz or Alice. Robertus fil' Aliciæ is mentioned in the Pipe Roll for Norfolk and Suffolk 15 Edw. I. (p. 207); and Willielmus fil' Aliciæ occurs in Dorsetshire in 1278 (p. 231). William Elys, Baron of the Exchequer temp. Hen. VIII. was the son of Thomas Elys, thrice mayor of Norwich.

In p. 212 are given the results of renewed research concerning the ancient Anglo-Norman family of Alis of Allington in Hampshire. There remains among the records of the late Augmentation Office an

ancient charter undated, but supposed to have been made in 1170 or soon after, whereby William Alis and his mother grant to the canons of the Church of St. Denis by Southampton the tithes of all their rents, &c. in Allington. A lithographic fac-simile of this charter and its seal is inserted; the latter exhibits "a warrior on horseback holding in his left hand a shield and in his right a sword," and Mr. Ellis will excuse us for remarking that the shield has no armorial charges, but only such a boss as is often seen on seals of the early part of the twelfth century. We notice this in reference to the opinion which Mr. Ellis still maintains of the much earlier origin of armorial bearings. Some arguments are here introduced to identify the family of Alis with that of Pont de larch.

From p. 226 to 236 are additional notices of Ellises, all over England, derived from records, and arranged under counties.

In p. 237 we arrive at an heraldic essay on the origin of the armorial bearings of the Cross and five crescents; and the Mermaid, the Female, the Demi-Female, &c. borne as Crests by Elys and others. The author here relinquishes the legend handed down in the family of Ellis of Kiddall that the coat, *Or, on a cross sable five crescents argent*, was assumed by Sir Archibald Ellis as "a crusading coat" in the reign of Richard I. Upon this point Mr. Ellis makes the following remarks, with which we cordially agree:—

The Cross and Crescents, with the Escallop, are styled by heraldic writers crusading symbols or emblems; and they inculcate the belief that arms composed of or containing them were assumed during or in consequence of expeditions to the Holy Land. This, like many heraldic doctrines, has only to be examined to be proved quite without foundation. At Versailles, in the *Salle des Croisés*, are painted on the walls the arms of all known French Crusaders. A very small proportion of these contain the [alleged] crusading symbols. And the arms of the descendants of English crusaders, generally speaking, are equally deficient in them.

The old credulous and prejudiced writers on Heraldry, having and seeking for no facts to guide them, imagined often most absurd stories to account for particular bearings and charges. Scarcely any of their tales will stand the test of investigation.

As regards the ordinary of the Cross, and the simple charges of Crescents and Escallops, this question is indeed readily disposed of. The Cross was one of the first figures suggested from the bars employed to strengthen a shield. Both Crescents and Escallops were introduced as ready differences of arms already in use. Like other devices equally simple, a Cross was assumed in the earliest days of armory by some of the most conspicuous personages. Thus, Roger Bigod, the Earl of Norfolk, displayed a black cross on a golden field;

and so early as the reign of Henry the Third we find one of his family differencing it with escallops.

Le Conte de Norfolk, d'or a ung crois de goulez.

Rafe Bigot, d'or ung crois de goules, a les escallops d'argent en le croix.

In the same roll John de Vesci bears *Or, a cross sable*, which Mr. Ellis is disposed to regard as the basis of the coat of Elys, and perhaps derived from Vesci through the family of St. Aubin. However that may be, the coat of Ellis does not occur before the reign of Edward II., when it is thus singularly blazoned, not as a cross, but as if the field were sable, and the four corners were charges :—

Sir Henry Elys de sable iiij voides d'or et cinque cressants d'argent. (Harl. MS. 4033, Yorkshire, No. 43.)

The usual crest of Ellis, a naked female, with golden hair dishevelled,—borne by Lord Viscount Clifden, and by several families of the name—next occupies our author's attention. There is a legend connected with this crest that it commemorated a Saracen maid who was the captive of Sir Archibald Ellis, the crusader before mentioned. Mr. Ellis, however, rejecting any such personal appropriation, is disposed to treat this crest, as he does Armorial insignia, as part of a community of similar devices, borne by families of cognate relationship, and consequently adopted in the spirit of clanship. He asserts its "affinity in origin with the Mermaid,¹ and various forms of the Demi-Female;" and states that "investigation has now resulted in ascertaining that about 80 families have borne or bear these various insignia as a crest or on their shields." (p. 244.) A mermaid was the crest of the families of Mere and Marbury in Cheshire, where it had obviously an allusive reference to the name. Ellis of Prestwich in Lancashire (p. 35), and Ellis of West Hanningfield in Essex (p. 71), are said to have borne a mermaid for arms; but, after all, we recognise no manifest connection between the Mermaid and the whole-length woman of the Ellis crests.

The author's propensity, however, being continually in favour of hypothetical and conjectural inferences, he, after several pages of accumulated, but to our apprehension unconnected, collectanea, builds his conclusion in this instance, as in many others, on presumptions and probabilities—

¹ Moule, in his *Heraldry of Fish*, has an interesting chapter, pp. 210—219, on "The Seal, Mermaid, and Triton." The Mermaid occurs all over Europe. In France she is called a Siren, but supplied with comb and mirror as in English heraldry.

If the foregoing facts and deductions (he maintains) may be considered to establish the presumption that the Mermaid was used as a crest by the Alises of Allington, the conclusion, in the absence of any other feasible origin, is inevitable that the crest of the Naked Female, borne with the arms of the cross and crescents, was merely a *difference* of the crest of the Mermaid. (p. 249.)

Now, this "presumption" is mainly dependent upon another which Mr. Ellis confidently asserts, in a note at p. 249, that "*Crests are doubtless of co-eval antiquity with devices on shields and banners:*" to which devices, regarded as hereditary arms, he is inclined to ascribe a far higher antiquity than most people.

The truth we take to be, that certain devices were displayed upon banners, &c., in early times, even *before the rise of coat-armour*, but such are not to be confounded with armorial charges: and so with crests, though crests were of remote and even classic antiquity, yet our present *armorial* and hereditary crests were of considerably later origin than our coat-armour. A strong confirmation of this, which is perpetually occurring, is the fact that so many ancient families had armorial coats, without crests, for several generations before crests were supplied by the heralds.

The motto, *Huic habeo non tibi*, has occurred only in one authority, the MS. Harl. 1487, attached (with the crest of a naked woman) to the arms of Ellis, of Kiddall, co. York.¹ It is also used by the family of Newton, of Mickleover, in Derbyshire, but supposed to be of recent assumption. The crest of that family of Newton is a naked man, kneeling on his left knee, and holding a sword, the point downwards: a variation it would seem of the crest which was granted no earlier than 1567 to Sir John Newton, alias Cradock, of East Harptree, in Somersetshire, upon the plea that it had formerly belonged to one of his maternal ancestors, Sir Anselm Corney, or Gourney, who "was at the wyninge of Acon with King Richard I. when he took prisoner a King of the Moors;" which crest was then exemplified as "a King of the Moors armed in maile, crowned gold, kneeling on his left knee, rendering up his sword." The legend upon which this is founded is characterised by Mr. Daniel Guiney in his *Record of the House of Gournay* as an "heraldic fable," there being no such historical personage as Sir Anselm Gourney or Corney to be discovered; and Mr. Ellis remarks (p. 263) that it is "justly" so characterised. Why then, after all, should not the Saracenic maid of the Ellis crest, first

¹ It was evidently written in the year 1612, together with other additions, at the Visitation then made, the pedigree having been originally formed at the Yorkshire Visitation of 1585. (EDIT. H. & G.)

attributed to Sir Archibald Ellis, also a Crusader, be another "heraldic fable" of the same mintage?

We have elsewhere remarked that the more ancient crests were in better taste than those which were invented in the sixteenth century. Before that date no one would have placed on his helmet an entire Saracen, holding a diminutive sword; but such a crest as the head of a Moor or Saracen was appropriate to its position, and by no means uncommon. Mr. Ellis has counted more than a hundred families by whom the Saracen's head was borne, and it was adopted by several Knights of the Garter in the reign of Edward the Third, among whom were Sir Miles Stapleton and Sir John Chandos, two of the Founders.¹ It had, no doubt, an allusion to victories over the Turks, those constant enemies during many centuries of the chivalry of Europe, though perhaps it can scarcely in any case be traced up to the Crusades.

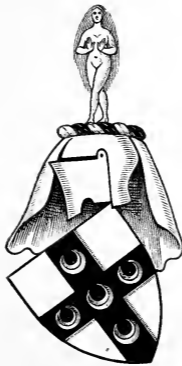
At p. 263 Mr. Ellis gives further particulars of the Norman family of De la Mare, having, as we noticed on a former occasion, adopted "the opinion that William de Mara, William Fitz-Norman, and William Alis of Domesday were one and the same person."

At p. 265 are given some notices of Ellises of Scotland; and from that page to p. 273, others of Ellises of Ireland. In pp. 273—288 additions and corrections to former parts of the work.

At p. 288 "Statistics of the name of Ellis," that is to say, their existing numbers in several localities, including the probable derivation, or derivations, of the name. The latter subject might, we think, admit of further discussion; but, if we examine it, it must be in another article.

In pp. 291—296 are added tabular pedigrees of Alis of Allington, co. Hants; Fitz-Elys; Ellis of Kiddall in Yorkshire; Ellis of Stoneacre in Kent; and Ellis of Pembury, Morden, and Heathfield in Sussex. The List of Recipients of the work, to whom the author has liberally presented copies, is itself a curious addendum, as being a catalogue of every living gentleman of the name in any part of England or Ireland, whose education was presumed to be sufficient to give him any interest in the book.

¹ The Saracen's head is the crest of Earl Ferrers, and the first instance in which it occurs in that family is on the seal of Sir Thomas Shirley, used 31 Edw. III. which is engraved in Dugdale's Warwickshire, and from an original impression in the *Stemmata Shirleiana*, p. 25.



Quic habeo non tibi.

This vignette is from a drawing in the Visitation of Yorkshire 1585, (Harl. MS. 1394,) "apparently copied from a glass window in the chapel of the house of Mr. Vavasour at Hazelwood." [We observe that it follows (p. 319) the heraldry in that chapel: but it is not clear that it was derived from that source. On the next page it is repeated, but without a helmet, from the church of Berwick in Elmet. EDIT. H. & G.] "This appears from the position of the shield and the form of the helmet to be of the age of Edward III. or possibly 50 years later. Numerous similar examples of shields, helmets, and crests are to be found on seals as early as Edw. III." [*qu.* if so old? see a seal of 18 Hen. VI. at p. 325 of the same MS. EDIT. H. & G.]

Dod's Peerage, Baronetage, and Knightage of Great Britain and Ireland for 1867, including all the Titled Classes. Twenty-seventh Year. 1867. 12mo.—Of all our books of reference, none is more remarkable than this for a close condensation of important biographical facts, involving the personal history of all those living personages in whom the country takes the greatest interest, from the influence of their wealth and station, and acknowledges the greatest pride, in contemplation of the talents and the services by which so many of them have individually risen to their present rank and eminence. The past year has not only produced those innumerable changes which are continually arising from death and succession, and other domestic occurrences, but it has been particularly productive of others, which have been occasioned by a general election, by a change of ministry, and by an unusual number of new creations to dignities. Besides several additions and promotions in the Peerage, this volume presents notices of thirteen Baronets recently created and of some thirty who have succeeded to that dignity, of

fifteen new Privy Councillors, seventeen additional Knights Commanders of the order of the Star of India (which has been enlarged during the year, as noticed in our p. 187), of several new Bishops both in Ireland and the colonies, and of many Knight-Bachelors, including the new legal dignitaries whose good-fortune has so remarkably characterised the present administration. One new colonial see has been erected, that of Dunedin in New Zealand, and its bishop is the Rev. Henry Lascelles Jenner, LL.B who is son of the late Right Hon. Sir Herbert Jenner Fust, Dean of the Arches, by a niece of the first Earl of Harewood. The art of healing has received its rewards in the baronetcies conferred on Sir Thomas Watson, M.D., on Sir William Fergusson, F.R.S., Sir Dominick J. Corrigan, M.D. of Dublin, and Sir James Young Simpson, F.R.S.E. of Edinburgh. Civic merits have been again recognised (after having been somewhat at a discount) in the persons of Sir Benjamin Samuel Phillips, the late Lord Mayor of London, and Sir John Morris, the late Mayor of Wolverhampton; whilst the honours bestowed on the gentlemen engaged in the completion of the Transatlantic telegraph have particularly illustrated the scientific triumphs of the year 1866. On this account the honour of knighthood has been conferred on Samuel Canning, esq., William Thomson, esq. LL.D., James Anderson, esq. and Richard Atwood Glass, esq.; whilst Sir Daniel Gooch and Sir Curtis Miranda Lampson have received the hereditary dignity of Baronet. Sir Samuel White Baker has received the honour of knighthood in recognition of his African discoveries, and Sir Francis Grant on attaining the chair of the Royal Academy.

DEBRET's Illustrated Peerage of the United Kingdom of Great Britain and Ireland. 1867. Dean and Son, Ludgate Hill. 12mo. (7s.)

DEBRET's Illustrated Baronetage, Knightage, and House of Commons. 1867. 12mo. (7s.)

This work—for the companion volumes actually form parts of one whole—are again considerably modified from the previous editions—(of which we gave some account in our last volume, pp. 93, 560).

The Peerage is accompanied by accounts of the Bishops of England, Ireland, and Scotland, the Colonial, Missionary, and retired Bishops, and the members of Convocation; the Baronetage, by the Knights and House of Commons. The distinct account of the Judges which appeared last year is omitted; and so is the Grammar of Heraldry; but they can well be spared. Upon the latter subject there is now an abundance of convenient manuals, and the Judges are all included in the "Knightage." We miss, however, the engravings of the Judges' arms, which was a peculiar feature in a work of this kind.

In the preface (which is prefixed alike to either volume) the following claims are advanced for the pains bestowed on this year's publication:—

Besides the improvements made in the edition of 1866, the addition of the Family Names of the Peers into the book in their alphabetical order, of a biography of each Peer's immediate predecessor, and of a biographical notice of Members of the House of Convocation, the Editor desires to direct attention to the addresses of the sons and daughters of Peers now for the first time given in any Peerage, to the biographies of all the New Members of the House of Commons, and of the new Baronets and Knights; and to the introduction of all births, marriages, and deaths among the aristocracy up to the date of publication.

It is further stated that "the correctness of the Heraldic Emblazons may be relied on, as they are derived not only from the Herald's College, but through personal communication with the heads of the families whose biographies appear in the work." And yet we notice some serious errors remaining in the engravings. In the arms of Lord Dacre the lion incorrectly turns to the sinister, and so does the wyvern of his crest.

In the Baronetage, the billets of Blunden are improperly conjoined; the cinquefoils of Hamilton of Woodbrooke are 1 and 2, instead of 2 and 1; the salmon in the arms of Maclean is naiant to the sinister; the lions of O'Brien turn improperly to the same direction; and so do the lion's heads in the arms of Scott of Duninald, the golden fleeces in the arms of Selwin, and the unicorn's heads in those of Smith. The crest of Seton has the like error. The blason is most oppressively tormented with unnecessary punctuation, as for example, Hammick, Paly of four, or and vert; a bordure, ermine, charged with seven hurts; on a chief azure, a lion, passant, argent: where commas following the words *vert* and *hurts* are all that are required. This fault extends throughout the book.

The arms of the Earl de Grey and Ripon and the Earl of Zetland, and those of Sir William Cuninghame Bruce-Bruce, Sir Daniel Cooper, and Sir Francis Crossley are (in contradiction to the general plan) engraved with impalements, we presume rather by accident than intention. On the whole, however, the armorial engravings with which these volumes are "illustrated" are very creditably executed, and we are pleased to observe that the latter insertions are superior, rather than inferior, to the original series derived from the old "Debrett."

The courtesy of the publishers enables us to exhibit some of these engravings; and we have selected a series which will serve not only as specimens of the illustrations of "Debrett," but as examples of the variety introduced by the system of Scottish heraldry into the insignia of the several branches of one family.

The original coat of Hay, as still borne by the Earl of Erroll, is simply Argent, three escucheons gules.

Hay of Park in Wigtonshire, (created a Baronet of Scotland in 1663) bears the escucheons within a bordure of the same tincture.

The Earl of Kinnoull bears the same quartered with a coat of augmentation which takes the first place. This coat is Azure, an unicorn salient argent, armed maned and unguled or, within a bordure of the last, charged

HAY.



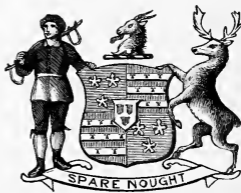
EARL OF ERROLL.



EARL OF KINNOULL.



MARQUESS OF TWEEDDALE.



ALDERSTON.



SMITHFIELD AND HAYSTOUN.



DALRYMPLE-HAY.

(From Debrett's Illustrated Peerage and Baronetage.)

with eight thistle-heads and roses dimidiated gules. This augmentation was granted to George Hay (cousin to the Earl of Carlisle, the favourite of James I.) who was made Chancellor of Scotland in 1622, and afterwards created Viscount Dupplin¹ and Earl of Kinnoull. The second grand quarter is for Drummond, and the third another coat of royal augmentation, which was granted to a Drummond, and is also borne by Lord Viscount Strathallen.

The Hays of Yester, now represented by the Marquess of Tweeddale, assumed the arms of Fraser of Olivercastle (Azure, three cinquefoils argent,) and Gifford (Gules, three bars ermine), in consequence of the marriage of their ancestor Sir Thomas Hay, of Lochorwert, at the commencement of the fifteenth century, with Joanna, eldest daughter and coheir of Sir Hew Gifford of Yester. The ancient coat of Hay here appears only as an escutcheon surtout.²

This arrangement is preserved in the achievement of Hay of Alderston, created a Nova Scotia Baronet in 1703.

Hay of Smithfield and Haystoun, in Peebleshire, created a Baronet of Nova Scotia in 1635, has the same within a bordure vert, charged with alternate unicorn's heads and mullets argent.

Dalrymple-Hay of Park Place, in Wigtonshire, descended from a daughter of the third Baronet of Park, and created a Baronet of Great Britain in 1798, bears Dalrymple in the first quarter (Or, on a saltire azure nine lozenges of the field, all within a bordure argent,) and in the second and third Hay, differenced by a yoke in chief, and further by a crescent.

This yoke will be seen repeated either in the supporters or crests of most of the other Hays, and there is a legend belonging to it, as in so many

¹ His seal when only Viscount Dupplin, bearing these arms, is represented in Laing's *Ancient Scottish Seals*, Plate vii. fig. 2. It is inscribed SIGILL · GEORGH · VICECOM · DVPPINLÆ · BAR · HAY · DE · KINFAVNS · ET · MAG · SCOTILÆ · CANCELLAR.

² This is one of the examples adduced in *Seton's Scottish Heraldry*, in illustration of the practice of placing the paternal arms surtout on an escutcheon. Mr. Seton remarks,—“Such mode of marshalling must not be confounded with what is termed the escutcheon of pretence (anciently called a fess target), on which it is now customary for the husband of an heiress— even in expectation—to bear her arms, placed in the centre of his own shield, instead of being impaled with them in the ordinary way.” And in another place, Mr. Seton makes the following remarks on the same subject, “The seals appended to the charter of foundation of the collegiate church of St. Bathans, in the year 1421, afford an interesting illustration of heraldic precedence being ceded to the eldest of the four co-heiresses of Gifford and Yester. Sir William Hay married the eldest of these co-heiresses, and his seal exhibits his wife's ensigns quarterly, with his paternal arms surtout; while on the seals of the three other Barons who married the younger daughters, viz. Thomas Boyd of Kilmarnock, Eustace Maxwell of Teyling, and Dougal Macdougall of Mackerston, we find nothing but their single paternal coats.”—Seton, p. 340, quoting Nisbet *on Armories*, p. 98.

other Scottish families, which is not very satisfactory, because it aspires to a time long before the historical era of armorial ensigns. We give the shorter version of it.¹

In the reign of Kenneth III., A.D. 980, when the Scotch were flying from the Danes at Loncarty near Perth, an old countryman with his two sons, armed only with the yokes of their ploughs, met and rallied them at a narrow pass, and so caused them to win the victory. As a reward for this service, Kenneth conferred on the old man, whose name was Hay, large lands, and an honourable coat with the motto *Serva jugum*; and the descendants of Hay have ever since continued to *Keep the yoke* as part of their armorial bearings.

In the case of the Earl of Kinnoull the countryman with his yoke appears in the crest, whilst those represented as his supporters carry a plough-coulter and a paddle. The dexter supporter of Dalrymple-Hay of Park Place has also the ploughshare.

We observe that the arms of Hay of Park (which we do not extract) are improperly charged with an escucheon of the hand of Ulster, to which as a Baronet of Scotland, or Nova Scotia, (created before the Union of 1707) he is not entitled.

The Baronets of Ireland, whether created before the Union of 1801 or after, are all entitled to that distinctive badge. Their order was instituted by King James I. with the same privileges as that of England, and for the like professed object of contributing to the defence of Ulster. The arms of that province were consequently assigned to them, to be borne either in a canton, inescucheon, or the most convenient part of the shield. The first created was Sir Dominick Sarsfield, then Chief Justice of the Common Pleas in Ireland, whose patent was dated Oct. 14, 1619.

The Order of Baronets of Nova Scotia was established in 1625. They had also an "additament of honour" assigned to their armorial ensigns, viz. "either on a canton or inescucheon, at their option, the ensign of Nova Scotia, being Argent, a cross of St. Andrew azure (the badge of Scotland counterchanged), supported on the dexter by the royal unicorn, and on the sinister by a savage or wild man proper; and for Crest a branch of laurel and a thistle issuing from two hands conjoined, the one being armed, the other naked, with the motto *Munit hæc et altera vincit*."

Nisbet in his *System of Heraldry* notices the incongruity of placing the supporters, crest, and motto all upon an inescucheon: nor is it easy to conceive that such was really the intention. However, in 1629, after Nova Scotia was sold to the French, the Baronets of Scotland were authorised by Charles I. "to wear and carry about their necks, in all time coming, an orange-tawny silk ribbon, whereon shall be pendent, in a scutcheon Argent, a saltire azure, thereon an inescucheon of the arms of Scotland with an

¹ Elvin's *Handbook of Mottoes*. In the same author's *Anecdotes of Heraldry* is a longer story, in which the three shields and the falcon (crest) are also made to bear their parts.

imperial crown above the escucheon, and encircled with this motto, *Fax mentis honestæ gloria.*" According to Nisbet, this badge was never much used about their necks, but was carried, by way of canton or inescucheon, in their armorial bearings, without the motto. In the volume of Debrett's *Baronetage* before us we find attempts to represent this Scottish badge, in the arms of Campbell of Aberuchill, Campbell of Auchinbreck, Broun,¹ Dick, Gordon of Earlston, and Preston of Valleyfield, every one of them inaccurate and indistinct; but it is almost impossible to delineate it adequately in an engraving or painting of very small dimensions. In most cases Debrett gives the arms of the Scottish Baronets without any badge; but in several besides Hay the badge of Ulster is erroneously placed upon them. This is the case with Calder, Campbell of Ardnamurchan, Cathcart, Cuninghame of Corse Hill, Cunynghame of Milneraig, Dunbar of Durn, Elliot of Stobs, Fergusson of Kilkerran, Gordon of Earlston, Gordon of Embo, and others later in the alphabet. On the shield of Gordon of Earlston the Ulster and Scottish badge are *both* placed. This might be allowable in a family where a Baronetcy of Scotland and one of the United Kingdom had coalesced upon one person, but in such case only.

After the Union with Scotland in 1707 the Baronets of that country properly charged their arms with the Ulster badge, being created as Barouets of the United Kingdom. In Debrett, in a great many cases, English and Scotch, the Badge is omitted where it ought to appear, as on the arms of Antrobus, Armstrong, Baird,² Boswell, Brinckman, Bruce, Buxton, Campbell of Barcaldine, Campbell (1815), Carew, Codrington, Conroy, Crosbie, Dilke, &c. &c. &c. We mention this more particularly, because it seems to have been neglected—perhaps not purposely, in the engravings most recently added to the work.

We are surprised to find that the article of DYMOKE is continued in this Baronetage. Sir Henry Dymoke, who died in 1865, had no son, and the dignity had not been conferred with remainder to his brother, who is incorrectly styled by the Editor of Debrett "the Hon. and Rev. Sir John Dymoke." We do not find this oversight committed either by Burke or Dod.

Though we have closed the book, we feel bound to make one further remonstrance. It is that the book-binder should be permitted to disfigure the side of each volume with a tool of the Queen's arms, partaking of that now too common error which makes the lion supporter *non-guardant*. On the back of the book the same lion is right enough.

¹ The inescucheon on the arms of Broun is not of St. Andrew's cross, but simply a shield of Scotland, crowned. This must be distinguished as most *presumptuously* incorrect.

² Baird bears a canton in his personal arms. In Baird of Saughton hall this is misrepresented as an escucheon. In Baird of Newburgh it is neither a canton nor an escucheon, but a rectangular figure resembling a billet, and so is what ought to be the escucheon of Ulster. Moreover the former is placed in the sinister, instead of dexter, chief.

A Genealogical and Heraldic Dictionary of the Peerage and Baronetage of the British Empire. By Sir BERNARD BURKE, LL.D., Ulster King of Arms, Author of "The History of the Extinct and Dormant Peerages," "History of the Landed Gentry," "Vicissitudes of Families," &c. Twenty-ninth Edition. London: Harrison, 59, Pall Mall, Bookseller to the Queen and H.R.H. the Prince of Wales, 1867. Royal 8vo. pp. xlvi. 1316. (price 38s.)

On scanning the columns of this large and comprehensive volume, after the compendious though laborious compilations we have just noticed, we are forced to regard it as a Triton among the minnows. We come from the arena of contemporary biography, and the mere names and dates of the present generation of our aristocracy, into the ample fields of genealogy and history; for this work is the only one that now retains the form of the older Peerages and Baronetages in presenting a full and explicit account of the predecessors, generation by generation, of those who occupy ancestral rank in this country. For such information everyone must either resort to books that the world in general regards as obsolete, and which at least require some little judgment and discrimination in their use, or the ordinary inquirer, desirous to acquire or confirm his genealogical knowledge, must turn in simple confidence to "Burke." We have pleasure in believing that the public confidence is met neither by misdirection nor negligence. This elaborate work bears witness, in every edition, of unwearied efforts to improve its information and to rectify its former inaccuracies. The Editor states that on the present occasion he has "again subjected its pages to searching revision and extensive amendment;" that the genealogies have, in many instances, been corrected by the researches consequent on the revision of the recently published edition of the *Dormant and Extinct Peerage*; and that in these labours he has been zealously assisted by his brother Mr. Serjeant Burke.

We need only, by way of example of the complete articles now for the first time introduced, point to that headed by the name of the Right Hon. Sir Frederick Pollock, created a Baronet on the 2nd May, 1866. Still, why should the Pedigree begin with the designation of "David Pollock, Esq.?" Why should the honourable truth be concealed that Sir Frederick is "one of the talented family of Mr. Pollock, a saddler near the Mews, at Charing Cross," as we find it stated in the obituary memoir of the new Baronet's brother, the late Sir David Pollock, Chief Justice of Bombay? (*Gentleman's Magazine*, Oct. 1847, p. 432.)

It is stated in Burke's *General Armory* that Pollok of Pollok, a Nova Scotia baronet, once bore a quarterly coat of several quarterings, of which the first was Azure, three fleurs de lis and a bordure or; and, on an escucheon surtout, the family arms, Vert, a saltire or between three bugle-horns argent, stringed gules, in the flanks and base. The latter coat is now borne by the family of Pollok. But the family of Sir Frederick Pollock (as we also find in Burke's *Armory*) assumed the former bearing, differenced by the bordure being engrailed; to which is now added, by way of aug-

mentation, the portcullis of the Exchequer, placed on an ermine canton, in commemoration of Sir Frederick's services as Lord Chief Baron. Sir Frederick has further fallen into the fashion of his countrymen in claiming supporters,—two talbots sable, gorged with golden collars and dependent portcullises. These have been granted upon the acquisition of the Baronetcy. The crest is a boar passant, quartered or and vert, pierced through the sinister shoulder with an arrow proper.



The cut is a specimen of the improved engravings now introduced into this work. Upon this subject, Sir Bernard Burke remarks :—

I persevere in my views with respect to heraldic armory, and the better depicting of the arms. Further additions have been made to the mass of armorial ensigns, which, with a view to artistic excellence, have been entirely redrawn and re-engraved, at a great expense. This task is a very onerous one. Errors in the arms of Peers and Baronets are frequent; and, from long erroneous adoption, are not easily detected. Faulty records of armorial ensigns abound; and, to avoid these, I have in every instance referred to the very highest authorities; but even there I now and then discover doubts existing. * * * On the whole, I trust I am successful in rendering the heraldry of this book far more safe to be relied on than that of any other work, past or present, of a similar description.

In regard to a subject which has been recently discussed in our pages, we may observe that the Marquess of Abercorn and the Duke of Hamilton are *both* styled Duke of Chatelherault, and that the arms of the duchy are placed, *en surtout*, on the achievement of each of these competitors, although it is mentioned that the title "has been confirmed to his grace (of Hamilton) by decision of the Court of Titles in France, by decree 1864."

The introductory statement to the genealogy of Parker (now represented by Sir Charles Christopher Parker, Bart.) is one that we think requires a little investigation: "This family is one of considerable antiquity, *descended from Archbishop Parker*, and members of it have uninterruptedly, for full a century and a half, been highly distinguished in our naval annals." The arms assigned to Archbishop Parker were Gules, on a chevron between three keys erect argent as many *estoiles* of the field. The same arms are

borne by these Parkers, substituting *fleurs de lis* for estoiles : but are they actually "descended" from the archbishop?

We may notice as a remarkable circumstance that Burke, Dod, and Debrett for 1867 all name the posthumous son of the late Sir James Francis Tichborne as the 12th and present Baronet of that house; whereas it is now believed that his uncle Roger Charles, who was supposed to have been "lost at sea off the coast of South America in the spring of 1854," has actually reappeared in this country, and proved his right to the dignity, which was assumed—we presume in ignorance—by his late younger brother, and held by him undisputed until the day of his death.

In regard to other "Doubtful Baronetcies" the Editor is on the *qui vive*. We observe his careful statement as to the Codrington case, and a long note on that of Payne. We do not, however, find any deduction inserted of the pedigree of Campbell of Aberuchill (noticed in our present volume, pp. 4, 176) : it is merely stated that "Sir James Campbell, a devoted royalist, was created a Baronet of Nova Scotia by King Charles I. 13 Dec. 1627, and that title has descended to the present possessor Sir James Campbell, Bart." his father having been the late Alexander Campbell of Kilbride, the latter not being even styled Sir Alexander. The Editor is evidently waiting for fuller information.

An Index to Printed Pedigrees contained in County and Local Histories, the Heralds' Visitations, and in the more important Genealogical Collections. By CHARLES BRIDGER, Hon. Mem. Soc. Antiquaries of Newcastle-upon-Tyne. London : John Russell Smith, 36, Soho Square. MDCCCLXVII. 8vo. pp. 384.

Mr. Bridger has now completed this very useful compilation, (before noticed in our vol. III. p. 557,) from which we anticipate a perceptible stimulus to the improvement of English genealogy; for it not only supplies a ready reference to all the tabular pedigrees hitherto published, (many of which are in works very little known,) but, by referring to several pedigrees of the same family, it often suggests those means of comparison of which all who aim at accuracy will be desirous to avail themselves. The Index alone occupies one hundred pages, furnishing above sixteen thousand references, which are the result of an examination of nearly three hundred works. Among them are the Heralds' *Visitations*, privately printed by Sir Thomas Phillipps, Bart., to whom the present volume is dedicated; the *Archæologia*; *Collectanea Topographica et Genealogica*; the *Topographer and Genealogist*; and our present work; Burke's *Dictionary of the Landed Gentry*; Burke's *Royal Descents and Pedigrees of Founders' Kin*; the *Heraldic Illustrations* of the same author; and several periodical and occasional publications.

The Index to Burke's *Landed Gentry* is particularly valuable, for it furnishes references to all the four editions of 1837-8, 1846-8, 1860, and 1863.

As, for one reason or another, some families have been described only in the first or the second edition, and afterwards dropped, this mode of indexing the work obviates the chance of any being overlooked by accidentally consulting a wrong edition.

We do not think that much which has hitherto been published has escaped the notice of Mr. Bridger: still, he speaks very modestly in regard to any omissions, and, not intending to relax from his useful labours, he closes his Preface by declaring his willingness to consider any suggestions which may be made, with the view of publishing an Appendix, which will embody additions, with the amendment of errors of omission and commission. "It might then (he proposes) be desirable to add a list of Pedigrees contained in Scotch and Irish topographical works, and in our biographical literature."

In the latter class of works there have certainly been published, within the present century, many valuable Pedigrees: and the topographies of Scotland and Ireland should not be overlooked. We therefore cordially hope that Mr. Bridger will persevere in his design: and we shall gladly be made the medium of any contributions or suggestions in aid of his design.

DOUBTFUL BARONETCIES.

To the Editor of THE HERALD AND GENEALOGIST.

SIR,—I am glad to find you so vigorously pursuing your able inquiry into the Doubtful Baronetcies. The investigation must lead to some active steps in the matter on the part of the Government or Parliament. One primary remedy in fact stares both Government and Parliament in the face—viz. to require from the principal Kings of Arms of England, Scotland, and Ireland, to furnish rolls of the registered and real Baronets within their respective jurisdictions.

But, to come to the immediate subject of your last article. I think you make out a strong case against the Baronetcy of GRAHAM OF Esk; but, before declaring your objection to be fatal, it will be necessary to find out whether the attainting judgment was of record, and what was the exact nature of the pardon granted to Viscount Preston. I am not inclined, without strong grounds set forth, to agree that the attainder in England, if perfect, did not operate on the Scottish peerage. The question seems to me to admit of much argument. It is rather singular that in Douglas's *Peerage of Scotland*, edition of 1764, the succession from this Viscount Preston is quite different from the later one, and rather accords with the announcement you cite from the Gentleman's Magazine. Douglas states that by his wife Lady Anne Howard Lord Preston had a son, "IV. CHARLES, who, had it

not been for his father's sentence, would have been second Viscount Preston. He married a daughter of John Cox, Esq. sister of the Countess of Peterborough, and died in February 1739, leaving issue a son, V. WILLIAM GRAHAM, a clergyman of the Church of England, &c." The dates in this succession, and indeed in the more recent one, are scantily given—always a suspicious circumstance—and there is certainly some mystery about this part of the pedigree. If, however, the pedigree be easy of proof, I think the present Baronet of Esk, in such a case as this, especially where there is a pardon, would have little difficulty, should it be deemed necessary, in obtaining from the Crown a reversal of the attainder. It really behoves the Baronet, after what you write, not to let his title rest in its actual contested condition.

With regard to the Harrington or HARRINGTON Baronetcy, I do not think the objection a valid one. True it is that the singular statute of pains and penalties—the 13 Car. II. c. 15, degraded Harrington personally from his baronetcy, and forbade him to use the title, but it did not forfeit the honour or attain his blood. The statute, it will be observed, when mentioning Lord Monson, Challoner, Mildmay, Harrington, Phelps, and Wallop, cautiously avoids declaring them guilty of high treason; and, though it forfeits (it would seem for life) their lands and goods, it never uses the word forfeit as to their titles. One strong proof that the act meant only to personally affect the parties is the fact that, though one of them, Robert Wallop, was degraded from being an Esquire or bearing his arms, his son Henry Wallop, Esq. was actually M.P. for Whitechurch at and after the passing of the act, and at his father's death came into possession of the family estates. Mr. Wallop was, by the way, direct ancestor of the present Earl of Portsmouth. The truth is, the King, though deeming it right to punish these men, did not wish to injure their families. In Harrington's case this reason must have acted forcibly with the restored monarch, for Harrington's cousin, James Harrington, author of the "Oceana," and groom of the bedchamber to Charles I., was the most honest and faithful servant that unfortunate prince ever had. In one of his forensic speeches, Mr. Erskine thus eloquently alludes to the circumstance:—"James Harrington," said he, "preserved his fidelity to his unhappy prince to the very last, after all his fawning courtiers had left him to his enraged subjects. He stayed with him while a prisoner in the Isle of Wight; came up by stealth to follow the fortunes of his monarch and master; even hid himself in the boot of the coach when he was conveyed to Windsor; and, ending as he began, fell into his

arms, and fainted on the scaffold." Taking this view of the statute of Charles II., I conclude the Harington Baronetcy to be still a good one. The doubt is but a shadow; yet how much better would it be if Sir John Edward Harington, the present Baronet, had some tribunal he could resort to, to cast that shade aside for ever.

The plan proposed by your barrister correspondent for the prevention of the undue assumption of Baronetcies is very ingenious, and might be well adopted. The only objection is that the scheme would come too late into play to deal with assumptions calling loudly for some immediate measure of repression. Yet, had the barrister's plan been established, it might have stopped some recent very questionable successions which appear in the minor Peerage and Baronetage publications. A word here on such works, which, being small and giving no pedigrees, can really insert what names they please, as Baronets. I think, beyond what are in almanacs, diaries, and calendars, abbreviated Baronetages are, in the absence of any check upon them, worse than useless. The larger Baronetages are at least subject to the control of having to set out the pedigrees *in extenso*. In one summary, however, which is usually very correct, viz. that given in Thom's excellent almanac, it seems odd to see the Rev. Sir PETER LOUIS HESKETH-FLEETWOOD mentioned as the son and successor of Sir Peter Hesketh Fleetwood, the first Baronet, who died April 12, 1866. In Burke's *Peerages and Baronetages* for 1865, 1866, and 1867, no mention is made of any son of the first Baronet. No doubt, however, the party thus put forward as the successor, if he have himself assumed the title, will as a clergyman and a gentleman solve any doubt by being forthwith registered at the Heralds' College. It is for you at any rate, in following out the valuable course of inquiry you have adopted, to keep a sharp eye on successions to Baronetcies as they occur.

Will you permit me, in another matter, to correct a slight error which has become quite common, and which has even crept into your learned pages? It is the mention of the present Earl Fife as Earl of Fife. The patent creating this second Fife Earldom, and bearing date April 26, 1759, expressly designates the peer "Earl Fife."

I remain, Sir, your very faithful servant,

PETER BURKE, SERJEANT-AT-LAW.

THE notes on "Doubtful Baronetcies" which have recently appeared in THE HERALD AND GENEALOGIST induce me to believe that cases like the following may come within the scope of the inquiry, as, although I do not say that they actually belong to the category indicated by the above title, still, being somewhat obscure, they require elucidation.

HAY, OF SMITHFIELD AND HAYSTON.—"Sir James Hay, M.D., eldest son of John Hay of Hayston (great-great-grandson of John Hay of Kingsmeadows, youngest son of the first John Hay of Smithfield). This gentleman, who succeeded to the property of his father in 1762, preferred in 1805 his claim to the dormant baronetage, which was allowed by a jury, assembled at Peebles 9th November in the same year." (Burke's *Peerage and Baronetage*.)

The titles had at that time remained "dormant" from the time of the death in 1683 of Sir James Hay, the third Baronet.

Without waiting to discuss the jurisdiction of such a jury, or the weight to be attached to the expression "allowed," let us consider the pedigree on its own merits, so far as it concerns the Hayston branch.

John Hay of Hayston in Peebles, and a principal clerk of session, died 27th of October, 1679, "leaving a son and successor," John Hay, who married Janet, daughter of Sir Alexander Murray of Blackbarony.

It will be observed that the son and successor is not called his eldest son, but simply "a" son; while there is at the same time no date given for any event in the latter's life. His baptism, marriage, and burial have no dates assigned to them; and all we know of this link is that he "married Janet, daughter of Sir Alexander Murray of Blackbarony." Possibly in the pedigree of the latter family a clue might be obtained whereby dates could be restored; but, as the pedigree of Hay now stands in print, the legal proofs of this link's existence as the rightful heir are defective *prima facie*, and therefore it would be curious to ascertain how the jury of 1805 got over the difficulty, and in getting over it, why they should have neglected to record the process.

But there were many other sons of "Hayston" between 1650 and 1762 who are not accounted for sufficiently clearly. For example, and I take an instance at random, "1703, July 7th, Gilbert Hay, sone to John Hay of Haystone, was baptised," &c. (*vide* Par. Reg. of Peebles.) "John Hay, heir special in Bridgelands, near Peebles, to his father Gilbert Hay of Bridgelands, who died July 1669." (Recorded in "Inquisitions," Reg. House, 17 Sept. 1702.) There can scarcely be a doubt that the second-named Gilbert was also of the Hayston family.

I do not assume by any means that such descents are not true, and only insist on the point, that the public have a right to demand faultless credentials, where their respect for a dignity is required. The least suspicion of anything suppressed, slurred over, or taken for granted, in the assumed proofs of the descent of any title of honour, is injurious to the whole body inheriting titles, and therefore it behoves all to insist on accuracy. To be brief, it is accuracy, and not truth, that I am questioning.

L.-A.

One of the most remarkable titles of this class is that of PRETYMAN, a Baronetcy of Scotland which was assumed in 1823 by Dr. Pretymantomline, then Bishop of Winchester, but was at his death allowed to fall again into disuse. The particulars are thus stated in *Burke's Peerage and Baronetage* 1832.

John Pretyman, esq. of Lodington, in the county of Leicester, was created a Baronet of Scotland in the year 1641; and after his lineal male issue had become exhausted on the death of his grandson Sir Thomas, the fourth Baronet, in 1749, there was no claimant of the dignity.

“Doctor Pretyman established his right to this ancient baronetcy 22nd March 1823, in the accustomed form of general service, in the Sheriff's Court of Haddingtonshire, by the unanimous determination of a respectable inquest, composed of Lord Viscount Maitland, the chancellor or foreman, and other persons of weight and consideration.”

In order to prove his consanguinity to the race of Baronets the descent of the Bishop was traced to a William Pretyman, living at Bacton in Suffolk, in the year 1490.

George Pretyman, the bishop's father, was a tradesman at Bury St. Edmund's, where the Bishop was born Oct. 9, 1753; and he was educated, together with his brother John, whom he afterwards made Archdeacon of Lincoln, at the grammar school of that town. Having been tutor to Mr. Pitt, he was raised to the episcopal bench as Bishop of Lincoln in 1787. The leading circumstances of his subsequent personal history are thus related in the memoir which appeared on his death in the obituary of the *Gentleman's Magazine*.

“In 1813, on the death of Dr. Randolph, the bishopric of London was offered to Dr. Tomline, and declined; but, after having presided over the see of Lincoln for thirty-two years and a half, he accepted Winchester on the death of Bishop North, in 1820. By the profits of

his lucrative ecclesiastical preferments, in addition to some private acquisitions, his property vastly accumulated in his latter years. In 1803 Marmaduke Tomline, esq., of Riby Grove in Lincolnshire, a gentleman with whom he had no relationship or connection, had, on condition of his taking the name of Tomline, bequeathed to him a valuable estate, consisting of the manor, advowson, and whole parish of Riby, with a very handsome mansion-house; and in 1821 James Hayes, esq., left him several farms in Suffolk, which had formerly belonged to the family of Pretyman, and had been left by the widow of a great-uncle of the Bishop to a relation of her own, the mother of Mrs. Hayes. To these superfluities of wealth was shortly after added, for Mrs. Tomline's gratification (the Bishop himself was said to be indifferent to it), an accession of honour. On the 22nd March 1823, at Haddington, in the presence of the sheriff of the county, Bishop Tomline was, by a distinguished jury, of which Lord Viscount Maitland was Chancellor, served heir male in general of Sir Thomas Pretyman, Baronet of Nova Scotia, who died about the middle of the last century; and his lordship also established his right to the ancient Baronetcy of Nova Scotia, conferred by Charles the First on Sir John Pretyman, of Loddington, the male ancestor of Sir Thomas. The Bishop's eldest son now declines to assume this title."

As Mr. Tomline then sat in Parliament for the borough of Truro, his resolution immediately became very conspicuous to all the world. He was still Edward Tomline, esquire, for he did not retain the name of Pretyman; and he went by no higher title at the time of his death, which occurred on the 28th of May 1836. And yet in the edition of Burke's *Peerage and Baronetage* for 1832 an article was still given for PRETYMAN-TOMLINE as a Baronet, and even in Burke's *Landed Gentry* 1843, at p. 690, Mr. Tomline was perseveringly designated "Sir Edward Pretyman Tomline, Bart." More recently this family has been again omitted from works on the Baronetage.

ANCIENT SCOTTISH SEALS—THE SETONS—THE EARLDOM OF MAR—
THE DUKEDOM OF CHATELHERAULT.

To the Editor of THE HERALD AND GENEALOGIST.

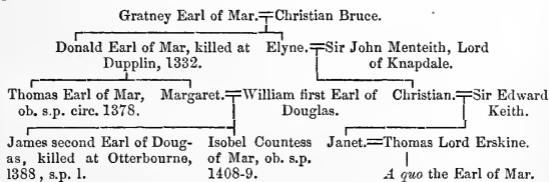
Sir,—Will you permit me to call your attention to the following points, which have occurred to me on perusing the several interesting articles in the last three numbers of the Herald and Genealogist?

In No. XIX. p. 20, you say that the legend "S. Joannes Mudzort appa-

rently stands for *Murdoch*," &c. Is it not more probably for *Moidart* or *Moydartich*, the well-known territorial appellation of the captain of Clan-Ranald, the head of this branch of the Clan-Colla or Macdonald? [Sec Orig. Paroch. Scotiæ, vol. ii. p. 200, v. Arasaig.]

In No. XXI. p. 238 (SEALS OF THE SETONS), Sir Alexander Seton, who fl. 1337, is "supposed to have been the *brother*, as he was the heir of succession, of Sir Christopher Seton, who married Christian, Countess Dowager of Mar, sister to King Robert I." This appears to rest solely on a statement in Wood's edition of Douglas's Peerage, a work well known to be far from immaculate, and is directly at variance with the weighty dicta of Lord Hailes (Annals, vol. iii. pp. 77-83), who gives as his opinion that the Sir Alexander in question was the *son* of Sir Christopher Seton and Christian Bruce. And, as remarked in your note, Sir Richard Maitland, the family historian of the Setons, says the same thing. This view is corroborated by the fact that Sir Alexander bore the royal tressure on his seal, which can only be accounted for on the assumption that he was the *son* of Christian Bruce. Had he been merely the *brother* of her deceased husband, he could have had no title to this honourable augmentation of his family arms.

The name of Christian Bruce recalls the cognate subject of THE MAR EARLDOM, still held by the descendants of her first marriage to Gratney Earl of Mar, thus doubly the brother-in-law of the great Robert Bruce, whose first wife was Gratney's sister. In your *Heraldic Chronicle* for 1866, p. 188, it is stated that "the male line of the ancient Earls (of Mar) failed in 1300," &c. This date is evidently wrong, as the male line subsisted till the death of Thomas Earl of Mar (Earl Gratney's grandson), circ. 1378, when, as correctly observed, his sister Margaret, wife of William first Earl of Douglas, succeeded to it. Nor was the claim (eventually successful) of the Erskines derived, as stated p. 189, "from a *sister* of Gratney Earl of Mar," but from Elyne of Mar, his *daughter* by Christian Bruce. This is clear from the following table in Lord Hailes's Sutherland Case, cap. v. sec. 11, p. 43 (as quoted and supplemented in Mr. Riddell's *Tracts*, 1835, pp. 150, 151):—



It is curious to note how, through Christian Bruce, the royal tressure came to be borne in the arms of three great families—the Erskines, the Setons, and the Morays of Bothwell—the last descended of her third mar-

riage to Sir Andrew Moray, afterwards Regent of Scotland, whose granddaughter Joanna carried his estates into the Douglas family by her marriage with Archibald the Grim, who with his spouse is said to repose in the choir of the collegiate church of Bothwell, founded by him in 1398.

I take the liberty to express the pleasure which I felt in perusing your able article on THE DUKEDOM OF CHATELHERAULT, which clearly shows that the *territory*, not the *title*, of the Duchy was bestowed on the Earl of Arran by Henry II. I do not think this has ever been thoroughly appreciated before, and it is quite evident that the Emperor interfered with no vested rights in according the title lately to the present Duke of Hamilton. There is a slight error in the genealogical tree, p. 99. The late Duke died in 1863; consequently the "recognition" in 1864 applies to his Son.

From this tree it appears that the Earl of Derby is the heir of line through his grandmother Elizabeth, the only sister of the "Douglas" duke. It is very singular to find in the Hamilton pedigree, given in Crawford's Renfrewshire, p. 247, this lady is called *Susan*, and is also said to have married the third Marquis of Tweeddale, "by whom she had George Hay the (then) present Marquis of Tweeddale." The edition from which I quote was edited and published by Semple, a Paisley bookseller, in 1782, and, though in many respects a very inaccurate work, this is an extraordinary mistake in a matter which must have been then of very recent date, and shows how little dependence is to be placed on some of the peerage-writers of the last century.

The Dukes of Hamilton have always been sedulous to keep up their titular connection with the ancient French domain. A picturesque building in their park at Hamilton is known as "Chatelherault." The late Duke did not use the title in his signature, but his father for the last years of his long life almost invariably signed his charters and important deeds as "Chatelherault, Hamilton, and Brandon." This venerable nobleman never forgot his royal ancestry. I remember seeing his *coffin plate*, engraved *before his death*, and inscribed with the titles of "The most mighty and puissant *Prince Alexander, Duke,*" &c.

As a *Lanarkshire* man by birth, allow me to corroborate your note, p. 98. Hamilton of Bothwellhaugh (whose house yet stands not a mile distant from mine) was certainly *not* the nephew of Arran. He was a cadet of Hamilton of Orbiston (an estate in the same parish, Bothwell)—itself an early cadet of the house of Cadzow, and named in their entail in 1542 (Reg. Sec. Sig. vol. xvi. fol. 69).

Yours, &c. ANGLO-SCOTUS.

EDGAR OF AUCHINGRAMMONT, CO. LANARK.

(See vol. III. pp. 374-377, 465; vol. IV. p. 182.)

Having pursued my inquiry respecting the truth of the Auchingrammont family tradition that it was from Berwickshire and of Wedderlic, I now

propose to make a synopsis of the circumstances and facts already brought together.

1. It is shown by the register of deeds, retours, &c. in Edinburgh, that Alexander Edgar acquired Auchingrammont through the once opulent family of Porterfield, and was the first Edgar there, in 1734.

2. That portion of Auchingrammont which merged into the town of Hamilton, used to be called Nether Auchingrammont, and Nether houses. (Regr. of Sasines, Edinb. and Par. Reg. of N. Leith, 1754.)

3. The first Edgar of Auchingrammont, by marriage in 1740-1 with the coheirss of another family or branch of Edgar, thus united two lines.

4. These two families originated, not in the south-west, but in the south-east of Scotland, and they lived in the counties of Berwick and Edinburgh until their temporary migration to Lanark.

5. Peter Edgar, the younger brother of Alexander Edgar, the first of Auchingrammont, was born in the parish of Duns, Berwickshire, on the 17th of Sept. 1704, and was buried in the churchyard of Cramond, near Edinburgh, his tomb there being still standing.

6. In the parish register of Duns it will be seen that Edgar the laird of Wedderlie appears as a witness at the baptisms of others of his name and family.

7. The mother of Peter Edgar was named Jean *Broun*. She was of the Coulston family,¹ and this connection may have influenced her son Peter's marrying Anne, daughter of the Rev. John Hay, of Bridgelands, Peebles, son and heir of Gilbert Hay, of the same place (*vide* Retours), and there can be little doubt, if any—although it has not been necessary to pursue *this* inquiry—that the latter could by wills, and the parish registers of Peebles, be shown to have been a son or grandson of "Hayston."

8. James Edgar, father-in-law of Alexander Edgar, first of Auchingrammont, and resident in Edinburgh, was *not* a clerk of session under Sir Gilbert Elliot of Minto, but served him in the capacity of a private secretary. (*Vide* Burgess Rolls of the City of Edinburgh, 1710, and lists of Clerks to Lords of Session.)

9. This James Edgar I take to have been a son of Alexander Edgar, Fellow of the College of Surgeons at Edinburgh, whose fine portrait in the meeting-hall of that college, by Sir John Medina, bears a close resemblance to another fine portrait of Elizabeth, the daughter of James Edgar—and which is now in the possession of Mr. J. Myln in Edinburgh.

10. Thus a discrepancy, almost unavoidable in disentangling two lines of the same family, all bearing similar baptismal names, is disposed of, I am inclined to think, in a satisfactory manner, *i. e.* the family of Auchingrammont derived from Wedderlie through the female line several generations later than it did through the male; and I conclude that James Edgar, the

¹ Before the disruption in it. She was probably a near relative of Sir Alexander Broun, of Coulston and Westruther (*vide* Baronetage).

father of Peter Edgar, was the brother of George Edgar of Newtown, head of a well-known branch of Wedderlie.

The parish registers of Dunse, and perhaps those of Coldingham and Westruther, might settle this last point at once.

11. The late learned Joseph Robertson, LL.D. made use of this expression to me—"I feel as certain that the Auchingrammont Edgars were from Wedderlie, as I do that the Earl of Morton is a Douglas."

I would remark, before concluding, that I have not been able to trace the descendants of Alexander Edgar of Westruther, who, with his relative John Edgar of Wedderlie, in the same parish, were *elders* in 1657; and since the death of the late estimable Mr. J. G. Edgar (the well-known author) I have failed to find any one of the *name*, to take much interest in the subject, although it has many points of *general* interest. L.-A.

SAMUEL TRAVERS AND HIS BROTHER ELIAS.

To the Editor of THE HERALD AND GENEALOGIST.

Bodleian Library, Nov. 26, 1866.

DEAR SIR,—Since the date of my letter concerning Samuel Travers (printed in p. 109) I have noted from *Luttrell's Diary* (iii. 407, and vi. 165) that on Dec. 1, 1694, the Royal Fishery Company elected him their Deputy Governor; and that (April 26, 1707) "her Majesty has appointed Mr. Jett of the Exchequer, Mr. Topham keeper of the records, Mr. Travers and Mr. Taylor commissioners for surveying all the lands in England, to know the value of them, and to begin with Berks."

But the most interesting addition I have made to my memoranda relating to him has been the discovery of the funeral sermon on the death of his brother Elias Travers of Dublin, dissenting minister, preached at the meeting-house in Cook Street, Dublin, May 17th, 1705, by Joseph Boyse. 4^o *Dublin*, 1705.

Mr. Boyse states, as the result of inquiries among his relatives, and inspection of such of his papers as were not written in short-hand—that Elias was the son of Mr. Thomas Travers a Non-Conformist minister in some part of Cornwall. That he first went to Ireland with the Earl of Radnor in 1669. He was then about twenty years of age, and employed "by that hon. person (whose nephew he was) in the Secretary's office." He returned to England with Lord Roberts, and in pursuance of his advice entered Christ's College, Cambridge, where he studied medicine and divinity and took his M.A. degree (by royal letters in 1675). Resisting the earnest persuasion of his friends that he should enter the Church, in which by their influence he could have been rapidly preferred, he chose to become a simple Non-Conformist minister; lived as chaplain in Lord Roberts's family for a few years; then went back to Ireland and became chaplain to

Lord Massereene at Antrim. While in this capacity he went to Dublin and was "solemnly ordained to the ministerial office," and returned to Antrim, where he laboured for several years. In "the troubles" (1689?) he was arrested by the Popish party, sent to Dublin on the charge of corresponding with enemies of the Government, imprisoned for six or seven weeks, —examined and acquitted. After this he occasionally preached to the Cook Street Congregation—received and accepted "a call to the pastoral charge of it," and remained there fifteen years, until his death at the age of fifty-five, May 5, 1705. Mr. Boyse mentions his wife and children, but does not give their Christian names.

The result of this is, that the family of Thomas Travers of St. Columb, Cornwall, was under the special protection of his relative Lord Roberts, who, after doing all he could to advance the eldest son Elias—and in a measure failing—sent Samuel the younger one to his own college (Exeter) at Oxford, and finding him apt and willing, a protégé likely to do him credit, pushed him on, established him as soon as possible in one of the Cornish boroughs governed by his influence, and made his fortune for him.

H. J. SIDES.

SEPULCHRAL MEMORIALS AT KENSINGTON.

To the Editor of THE HERALD AND GENEALOGIST.

Sir,—Passing through Kensington, and remembering that the Old Church is threatened with demolition, I entered within its walls, to take a farewell survey. I found the structure propped and supported in an extraordinary manner, but so efficiently, as I was informed, that it may stand for two or three years to come, should that be necessary, whilst a new church is erected upon another site.

The interior is covered with memorials of the illustrious dead, abounding with biographical and genealogical information. For these I was pleased to hear that it is proposed to provide a place of refuge: but still it would be very desirable to take an accurate account of them before their removal. I presume that Faulkner's *History of Kensington* does not render this unnecessary, after observing in your last Part the censures passed by your correspondent Mr. RYE upon Faulkner's account of the sepulchral memorials at Chelsea.¹

I noticed upon the exterior walls of Kensington church various mural tablets, some of which I imagine were once placed in the interior. Among

¹ Our Correspondent's suspicions of Faulkner's accuracy are not unjust. The two Tichborne epitaphs are printed at p. 313 of Faulkner's *History*; but he has printed the name Tichbourn: has misassigned the date 1743 to the mother, and 1790 to the daughter, and has made the latter instead of the former "sometime Woman of the Bedchamber to Queen Caroline."

them, near the east window, was one evidently so disintegrated throughout that it would scarcely bear the gentlest touch. Yet, as the surface, though blackened by the sooty and grimy atmosphere, had not actually fallen, I was able by the help of a favourable light to decipher it pretty confidently; and, since it belongs to a family to which much attention has been recently paid in your pages, I will at once request you to preserve it:—

Near this Place is deposited the Body of the Hon^{ble} Mrs. CHARLOTTA AMELIA TICHBORNE, second daughter of the Right Hon^{ble} Robert L^d Visc^t Molesworth. She married the Hon^{ble} William Tichborne, only son of the R^t Hon. Lord Ferrard of Beaulieu, co. Drogheda, in Ireland, by whom she left two daughters. On the arrival of the present Royal Family of Hannover she was appointed Bedchamber Woman to Her Royal Highness the then Princess of Wales,¹ in which employment she continued to the death of Her late Majesty. She died much lamented on the 24th day of October 1748, aged 54 years.

On a small tablet placed below the above is the following inscription to one of Mrs. Tichborne's two daughters:²—

To the memory of M^{rs} WELHELMINA TICHBORNE, daughter of the late Hon^{ble} M^{rs} Charlotta Amelia Tichborne: who died December 5, 1779, aged 75 years.

Two other tablets, affixed near, commemorate—

Lord Viscount MOLESWORTH departed this life 27 Jan^r 1813, in his 84th year.

Awake thou that sleepest. It is Jesus Christ who shall raise you Himself at the Last Day.

Here lieth the Remains of MARY ANN VISCOUNTESS MOLESWORTH, who departed this life the 2nd day of Augst 1819, in the 82d year of her age.

*Welcome sweet day of Rest,
Welcome to my Saviour's Breast.*

These were Robert fifth Viscount Molesworth, who was nephew to Mrs. C. A. Tichborne, being son of her brother, the Hon. William Molesworth, third son of the first Viscount, and his widow, who was the daughter of Israel Alleyne, Esq. of Cork, and married Aug. 18, 1761.

Two other Viscounts of this family were buried at Kensington.³

1758. Richard Viscount Molesworth 16th October.

1793. Richard Nassau, Viscount Molesworth, 9th July.

I was further tempted to copy the inscription from a very neat tablet which is now affixed to the outer wall of the church on the north; and, though more than two centuries old, is still in a tolerable state of preservation:—

¹ So appointed Feb. 28, 1714: married to Capt. Tichborne Dec. 1712. Lodge's Peerage of Ireland, edit. Archdall, v. 140.

² The other daughter was Arabella, married in May 1744 to Francis Wyat of Shackleford, in Middlesex, esq. Ibid.

³ Faulkner, in his pp. 348-376, has printed many copious and valuable extracts from the parish registers of Kensington, but the names are not entered in his indexes.

NEERE THIS PILLER LIETH Y^e BODY OF HENRY DAWSON, ESQ. ALDERMAN OF NEWCASTLE UPON TINE, WHO WAS TWICE MAIOR OF THE SAID TOWNE, AND A MEMBER OF THE PRESENT PARLIAMENT, WHO DEPARTED THIS LIFE AUGst Y^e 2, 1653.

Above this inscription is a shield of arms, [Azure], on a bend engrailed [argent] three daws [proper], and in chief an annulet; and below it the same coat, impaling a fess engrailed between three griffin's or eagle's heads erased.—Yours, &c. O. M.

PORTRAITS OF THE ROYAL GOVERNORS OF NEW YORK.

Of the twenty-six Royal Governors of New York, there are, I believe, only three engraved portraits, viz., Burnet, Colden, and Monkton; and no portraits of the remaining twenty-three exist in America. Several of them were of noble descent; others connected with the nobility by marriage; and there can be little doubt that painted portraits of many of them are at this day in the possession of their descendants in England. If any of your readers know of the existence and whereabouts of one or more of such portraits they would confer the greatest favour upon students of American history by communicating the fact to "THE HERALD AND GENEALOGIST." The attention recently directed in England to the preservation of historical portraits leads me to hope that this inquiry will meet the eye of some one both able and willing to answer it. I subjoin a list of the Governors, with a few brief remarks which may serve to identify them, or to point out the probable custodian of the portrait. Further details may be found scattered through the ten quarto volumes of O'Callaghan's *Colonial History of New York*.

1664. Colonel Richard Nicolls.

1668. Colonel Francis Lovelace, second son of Sir Richard Lovelace, afterwards Baron Lovelace, of Hurley.

1674. Major Sir Edmund Andros, Seigneur of Sausmarez, afterwards Gentleman of the King's Privy Chamber.

1683. Colonel Thomas Dongan.

1688. Sir Francis Nicholson.

1690. Colonel Henry Sloughter.

1692. Benjamin Fletcher.

1695. Richard first Earl of Bellamont, and second Baron of Coloony, in the county of Sligo.

1701. John Nanfan.

1702. Edward Hyde, Lord Cornbury, eldest son of the Earl of Clarendon.

1708. John, fourth Lord Lovelace, Baron of Hurley.

1709. Major Richard Ingoldsby.

1710. Robert Hunter. His wife was a daughter of Sir Thomas Orby, Bart., of Burton Pedwardine, Lincolnshire, and relict of Lord John Hay, second son of the Marquess of Tweeddale.

1720. William Burnet, son of the historian.

1728. John Montgomerie. He had been Groom of the Bed-chamber to the Prince of Wales, afterwards George the Second.

1731. Colonel William Cosby, formerly Governor of Minorca. His wife was a daughter of Lord Halifax.

1736. George Clark. He married Anne Hyde, a relative of Lord Chancellor Clarendon. He died on his estate in Cheshire in 1759.

1743. Admiral George Clinton, a younger son of the Earl of Lincoln.

1753. Sir Danvers Osborne, Bart., of Chicksands, Bedfordshire. He married Lady Anne Montagu, daughter of the Earl of Halifax.

1753. James De Lancey.

1754. Sir Charles Hardy.

1760. Cadwallader Colden.

1761. General Robert Monkton.

1765. Sir Henry Moore, formerly Governor of Jamaica.

1770. John Murray, fourth Earl of Dunmore. He married Charlotte Stewart, daughter of the Earl of Galloway. His daughter Augusta married the Duke of Sussex, sixth son of King George the Third.

1771. William Tryon. His wife, Mrs. Wake, was a relative of the Earl of Hillsborough, Secretary for the Colonies.

New York.

S. W. P.

BOOTH OF HEREFORDSHIRE.—This family was a branch of the parent stem rooted for several generations at Old Durham. Mr. Surtees copies from the Herefordshire Visitation the descent entered in the year 1682, but does not connect John Booth, the founder, with his Northern relatives. I am desirous of ascertaining the precise degree of relationship between them; and also of knowing who was Paul Booth, residing at the commencement of eighteenth century at Letton and Norton Canon, co. Hereford. The latter place was for several generations the seat of a branch of the Whitneys—a family connected with the Booths and in whose descent I am equally interested.

C. J. R.

John Booth, of Old Durham. — Margery, dau. of William Walden, of Huntingdon, aunt to Sir Lionel Walden.

John Booth, of Letton, co. Hereford, came into that county in 1646, being then captain of a troop of horse in King Charles the First's service; died 1 March, 1704. M. I. Hereford Cathedral. — Lucy, eldest dau. of Sir Robert Whitney, of Whitney, knt. relict of William Smallman, of Kinnerley, esq.; died April 1673.

Mary, only child.

ARMS OF HODGES, &c. (p. 287).—MR. GRAZEBROOK is, I think, mistaken in his suggestion, that William Hedges of London, merchant, who was knighted March 6th, 1687-8, is identical with the Baronet named Hodges.

Sir Joseph Hodges, Baronet, was "a Spanish merchant" of London, and I do not think that there would be much difficulty in tracing his family.

Perhaps of his family were "Hodges of Eaton, co. Berks," also Dr. Nathaniel Hodges (so celebrated in his day for his humanity, and his work *Loimologia*,) son of Dr. Thomas Hodges, Dean of Hereford in 1640, and Vicar of Kensington.

After Hodges, Treasurer of Nova Scotia, was removed to Jamaica, in the same capacity, we find in the latter island various conveyances of land, towards the close of the seventeenth and beginning of the eighteenth century, to Joseph Hodges.

In 1733, in the same island, we find letters of administration relating to the property of Joseph Andreise Hodges, lately of Eaton, co. Berks, and *St. Giles' London*.

Bonella Hodges, daughter of Joseph Hodges of Jamaica, was mother of the first (Pennant) Lord Penrhyn. Another Hodges (R. F.) was married to a daughter of Chief Justice Lewis of Jamaica (of the family of Monk Lewis). His life was very remarkable, in its misfortunes, but this is not to the point.

L.-A.

ARMS OF DOREWARD OR DURWARD.

I found some time since upon a carved wooden boss removed from the roof of the south aisle of the church of Great Bromley, Essex, a shield of arms which may be blazoned as follows: A bend sinister engrailed between a mullet in chief and three crescents in base. I am interested to discover to what family these arms belonged, if they are a correct representation of the armorial bearings of any. The whole has rather a singular air,—the bend *sinister*, and the charges varied and unequally divided,—and I am rather led to suspect that the carving is not altogether trustworthy. The family to which, if genuine, I should conjecturally attribute them is that of Doreward, which was possessed of the manor of Great Bromley in the fourteenth and fifteenth centuries. (Morant's *History of Essex*, vol. i. p. 441.) Another family of this name, settled at Bocking, in Essex, (one of whom was John Doreward, Esq., Speaker of the House of Commons in 1 Hen. V.) is said to have borne Ermine, a chevron charged with three crescents (Morant, ii. 385); Ermine, on a chevron sable three crescents or (Harl. MS. 1137, f. 16); or, as I elsewhere find, Ermine, a chevron between three crescents or (Burke's *General Armory*, under *Durward of Bocking*). Elias Durward of Great Bromley, about 1336, married Anne, sister and heir of Thomas Martell, and the arms of Martell, Gules, three hammers or martells argent, headed or, are in a window of the same aisle of Great Bromley church in which the boss above described was placed. The coincidence of the three crescents, and the existence in the window of the arms of one of their alliances, lend weight to the supposition that the arms on the boss are those of Durward; but, as I have said before, the appearance of the shield itself is not like a true English coat. F. M. N.

Note.—We should not be disposed to appropriate the shield in Great Bromley church to any person or family, for we think it is probably one of those which were merely decorative, and the invention of the sculptor or carver. There was certainly a good deal of apparent armory produced in that manner, and when one tries to ascertain the names of the probable owners of a set of shields employed for decorating, they often turn out to be merely the commonest and simplest armorial devices, or perhaps arbitrary designs suggested by *charges* of families connected with a place or neighbourhood, but not strictly family or personal coats. There exists a most tantalizing piece of ecclesiastical vestment-work that, at first sight, looks like a very interesting roll of ancient arms, but on investigation they turn out to be imaginary. So are often the shields on dishes and enamelled vessels, &c. And so no doubt very often are the carvings on wood or stone that occur on the brackets or battlements or other architectural features of churches.

HARE FAMILY (vol. II. p. 473.) It would seem that the inference drawn in this article with regard to the ancestry of the Lords Listowel cannot be maintained. The family were settled in Cork prior to the date of the papers referred to in the above article, and were engaged in trade.

In the marriage licence bond, dated 1700, of John Hare who married Margaret daughter of William Bussell, he is described as "John Hare of Cork, merchant;" and William Bussell of Cork, Chandler, was the surety. This John was the father of Richard who married Miss Maylor. In 1725, John Hare, of the county of Down, gentleman, married Margaret Hare, spinster; sureties to the bond being Andrew Hare and John Hare of Cork, merchants. Whence John of the county of Down descended appears not, but he was not the ancestor of the Earl of Listowel. G. H. D.

STRONGBOW.

Is there any roll extant of the knights, &c., that accompanied this noble to Ireland, or of those who followed his father on his expedition into Wales? S.

WHO WAS JOHN DUNCOMBE?

the civil engineer—associated with Telford, in the Bridgewater Canal—surveying in Scotland for the highland roads, &c.? He invented the Dendrometer, an instrument for measuring trees (mentioned in the *Encyclopædia Britannica*); wrote a Treatise respecting it in 1769, 8vo.; 2nd edition, 8vo. in 1771, and other works. He is reputed to have been a descendant of the Barley End, Buckinghamshire, family, but I can find no trace of him in any of the pedigrees in the British Museum. G. F. D.

VALENTINE CAREY, D.D., BISHOP OF EXETER.

The birth and parentage of Dr. Valentine Carey, who held the see of Exeter for five years, are involved in much obscurity. The most probable supposition is, that he was the third son of an illegitimate child, for his arms are those of the Hunsdon family differenced by a bordure compony,¹ and by a mullet, the difference of a third son. In his Christian name we may perhaps trace some allusion to the circumstances of his descent. In his will he mentions no members of the Hunsdon family *as relatives*, but speaks of a brother (probably a brother-in-law) named Hodson; and though he made Colonel Ernestus Carey heir to his landed property in Cambridgeshire, there can be no doubt that Lysons² is wrong in calling him the bishop's nephew.

All however that we know with certainty is, that he was born at Berwick-upon-Tweed³ at a time when Lord Hunsdon was engaged with military duties in that town or neighbourhood, that he enjoyed the patronage of that peer and his family, and that his elevation to the bishopric of Exeter was due to direct influence employed in his favour by Henry the fourth baron.⁴

We may fix the date of his birth at about 1570, for we find that on Dec. 11, 1585, he matriculated as a sizar at Christ's College, Cambridge; afterwards became a Scholar of St. John's, but in 1588-9 proceeded B.A. of the former College. He was admitted Fellow of St. John's, on the Lady Margaret's foundation, 26 March, 1591, and on Fell's foundation, 14 March, 1599-1600, having previously taken his M.A. degree, and occupied (in 1595) a fellowship of Christ's College.⁵ Fuller says, "I meet not with any his Peer herein, thus bounded and rebounded betwixt two

¹ Painter's Work Book, penes Coll. Arm.—"1633, for Mistris Carie, w^o of Dr Valentine Carey, Bp. of Exeter, and sister to Mr Secretary Cooke." *Cary* within a bordure compony, a mullet for difference, impaling Gules, three crescents, and a canton or.

² Lysons' Cambridgeshire (Great Shelford), p. 250.

³ Fuller's Worthies, Northumberland; and Richard Parker, a contemporary of the Bishop, states that he was admitted to his Fellowship as a native of Northumberland.

⁴ Court and Times of James I. vol. ii. pp. 275, 281.

⁵ Cooper's Athenæ Cantabrigienses.

Foundations. But the best is they both had one and the same Foundress, Margaret Countess of Richmond.”

From King James he received, in 1603, the rectory of West Tilbury, Essex; which he resigned, in 1607, on being presented to the vicarage of Epping. On 29 Sept. 1604 he obtained the rectory of Great Parndon, and on July 1, 1608, was admitted to the prebend of Chiswick in St. Paul's Cathedral, on the promotion of Dr. Barlow to the bishopric of Lincoln.¹ In 1610 he took the degree of D.D. and was collated to the rectory of Orsett, Essex; and through the influence of Lord Hunsdon was chosen Master of Christ's College. Four years afterwards, on the elevation of Dr. Overall to the episcopal bench, he was made Dean of St. Paul's, but resigned that dignity on being presented by the King to the bishopric of Exeter. He was consecrated 18 Nov. 1621; and, vacating all other preferments, received from the Crown the vicarage of Exminster to hold *in commendam*.

He died at his house in Drury Lane, London, 10 June 1626, and was buried by his express desire in St. Paul's Cathedral, under a plain stone, with the following inscription:—"Hic jacet VALENTINUS CAREY, S.T.D. olim Decanus hujus Ecclesiæ; qui obiit Episcopus Exon. cujus monumentum ibidem erectum patet, 1626." In the north choir aisle of his own cathedral a cenotaph still exists with this legend: "In memoriam VALENTINI CAREY, olim hujus Ecclesiæ ep̄i, qui obiit x^o Junii MDCXXVI. Sanguis Jesu Christi purgat me ab omni peccato."

Arms: 1. Ar. on a bend sa. three roses of the field; difference a mullet, for Carey.

2. See of Exeter impaling Carey.

3. Carey, impaling, Gules, two crescents or, a canton ar.

The last impalement (as has been already stated) is that of his wife Dorothy, fifth daughter of Richard Coke, of Trusley, co. Derby, and sister of Francis Coke; Sir John Coke, the Principal Secretary of State to Charles I.; and of George Coke, Bishop of Hereford. She had no children, and survived her husband seven years, dying in 1633.

Bishop Carey does not appear to have been much distinguished

¹ Newcourt's Reportorium. According to Le Neve (Fasti Eccl. Anglic. ed. Hardy) he was made Archdeacon of Salop 1606 and Preb. of Lincoln 1607.

either as a scholar, a preacher, or a politician; and we may, without great injustice, conclude that the large amount of preferment which fell to his lot was mainly due to the influence of the house of Hunsdon. From his will it is clear that he was not unmindful of his benefactors; and there is reason to think that he was free from that spirit of avarice with which so many of his contemporaries in Church and State were tainted. It is said that in 1617,¹ when attending King James on his visit to Scotland, he roused the anger of the people by introducing a prayer for the dead upon the occasion of a military funeral; but we can easily believe that, as he was accompanied by Bishops Andrewes and Laud, his words would be weighed with suspicion. Fuller calls him "a complete gentleman and excellent scholar," and speaks with gratitude of a service rendered to a member of his family; "he once unexpectedly owned *my nearest relation* in the High Commission Court when in some distress." It is possible that, if these words are to be taken literally, some connection may have existed between the bishop's "sister Lawson, dwelling at St. Edmund's Bury," and Fuller's many Suffolk relatives; but this is, of course, pure conjecture. Bishop Carey's will, from the Prerogative Court of Canterbury, is subjoined.

(Hele 91.) *Valentine Carey*, Bishop of Exeter, &c. sick—to be buried in the cathedral of Exeter if I die there, or at St. Paul's if I die in London. To every child of my brother John Hodson, to every child of my sister Veghelman, 40*l.* each, to be put into the hands of Sir Robert Jackson, knt., and Mr. John Jackson of Berwick, for their use till they become twenty-one years old. To my sister Lawson, dwelling at St. Edmund's-bury, 100 marks; if she be not living, the same to go among her children. To Christ's College, Cambridge, two flagon pots for the communion, my wife to provide them. To St. John's Coll. Camb. 50*l.* for books for their new library. To my dear wife, Dorothy Carey, lands at Great Shelford, co. Camb. for life; remainder of same (commonly called the manor of Grandshams,² with its app^{ts}), and all books not bequeathed, to Ernestus Carey absolutely. To said wife my estate

¹ Nichols' Progresses of James the First.

² This manor was conveyed 1 Oct. 1646 by Ernestus Carey to Edward Ventriss, Esq. reserving a rent-charge, and on 30 Nov. 1646, the said rent-charge to Rowland Carey, of Everton, co. Beds (*cf. infra*, p. 388), and another in trust for his wife. See Case of the present Lord Hunsdon, Brit. Mus. Harl. MS. 6694.

in my house in London, on south side of Drury lane; also my lease of Coton, held of Catharine Hall, Cambridge. Residue of lands and goods to said wife; and I leave Ernestus Carey wholly to her care for his education To Dr. Gwyne, M^r of St. John's Coll. Camb. 10*l.* for a ring. To Dr. Burnell, Dr. Allott, Dr. More, and Mr. Rich^d Reading, 5*l.* each for rings. To my antient, true, and worthy friend, Sir Martin Stuteville, knt. a piece of plate of 20*l.* with my name and arms upon it; and to his daughter Jane Stuteville, my god-daughter, 10*l.* To the rest of my god-children 5*l.* each. To Sir John Carey, knt. eldest son of my Lord Viscount Rochford, 20*l.* for a ring, and several books. To Mrs. Judith Carey, daughter of my Lord Rochford and my god-daughter, 40*l.* for plate. To Mr. John Phipps, chaplain, 10*l.* and St. Augustine's works. To the poor of Orsett, 10*l.*; of Exeter, 10*l.* All household goods to my wife, and plate; but on her death, my great silver salt to Christ's Coll. Cambridge. My wife to be Executrix. Dat. 3 April, 1626. Prov. 17 June, 1626, by said wife.

ROWLAND CARY, of Everton, co. Beds, has already been mentioned (p. 387 note) as a trustee of the property at Great Shelford bequeathed by the Bishop to Col. Ernestus Carey. It is natural to suppose that some consanguinity existed between him and his namesake, but every effort to discover a relationship has hitherto failed. The registers of the parish of Everton commence at a comparatively late period, and contain no entry respecting Rowland Cary, who, we know, was living in 1646.

However, a series of extracts from them as well as from other sources is subjoined, in the hope that they may assist others in carrying these inquiries to a more successful issue.

It may be mentioned that one member of this branch, the Right Hon. Walter Cary, attained some political eminence in the last century, being Clerk in Ordinary to the Privy Council and to the Board of Green Cloth, a member of Parliament, and of the Board of Trade and Plantations (1727-1730).

C. J. ROBINSON, M.A.

Norton Canon, Herefordshire

EXTRACTS FROM PARISH REGISTERS.

EVERTON, CO. BEDS.

Baptisms.

1654. Edward, son of Edward Cary, Esq. and Sarah his wife, born 12 Nov.

1688, May 8. William Cary, the sonn of Walter Cary, Esq. and Annabell his lady. Godmother, the Lady Burton; godfathers, Sir Will. Holford,¹ and Evelyn, Esq.²

1690, Sept. 17. Annabella Cary, the dau. of Walter Cary, Esq. and Annabell his lady.

1693, Mar. 9. Elizabetha filia Gualteri Cary, gen. et Annabellæ uxoris ejus, nono die Martii.

1695, Oct. 10. Agnes filia Gualteri Cary, gen. et Annabellæ uxoris ejus, 8^{bris} die decimo.

1697, Oct. 5. Renatus. Rowlandus filius Gualteri Cary, gen. et Annabellæ uxoris.

1701, Aug. 12. Robert, son of Walter Cary, Esq. and Annabel his wife.

Burials.

1653, Dec. 10. Rama, y^e dau. of Edward Cary, Esq. and Sarah his wife.

1654, May 5, Edward y^e sonne of Edward Cary, Esq. and Sarah his wife.

1657, Aug. 17. Edward Cary of Marybone, Esq. buried.

1661, Aug. 25. Martha Cary, the wife of Walter Cary, Esq. a gentlewoman, died Aug. 24.

1679, Oct. 1. Walter Cary, Esq. obiit Sept. 25.

„ Nov. 29. Sarah Cary vidua Edvardi sepulta.

1681, Mar. 10. Gualterus Cary, generosus.

1684, Sept. 5. Elizabetha Carey uxor Gualteri Carey, arm.

1694, May 10. Elizabetha filia Gualteri Cary, gen. et Annabellæ.

¹ Probably Halford. Sir William Halford, of Welham, co. Leic. knt. married the widow of Sir Thomas Burton of Stockerston, and their eldest daughter Annabella married Walter Cary, Esq.

² Thomas Evelyn, Esq. of Long Ditton had a daughter Rosa, who married Thomas Keightley; and a Walter Cary married Elizabeth dau. of Thos. Keightley of Hertingfordbury. (Clutterbuck's *Herts.*)

HIGHGATE, CO. MIDDX.

Married.

1640, Oct. 22. Walter Cary and Martha Sedgwicke.

SOMERSET HOUSE, LONDON.

Married.

1738, Walter Cary, widower, and Elizabeth Collins.

EXTRACTS FROM THE PARISH BOOKS OF EVERTON.

£49 00 00 of this towne money Mr. Walter Cary gave bond for bearing date Dec. 21, 1669, and is in the present custody of Mr. Philip Story by the consent of the parishioners March 14, 1686. There is forty shillings more of the towne money which one James Capell had in his hands, but ran away many years since, and Mr. Carey seized of what he had, and therefore it is to be hoped that Mr. Carey the younger will not in charity let y^e poore be y^e loosers.

Signatures, 21 April, 1690,

W. CAREY.

May 31, 1709,

We whose names are hereunto subscribed, being the Minister and Churchwardens of the parish church of Everton, in the counties of Huntingdon and Bedford, do acknowledge to have received from the Reverend Charles Perrot, sole executor and residuary legatee of the Reverend John Cary deceased, who was sole executor and residuary legatee of Elizabeth Cary deceased, who was sole executor and residuary legatee of the right honorable Walter Cary, Esq. deceased, the sum of £160, being a legacy left to the poor of the parish aforesaid, and being the produce arising from the sale of an house given by the will of y^e said Walter Cary to the poor of the said parish, but which was afterwards sold by him in his lifetime. Witness our hands this 17th day of July, 1764.

JOHN BERRIDGE, Vicar of Everton, &c. &c.

WILL AT DOCTORS' COMMONS.

(Cann 17.) Walter Cary, of the Middle Temple, London, gent. All the estate left by my late father, Edward Cary, to my mother, and then to me and my heires, and occupied by Thomas Topham, in par. of Hallyweston, co. Hunts, to my wife, Susanna Cary, and her heirs.

Dat. 2 Dec. 1674 (no executor named) proved at C. P. C. 16 Feb. 1684.

MISCELLANEOUS NOTES.

Most, if not all, of the families which now bear the name of Cary or Carey claim to be descended from or connected with the House of Hunsdon. In many cases the wish has doubtless been father to the thought, and it would be a thankless, uninteresting, and almost impossible task to examine the foundations upon which the several traditions rest. The subjoined notes are chiefly the result of communications which I have had either with the representatives of each branch or with some member of it who felt an interest in the subject.

1. The Rev. HENRY FRANCIS CARY,¹ the well-known translator of Dante, was the eldest son of William Cary, of Bevere near Worcester, who was a younger son of Henry Cary, Archdeacon of Killala, who was the eldest son of Mordecai Cary, D.D. Bishop of that diocese. The bishop was the son of John Cary, a merchant of London, and was educated at Trin. Coll. Camb. He was for some time Master of Morpeth Grammar School, and was appointed Bishop of Clonfert in 1732, and of Killala in 1735. He died in 1751.

2. A branch of the Hunsdons is said to have settled in co. ANTRIM, Ireland. Thomas Cary of Dublin, a nephew or grandnephew of one Sir Ferdinand Cary, who was a general in the Austrian army, had a daughter Mary Anne, who married in 1817 the late John D'Arcy, Esq. of Hyde Park, co. Dublin.

The Christian name of Ferdinand either points to a connection with the Hunsdon family or is a very curious coincidence.

3. THE FAMILY OF WEEKES, resident in the county of Sussex, claim to be descended from the ennobled Carys through the Hamptons. The Rev. William Hampton, Rector of Worth, co. Sussex, married 25 Oct. 1688, Elizabeth dau. of James and Ann Carey, who was born at Aston, co. Oxon, 17 June, 1669. The Hamptons are said to have had two ancestors who were successively chaplains to Lord Howard of Nottingham, who, as we know, married a daughter of the first Lord Hunsdon. It should, however, be noticed that a branch of the Carys of Cockington, co. Devon, settled at Ditchley and Woodstock, co. Oxon, and of course a sort of cousinship may be said to have existed between them and the Hunsdons.

C. J. R.

¹ Christened Francis Henry. See also p. 48 of the present volume, note 2.

DURING the period extending from the 18th June, 20 Eliz. 1578, to the 2nd March, 25 Eliz. 1582-3, Henry Lord Hunsdon, K.G. was owner of one of the manors¹ of Hackney near London, together with its capital mansion, since called Brooke house, from its subsequent owners the Lords Brooke. This ancient mansion is still existing, retaining the principal features of its original

¹ Dr. Robinson, the historian of Hackney (vol. i. p. 312, and again in p. 313) has intermingled with the descent of this manor that of another which before the Reformation belonged to the order of St. John of Jerusalem, and subsequently acquired the name of Kingshold,—his predecessor, Lysons, having fallen into the same error. In a deed of conveyance from the Earl of Northumberland to Lord Chancellor Audley and others on the part of the Crown, 7 July 23 Hen. VIII. 1531, the estate which afterwards came to Lord Hunsdon was described as “the manor or messuage of Hakeney and other the premises, free and copy, of the value of 186*l.* 6*s.* 9*d.* above all charges.” By several subsequent conveyances during the same century it passed, by the name of the manor of Hackney, through the hands of Sir William Herbert (afterwards Earl of Pembroke), Sir Ralph Sadlyer, and Sir Wymond Carew, and was sold by Richard Carew of Anthony in 1578 to Lord Hunsdon. Lord Hunsdon sold it in 1582-3 to Sir Rowland Hayward by the name of King’s Place or manor of Hackney (whence probably the confusion with the manor of Kingshold); Sir Rowland in 1594 to Anthony Radcliffe and others; who conveyed it in 1596 to Elizabeth Countess of Oxford; and she in 1609 to Sir Fulke Greville, afterwards Lord Brooke. In that family the manor continued down to 1818, when they sold it to the late William George Daniel-Tyssen, esq. to whose grandson, William Amhurst Tyssen-Amhurst, esq. it now belongs. The capital mansion or Brooke House was sold at the same date to Dr. Monro, by whom it had been previously occupied as a lunatic asylum, and in that condition it still remains.

An inventory of the furniture of this mansion attributed to the reign of James I. is preserved in the British Museum (Addit. Rolls, xxx. 1) and is partly printed (but with many errors) in Robinson’s History of the parish, vol. i. p. 110.

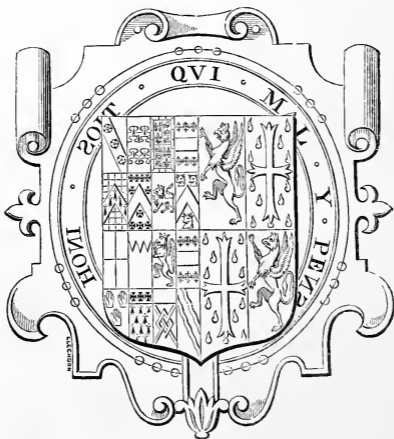
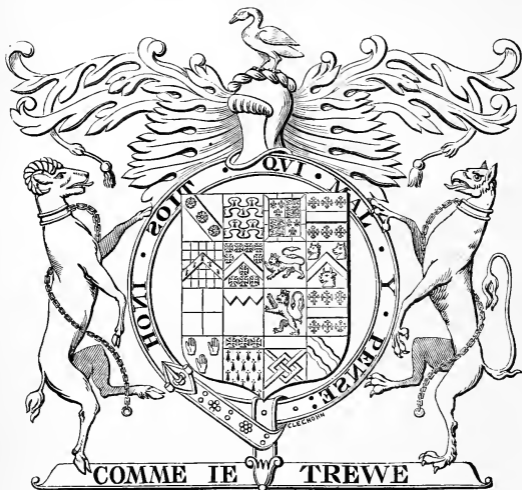
On the south side of the house is a pipe-head bearing the date 1650, together with the crest of a swan upon a coronet, but looking to the sinister, and resting immediately upon the engrailed cross of the Grevilles (without a shield). Below, upon the pipe, is the shield of Russell, a lion rampant and three escallops in chief. Robert Lord Brooke, who was slain at Lichfield in 1642, married Lady Catharine Russell, daughter of Francis Earl of Bedford.

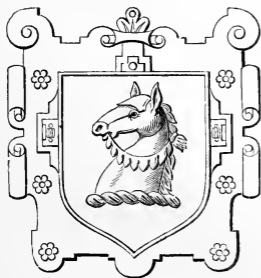
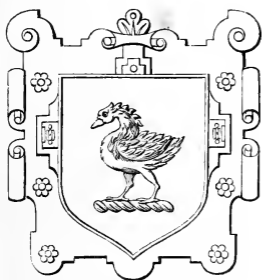
There is among Chatelain’s views one of Brooke House taken in 1750, and another was drawn and engraved by J. P. Malcolm 1797. Both these are copied in lithography in Robinson’s History of Hackney, but the latter is there misdated 1761. A folio etching professing to be “The Brooke House, Clopton, in Hackneye, ye south prospect,” and drawn by Hollar 1642, is one of those fabricated by a notorious forger about twenty years ago. A series of eleven large architectural drawings of Brooke House, in water-colours, made by John Burlison and George Toussaint in 1841-44, is preserved among the Hackney collections of J. R. Daniel-Tyssen, esq. F.S.A. and to the kindness of that gentleman we are indebted for the engravings of the armorial ceiling which accompany these remarks.

grandeur. In 1 Edw. VI. (when it was conveyed to the Earl of Pembroke,) it was described as "A fayer house, all of brick, with a fayer hall and parlour, a large gallery, a proper chapel, and a proper librariye to laye books in," &c. The gallery, which occupies the whole upper floor of the western side of a large quadrangle, and is 158 feet in length and 19 in width (now divided into ten apartments), was either rebuilt or refitted by Lord Hunsdon, probably in 1578, or soon after. Its walls were throughout handsomely panelled with wainscoting: its ceiling moulded into panels forming squares, circles, and other geometrical figures, according to the style then usual, in which at intervals are placed the two armorial atchievements, and the four crests set upon shields, which are represented in the annexed engravings:—

The shield of Lord Hunsdon, within a garter, is quarterly of sixteen coats, of which the blason (supplied from other authorities) is as follows:—

1. *Carey*, Argent, on a bend sable three roses of the first, barbed and seeded proper.
2. *Spencer*, Sable, two bars nebulée argent.
3. *Beaufort* (*Duke of Somerset*), Quarterly France and England, a bordure componée argent and azure.
4. *Beauchamp* (*Earl of Warwick*), Gules, a fess between six cross-crosslets argent.
5. *Earldom of Warwick* (*Newburgh*), Checky argent and azure, a chevron ermine.
6. *Berkeley*, Gules, a chevron between ten crosses patée argent.
7. *Lisle*, Gules, a lion passant guardant argent, crowned or.
8. *Boleyne*, Argent, a chevron gules between three bull's heads coupéd sable armed or.
9. *Hoo*, Quarterly sable and argent.
10. *Butler* or *Ormonde*, Or, a chief indented azure.
11. *Rochford*, Argent, a lion rampant sable, crowned gules.
12. *St. Omer*, Azure, a fess between six crosslets or.
13. *Malmain*s, Azure, three dexter hands coupéd argent.
14. *Wichingham*, Ermine, on a chief sable three cross-crosslets argent.
15. *St. Leger*, Azure, a fret argent and chief gules.
16. *Hankford*, Argent, two bends wavy sable.





FROM THE MOULDED CEILING AT BROOKE HOUSE, HACKNEY.

Supporters: Dexter, a ram argent, spotted gules, azure, argent, or, and vert, ducally gorged, lined and attired or. Sinister, a male griffin (*i. e.* without wings,) [*on his garter plate* having two straight horns pointing forwards, and spikes or rays issuing from his breast, shoulder, and flank,] the body argent, the horns, fore-legs, rays, and a plain collar and chain, all or.

Crest, upon a helm, on a wreath a swan rousant argent.

His garter-plate has only twelve quarterings, omitting Beauchamp, Warwick, Berkeley, and Lisle. The coat of Cary is differenced by a crescent. The motto *COMME IE TREVVE* accompanies the crest. The plate is inscribed:—

DU TRESNOBLE SEIGR. HENRY CARY BARON DE HUNSDON CHEVALIER
DU TRESNOBLE ORDRE DE LA IARITIER FUST ENSTAILE LE XVI IOUR DE
MAYE LE TROISIESME AN DE LA ROINE NOSTRE SOVEREINE ANO 1561. ET
APRES CHAMBERLAIN POUR SA MA. 1586.

On the garter-plate of his son George Lord Hunsdon are the following sixteen quarterings:—

1 *Carey*, 2 *Spencer*, 3 *Beaufort*, 4 *Woodstock*, England with a bordure argent, 5 *Wake*, Or, two bends gules, in chief three torteauxes, 6 *St. Omer*, 7 *Berkeley*, 8 *Lisle*, 9 *Boleyne*, 10 *Hoo*, 11 *Malmains*, 12 *Ormonde*, 13 *Rochford*, 14 *Hankford*, 15 *Holway*, Gules, a fess between three crescents argent, 16 *Bryan*, Or, three piles, their points meeting in base, azure. A crescent for difference both on the first coat and the crest.

DU TRESNOBLE SEIGR. GEORGE CAREY BARON DE HUNSDON, CHAMBERLAIN POUR LA ROYNE, CAPITAIN DES GENTILZ HOMES PENSIONAIRES, GOVERNEUR DE L'YSLE DE WIGHT, FAICT CH'LR DU TRESNOBLE ORDRE DE LA IARRETIERE LE 24 IOUR DE MAY L'AN 1597.

2. Another compartment of the Hackney ceiling displays the same sixteen quarterings, impaling, Quarterly: 1 and 4, Or, a griffin segreant sable, *Morgan*; 2 and 3, Argent, guttée and a cross flory sable. As will be seen in the pedigree at p. 40, Lady Hunsdon was Anne daughter of Sir Thomas Morgan of Arkstone, co. Hereford; but these¹ were not the arms which are usually assigned to her. On the very magnificent monument to

¹ The two coats shown in the engraving are the first of six quartered for Morgan of Penicoed in Vincent's Surrey (MS. Coll. Arm. No. 129), f. 464. The first is an ordinary coat of Morgan: the second is not usually found in its company.

Simon Segar, in his *Baronagium*, p. 217 (MS. in Coll. Arm.), gives as the arms of

Lord Hunsdon in Westminster Abbey his arms are impaled with Per pale gules and azure, three lions rampant argent, the usual coat of *Herbert*. (See the engraving in Dart's *Westminster Abbey*, plate 61.) At his funeral also a banner was borne of Carey with five quarterings impaling Herbert with five quarterings.¹

The crests on the Hackney ceiling are:—

Crests: 1. A swan, for *Carey*.

2. A horse's head, coupé, armed, and bridled.²

3. A deer's head coupé, for *Morgan*.

4. A demi-eagle rising, for . . . ?

In the chapel of the ancient castellated house of the Mote at Ightham, in Kent, is preserved a curious musical instrument (said to have come from Tunbridge Castle,) which, when in order, combined the works of a pair of organs with those of a clavi-chord.³ The maker's name is inscribed thus: *Lodowicus Thefwes*

Lady Hunsdon, for *Morgan*, Per pale azure and gules, three lions rampant argent, quartering Whitney, Azure, a cross chequy azure and gules, *sed alibi* (he adds) in the pedigree of the Lord Falkland, Or, a gryphon rampant sable.

In Philpot Star (MS. Coll. Arm.) pp. 307 and 308, is a pedigree of Morgan of Arkston, with the Herbert arms, Per pale azure and gules, three lions rampant argent, a crescent for difference; accompanied by fourteen quarterings. Also in Vincent 94, p. 175, is another pedigree of Morgan, with the same (Herbert) arms, and several quarterings. Cf. *Herald and Genealogist*, i. 32.

¹ See the contemporary drawings in the College of Arms in Dethick's *Funerals*, vol. ii. p. 543. In the same volume is an account of part of the expenses of the funeral, which were defrayed by the Queen; but no finished account of the funeral is on record, nor a funeral certificate.

² In a book of Vincent's at the College of Arms (Vinc. 172, p. 80) this crest, viz. "on a wreath arg. and sable, a horse's head coupé, bendy of the same, armed or, reined azure, studded and garnished of the third," is given with many others to Henry Lord Hunsdon, K.G. Lord Chamberlain and Master of the Queen's Hawks. It is there called the crest of *Carye*. Simon Segar also remarks (*Baronagium*, ubi supra), after stating that the usual crest of Carey was, On a wreath, a swan rowsant proper, "I have seen Cary temp. Eliz. quartering Spencer, Bullen, Butler, &c. with a war-horse head coupé bendy argent and sable, bridled and maned or, the bridle studs gules, for crest." It appears highly probable that this crest may have been designed in allusion to the (legendary?) tournament of Sir Robert Carey of Cockington with an Arragonese knight (temp. Hen. IV.) whose arms (of the three roses on a bend) the family is said thenceforth to have assumed in lieu of their more ancient bearing of Gules, a chevron between three swans argent; the swan, however, being still retained in the ordinary crest of Carey. The swan, it may be noticed, was perhaps originally adopted by the family because that bird is so much associated in ancient poetry with *Cavia*.

³ *Archæological Journal*, vol. xx. p. 387.

me fesit 1579. Its case was elaborately painted with arabesque ornaments, enriched in parts with delicate patterns moulded in relief and coloured. It bears in one compartment the arms of Sir Edward Hoby, sometime constable of Queenborough Castle, who married Margaret daughter of Henry Lord Hunsdon; and in another the arms and quarterings of Carey marshalled of the same sixteen coats as on the Hackney ceiling. The quarterings of Hoby are as follow:

1. Argent, three bottoms or spindles in fess gules, threaded or, being the ancient arms of *Badlond*;
2. Gules, three halberts in fess argent, their staves or, *Hoby*;
3. Sable, an eagle displayed argent, *Llewellyn Gregeur*¹;
4. Argent, a lion (?) rampant sable, crowned or, *Rice ap Tudor*;
5. Sable, a rose (? pomegranate) argent, *Meredith Geth*;
6. Argent, a chevron between three boar's heads sable, *Philip Doillie*.

¹ "This man was named Castell of egle, of the castell called to this day Gregeur, although cleane defaced sins Owen Glendor's time." MS. Coll. Arm. 2d D. 14, f. 23.

WHITMORE OF MADELEY, CO. STAFFORD, AND LAXTON, CO. NOTTS.

I desire to present to the readers of the *Herald and Genealogist* the following pedigree, in the hope that some one may enable me to continue the record for one more generation.

THOMAS² WHITMORE, of Barr Hill, in Madeley, co. Stafford, made his will on the 4th Aug. 1601, which will was proved Oct. 31, 1606.

It seems highly probable that he was the son of Thomas¹ Whitmore, of Thornall, in Madeley, who died 12 May, 1573, and whose will mentions wife Agnes, sons Thomas², Richard², and Humphrey², and three daughters. Agnes Whitmore, of Madeley, widow, died 25 Dec. 1591, and her will mentions sons Thomas, Richard, and Humphrey, and daughters Margaret Podmore, Anne Sherrat, and Margaret*(?) Gorton. We are also safe in assuming that of these three sons Richard died unmarried

* The two daughters seem to have been called Margaret and Margarie.

4 Dec. 1603, and his will mentions all these relatives, as also his uncle John Browne and aunt Mary.

Thomas² Whitmore, of Barr Hill, married Joan, daughter of Francis Roos or Rous, of Laxton, co. Notts, as is evidenced by the will of this Francis in Doctors' Commons. It is dated 4 Nov. 1577, and proved 26 April, 1580. In it he directs his executors to pay his son-in-law Thomas Whitmore the sum of 40*l.*, the interest to go to his grandsons William, Francis, and Peter Whitmore, for certain years, and at the end of that time to go to the oldest of them, William, as a free gift. Thomas Broughton is mentioned as another son-in-law.

Reverting to the will of Thomas² Whitmore, of Madeley, we find he entails most of his property on his youngest son Peter and his heirs male, failing which they were to go to his coosen (*i. e.* grandson) Francis Whitmore. He also mentions his "coosen" Thomas, oldest son of his son Peter, and his "coosen" Emanuel, who, as we shall see, was also a son of Peter Whitmore. He makes bequests to his daughter Ellen, and his friends Robert Morris, Vicar of Madeley, and Robert Sydwaye, gentleman, the latter being overseer of his will.

Of the three sons, William³ Whitmore lived in the bishopric of Durham, and died there without issue before 1599, and of course during his father's life. He married Elizabeth, daughter of Thomas Hitch, gentleman, about 1579, and she was alive in 1605.

Rev. Francis³ Whitmore, the second son, was of Kirkby Wiske, co. York, and Bingham, co. Notts. He married and had a son Francis⁴, of whom more will be said hereafter.

Rev. Peter³ Whitmore, youngest son of Thomas², married Alice and had issue. His will, dated 16 Jan. 1608, and proved 9 Dec. 1614 (Lichfield Registry), is a curious document, and shows that there had been a severe family dispute about property. He writes, "protestinge heere before all the worlde (yf I die att this tyme) How Peter Broughton and Frauncis Whittmore, or one of them twayne, wear my Bane, by poysoninge me by some ill meanes att London, whilse they keepte mee theire full Wrongfully in sudd about my Lands." He also refers to a suit brought against him by Peter Broughton and Francis Whitmore, and a

decision of Sir John Tyndall, by which he had to grant to Francis, after his (Peter's) mother's decease, such lands as were specified in her jointure.

Also he mentions a bond for 200*l.* for which "I have false parson Spurr in sutte, who perjured himself, as most Damnably did his wyffe, (God is my witness,) about my said father's lands in hope of some share thereof."

Evidently the Rev. Peter Whitmore was not on good terms with his relatives. We will proceed to trace his branch as far as possible. He had sons, Thomas⁴ and Emanuel⁴, and daughters, Margaret⁴ (who died unmarried in 1662) and Jane⁴.

Of these Thomas⁴ Whitmore had sons Peter⁵ and Thomas⁵. Peter⁵ Whitmore, of Barr Hill in Madeley, married Susanna, daughter of John Sparrow. She proved her husband's will 28 April, 1664. Their children were Thomas⁶, Mary⁶, and Anne⁶, of whom Thomas⁶ Whitmore married Anne and administered on his wife's estate 31 March, 1682. This was the last of the name whom I have found as owning land in Madeley.

Thomas⁵ Whitmore, uncle of the last named, and brother of Peter⁵, was of Onneley, parish of Madeley, and proved the will of his aunt Margaret⁴, 3 Nov. 1662. Of him and his uncle Emanuel⁴ I know nothing more.

It has already been said that the second son of Thomas² was the Rev. Francis³ Whitmore, of Bingham, co. Notts. This fact is obtained from the Chancery suit between his son Francis⁴ and the Rev. Peter³ Whitmore already referred to. His will is recorded in Archbishop Hutton's books at York, fol. 138 *b*, is dated 10 March, 1597, and proved 11 May, 1598. It is very short, and made "by word of mouth onlie, speaking to his brother-in-law, Henrie Spurr, clerk." "I would have Wilson's part paid presentlie out of my goodes; the residue of my goodes I would have them equallie divided betwene my two children, and my bodie to be laid in the chauncell neare unto my wief, and I make mine uncle Rosse and my brother Spurre mine executors." "These being witnesses, Thomas Wright, gen. Alice Whitmore, and Heley Spurr."

Of these two children one was Francis⁴ Whitmore, called gentleman in the Bill in Chancery, dated 4 Feb. 1605-6, when he

was probably just of age. He was of London in 1609, and he calls himself in another Bill in Chancery, dated 19 Nov. 1621, "of London, gentleman." Rev. Henry Spurr was undoubtedly the husband of the Rev. Francis Whitmore's sister. He had been of Worksop, co. Notts, and East Bridgeford, in the same county, the latter parish adjoining Bingham. It seems that Henry Spurr became rector of East Bridgeford in 1584, succeeding Roger Jackson, and was buried there 23 Nov. 1628.

Very little is known about Francis⁴ Whitmore, of London, 1621; but, as he was to inherit the Ross property, which came from his grandmother, there can be no doubt that he was the Francis Whitmore, of Laxton, co. Notts, whose will is dated 26 Jan. 1644-5, and proved 8 May, 1646. In it he mentions his sister Anne Farrar; his nephew Robert Farrar, "if he be in England and alive at my decease;" and nephews John, William, Francis, Thomas, and George Farrar; his late servant Charles Musson, of Bilstrop, co. Notts; and appoints "Joanna, my now wife," executrix.

It will be noticed, besides the identity of location, that we find in Francis and his sister Anne Farrar the two children called for by the Rev. Francis Whitmore's will.

The points on which I desire information are these. The name of the wife of the Rev. Francis Whitmore; the names of the wives of his son Francis and of the husband of Anne Farrar; and lastly, of the children of Francis junior, if he had any. I have some reason to think that he had children, Anne, Mary, and Francis.

An inquiry like this, of interest probably only to myself, may seem out of place. I have, however, received so many evidences of the great industry of the local antiquaries of England, and of their willingness to communicate their knowledge when an appeal is made, that I venture to ask any reader who may have met with the facts desired to favour me with them. Any clue, even the slightest, may enable me to continue researches which are now necessarily brought to a close.

W. H. WHITMORE.

Boston, U.S.A., January, 1867.

MEMORIALS OF THE FAMILY OF SCARGILL, OF THORPE-STAPLETON, NEAR LEEDS.

Thorpe-Stapleton is an insignificant hamlet in the parish of Whitkirk, about 3 miles down the left bank of the river Aire from Leeds. It was once the home of a knightly family of some importance; one of whom, *le Sire Scargill*, according to Dansey's *History*, attended the Third Crusade.

The Scargills held their lands at Thorpe as part of the honour of Pontefract; and in process of time received from the lords of that fee lands in other parts of the honour, where junior branches of the family settled. There are no traces of them left in the neighbourhood at the present day. Hopkinson has compiled a pedigree of the family, but it is very incorrect. He begins with Adam de Scargill, who married Emeline, the daughter of Sir Francis Tyas, lord of the manor of Lede (near Saxton, and not Leeds, as sometimes represented). Sir Francis is buried in the little chapel of Lede; a flagstone bearing the inscription, in very rude characters, "Priez pur lalme Franconis Ties ki ici gist chevalier," marks the spot.¹

SCARGILL OF THORPE STAPLETON.

Ermine, a saltier gules.

Adam Scargill of Thorpe mar. Emeline d. of Sir Francis Tyas, lord of the manor of Lede, and had issue Warine.

Sir Warine Scargill^e, s. and h. of Adam, mar. Anne, d. of Sir Robert Wells, knt. and had issue,

William,

¹ In 1305 the heirs of Sir Francis Tyas paid 50*s.* relief to the honour of Pontefract for half a knight's fee in Lede, Slaighthwaite, and Honiton, *i.e.* for a carucate in Lede, two carucates in Slaighthwaite, and a carucate in Honiton.

² In the 22nd Edw. III. Richard de Goldesburgh, Kt. John de Calverlee, Kt. John Chamoun, Kt. Warin Scargill, Kt. William Calverlee, John de Quernby, Robert de Mosegrave, John Bosville, son of Warin Bosville, Kt. John Bosville of Mirfield, William Scargill, Henry Scargill, Guy de Stapleton, John de Wamwell, John Toures, William de Mirfeld, and John de Sheffield had committed trespasses in holding justs at Wakefield in Yorkshire contrary to the King's inhibition. The King, by his open letter under his great seal, pardoned them their trespasses and all the forfeiture incurred thereby. (*Madox's Baronia Anglica*, p. 290.) The two esquires William

Jane, mar. Gerard Salvine, Esq.¹

Sir William Scargill, s. and h. of Warine, mar. Jane d. of Sir William Mauleverer, Knt. and had issue,

William,

Margaret, mar. Sir John Gargrave, Knt.

Joan mar. William Clapham, Esq.

This William occurs in the years 1322, 1340.²

On the 20 May 1311 Warine de Scargill was appointed one of the supervisors of the Array in the county of York. In 1316 he is certified as lord of the townships of Scargill and Saddleworth, co. Ebor. He continued in the service of the Crown during all the troubles occasioned by Thomas Earl of Lancaster. In 1322 he was appointed Commissioner of Array in the wapentakes of Osgodcross and Staincross in the west riding; and on the 9th May 1324 he is returned, along with his son, William de Scargill, man-at-arms, by the sheriff as summoned to attend the great council at Westminster on Wednesday next after Ascension Day, May 30. Another son of this Warine is likely to be found in Henry de Scargill, who in 1322 joins with many others in forcibly entering upon the manor of Parlington, a neighbouring manor, and a seat of the then obnoxious Hugh Despenser, sen. In the Harl. MS. 803 we find a piece of genealogical information which very ill accords with Hopkinson's pedigree:—

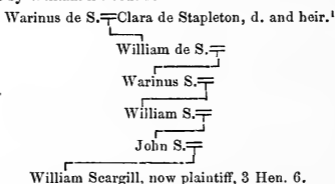
3^o Hen. VI. novel disseisin between William Scargill, Esq. complainant, and Wil-

and Henry are no doubt the sons of Warine mentioned in the text above. The Patent Rolls give a notice of a William who was perhaps the head of the family before Warine. 13 Edw. III. the King confirmed to William de Scargill in fee two messuages and 1½ acres of land, and a placea called "le Hay," containing 15 acres, and all the waste lying between the old park of Wakefield, &c. containing 60 acres, and a placea between Hedlay Sik and Gopefield towards Wodekirk, containing 60 acres of waste, of the manor of Wakefield, for the annual rent of 49 shillings.

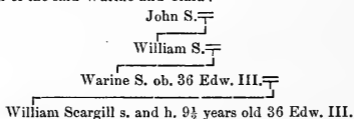
¹ Gerard Salvine, a soldier under Edward I. was the King's Escheator in Yorkshire in 1308.

² In 1322 or 1323 a commission was issued out of the Exchequer to Robert de Raygate and John de Lacy in the wapentake of Barkston, Adam de Swillington and William Scargill in the wapentake of Skyrack, William Malbys and Henry de Munketon in the wapentake of the Ainsty, ordering them to raise speedily all the defensible men between the ages of 16 and 60, each man to be duly arrayed according to his estate; and, being so arrayed, to lead them to the King at York to act against the Scots. This is curious, inasmuch as two of the Scargills must have been Commissioners of Array at the same time.

liam Lovell, Knt. and others, deforciant, of a free tenement in Quicke. Clara de Stapleton married Warine Scargill, and had a son William who died without issue. He was succeeded by William his cousin.



Warine Scargill mar. Clara de S. and had issue between them William, and the said Clara died, and the aforesaid Warine, husband of the said Clara, held the manor aforesaid, and he enfeoffed Robert Holland of the aforesaid manor, &c.; and the said William, son of Warine and Clara, died, after whose death the manor aforesaid with the appurtenances descended to the aforesaid William son of Warine as cousin and heir of the aforesaid William son of Warine and Clara, viz.—son of Warine son of the said William son of the said Warine and Clara :



Was Clara de Stapleton the second wife of Warine de Scargill? There certainly is an obscurity in the extract which would not satisfy the lawyers who decided upon the claim, but I am powerless to clear it up.

In the 28th Edw. III. the honour of Pontefract received 10*l.* 6*s.* 8*d.* out of the lands of William Scargill in Thorpe-Stapleton, then in the King's hands by reason of the minor age of William the son and heir of Warine Scargill. At the same time Magister Adam de Scargill² paid 30*s.* out of the rents of tenements which he held in his custody in the same place.

¹ This Clara de Stapleton was perhaps the heiress of one of the Stapletons, lords of Saddleworth and Rochdale. Robert Holland, the favourite of Thomas Earl of Lancaster, possessed "certain tenements in Sadeleswurthfrith" when he was arraigned for his participation in Lancaster's rebellion. In the north window of the choir of Rothwell church, Dodsworth noticed the arms of Scargill, Ermine, a saltier gules, pale with Argent, a lion rampant sable, the arms of Stapleton. At a later period, one William Scargill founded a chantry in the north part of Rothwell church.

² In Feb. 1349 Magister Adam de Scargill was instituted Vicar of All Saints' church, Pontefract. He resigned, but was again appointed Vicar in 1361.

In the 34th Edw. III. Richard Philip paid 18s. for lands and tenements in Clayton, then in the hands of the King by reason of the nonage of William kinsman and heir of Ida de Scargill.

Another unknown branch of the family appears to have been settled at Altofts, for, in the 34 Edw. III. 1360 Hugh Bilton paid to the honour forty shillings a-year for lands in Altofts during the minority of William kinsman and heir of John Scargill.¹

Again, in the 5th Richard II. 1381, Thomas son and heir of William Scargill, knight, paid 8s. 8d. relief to the honor for the twelfth part of a knight's fee in Bolton in Bradford-dale. This Thomas may be the one who settled at Lede, the manor once belonging to Sir Francis Tyas. In the *Testamenta Eboracensia*, vol. i. p. 402, there occurs the will of Johanna Scargill, wife of Thomas Scargill de Lede, who desires her body to be buried in the choir of the chapel of the Blessed Mary de Lede. She died in 1421, her will being proved on the 17th October of that year. Thomas Scargill was the son of Sir William Scargill of Thorpe.² Richard Scargill, the king's valet, received a pension of 100s. yearly for life. This was paid to him in two payments, in the 44th Edw. III.

¹ In 1424 Robert Waterton held half a carucate of land in Altofts lately belonging to William Scargill.—*Barnard's Survey*.

² The manor of Lede, a feudal tenancy of the honor of Pontefract, lies between Saxton and Aberford, but is a detached portion of the parish of Ryther. It came into the possession of the Scargills by the marriage of Adam Scargill with Emeline d. of Sir Francis Tyas. The Harl. MS. 796 gives us other particulars respecting the manor. 2 Hen. VI. Fines between William Scargill and Thomas Scargill for lands in Lede, Saxton, and Lede-Woodhouse; and at another period, fines between William Scargill and Thomas Wombwell and William the son of Roger de Lede, Knt. deforciant, of one messuage, seven tofts, 165 acres of land, 12 acres of meadow, 12 acres of wood, and 4d. rent with the appurtenances in Lede, Saxton, and Lede-Wodehouse, which Thomas Scargill held for term of his life of the inheritance of the said William son of Roger in the aforesaid towns the day on which he died, and which after the decease of the said Thomas ought to return to the said William son of Roger and to his heirs, to wit, to remain wholly to the aforesaid William Scargill, and to Thomas Wombwell, and to the heirs of the same William, to hold to the chief lords by the services which appertain thereto. In 1431 Thomas Wombwell and Christopher Boynton are pledged in 4*l.* to William Scargill, armiger, part payment of 20*l.* for the custody and maritage of John Woodrove, cousin and heir of Oliver Woodrove, according as it was sold by the said William Scargill.

With these additions we may again return to the pedigree.

Sir William Scargill, Kt. s. and h. of Sir William, mar. Margaret d. of Sir William Gascoigne of Gawthorpe, Kt. and had issue—

John.

Joan, mar. William Lacy of Leventhorpe, Esq.

Isabel, mar. Gilbert Leigh of Middleton, Esq. 1420.¹

Jane, mar. John Frobisher of Altofts, Esq.

This William occurs 1351, 1376, and in the 28th Edw. III. he paid to the honour for Thorpe 10*l.* 6*s.* 8*d.*

John Scargill of T. Esq. s. and h. of Sir William, mar.

d. of Mr. Uslane, and had issue—

William.

Agnes, mar. Mr. Thomas Calverley.

Thomas.

N.B. John Scargill, Esq. made his last will in 1472, wherein he ordered his body to be buried in St. Trinity's choir in St. Peter's church, at Leeds.

The above John Scargill cannot have been the son of Sir William Scargill and Margaret Gascoigne his wife; probably not even their grandson. On the 20th January 1448–9, William Scargill senior founds a chantry for two chaplains at the altar of St. Trinity in the parish church of Whitkirk, to celebrate divine service every day for the good estate of himself while he lived, and after his decease for the souls of himself and Constance his wife. For the sustentation of which chaplains, his feoffees (by virtue of the King's licence) granted a certain annual rent of sixteen marks per annum to be issuing out of the manors of Scargill, Thorpe juxta Rothwell, Lede, Newstede, Roche,² and Garforth, in co.

¹ The marriage took place on the 6th Sept. 1420. Of course she cannot have been the daughter of the above William Scargill. In the 43 Edw. III. Sir William Scargill, sen. and Sir William Scargill, jun. are witnesses to a deed dated at Middleton, par. Rothwell.

² A grange in the parish of Kippax, formerly belonging to the Butlers. On the 23rd Nov. 1400, Johanna Scargill, formerly the wife of Sir William Scargill, Knt. makes her will (proved Nov. 30) desiring her body to be buried under the altar of the Blessed Mary of Clementhorpe. She leaves to her son Henry the manor of Roche; to William Scargill junior and Joanna his sister a lectern; to Dame Joan Scargill, now a nun at Sinningthwaite, 40*s.* Henry was her only son. (Test. Ebor. iii. 257.) In

Ebor. to be paid for ever on the feasts of Pentecost and St. Martin in winter, yearly. Which two chaplains shall be presentable by the said William and his heirs within one month after the time of any vacation of the said chantry.

Wilson has somewhere picked up the following curious charter relating to the above William :—

This Indentur made betwix William Scargill the elder Esquier on the one party, and Thomas Ka gentylman on the other party, beres wytness that the aforesayd partyes bene agreed in the forme ensuyng, that is to say, that the forsayd Thomas Ka has sold his meyse-place called Thorneclay in the parishe of Birtan, with all lands, rentes, and the appurtenances thereto pertayning, to the aforesaid William Scargill, Esquier, and at the day of this present writing sealing the sayd Thomas Ka shall delyver lefull and peasfull possession to the sayd William Scargill or his assignes in and of the aforesayd meyse-place with the appurtenances, to have and to hold all the aforesayd place called Thorneclay with the appurtenances to the sayd William Scargill, his heyres and assignes, withoutyn any pretence or clayme of the sayd Thomas Ka, his heyres or assignes, for evermore. Moreover the sayd Thomas Ka shall be sworne upon a boke that he never dyd make, nor knew to be made, any other estate or alienacion to any other person or persones in prejudyce or hurtyng of the foresaid William Scargill in the premysses. That don, you the sayd William Scargill shall pay to the sayd Thomas Ka xl marc of leful money of Yngland at 4 termes, be equal porcions, that is to say at y^s present sealyng x marc, at the fest of S^t Peter Adwincle next followyng x marc, at the fest of the nativite of S^t John Baptist next followyng x marc, and at the fest of the nativite of our Lorde yan next followyng x marc. In witness of these premyses the partyes aforesayd enterchangeable to thes indentures has put theyr seales. Witnesses, John Scargill of Ledes, Thomas Clarrell vicar of Ledes, Thomas Gibson preste, Richard Costyn, and others. Dated the xvi day of Februar in the year of the reyne Kyng Edward forth [the] second, 1462.

1424 William Scargill held a quarter part of a knight's fee in Rupe juxta Kippax, lately belonging to Henry Scargill. In 1538, Warine Scargill paid 25s. relief to the honor for the quarter part of a knight's fee in Rupe alias Roche, this year falling to the King by the death of William Scargill his father. On the 20th Oct. 1446, William Scargill was made seneschal of the manors of Sherburn Otley and Cawood, and an attorney of the Archbishop of York. Was he the William Scargill of Roche?

In the Test. Ebor. vol. iii. p. 257, we find:—May 12, 1459; Adm. William Scargill, senior, esq. to Robert Neville, esq. and Robert Hall of Selby. If William Scargill senior died in 1459, and William Scargill senior was purchasing an estate in 1462, it would seem that previous to the death of the former William there had been three of that name living. But John Scargill made his will in 1472; and 1472-3, Feb. 12, a commission was issued to veil Alice Scargill. Who she was is not known, unless she was the widow of Warren Scargill who married Christopher Wentworth Nov. 26, 1484.¹

In the account of the honour of Pontefract for 1499 we find that Sir William Scargill kt. paid nine pounds relief for two knight's fees, less a fifth, in Stapleton, Byrom, Swillington, Thorpe-by-water, Birle, and Bolton, which Sir Warinus Scargill formerly held, and afterwards John Scargill, and lately William Scargill, father of the aforesaid Sir William Scargill. Was this William Scargill the father, the William Scargill senior of 1462? The pedigree finishes by telling us that

Sir William Scargill, k^t, s. and h. of John, mar. Dorothy, d. of Sir Thomas Coniers, k^t, and had issue,

Robert.

Eliz. mar. Robert Haldenby, esq.

Agnes, mar. Thomas Mountford, esq.

Alice, mar. Mr. Robert Hall.

Margaret, mar. Sir John Everingham of Birkin.

This William was married in 1451.

Sir Robert Scargill, k^t, s. and h. of William, mar. Joan, d. of
, and had issue two daughters and coheirs,

Margaret, mar. Sir John Gascoigne, of Cardington, in Bedfordshire, k^t.

Mary, mar. Sir Marmaduke Tonstall, of Brantingham.²

There was a Sir William Scargill who commanded at the battle of Flodden.

Jany. 5, 1546. Jane Lady Scargill, widow, late wife of Sir

¹ Testamenta Ebor. iii. 349.

² "Leade, an hamelet, wher Skargil had a fair manor place of tymber. Skargil a late knight left 2 doughtters to his heires, whereof Tunstalle weddid one, and Gascoyne of Bedefordshire the other." Leland's Itinerary.

Robert Scargill, kt, deceased, made her will (proved 24 Jany. 1546), giving her soul to God Almighty, her Creator and Redeemer, to St Mary and all Saints, and her body to be buried in the parish church of Whitkirk, within the chantry quire besides her late husband, where she willed that her executors do cause a tomb of alabaster to be made and set over the bones of her said husband and herself, with such arms and sculptures as they shall think most convenient, the same to be in fashion like one to be erected within the College of Macclesfield.¹ The tomb remains in Whitkirk church, and the inscription (now defaced) is thus given by Whitaker² from Dodsworth's MS. Orate pro a'ia D'ni Rob. Scargyll militis et D'ne Joh'e uxor' suæ et antecessorum n'rum fundatorum hujus cantarie quor' iar' pp. Deus.

There is a pedigree of the family in the Harl. MS. 1468, f. 90, but it is not complete; yet, so far as it goes, it seems more correct than Hopkinson's:

Monsire William de Scargill port d'ermine, une salter de gules. (Roll. temp. Edw. III. edit. Nicolas, p. 30. Ermine, a saltire engrailed gules. (Constable's Roll.)

William Scargill, of Thorpe, in the county of York, Esq. = Elizabeth, d. of Will. Gascoigne, of Gawthorpe, in the said county, Kt.

William S. = Elizabeth, d. of Thomas Pigot, of Clotheram. Margery S.³ = Chaloner, Kt. Sibil.

Robert S. = Jane, d. of Christopher Earl, of Saulisbury, in Durham. Elizabeth S.⁴ = John Everingham, of Birkin.

Marmaduke Tunstall, of Thurston, co. Lanc. Kt. = Mary S. d. and coh. of Robert Scargill. Margaret S. the other d. and coh. = John Gascoigne, of Kaderton, in co. Ebor.

Francis T. of the same place. = Alice, d. of William Radcliffe, of Ord-sall, co. Lanc. John Daw-ney, of Seasyl, co. Ebor. = Elizabeth Tunstall. Geo. Middleton, of Leighton. = Ann. Redmond Irby. = Isabella. Thomas.

Francis T. = Ann, d. of John Bold, of Bold, co. Lanc.

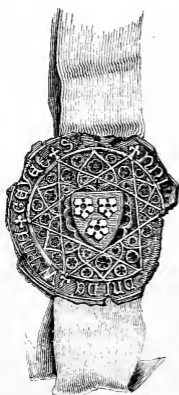
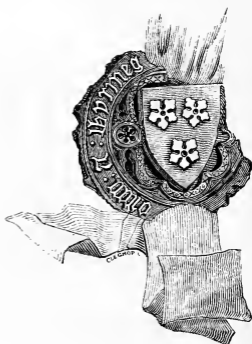
Francis T. William T. Alice T.

¹ Torre's MSS.

² Loidis and Elnete, p. 140.

³ Nov. 16, 1516. Licence to the curate of Whitkirke to marry Robert Chaloner of Wakefield, and Margery, daughter of Sir William Scargill, kt, par. Whitkirk in the chapel within the manor-house of Thorpe. Test. Ebor. vol. iii. 369.

⁴ Margaret in Tonge's Visitation. (Surtees Soc. p. 12.)



*





EDMUND MORTIMER, EARL OF MARCH.

SEALS FROM STOWE BARDOLPH.

SIGILLA ANTIQUA. Engravings from Ancient Seals attached to Deeds and Charters in the Muniment Room of Sir Thomas Hare, Baronet, of Stowe-Bardolph. Stowe-Bardolph, A.D. 1847. 4to. 14 Plates, Title-page, and 14 leaves of description (printed on one side only).

SIGILLA ANTIQUA. 2nd Series. Stowe-Bardolph, A.D. 1862. *Privately printed.* 4to. 8 Plates, Title-page, 8 leaves of description, and 4 pages of remarks.

THESE two series of ancient seals, from a Norfolk muniment-room, have been edited by the Rev. G. H. Dashwood, a gentleman well known for his zeal and liberality in the prosecution of antiquarian and genealogical researches; and the descriptive portions are the production of his private press.

The seals are engraved on copper plates. Those of the first series were drawn and engraved by Mr. William Taylor, of Lynn. His fourteen plates include 126 examples. The second series is drawn and engraved by Mr. John Cleghorn, and the eight plates contain 66 seals. Total, 192.

Personal seals are justly regarded among the most trustworthy evidences of armorial bearings. Indeed when a seal attached to a charter bears the same name as that of the person granting the charter, its authority for a shield of arms is almost indisputable. The tinctures only are deficient, and they must be supplied from other evidence, such as contemporary rolls or paintings, and coloured windows either still existing or described by the old heralds.

But where the name in the charter and the name on the seal do not correspond, a reasonable doubt arises upon the identity of the arms, as will appear from various instances in the sequel of this article.

We shall turn over Mr. Dashwood's engravings, plate by plate, and describe all the seals they contain which are armorial in their character.

FIRST SERIES.

Plate II. No. 6. SECRETA WILL. D' CALESTHORP.—A shield, three circular charges, 2 and 1, but indistinct. Sir William de Calesthorpe, temp. Hen. III.

9. SIGILL. SIMONIS DE SVLDHAM.—A bird with wings raised, not upon a shield; but Mr. Dashwood remarks, that "this device was probably the origin of the arms of Shuldham, namely, *Azure, an eagle displayed or*, as borne by his son Hugh de Suldham, and which are emblazoned on a roll¹ of the lands and tenants at Marham, Norfolk." Temp. Hen. III.

Plate IV. No. 8. s. THOME DE VE[RDO]N.—A shield, a lion rampant. At the sides, wyverns. 1 Edw. III.

Plate V No. 1. Sir Adam Talbot, 25 Edw. I.—On a shield, six gauntlets, dependent. In the place of a legend, scrollwork. A feudatory coat derived from Waunci: see p. 330 of our present volume.

3. SIGILL. ADE DE CAIL[LY] (the word DE by error omitted in the engraving). Adam son of Osbert de Cailly, temp. Hen. III. A shield checky, on an inescoccheon a charge, *apparently* an eagle displayed.

Plate VI No. 4. A shield, six birds, 3, 2, 1. Scrollwork in lieu of legend. John Howard, 2 Edw. II.

5. s. IOHANIS DE INGOL[DEST]ORP. A shield, a cross deeply engrailed. At each side of the shield a bird, addorsed: on its top another figure, indistinct. Temp. Hen. III.

6. A shield checky, on a fess three indistinct charges. Scroll-work in lieu of legend. William Malie, of Stokeferye, 9 Edw. II.

7. Sir Thomas de Ingoldesthorpe, temp. Edw. II. Three shields, all charged with the cross engrailed as above, placed point to point. No legend. (This seal is engraved, much magnified in size, in the *Record of the House of Gournay*, p. 341.)

¹ The same roll bears the arms of William Belet, lord of the manor of Marham temp. Hen. III. and Edw. I. Argent, on a chief gules two cinquefoils or: of a second William Belet, Argent, on a chief gules two crescents or; then, Shuldham as above; and lastly, the arms of the Abbey of Marham, Checquy or and azure.

Plate VII. No. 3. SEYEL IOH'IS MALESTE STREPENSIS. A figure, probably of an ecclesiastic, holding in his left hand a shield charged with three cinquefoils (?), at his right side a shield, barry of six. A round seal of the size of our present half-penny : the design and legend of which it would be interesting to interpret satisfactorily. It is described as the "seal of Katharine wife of John Bardolph of Fretenham, appendent to an indenture on the marriage of Thomas their son and heir with Agnes daughter of Thomas de Essex."

8. SI. IOHANNIS. BARDOLF. A shield, five cinquefoils in saltire or, 2, 1, 2. On the same deed as No. 3. (*See the Engravings, fig. 1.*)

9. S. ADE D' BRAVNCESTRE. A shield, a bend scored with a pattern resembling three saltires. Adam de Brancaster, 11 Edw. II.

Plate VIII. No. 4. SIGILLVM PETRI TALBOT. A shield, three talbots passant, two and one; on a chief a lion passant. Peter Talbot of Fincham, 19 Edw. II.

6. RVSSEL CHAVMPAYNE. Shield, a goat's head. At the sides, wyverns, addorsed to the shield. 16 Edw. II.

7. SECRETV. KATERINE DE ESSEX. Shield, apparently two coats dimidiated : on the dexter side, divided by a line in fess are two leopard's heads; on the sinister, the half of an inescucheon, within an orle of martlets. The martlets turn to the sinister. (Erpingham?) Temp. Edw. III.

*9. Shield, a bend ermine apparently cotised, between three (two only appear on the engraving) goat's heads erased. Round the shield are three cinquefoils, probably alluding to Bardolf. Appended to a letter of attorney from Walter of Stowe Bardolf 8 Edw. III.

10. S TO DE SAV. (*Sigillum Thome de Say?*) Shield, three stars of six points within a bordure engrailed. Appended to a deed of Muriel, daughter of Reginald Bretoun. 4 Edw. III.

12. Shield, a lion rampant, impaling a cross flory. No legend. Used by Gilbert de Ethel, rector of Westbrigge. 3 Edw. III.

Plate IX. No. 1. The four leaves of a quatrefoil occupied by—1, a small shield bearing a lion rampant; 2, a lion dormant,¹ below the

¹ The sleeping lion under a tree was a favourite device. It occurs in the same Plate, No. 7. SI. THOME DE ASSCHELE (temp. Edw. III.) Again in the Second Series, Pl. II. No. 4, with a French motto, CREET LE LIVN I DEVOURS (imperfectly copied). In Pl. V. No. 4, another occurs, but unfortunately we have again an illegible legend. Again Pl. VII. No. 5, two profile heads, facing, as in the seal described in the text above, are accompanied by this device : the legend would seem to be initials : I E V SEVMS.

shield; 3 and 4, two heads in profile facing (the usual way of representing lovers). Round this very pretty design are the letters NI CH OL AI. Appended to various deeds from different individuals in the reign of Edward the Third; and not improbably the seal of a notary. It is clearly imaginary in an heraldic point of view.

4. s' ROGERI TOTEL IVNIORIS. Shield, a bend or two bendlets; and it is remarked that the field appears to have borne some charge on either side of the ordinary. 11 Edw. III.

5. A seal of Elizabeth Lady of Clare, daughter of Gilbert Earl of Gloucester, and niece to King Edward II. appended to a charter to the Abbey of West Dereham. 10 Edw. III. It is the same seal which is engraved in Montagu's *Guide to the Study of Heraldry*, 1840, 4to. p. 37. It is without inscription; but divided by tracery into various compartments. In the centre is a shield of the heiress's third husband, Roger Damory, Barry wavy and a bendlet; it is surrounded by three lions passant. On either side are the three chevrons of Clare, for her paternal coat; above, a cross surmounted by a label, for her first husband, John de Burgh; below, a fret, for her second husband, Theobald de Verdun. These four are all on circles. Four quatrefoiled compartments which intervene alternate the castle and lion of her grandmother Queen Alianor of Castille. The same seal was used 3 Edw. III: see the *Topographer and Genealogist*, vol. i. p. 221.

6. SIGILLVM IOHANNIS BAR[DOLF]. Shield, three cinquefoils. John Lord Bardolfe of Wyrmegeye. 12 Edw. III. (*See p. 410.*) Another seal of this person, correspondent in design and tracery, but with a fuller legend, was used in the following year, and is engraved in the *Topographer and Genealogist*, i. 222, as here repeated; together with the seal of his wife



JOHN LORD BARDOLFE.



ELIZABETH HIS WIFE.

Elizabeth, the daughter and heir of Sir Roger Damory by the Lady Elizabeth de Clare. In the latter a shield of Bardolfe occupies the centre, with the other insignia already described disposed around.

8. Within tracery, on a shield, a spread-eagle. Peter de Narburgh, of Wynbotesham, 31 Edw. III. This again is probably arbitrary or fanciful armory.

9. Shield, a griffin rampant. Egidius de Joevene of Humbriggeshoo, 12 Edw. III. Legend: . . I E G L E.

Plate X. No. 1. A shield, without legend, ornamented with eight mullets, and lines which might be blazoned as a dancette in chief, a fess, and a chevron in base; but they are little more than lines, and the whole is evidently fanciful. Used by Henry de Hoxne of North Elmham, chaplain, 15 Edw. I.

3. s' EDMVNDI DE CAILI. Shield, checky, a bend. 7 Edw. III.

4. Shield, a lion rampant, surmounted by a bend. No legend. Edmund de Cumbes of Fyncham.

7. s' NICHOLAI RVSSSEL. Three cinquefoils, two and one,—not on a shield. Nicholas Russel of Karbesthorpe. 14 Edw. III.

8. s'. IOH'IS DE LITWELLE. A well. 46 Edw. III.

Plate XI. No. 2. s' EDMVDI DE REYNHAM. A shield divided by a narrow cross; in the first quarter a pellet, in the second a bendlet: probably a fanciful coat. Blomefield, in the *History of Norfolk*, cites a deed of Sir Edmund de Reynham, having a seal of arms, Sable, three mullets argent.

4. The second seal of John Lord Bardolfe, of Wyrmegeye, which is engraved in p. 410, and in the opposite page. 20 Edw. III.

5. Shield, a lion rampant debruised by a bend. Legend: ADHEREAT LING' MEA FAVCIB' MEIS SI NO. MEMINERO TVI (*Adhereat lingua mea faucibus meis si non meminero tui*. Psalm cxxxvii. 6). Used by Agnes de Ketlyston, 20 Edw. III. This coat, as before displayed in Plate X., fig. 4, seems to be arbitrarily used.

6. HEREWILLI . . . BVIHDINHADNE. Shield, a chevron between three cinquefoils. Used by Cecilia relict of Ralph de Haunfrei, 25 Edw. III. Qu. if not a mere imitation of an armorial shield, with a pretended legend?

7. SIGILLVM THOME CALIE. Shield, Quarterly, a bend, in the second quarter an annulet, in the third a mullet. Attached to a deed of Thomas de Calle, or Calie, temp. Hen. III. or Edw. I.: subsequently used by Robert Mushil of Dounhamhythe, temp. Ric. II.

9. s' IOH'IS DE CAVSTONE. Shield, couchée, on a bend three crosslets

fitchée, in sinister chief an annulet; above the shield a helmet, with a crest of five feathers (?) with trefoil terminations. On either side the helmet the letters M A (qu. for *Maria*, in allusion to the Blessed Virgin?). 17 Edw. III.

Plate XII. No. 1. s' RADVLFI DE MVLTON. Shield, three chevrons: impaling three cinquefoils (Bardolfé?). 2 Edw. III.

3. *Sigillum Symonis fyncham.* Shield, three bars, surmounted by a bend ermine. The words of the legend separated by three finches: that at the head of the seal regardant. Temp. Hen. V.

4. s. IOH'IS DE STONORE. Shield, two wyvres or dauncettes in fess, and a chief. John Stonore, Chief Justice of the King's Bench, 3 Edw. III. The present Lord Camoys still bears *Azure, two bars dancettée or, a chief argent*, for Stonor.

6. Shield, a chevron ermine between two cinquefoils in chief and a merchant's mark in base. Legend: MATE D' MISERERE MEI (*i. e.* Mater Dei &c.) Bartholomew Elys of Great Yarmouth, 17 Ric. II.

8. Shield, a lion rampant, without legend, appended to a deed of William son of Sir William de Wancy, Knt. 11 Edw. I. Probably another example of an arbitrary armorial seal: as this was not the Wancy coat (see p. 330).

Plate XIII. No. 1. Sigillum Custaci de Middiltone. Shield, a fess between three crescents ermine. Used by John de Colleye, Rector of Castre St. Edmund's in Flegge, 40 Edw. III.

2. s IOH'IS DE CAVSTONE. Shield, on a bend three crosses patee, in chief a cinquefoil. John de Caustone of Fincham, 24 Edw. III.

5. LE SEAL IO. NORWYC. Shield, a lion rampant. On both sides and above the shield lion's paws. Sir John de Norwich of Mendham, 26 Edw. III.

6. SIGILLVM THOME BOXKYN. Shield, three buck's heads caboshed. Thomas Buckeskyn, parson of the church of Stokesby, 23 Edw. III.

7. s' IOH'IS LOVEL DE BERTONE. Shield, a chevron between three squirrels. John Lovel of Burton Bendiche, 35 Edw. III. (The same as shown in the annexed woodcut, engraved for *The Record of the House of Gournay.*)

8. IPCOI ESTTE (*sic*) Shield, a chevron between three five-leaved flowers or cinquefoils pierced. Nicholas Estle, 23 Edw. III. Of rude workmanship.

9. SIGIL. IOHANNIS AVNTCROVS. Four very small shields, arranged in a quatrefoil, point to point: 1. three cinquefoils (?) 2. an eagle displayed; 3. a bend; 4. indistinct. John Aunterous of Stowe Bardolfé, 22 Edw. III.

12. SI. RICART DE SVLDAM. Shield, an eagle displayed. Outside the shield, two animals, as if supporters. Richard de Shouldham, 23 Edw. III.

Plate XIV. No. 1. SIGILLVM LVCE DE CHEVEISNE. Shield, four lozenges conjoined in fess between six leopard's heads crowned (as it seems). Attached to a deed of William de Barshale and William perpetual vicar of the church of Stowe Bardolfe, 40 Edw. III.

3. IGILLV Shield, a cross engrailed, on a chief, also engrailed, apparently two mullets (but they are doubtful). Thomas Walgore of Krimpleham, 44 Edw. III.

4. *Sigillum thome dei gra norwicensis episcopi.* Oval seal of office. His whole-length figure in the posture of conferring benediction, in a tabernacle of rich tracery, between two shields: that on his right hand defaced: that on his left a lion rampant within a bordure. Near the top of the seal, on either side, is a double rose; qu. the Bishop's badge? See *The Old Heraldry of the Percys*, by W. Hylton Dyer Longstaffe, esq. F.S.A. 1860, p. 17. Thomas Percy, Bishop of Norwich 1355—1369.

5. SIGILLV . . . Shield, a chevron between three annulets. Stephen Belle of Wygenhale, 44 Edw. III.

SECOND SERIES.

Plate II. No. 1. s'. WILLELMI DE WYCHYNGAN. From a deed dated at Lynn, 37 Edw. III. A shield, ermine, on a chief three crosses patée.

2. SIGILLVM HAMONIS DE PAYSETE. From the same deed. Hamo de Paysete is not one of the feoffees who were parties to it: and it must therefore have been used (at second-hand) by one of the clerks who were. Shield, a chevron between three chess-rooks (?).

5. SIGILL. RICARDI. DE. WALKEFARE. From the same deed. Shield, a lion rampant regardant. Sir Richard Walkfare knight is the first of the feoffees.

7. [*S' Will' de Bardolfe*] domini de ~~W~~ *Wyrmegeye*. 3 Ric. II. (1380). Shield, three cinquefoils.

8. s' ROB'TI DE CAVSTONE. Also from the deed first mentioned. Shield, on a bend three crosslets fitché. Crest, on a helmet, apparently a withered tree (but more probably a plume of feathers). He also was a knight.

9. *S' Will' de Walcote*. Of Walyntone. 7 Ric. II. (1386). Shield, three deer's antlers fesswise in pale.

Plate III. No. 1. STRATSET. A shield bearing a figure like a **V** floriated at the points, perhaps intended for three cinquefoils. This

seal was used by Robert son of Ralph de Stradset, in the reign of Richard the Second. This was a knightly family, and in 20 Edw. III. Nicholas de S. was in ward to John Lord Bardolfe, under whom the manor seems to have been held. (Blomfield, vii. 449.)

2. Seal of Nicholas FitzRichard of Outwell. 17 Ric. II. (1394). A shield rudely cross-hatched; charged with a bend on which are lines which form six small crosses placed close together. The legend is equally rude, and in the engraving illegible. The arms of Beaupré of Outwell temp. Edw. III. were, Argent, on a bend azure a fess between two cross-crosslets or, and this Nicholas was not improbably a younger son of Richard de Beaupré by Katharine daughter of Osbert de Mondeford.

3. SIGILLVM RADVLPHI. On a shield an inescutcheon cross-hatched as if lozengy, held by three demi-lions issuant from the sides and base of the shield. A very remarkable coat if we could regard it as anything but fanciful armory. This seal (like that of Hamo de Paysete before mentioned) is used at second-hand by Nicholas Clerk, chaplain of Fyncham, to a deed of feoffment dated 19 Ric. II.

4. This seal exhibits a shield undée, a demi-lion issuant or emergent. The legend is unfortunately not duly made out by the engraver: and therefore the name of the original owner does not appear. It is used at second-hand by a woman of Lynne in 21 Ric. II.

6. Joh' Fynchame. On a shield, three finches, two and one. The seal of John Fyncham of Fyncham, 20 Ric. II. (1397). The family received subsequently a grant of, Barry of six argent and sable, a bend ermine.

8. A very beautiful seal (were it perfect) of an ecclesiastic? In the centre is a whole-length figure of St. Michael standing on the dragon. To his right, a shield bearing a spread eagle. To his left another, bearing three chevronels. Legend nearly broken away. It was used by John Elred, rector of the church of Oxburgh, 22 Ric. II. The arms (the Pope and Clare?) were it appears symbolic of his spiritual and temporal allegiance.

Plate IV. No. 2. SIGILL. MARGARETE D' SVTTVN. Shield of a lion rampant, tail forked, debruised by a bendlet or baton. Round the shield three small birds. The seal was used at second-hand by Cecilia Benefeld widow, 2 Hen. IV.

4. S radulphi de meddelton. On a shield suspended from a tree, three cinquefoils, in centre point a crosslet. Ralph of Middleton near Lynn, 12 Henry IV.



5. *Sigill' thome mossell'*. Shield, a bend engrailed between three crescents and a bordure engrailed. Used by Thomas son of Robert Mosselle (as the name is written in the deed) respecting rents at Downham, 6 Hen. IV.

8. *Sigillu [thome] drue*. Shield, a dragon segreant, within a bordure—Thomas Drue, for land at Wiggenghall St. Mary Magdalene, 12 Hen. IV. The dragon (*draco*) is allusive to his name, in Latin *Drogo*.

Plate V. No. 1. Legend illegible, shield two bars wavy, on a chief a lion passant. Used by William Algor of Fyncham 6 Hen. V.

2. *Sigillum iohannes tendringe*. Shield, a fess between two chevronels, in centre point a crescent. John Tendrynge esquire of Sprouton, 7 Hen. V. Compare the Roll of Edward II. edit. Nicolas, p. 42, where (among several arms of these charges—probably feudatories of Fitz-Walter) is that of Sir Johan Tendringe, differenced by *un label de goules, fluretté de argent*, which “fluretté” in the ordinary appended (p. 157) is translated “flory:” it evidently (in this and other cases) meant charged with fleurs de lis, not terminated with that figure.

5. *S. Walt' d'ni fit' Walt' et de wodeham haydepups et rochetiss.* Shield, a fess between two chevronels:¹ crest, on a helmet affronté a hat

¹ Sire Robert fiz Wauter, de or, a une fesse e ij cheverouns de goules. Roll temp. Edw. II. (edit. Nicolas) p. 3.

with very large brim, from which rise two wings; above its crown a star of six points, and above the star a fetterlock (apparently suspended). Supporters (to the helmet rather than the shield, which is half way below their feet), a man in long robes, and an animal like an ape, with fire from his head.

This handsome seal, which is round and of $1\frac{1}{2}$ inc. diam. was used in 3 Hen. VI. by Sir Walter Fitzwalter lord of Wodeham, to an indenture conveying the manor of Baynard's in Fyncham, with all its appurtenances, to William Faukeswelle. The two latter places named in the legend were probably in Normandy.

6. *Sigillum thome steward.* Shield charged with a lion rampant debriused by a bendlet or ribbon sinister. Thomas Steward of Swaffham, 11 Hen. VI.

Plate VI. No. 3. S L S RIC'I DE NOKE (?) On a shield, Guttée, three lozenges in fess: supported by two lions sejant and guardant, and held from above by a wild man. This seal is used by Thomas son of Nicholas Newehall 15. Hen. VII.

5. TALBOT. This name forms the whole legend round a shield bearing six gloves, dependent, (a feudatory coat derived from Waunci: see p. 330) used by Thomas Talbot, 18 Hen. VI.

6. A seal evidently only in imitation of armorial bearings, and not a real coat. It is a shield figured with a fish among flowers. The border is filled with foliage instead of a legend. 28 Hen. VI.

8. *Sigillum iohis bekywelle.* Six annulets, 3, 2, 1, within a bordure engrailed. 1 Edw. IV.

9. ton A rebus of *Staple-ton*. William Stapleton esquire. 17 Hen. VI.

Plate VII. No 1. Crest: on a wreath, an elephant and castle, surrounded by branches of broom (no legend). William Viscount Beaumont, Lord Bardolfe and Folkingham. 2 Hen. VII. ("The Elephant and Castle were significant of his descent from John de Brienne, King of Jerusalem, and from his second wife the Infanta Donna Berenguela, sister of St. Ferdinand III. King of Castile and Leon, and daughter of Alphonso IX. King of Leon and of Berenguela Queen of Castile. The Broom cod, the *plante de genet*, was in like manner significant of his descent from Aleinora daughter of Henry Plantagenet, Earl of Lancaster, Derby, and Leicester, wife of John second Lord Beaumont." Memoir on the descendants of Henry Fitz-Aylwin first Mayor of London, by Thomas Stapleton, esq. V.P.S.A.

prefixed to the *Liber de Antiquis Legibus*, (printed for the Camden Society 1846,) p. ccxxii.

2. *Sigillum ad Causas*, appended by Richard, Abbot of Bury St. Edmund's, to a recital of a deed of confirmation of the liberties of the said Abbot and Convent. 17 Edw. IV. A seal resembling Sheriffs' seals: a castle, and in front a shield couché bearing three crowns, the arms of the abbey. On each side of the shield an arrow (omitted in the plate).

7. *Sigillum thome kerville armigeri*. On a shield, couché, a chevron between three leopard's heads. Crest, on a helmet and wreath, a goat or antelope, statant. Used in 4 Hen. VII. by Humphrey Kerville, who was the son of Thomas Kerville of Wygenhale, esq.

8. (Legend illegible). Shield of arms: a chevron between three squirrels. Crest, on a helmet and wreath, obscure. Sir Thomas Lovell, of Bartonbendiche. 12 Hen. VIII.

Plate VIII. No. 1. (Oval). The Monastery of Marham. Saint Mary, a book in her left hand, standing between two shields of arms, both checky. (Warren.) The foundress was Isabel Countess of Arundel, daughter of William Earl of Warren. Oval, broken.

3. The seal of Archbishop Warham, representing the murder of St. Thomas of Canterbury and, below, the arms of the see of Canterbury impaling Warham.

4. Thomas Duke of Exeter, 1 Hen. VI. France and England, quarterly within a bordure compony ermine [and azure]. Crest, on a helmet and chapeau a lion statant. Sinister supporter, a swan. The rest broken away: but the remains of a beautiful seal.

The seals which we have not included in the preceding descriptions are of a great variety of arbitrary designs. "It will be observed (remarks the Editor) that among the earlier private seals the most commonly occurring type is that of the fleur-de-lis, exhibited under a variety of forms, with generally the name and abode of the owner of the seal circumscribed. Starred flowers or figures, crosses, leaves in cross, with fleurs-de-lis or other such devise in the quarters, are common; and instances of lions and other animals, with birds, not being heraldic, frequently occur."

Many are religious in their character, and represent the Virgin and the Saints. John Pudesay, 4 Hen. IV. has a shield, but its charge is a crowned cypher of I and M for Jesus and Maria. (II. iv. 3.)

The Lion fighting with the Dragon, a favourite device, and usually accompanied by the inscription LEO PVGNAT CVM DRACONE, occurs in First Series, iv. 7. It probably bore a religious signification.

Others are amatory. An antique gem of a tiger is surrounded by the motto IE SV SEL DE AMUR LEL (Thomas Talbot, 18 Hen. VI. Series II. vi. 4.) The same very common motto occurs again in I. vi. 11. Two hands crossed have a squirrel seated on them, with the motto LUF ME, used in 34 Edw. I. (I. vi. 2.) Two hands sustain a heart: motto, LOVE ME AND I THEE (as we suspect, but it is blundered (I. vii. 2).

There are others full of that grotesque humour in which mediæval artists delighted. A hare rides a'hunting on the back of a dog, with the legend ALONE I RIDE: or a rabbit on a frog, so HOV ROBIN. A third of like design has the inscription IEHS (Jehu?). A hawk pouncing on a rabbit is inscribed SOHOV SOHOV. A hawk on a bird: ALAS IE SV PRIS. A man holding up a hog by his fore legs is surrounded with the motto: CAVE SI STAS KAVE NE CADAS. (1 Corinthians, x. 12.)

Some bear crowned initials or cyphers: others merchant's marks, or rebuses of the name. Johan Tonnewel, of Wimbotsham, 9 Hen. V. has a merchant's mark in which a t is placed within a circle probably typifying a *well*. (Second Series, iii. 9.) Stapleton and Litwell have been already noticed.

The whole of these private seals may be compared with those engraved in Fisher's *Antiquities of Stratford-upon-Avon*, which contains the most copious collection (about 150) of such seals that we are acquainted with.

In reviewing the armorial shields of Mr. Dashwood's *Sigilla Antiqua* a little disappointment may be acknowledged that among all we have described there are not many important accessions to the Heraldry of Norfolk. Whilst confirmatory evidence is furnished of several well-known coats, and in a very few cases personal coats are discovered which have hitherto been unrecognised by heraldic writers, a large proportion of the shields are occupied with imaginary rather than real armory: perhaps it has never before been so palpably shown how extensively this imaginary or imitative heraldry was prevalent in the middle ages. Had the Editor confined his attention to the more important seals only, he would in so doing have passed over those to which we allude: and he would then have formed such a series as that so beautifully drawn and engraved by Mr. Edward Blore in Surtees's *History of Durham*. But the simple impartiality of selection

and arrangement in the present series demonstrates very strongly these two remarkable facts, 1. that much of the apparent armory placed upon seals was not family or even personal heraldry, but the mere pattern or device designed or selected by the artist when the seal was engraved; and 2. that seals of arms were continually used at second-hand by those who acquired them after the death of their first owners.¹

The first seal of the Second Series is a curiosity of a different character to all the rest. Instead of the impression of any engraved surface, it bears that of the two rows of teeth of its grantor, who was Agnes daughter of Agnes the daughter of William Fiz of Fyncham, temp. Edw. II. A visible instance that there was some authority for the usage pretended to have been adopted by William the Conqueror, in the words of his well-known rhyming charter to Powlen Rawdon—

And in token that this thing is sooth
I bit the whyt wax with my tooth.



This beautiful seal of Thomas Lord Bardolfe is attached to a deed dated 14 Ric. II. 1399, belonging to the Rev. C. R. Manning. He was the last Lord Bardolfe in the male line, and died of wounds received at the battle of Bramham in 1405, temp. Hen. IV.

For the use of this, and of all the preceding engravings on wood, we are indebted to Daniel Gurney, esq. F.S.A. from whose *Record of the House of Gournay* they are derived.

¹ Many instances have been noticed where this parsimonious practice extended even to public bodies. The seal of Maidenhead was merely that of a canon, and its device the head of a Saint with a nimbus, which it was thought might serve for a maiden-head. See it engraved in the *Collectanea Topog. et Genealogica*, vol. vi. p. 400, and in the *Gentleman's Magazine* 1839.

and that such a practice was really sometimes adopted in the humblest ranks of society.¹

We subjoin the following indexes to the shields described:—

FIRST SERIES.

Astley, see Estle	Elys, xii. 6	Narburgh, ix. 8
Auntcrolls, xiii. 9	Essex, viii. 7	Norwich, xiii. 5
Bardolfe, vii. 8 viii. 9 ix. 6	Estle, xiii. 8	Percy, xiv. 4
Belle, xiv. 5	Ethel, viii. 12	Reynham, xi.
Brancaster, vii. 9	Fincham, xii. 3	Russel, x. 7
Buckeskyn, xiii. 6	Howard, vi. 4, 7	Sau, viii. 10
Burgh, ix. 5	Hoxne, x. 1	Shouldham, ii. 9, xiii. 12
Cailly, v. 3 x. 3 xi. 7	Ingoldsthorp, vi. 5, 7	Stonor, xii. 4
Calesthorpe, ii. 6	Ketlyston, xi. 5	Talbot, v. 1, viii. 4
Causton, xi. 9 xiii. 2	Le Joevene, ix. 9	Total, ix. 4
Chaumpayne, viii. 6	Litwelle, x. 8	Verdon, iv. 8
Cheisvene, xiv. 1	Lovel, xiii. 7	Walgore, xiv. 3
Clare, ix. 5	Malie, vi. 6	Wancy, xii. 8
Cumbes, x. 4	Middilton, xiii. 1	<i>See</i> Talbot.
Damory, ix. 5	Multon, xii. 1	

SECOND SERIES.

Algor, v. 1	Kervile, vii. 7	Sutton, iv. 2
Bardolfe, ii. 7	Lovell, vii. 8	Talbot, vi. 5
Beckswell, vi. 8	Middilton, iv. 4	Tendring, v. 2
Causton, ii. 8	Mossell, iv. 5	Tonnewel, iii. 9
Drue, iv. 8	Noke, vi. 3	Walcote, ii. 9
Exeter, Duke of, viii. 4	Paysete, ii. 2	Walkfare, ii. 5
Fincham, iii. 6	Stapleton, vi. 9, vii. 1	Warham, viii. 3
FitzRichard, iii. 2	Steward, v. 6	Wychngham, ii. 1
FitzWalter, v. 5	Stradset, iii. 1	

¹ Several articles upon this subject have recently appeared in *Notes and Queries*; Third Series, vol. x. p. 390; vol. xi. pp. 450, 491, 523; vol. xii. p. 33.



NOTES ON SOME OF THE FOREIGN COATS IN THE ROLL OF
ARMS, OF THE THIRTEENTH CENTURY, COMPRISED IN THE MS.
No. 6589 OF THE HARLEIAN COLLECTION.

IN his able and interesting Preface to this Roll (as printed in the xxxixth volume of the *Archæologia*)¹ Mr. Walford says: Several of the foreign coats I have not been able to identify. The families that bore them may have failed early, and have not been important enough to have had their arms transmitted to posterity in the French printed collections. (Preface, p. 7.)

The following notes are the result of investigation with respect to certain of these coats. Though in some cases the identification would appear to be positive, in others it is but conjectural and uncertain, owing to the want of requisite means (such as Provincial Armoriai, &c.) for following out the fancied clues which seem sometimes given. In these cases it is to be hoped that the slight hints, or suggestions, here offered may be worked out by more able hands, so that still further light may be thrown upon the hitherto unidentified coats of this important Roll of Arms.

The following notes are arranged in order, according to the numbering of the coats in the Roll, and have to do chiefly with those foreign coats to which either some difficulty or some peculiar interest is attached.

No. 38. LE COUNTEE DE HENAUD: *Cheveronée de or et de sable*. Probably Ferdinand (son of Sancho, King of Portugal,) who married in 1211 Joanna, daughter of Baldwin, Count of Flanders and Hainault (afterwards Emperor of Constantinople), and was, in her right, Count of Flanders and Hainault. This Ferdinand appears to have been the last Count of Flanders and Hainault who bore the *ancient* coat of Hainault (*scil.* chevronée d'or et de sable). See his seal (Olivarius Vredius, *Sigilla Comitum Flandriæ*, p. 28). He died in 1233.

The chivalrous family of Manny, or Mauny, of Valenciennes, in Hainault, appear to have borne these arms. Their cry was, *Hainaut l'ancien!* (See Rietstap's *Armorial*, and Roll Edward III. A.D. 1337-1350.)

No. 43. LE COUNTY DE RIGE. The Landgrave of Thuringia? *D'azure, un leon rampant Barry d'argent et gulez couronné d'or.*

¹ And also separately in 4to. 1864, accompanied by an Ordinary, as noticed in our Vol. III. p. 185.—(EDIT. H. & G.)

No. 44. LE COUNTEE DE GUERD, *Gulez, un bend d'argent a listes d'or*. This coat is very similar to that of Alsatia (Elsass). The Landgrave of Alsace? The name *Guerd*, however, I have not been able to identify or explain.

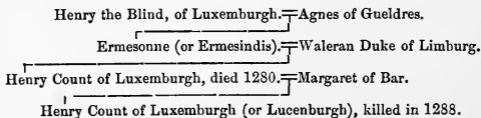
No. 45. LE CONTEE DE BOLOGNE (OR BELINGE, according to Leland's copy of the Roll): *D'azure, un bend d'or, deux leonceux rampant d'or*. There is a family of Belgium named Belhomme (something similar in sound) which bears precisely the same arms (Rietstap's Armorial), but I have no means of discovering anything concerning this family. No Count of Bologna, that I know of, could have borne the coat given.

No. 46. LE COUNTEE DE RUMMESVILLE, *D'or, trois roses harges ove trois roses vert*. (Leland gives Rampsvile.) There is a family in Flanders named Romerswalle (see D'Espinoy's Noblesse de Flandres, p. 105), but their arms appear to have been altogether different.

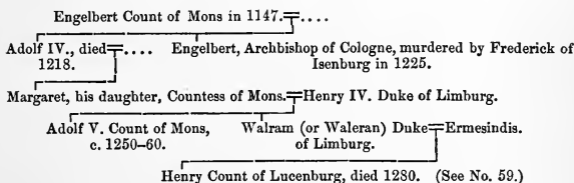
A family named Ramsault (Artois, a province of Belgium, which would account for the juxtaposition of this coat and the preceding one of Belhomme,) bears, Or, three roses gules. (Rietstap's Armorial.)

No. 49. LE CONTEE DE LEONSTEINE: *Argent, un leon rampant gules, couronné d'or, sous un mole [monte?] d'azure*. The ancient Counts of Leonstein were of the same origin as the Counts of Calw (see Spener, part 2, lib. i. ch. 56, p. 224). The arms of these latter were, Argent, a lion gules, crowned azure, standing on a three-peaked mount of the last (see Siebmacher, ii. p. 10.) The lion in the arms ought to be depicted as consistens (*i. q. statant*) (see Spener, p. 226.)

No. 59. LE COUNTEE DE LUCEMBURG: *Burulee d'argent et d'azure, un leon rampant gulez coronne d'or*. This was a branch of the House of Limburg, wherefore (according to Spener, part 2, lib. i. ch. 38, p. 192,) the barrulets azure were borne as a difference. *Tæniæ illæ (scil. the barrulets), says he, ostendunt discerniculum à primogenitis Limburgiis*. And again (part 1, ch. 8, p. 347), he says, *Ita et fasciolas Lucenburgiorum initio distinctivas tantum fuisse non improbable est*. Once more, *Lucenburgiæ tamen provinciæ—Scutum quivis tæniis argenteis et cyaneis transversè fasciatum, incumbente illis leone illo Limburgio coccineo coronato. Quæ tæniæ scuti forte alicujus fuère discerniculum, quod dein ducatus hæsit*. (Spener, p. 486.)



NO. 61. LE COUNTEE DE MONTE: *Argent, un leon rampant gulez la cowe croisé, coronné d'or, un labeu d'or.* This is probably Adolf V. Comes Montanus, or Bergensis (*i.e.* of Mons, or Berg.) He was son of Margaret (daughter of Adolf IV. Comes Montanus, who died in 1218), and who married Henry IV. of Limburg. Spener says that the ancient coat of this family was a rose gules, which was discontinued on account of a foul murder committed by Frederick of Isenburg, a member of the family, in 1225. Leonem hunc Montano principatui intulisse dicitur (apud Teschenmach,) Adolfus V. comes, matre Montanâ, patre Limburgio natus, præferens ita paternum δείγμα maternæ rosæ. He appears to have adopted the arms of Henry IV. Duke of Limburg, his father (see No. 78), and to have differenced them with a label. This label was probably azure (as given in Leland's copy), and not or (as in the Harleian one); see Spener, p. 75, lib. 2, pp. 471 and 673. Ducatus Montanus, sive Bergensis, Westfaliæ non exiguam portionem complectens, et Cliviâ Monasteriensi atque Coloniensi diæcesibus cinctus. The arms of this ducatus were: In argento leo rubeus, coronâ et falculis aureis, linguâ cæruleâ, caudâ bifidâ, et in decussim trajectâ. (Spener, p. 75.) [See also Spener, Prolegomena, pp. 9, 10, 11, 27, 30, 35.]



NO. 67. LE COUNTEE DE COLESTEIN: *D'or, un chief sable.* A Franconian family named Khunstein bears these arms, (Siebmacher, ii. p. 81,) but it seems very doubtful whether this is the name intended by the copyist of the roll.

NO. 70. REGNALD DE TRY: *D'or, un bend d'azure, un labell gulez.* Regnault de Trie is mentioned by Joinville, in his History of St. Louis, p. 14. It appears from the notes to that work that he became Comte de Dampmartin of Bologne either in 1260 or 1266. It may be remarked that the coat of Le Countee Dammartin de Belegne follows next to him in this copy of the Roll.

NO. 76. LE DUK DE POULAND: *D'or, un egle sable, un crescent en le petrine d'argent.* These are really the arms of Silesia. Silesia belonged to Poland, and when Uladislaus was expelled from the principality of

Poland by his brother, he was only able to leave Silesia to his children.¹ Casimir II. gave up Silesia Superior to Wenceslaus, King of Bohemia, in 1288. The arms of Poland were: Gules, an eagle displayed argent, crowned or. (See Spener, pt. 2, lib. i. pp. 50, 51, and 698, 699.)

NO. 78. LE DUK DE LUNEBURG: *D'argent, un leon rampant gules la cove croyzé, coronné d'or.* Probably Henry IV. Duke of Limburg. He married Margaret, Countess of Mons, or Berç, and was by her the father of Waleran, Duke of Limburg; and Adolf V. Count of Mons or Berg (No. 61), *materno jure*. [Arms, as in the Roll; see Spener, p. 486.] It may, however, be that these are the arms of Waleran, Duke of Limburg (his son), in which case Waleran would seem to have borne his paternal arms *entire*, while his brother, Adolf V. Count of Mons, or Berg, differenced them by a label (see No. 61).

NO. 89. HERNOLL DE LA WEDE: *Barry d'or et gulez fretty d'argent.* This is most probably Aernoult de Bernaige (or Baronaige), a noble family of Flanders. They were anciently called De le Weede. They were Seigneurs de Mouwe, and also Seigneurs de Beveren (near Roulers, in West Flanders). They bore for arms, *Fascées d'or et de gueule de six pieces, à cinq sautoirs d'argent sur les fascés de gueulle* [precisely the arms of the Roll]. (See L'Espinoy's *Noblesse de Flandres*, pp. 227, 228, and also pages 386, 387.)

NO. 90. HENRY DE BARNAM: *Lez armes du Roy de France, al chief paly d'argent et de gulez.* There is a place called Beernem (near Bruges, in West Flanders), but I have not been able to discover anything of its lords. In Rietstap's *Armorial* are to be found two families, viz.:—

(1.) Berchem (Brabant), bearing *D'argent, à trois pals de gueules* (i. q. the chief in the Coat of the Roll).

(2.) Beerman (Pays Bas), bearing *Sinople, a chief argent, charged with three pallets gules.*

It would seem almost from the way in which these arms are blazoned in the Roll (viz. *lez armes du Roy de France*), that their bearer had had some concession of the arms of France made to him, on account of services rendered, or for distinguished valour; but I have not been able to trace this, or indeed to identify the person.

NO. 91. LE SIRE DE SEGNI: *D'argent, une crois sable a merlos sable bordeans.* Le Seigneur d'Isenghien (or Iseghem), one of the principal barons of Flanders. Their lands, held for a long time by their family, passed at length (by marriage) into the family of Stavele, and, finally

¹ At his death, filii quidem Silesiam solam retinuerunt, sed simul tesseram Polonicam, illius seculi more coloribus variatam. (Spener.) The different principalities seem all to have retained the arms of Poland, but to have varied the tinctures (c. g.) Silesia, Sagan, Teschen, &c. (Spener, part 2, pp. 698-699.)

(by succession), into the illustrious house of Gand. The ancient Seigneurs d'Isenghien bore, D'argent, à la croix de sable, à l'ourlet de douze merles de mesme ; et crioyent, *Maldeghem*. (See L'Espino's *Noblesse de Flandres*, p. 117.)

No. 92. GUALTIER DE GISTELL: *Gulez, un cheveron d'ermine*. The seigneurs de Guistelles were ancient and powerful barons of Flanders, and were also hereditary chamberlains to the Counts of Flanders (A.D. 1207). They bore, De gueules au cheveron d'hermines. (L'Espino's *Noblesse de Flandres*, pp. 122, 123.)

A Walter de Guistelle was living in 1229 (p. 164), and was taken prisoner by the French at the battle of Bovines (in 1214). (Idem, p. 184.)

It is worthy of notice, that these last four (Nos. 89, 90, 91, and 92) are all from West Flanders, and so seem to be arranged in the Roll according to some system.

Iseghem is near Ingelmunster (West Flanders). Ghistel is near Ostende (West Flanders). The two others are noticed in their respective places.

No. 148. WILLIAM CREPIN: *D'argent, trois barres de gules engrêlles*. Most probably William V. seigneur du Bec-Crespin. These seigneurs were hereditary constables of Normandy, and this one was a marshal of France. They bore, Fuselée d'argent et de gueules ; which coat is very similar to the one here given, the three bars engrailed being the same as three bars fuselées (from the way in which these two terms seem to have been used interchangeably and indiscriminately by the old heraldic writers ; e.g. their blazon of the coats of Montagu, Percy, D'Aubenev, &c.) The family of Bec-Crespin was from the same origin as the family of Grimaldi, Princes de Monaco, who also bore, Fuselée d'argent et de gueules. (See Spener, part 2, lib. ii. pp. 457 and 458 ; see also *Galleries Historiques du Palais de Versailles*, tom. vi. p. 511.)

No. 149. AMARY DE MILAND: *Sable, un lion rampant d'argent a la queue fourché, l'escue billeté d'argent*. It seems most likely that this is Amaury de Meulenc, or de Mellenc, who is found mentioned among "Les Chevaliers qui devront aller avec le Roy St. Louis outer mer," in A.D. 1271. See Notes, &c. to Joinville's History of St. Louis. The ancient counts of Meullent (Normandy) bore, De sable, un lion d'argent à la quéeue fourchée (*Berry's Armorial*,^a No. 103, and *Galleries Historiques du Palais de Versailles*, tom. vi. p. 351). The billets may have been added as a brisure, or difference, to the family coat.

No. 168. JOHAN DE HARECOURT: *Gulez, a deux barres d'or*. Jean, Seigneur de Harcourt (near Louviers, Eure, or Normandy) et de

¹ *Armorial de France* (composé vers 1450), par Gilles le Bouvier, dit Berry.

L'Isle Bonne (near Havre, Lower Seine, or Normandy), was Marshal of France A.D. 1285-1302 (see *Histoire de Connestables*, par D. Godefroy, p. 8).

No. 169. HUGH LE ARCHEVESQUE: *Burele de un menue burlure d'argent et d'azure, une bende guelez*. Berry (No. 1076) blazons the same coat thus, under Poitou,—*De Partenay*, Burelé d'argent et d'azur de treize pieces, un baton ou cotice de gueules en bande; and also (No. 1192) under Guyenne and Gascoyne:—*Le Sire de Soubise*—*Ecartelé: 1 et 4, d'or semé de fleurs-de-lis d'azur; à un franc quartier de gueules (qui est Thouars); 2 et 3, burelé d'argent et azur de douze pièces, chargées d'une bande de gueules (Soubise)*. In "Le Roy D'Armes," par Marc Gilbert de Varennes (page 97), is to be found as follows:—L'Archevesque Soubize, ou Partenay, (porte) burellé d'argent et d'azur à la bande de gueules brochant sur le tout. And, again, at page 473, he speaks of Catherine Parthenay, Dame de Soubize, fille unique et heritiere de Jean l'Archevesque, Seigneur de Soubize, who married René II., Vicomte de Rohan (circa A.D. 1626 (?).) She was the widow of Charles de Quellenec. (See also Spener, part 2, lib. i. chap. 79, page 316). Partenay is in Poitou, Soubize in Saintonge.

No. 170. GEFFRY DE MERGINES: *Gules, un fesse d'or et un danse d'or en cheife*. This is another instance of "M" being substituted for "S" (see Mr. Walford's Note to No. 36). The person intended is, no doubt, Geoffrey de Sergines, of Sergines, near Sens in Champagne. His name and his valiant deeds are repeatedly mentioned in Joinville's History of St. Louis; and he appears to have been one of that King's favourite knights and brothers-in-arms in the Crusade of 1248 (see Joinville, pp. 33—60, 61, &c.) He was at the siege of Damietta, and shared the captivity of Louis IX. In 1277 he was Seneschal of the Kingdom of Jerusalem. He died in or about 1297(?) A seal on a deed of Gilles de Sargines chevalier (A.D. 1314) bears, *Une fesse, avec une autre vivrée en chef*; and in the *Galleries Historiques du Palais de Versailles* (tom. vi. p. 480), the arms of Geoffrey de Sergines are given as identical with those here assigned to him.

No. 171. ROBERT DE CRESIGNIES: *D'azure, al chief d'or et trois gemelles d'or*. Cresecques, or Ardres de Cresecques (Artois), bore this coat (Rietstap's Armorial). Ardres is near Calais, *i. q.* Artois.

No. 172. HUGO DE BAUCOY LE LABYN: *Vert et d'or, un crois gules reserçelé, un labell sable*. A Hugh de Baücoi, or Baucei, is to be found mentioned in William Guiart's *Histoire de St. Louis*, manuscrite intitulée "Le Branche aux Royaux Lignages." W. Guiart was

a native of Orleans, and lived in 1307. Under the year 1267, he says :—

“ Avec lui ” (*i. e.* Erart de Valeri) “ a cele venuë
Furent de Bauçoi Gui et Huë ” (page 153).

This appears to have been in a battle at Aube (?) in Sicily, against Conradin (?).

And, again, under the year 1270 we find (page 159)—

“ Huë et Gui de Baucei, deus freres,
Avec eus li fils et li peres
De Preceigni,” &c. (in a battle with the Sarrazins.)

The family of Bauçay (Poitou) bore: Or, a cross recerclé gules.

“ Le Labyn vert ” I cannot explain. Labyn may possibly be (as Mr. Walford suggests) a sobriquet, *i. q.* lambin, a hum-drum, a slow-coach; but Hugh de Bauçoi does not appear to have borne this character in battle, at all events. If it were a sobriquet, might it be from the Latin *labeo* (*i. e.* thick-lipped, blubber-lipped)? Hugh might have had this personal peculiarity, and yet have been to the fore in the time of need.

Is it, however, in any way possible that one of the early copyists may have added above (as a correction) *le labiau*, or *labeu vert*, and it may in some later copy have been inserted in the text by mistake, or ignorance? In this case it would have been a correction of a label sable to a label vert. Hugh de Bauçay may have been the eldest, or the second son, as their names occur in different order in the verses of William Guiart (quoted above), and in either case may have differed with a label. The two brothers may even each have borne a label of a distinctive colour, or one (Hugh) may have added the further difference of a partition line to his paternal coat. The marginal remark, “ Ingham’s cote,” seems to signify that this coat was *parti de vert et d’or*, and not quarterly, as given in Mr. Walford’s Ordinary. (See the “ Cote of Ingham,” Roll Edwd. III. A.D. 1337.) A careful search among the Armorial of Poitou, and the Histories of that Province, if there be any special ones, might possibly help to clear up this point.

No. 174. ESCHELARD DE MONSYROLLE: *D’argent, un bend gulez engrelle six escallops d’azure*. Leland seems here to be nearer the truth, when he gives this name as De Mont Tyrelle. For it appears very probable that this was a member, or a cadet, of the family of Montreuil-Bellay (Anjou, or Saumurois), which bore, *d’argent, à la bande*

fuselée de gueules,¹ accompagnie de six fleurs-de-lis d'azur, rangées en orle. (Rietstap's Armorial.) In the Galeries Historiques du Palais de Versailles (tom. vi. p. 427) is found a Henri, Seigneur de Montreuil-Bellay, en Saumurois, who was at the Crusade with the Count de Blois in 1202. The arms there assigned to him are as above. May not, then, this Eschelard de Monsyrolle have been a cadet, or branch, of this family? the bend engrailed and the bend fuselée being interchangeable in early heraldry, and the escallops azure being substituted for the fleurs-de-lis azure, the tinctures retained, either as a difference, or to commemorate some incident or adventure in his history. May they have been assumed as a play upon his name, Eschelard, viz. *ecaille*—a shell?

Montreuil, in Latin, would be de Monte Ruelli, very near to Leland's Mont Tyrelle.

No. 175. THOMAS DE COUCY: *Barry de veire et de gules un bend d'or*. A son of Euguerraud de Coucy (?) (Joinville's History of St. Louis). The family of Coucy held also seigneuries in Flanders (see L'Espinoy's *Noblesse de Flandres*).

Coucy is near Laon, in Aisne (anciently Isle de France). The bendlet, or cotice or, appears to be a brisure, or difference to the paternal coat.

Speaking of the family of Chastillon sur Marne, and others bearing vair in their arms, Varennes thus accounts for it:—"Dans l'histoire de cette très-illustre maison, je lis qu'après une sanglante bataille, les chefs de l'armée n'ayant plus leurs cornettes et drapeaux, se servirent de leurs fourrures de manteau et cotte d'armes, les mettant au bout de leurs lances pour rallier leurs troupes, et de pour cette considération Chastillon, Coucy, Plancy, et autres ont le vair en leurs escus d'armes." (Roy d'Armes, pp. 58, 59.)

No. 176. ROBERT DE BASSEGER: *Paly de verry et de gulez et chief d'or un florette de sable*. Basseches (Leland), Basoches (Artois). This appears to have been a branch of the great family of Châtillon-sur-Marne, the arms of which were differenced in many ways, *e. g.* by the addition of a label, a fleur-de-lys, lions, martlets, &c. to the golden chief of the family coat. (See Varennes, Bouton, &c.)

No. 177. WILLIAM DE CHAVEYN: *D'argent une fesse engrelé gulez, un labell sable*. In the Galeries Historiques du Palais de Versailles (tom. vi. part 2, pp. 312, 313) is to be found a William de Chauvigny, who was present with Louis IX. in Palestine in 1249. A deed,

¹ See also Spener, Part 2, p. 519.

preserved in the Archives du Royaume, has a seal of his attached, bearing a knight on horseback, having a shield charged de fusées avec un lambel. The arms assigned to him in Galeries Historiques, &c. are, Argent, five fusils in fess gules, a label of six points azure. The five fusils in fess are equivalent to the fess engrailed in early rolls. Varennes, in his Roy d'Armes, mentions the coat of Chauvigny, or Chavigny, several times, giving the label, however, as de six pendants, or de quatre pendants, but always sable. (See pages 451, 467, 520.) He calls the family De Blot Chavigny, or Blot Chauvigny. Rietstap's Armorial, however, gives this coat as that of Chauvigny, Comtes de Brosse (Dauphiné), and assigns a totally different one to De Blot Chauvigny. See also Berry's Armorial, No. 204, under Berry: Le Baron de Chauveigny (Chauvigny), D'argent, à une tire de fusées de gueules posée en fasce; sur le chef un lambel de sable à six pendants.

No. 178. PHILLIP DE MONTFORT: *Gulez, un leon rampant d'argent la cove furche, un labell d'azure.* In Joinville's History of St. Louis (page 61, &c.) we find mention of a Philippe de Montfort. He was a son of Simon de Montfort III. (the Albigensian), and was himself Seigneur de Castres (in Tarne, or Albigeois, *i.e.* Languedoc), and afterwards Seigneur de Tyr. (See Notes to Joinville, and also Galeries Historiques du Palais de Versailles, tom. vi. p. 456.) Simon de Montfort, Earl of Leicester (his father), was killed at the battle of Evesham in 1265, so that the coat here assigned to Phillip de Montfort was probably borne during his lifetime, as having a label azure. But was Philip the eldest son, or Simon de Montfort the IV. (?)

No. 179. HENRY DE BAUNSTERSEIN: *Vert, a trois faux lozenges d'argent, al cheif paly d'or et de gulez.* Henry de Bautersem (Brabant. (Bautersem is near Louvain.) Rietstap's Armorial gives these same arms under Bautersem. From the coat given by Rietstap, under Berghes (Brabant), these arms would appear to be compound ones, viz. Vert, three mascles argent (Bautersem), and in chief, Or, three pallets gules (Berthout, or Malines, Mechlen).

Spener also says, "Rhombi perforati Bouterseimam dynastiam, pali Mechliniam denotent." (See Spener, part 2, lib. iii. pp. 582, 583.)

The Bautersem and Berthout families appear to have been allied or connected; hence the chief (Malines) in these arms, and the juxtaposition of this coat and the next, No. 180.

There is a Seigneur de Wingene mentioned in L'Espinoy's Noblesse de Flandres (pp. 301, 302), who bears precisely these same arms; but I cannot there trace his connection with the family of Bautersem.

NO. 180. GAUTER BERTRAM: *Palé d'or et de gules, a un cantell d'azure un rouell d'argent*. Leland seems to have it more correctly as Bertrant. In Spener (Part I. p. 347) mention is made of the following: Walterus Bertaut, Dn (Dominus) Mechliniæ, gestabat in clypeo aureo tres palos rubeos: frater Ægidius, Dn de Berlaer, eosdem figebat in areâ argenteâ. Again, in Spener (part 2, lib. i. pp. 199, 200) is found: Mechliniæ, Dominium Brabantiae, fuit hoc à multo tempore in Bertholdorum Grimbergensium ditioe, nuptiis ut creditur acquisitum. It seems afterwards to have passed through many hands, until at last it came into possession of Burgundy and Austria. It was made a county by Maximilian in 1494, but the Emperors always styled themselves Domini Mechliniæ, Seigneurs de Malines, or Heere van Mecheline. (See also Olivarius Vredius, *Sigilla Comitum Flandriæ*, p. 56, &c.)

Insignia (Mechliniæ) fuêre scutum aureum tribus palis rubeis exaratum. Pali ab antiquis Dominis (*scil.* the Berthout family,) asciti hæsere Dominio. (Spener, page 200.)

Rietstap's Armorial gives the following:

- (1). Malines [Mechelen] (Brabant). D'or, à trois pals de gul.
- (2). Berthout, Seigneur de Grimberghe, de Malines, &c. D'or, à trois pals de gueules.

The canton (in No. 180) may possibly be the coat of the family of Vlatten (Westphalia), which bore, Azure, au estoile argent (Rietstap): but I have not been able to trace the connection or alliance with this family.

The family of Berthout appears in later times to have become allied with that of Merode (about A. D. 1567?) and a coat precisely similar to this (No. 180) in the Roll is given by Rietstap under Merode-Vlatten (Westphalia), and by Siebmacher (*Wappenbuch*, ii. p. 106) under Flatten (Rhineland). Concerning the Merode family, and its branches of Petersheim, Conresheim, and Flatten, with the differences borne by them in the original coat, see Spener, part I. chap. viii. p. 356.

C. B. B.

BARRE'S COURT, OR HANNAM,
IN THE PARISH OF BITTON, CO. GLOUCESTER,
AND THE FAMILY OF NEWTON ALIAS CRADOCK.

When Leland made his itinerary, about the year 1540, Barre's Court at Hanham was the residence of Sir John Newton: and he describes it as "a fayre old mannar place of stone."—"At this Hannam dwellythe one Sir John Newton."—"The forest of Kyngeswodd cummythe just onto Barres Court, mastar Newton's house." The site is still marked by a moat:¹ and over the door of the present farm-house remain the Newton arms, beautifully wrought in stone, though much mutilated. The place took its comparatively modern name from Sir John Barre of Rotherwas, co. Hereford, who became its possessor by marriage. But it did not entirely lose its earlier name of Hannam.

His wife was Jane, the sole daughter and heir of Thomas Rigge, of Charlcombe, co. Somerset, by Katharine, daughter and sole heiress of Sir John de Button, who died in 1382 (as already shown in the pedigree at p. 195). She had been previously married to Robert Greyndour esquire, who died in 1447; and on her death in 1485 she desired to be buried with her first husband at Newland, in the forest of Dean, co. Glouc. where a chantry had been founded called the chantry of Robert Greyndour.² Her will, which is on record in the Prerogative Court of Canterbury, is a very long and curious document. The vicar of Newland was enjoined to pray for her soul and those of her two husbands, for her daughter Elizabeth sometime Countess of Worcester,³ for her father Thomas Rigge, and Katherine his wife. Subsequently she mentions her sister dame Joane Lychefelde and William Walwyne

¹ Some recollections of the old mansion are given in the *Proceedings of the Archæological Institute at Bristol*, 1851, p. 244. It was taken down about the year 1770.

² See the letters patent printed in p. 211.

³ Elizabeth, daughter of Robert Greyndour, was the first wife of John Tibetot, or Tiptoft, Earl of Worcester, the Lord Treasurer, and he had by her a son John, who died young. Dugdale, *Baronage*, ii. 41.

among her immediate kinsfolk. She bequeathed to the altar of Saint Katharine in the parish church at Bytton a goodly pair of vestments of black chamlet, with a cope of the same cloth to serve there, "for myne aunceters be buried in that chapell, and the priest to pray tenderly for the soules of them." "Item, I bequethe to the parishe chirche of Charlecombe, where I was cristenyd, a crosse of copir and gilt, to be borne in the procession, the which is now in my chapel at Clowrewall." There are other legacies to her cousin Alice Beyman [Baynham ?] and her heirs; for the chapel of Clowrewall; and to her niece Elizabeth de la Bere.

On the inquisition taken on the death of Lady Barre her heirs¹ were found to be—

Robert Basset, aged 50;
 William Strode, aged 40;
 Lucy Chokke, aged 15 and more;
 Johanna Chokke, aged 14 and more;
 Elizabeth Chokke, aged 16 and more.

The three last were sisters; but, though so young, are above mentioned by their husbands' names. Lucy was the wife of Thomas Chokke junior, Johanna of Thomas Chokke senior, and Elizabeth of John Chokke junior. They were the daughters of John Hampton.

Robert Basset, one of the heirs of Lady Barre, has been already noticed in p. 207. Strode inherited her estates in Dorset and Somerset. The descent of all these coheirs may be traced in the annexed pedigree.

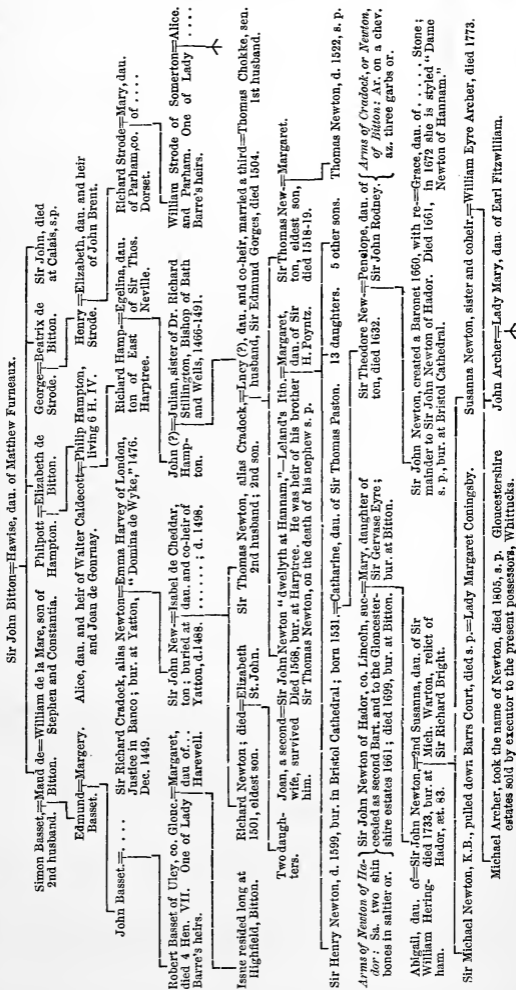
¹ "The 1st daughter of Sir John of Bytton, Mawde, married one Symon Basset, knight, of whome comyth Robert Basset now alyve, that claymyth as heyre to my Lady Barre.

"The 2nd daughter Elisabeth, sister and heir of Mathew of Bytton, maryed with Hampton, and had isseu Philpot [*i.e.* Philip] Hampton, which Philpot had Richard, which Richard had John Hampton, which John had 3 daughters, Luce, Jane, and Elisabeth, now being alyve, that claymeth as heyres to my Lady Barre.

"The 3rd sister Beatrice maryed Heugh Strowde knight, and had isseu by hir Henry, which had Richard Strowde, which Richard had William Strowde now alive, y^t claymyth as heyre to my Lady Barre."

From a paper entitled *Descendants of Matthew Furneaux*, contained in Robert Aske's Collections, in the possession of Sir Thomas Phillipps, and printed in the *Collectanea Topogr. et Genealogica*, vol. i. p. 243.

DESCENTS OF THE HEIRS OF LADY BARRE, PARTICULARLY THE NEWTONS OF BARRE'S COURT, BITTON.



Lucy Hampton, first the wife of Thomas Chokke, was married secondly to Sir Thomas Newton,¹ second son of Sir John Newton, of Wyke, in the parish of Yatton, co. Somerset, and was mother of the Sir John Newton who entertained Leland, and gave him much information, which the itinerant antiquary has recorded under the head of—

*Thyngs lerned of Sir John Newton.*²

“Newton’s very proper name (he begins) is Caradoc. The name of Newton came by this error and use, bycawse the graundfather of Sir John Newton dwellyd, or was borne, at ‘Trenewith in Poise-land’—Tre-newydd being Welsh for New-town.

“One Newton, a man of fayre lands, inhabytyng at Wyke toward Banwell, had a yonger brothar that maryed one of the dowghtars and heyres of Hampton, and wife afore to one of the Chokkes, that dyed without ysswe by hyr. This was the yonggest dowghtar of the three that Hampton lefte; and yet she being married unto Newton, fathar to Ser John Newton, fortunod to have all the thre partes.”

Sir John Newton inherited from Hampton an old castle called Richmount, erected on a rock “in the rote of Mendip,” three miles from Wells, and in the parish of East Harptree. “There standith yet (writes Leland) a pece of the dungeon of it.³ Syr John Newton dygged up many olde foundations of it, toward buyldinge of a new house hard thereby, caullyd Estewood.” He probably died at that new house, for he was buried at East Harptree, as shown by his monument hereafter noticed.

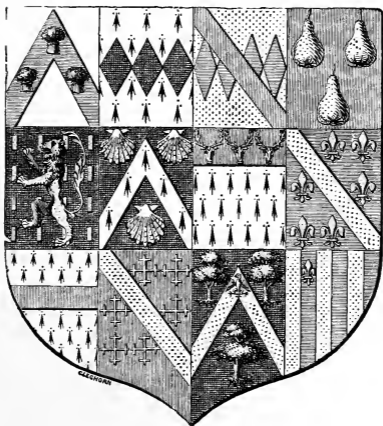
Sir Thomas Newton, of Barre’s Court, was the father of Sir John, who is styled “of Richmond Castill, in the countie of Somersett, knyght,” in a confirmation of his arms⁴ granted by the three kings of arms in 1567, whereby it was declared that he might bear “twelve several coates” or quarterings, viz. Cradock alias Newton, Sherborne, Angle, Piroc, Harvie, Chedder,

¹ In the Baronetages the heir that Sir Thomas Newton married is erroneously described as “Joan daughter and heir of Sir John Barr.” The same error occurs in Atkyns’s *History of Gloucestershire*, and elsewhere.

² *Itinerary*, vol. vii. p. 88.

³ A view is given in the *Record of the House of Gournay*, p. 696.

⁴ Printed in the Bristol volume of the Archæological Institute, p. 239.



Hampton, Bitton, Furneaux, Caudecot, Corney alias Gourney, and Harterie or Harptree. The same document conferred a crest, viz. "a King of the Moors armed in mail, crowned gold, kneeling upon his left knee, rendering up his sword,"—the same being (fabulously) asserted to have been the crest of Sir Auncell Corney, or Gourney, his ancestor,¹ said to have been present "at the winning of Acon with King Richard the First, where he took prisoner a King of the Moors."

These are the same quarterings² which appear on the stone carving still preserved at Barre's Court, viz. :—

1. *Caradoc* or *Newton*, Argent, on a chevron azure three garbs or.
2. *Sherborne*, Ermine, three lozenges fesswise sable.

¹ No such person, however, as Sir Anselm Gournay has been traced by the historian of the family until a generation considerably later. This matter has been before noticed at p. 357 of our present volume.

² The engraving represents the same quarterings, somewhat varied, as they appear on the monument of Sir Thomas Newton in Bristol cathedral. The seventh quartering is for *Harmynge*, Ermine, on a chief gules three buck's heads caboshed. The coat of Gurney of Harptre is paly of eight, and distinguished by a fleur-de-lis placed on the second pale. The last coat of the other achievement, that of Harptre, is omitted.

3. *Angle*, Or, four fusils fesswise azure, over all a bend gules.
4. *Pyrott*, Gules, three pears or.
5. *Harvey*, Sable, billetté, and a lion rampant or.
6. *Chedder*, Sable, a chevron ermine between three escallops argent.
7. *Hampton*, Azure, a bend between six fleurs de lis or.
8. *Bitton*, Ermine, a fess gules.
9. *Furneaux*, Gules, a bend between six crosses (sometimes cross-crosslets) or.
10. *Caudecot*, Sable, on a chevron between three trees uprooted or an eagle displayed of the first.
11. *Gurney*, Paly of six or and azure.
12. *Harptre*, Or, a saltire flory azure.

Several costly monuments of the Newtons remain at Yatton, at East Harptree, and at Bristol.

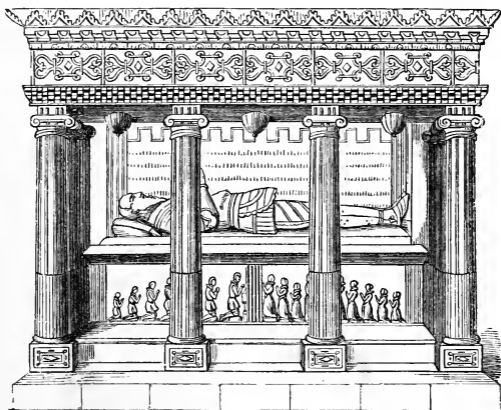
At YATTON is a remarkable effigy of Sir Richard Newton alias Cradock, a judge of the common pleas in the reign of Henry VI. whose death is believed to have occurred in the year 1449, when Sir John Prisot was appointed his successor.¹ He is attired in his official robes and coif; a girdle round his waist and a purse at his right side, both shown by the opening of his robe, as is a small portion of his collar of eses at his right shoulder. His hands, on which he wears massive rings, are raised together in the attitude of prayer. His head rests on a garb, his crest; and at his feet are two dogs. By his side is his wife, attired in a close surcoat and a mantle; a head-dress somewhat resembling that of the women of Normandy; and wearing a solid necklace and a heavy chain of gold.

In the same church is another pair of effigies, presumed to represent Sir John Newton (who died in 1488), the son of the judge, and his lady; and her head-dress so closely coincides with that of the judge's wife, that we may well attribute all these effigies to nearly the same period,² if not to the same sculptor. The knight is in plate armour, with a large collar of eses, his

¹ Foss, *Lives of the Judges*, iv. 347.

² Sir John and his wife are both of very juvenile aspect. We may imagine that the effigies were made by his own order, during his lifetime, and not long after his father's death.

head resting on a helmet with the garb for crest, and his feet on a lion.



At EAST HARPTREE the monument of Sir John Newton, who entertained Leland on his itinerary, formerly exhibited the appearance shown in this engraving.¹

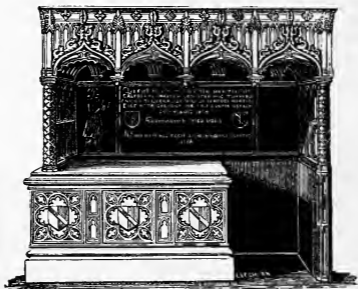
It was erected against the eastern wall of the chancel, and the communion-table consequently stood partly in front of it. The ecclesiastical taste of the present generation has suggested the removal of this monument. The canopy with its Ionic columns has been destroyed, and the tomb alone remains. It sustains on its summit a very indifferent figure of the knight in armour, bareheaded, and his hands raised in prayer. In front, in bas-relief, are kneeling figures of ten sons and fifteen daughters. Sir John Newton died in 1568.

The Newtons of Barre's Court had their sepulture in the cathedral church of BRISTOL: in the south transept, named after them the Newton Chapel. The oldest of their monuments there is one that in style resembles the monument of the poet Chaucer

¹ Extracted from *The Record of the House of Gournay*, by the kind permission of Daniel Gurney, esq. F.S.A.



MONUMENT OF A NEWTON, IN BRISTOL CATHEDRAL.



MONUMENT OF THE POET CHAUCER, IN WESTMINSTER ABBEY.



SIR THOMAS NEWTON, 1594, IN BRISTOL CATHEDRAL.

in Westminster abbey; and it was formerly attributed,¹ but erroneously, to Sir Richard Newton alias Cradock, the judge of the Common Pleas already mentioned as buried at Yatton. It was probably erected to commemorate one of the family who died about a century later.²

A lofty monument, which is above represented, is that of Sir Thomas Newton. It bears the following inscription:--

¹ The following inscription was placed upon it in the last century: "In memory of Sir Richard Newton Cradock, of Barrs Court, in the county of Gloucester, one of his Majesties Justices of the Common Pleas, who died December the 13th, 1444, and with his Lady lies interr'd beneath this monument, which was defaced by the Civil Wars, and repaired by Mrs. Archer, sister to the late Sir Michael Newton of Barrs Court, 1748." The judge's death did not occur in 1444, for he was living in Nov. 1448 (*Foss's Lives of the Judges*, iv. 347), and his successor was not appointed until June 1449.

² The recess at the side of the table tomb seems to show that it was intended for the accommodation of a chantry-priest, and was therefore of a date shortly precedent to the Reformation. There is reason to believe that the monument erected to the

Here lyeth Sir THOMAS NEWTON of Barriscourt, co. Gloucester, knight, who married Catherine, daughter of Sir Thomas Paston, knight, by whom he had two sons and four daughters. He died 1594, ætatis 70.

Gurney, Hampton, Cradock, Newton last,
 Held on the measure of that ancient line
 Of Barons' blood; full seventy years he past,
 And did in peace his sacred soul resign.
 His Christ he loved; he loved to feed the poor,
 Such love assured a life that dies no more.

The arms upon this monument have been blasoned in the article on the *Heraldry of Bristol Cathedral*, already inserted in our present volume (pp. 299—301).

Immediately adjoining to the last, and also below the south window of the chapel, was erected another still grander monument for Sir John Newton the first Baronet. On the tomb is his effigies in full armour, but bare-headed, the right hand raised holding a truncheon, the left extended by his side and resting on his sword.¹ The head is placed on a large cushion. In the rear the monument was raised to a great height, two twisted columns of black marble, with Corinthian capitals, supporting an architrave, above which is a shield of arms: Argent, on a chevron azure three garbs or; impaling Party per pale or and gules, an eagle displayed azure, for *Stone*. On either side of the shield are two female figures, in the place of supporters; and, crowning the whole, is the crest of the kneeling Moorish king, as on the other monument. The epitaph was inscribed on two tablets, but they were entirely obliterated, from the dampness of the wall, before Browne Willis made his survey of Bristol cathedral.

memory of Chaucer by Nicholas Brigham in the year 1555 was one purchased at second hand during the changes of this period. The monument of Sir William Fitzwilliam in St. George's Chapel at Windsor (engraved in Lysons's *Magna Britannia*, vol. i. p. 704) is still more nearly of the pattern of Chaucer's. A fourth, resembling the others in many of its features, is at Ringwood, in Hampshire, and is figured in the *Gentleman's Magazine*, 1807, p. 1001. This last has a step for the chantry-priest to kneel on in front, instead of in the recess; it has been inaccurately attributed to Richard Line, the founder of a free-school at Ringwood so late as 1577.

¹ The large monument of Sir Charles Vaughan, knt. (ob. 1630), which stood at no great distance, and has been recently destroyed (see p. 289), also exhibited an effigy

Dingley, in his *History from Marble*, gives the inscription as follows:—

HERE LYETH INTERRED THE BODY
OF SIR JOHN NEWTON OF BARSCOURT
IN THE COVNTY OF GLOVCESTER BARO-
NETT WHO DEPARTED THIS LIFE XIV
OF FEBRVARY
MDCLXI.

But this was evidently not all that occupied the two tablets, and Barrett¹ supplies these imperfect copies:—

(1st Tablet.) Here lyeth the body of Sir JOHN NEWTON, Bart. son of Sir Theodore Newton, Kt. and his Lady Grace, daughter of . . . Stone, esq. who dy'd without issue 1661.

(2nd Tablet.) He was a man of great courage, and the greatest loyalty to his Prince, an honour to his country, a credit and noble ornament to his name and family.

Party per pale or and gules, an eagle with two heads displayed counterchanged azure and or, for *Stone*.

Sir John Newton, when he was created a Baronet, adopted for his heir a namesake of a different family, and bearing a wholly different coat of arms. The title was therefore conferred upon him for the term of his natural life, with remainder to John Newton esquire of Hador in Lincolnshire. The following are the terms of the letters patent:—

(Patent Roll 12 Car. II. par. 7.)

Sciatis modo quod nos de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris ereximus præfecimus et creavimus ac per præ-sentes pro nobis heredibus et successoribus nostris erigimus præficimus et creamus dilectum nostrum Johannem Newton de Barscourt in conitatu nostro Glouc. armigerum, virum familiâ patrimonio censu et morum probitate spectatum, qui nobis auxilium et subsidium satis

in armour, carrying a truncheon: and it may have given the idea to the sculptor of Sir John Newton's figure. It is drawn in Dingley's *History from Marble*, photolithographed for the Camden Society.

¹ *History of Bristol*, 1789, 4to. p. 307. In his account of St. Peter's Church, Bristol (p. 519), Barrett writes, "In the south aisle is a very large tomb within a Gothic arch, adorned with a great deal of curious workmanship, and various arms without any inscription; there is the figure of a lady carved, lying upon the tomb, who was of the family of Barrs Court, Gloucestershire, as appears by the arms."

amplum generoso et liberali animo dedit et præstitit ad manutenendum et supportandum triginta viros in cohortibus nostris pedestribus in dicto regno Hiberniæ per tres annos integros pro defensione dicti regni nostri ac præcipuè pro securitate plantacionis dictæ provinciæ Ultoniæ, ad et in dignitatem statum et gradum Baronetti Anglicè *of a Baronett*, pro termino vitæ suæ naturalis; ipsumque Johannem Newton Baronetum pro nobis heredibus et successoribus nostris præfecimus constituimus et creamus per præsentés. Et quod post decessum prædicti Johannis, prædicta dignitas status et gradus perveniat ad fidelem subditum nostrum Johannem Newton de Hador armigerum, et heredes masculos suos de corpore suo legitime procreatos. Habendum dicto Johanni Newton de Barscourt pro termino vitæ esuæ naturalis et post decessum dicti Johannis Newton, prædicto Johanni Newton de Hador in comitatu Lincoln armigero et heredibus masculis de corpore suo legitimè procreatis in perpetuum. Apud Westmon. decimo sexto die Augusti.

Sylvanus Morgan, in his *Sphere of Gentry*, 1661, gives for "The atchievement of a Baronett," facing the second chapter of his fourth book, the conjoint arms (side by side) of the existing and future Sir John Newtons:—

·Insignia utriusq. Johannis Newtoni, Armig. & Baronet. tam præsentis, hisce titulis insigniti, cum futuri seu successivi.

The first shield is quarterly: 1. Newton; 2. Hampton; 3. Bitton; 4. Caudecot; the second is Sable, two shin-bones in saltire argent.

Motto: HUIC HABEO NON TIBI.

(Upon this enigmatical motto, also used by the family of Ellis of Kiddall, some remarks were made in a former article, at p. 357.)

There is a full pedigree of Newton, showing the two families, in Nichols's *History of Leicestershire*, vol. iv. p. 807.* It appears, however, to require material corrections.

The first Baronet having died in 1661, shortly after his creation, the Lincolnshire esquire succeeded to the dignity; but Dame Grace Newton, the widow, was living at Hannam in 1672.

* See in our vol. ii. p. 124, the curious contemporary notice of Sir John Newton in Sir Joseph Williamson's "Notes upon Lincolnshire Families temp. Charles II."

The second Baronet was the son of Mr. Thomas Newton, a chief constable at Hatherthorp in Lincolnshire, and had derived a large fortune from one Hixon a usurer who lived with his father. He was M.P. for Grantham during the whole of the reign of Charles II. and died in 1699. His history and character are thus delineated in an epitaph at Bitton:—

Here lyeth the body of Sir JOHN NEWTON, thrice Burgess of Parliament: a most loving Husband, careful Father, and faithful Friend; pious, just, prudent, hospitable, valiant, and generally beloved. He was born June the 9th, A.D. 1626, being the son of Thomas Newton of Gunwarby in the county of Lincoln Esq.; and died May the 31st, A.D. 1699. He married Mary Eyer, the daughter of Sir Gervase Eyer of Rampton in the county of Nottingham, knt. by whom he had four sons and thirteen daughters.

They lived happily all their time together, which was 55 years.

Sir John Newton, his son and successor, married, 1. Abigail, daughter of William Heveningham, esquire, of Heveningham in Norfolk, by Lady Mary Cary his wife, daughter of John Earl of Dover, and had issue a daughter, Cary, the wife of Edward Coke, esq. of Holkham, and mother of Thomas created Earl of Leicester in 1764; 2. Susanna, widow of Sir John Bright, Bart. of Badsworth in Yorkshire, and sister to Sir Michael Warton of Beverley, by whom he had issue Sir Michael Newton the fourth Baronet; who became possessed of a great estate on the death of his uncle Sir Michael Warton, and was made a Knight of the Bath in 1725. He married in 1730 Margaret (in her own right) Countess of Coningsby, the eldest daughter and coheir of John Earl of Coningsby, of Hampton Court, co. Hereford; but their only offspring, John Viscount Coningsby, died in its infancy, the victim of an accidental fall, occasioned it is said by an ape that frightened its nurse. Sir Michael Newton pulled down Barre's Court, and the baronetcy became extinct on his death in 1743. The Countess survived until 1761.

Since this article was written, Barre's Court is offered for sale in August or September 1867. It is described as an estate comprising about 350 acres of very rich pasture, orchard, and arable lands, divided into several farms; and it is added that the minerals under

the estate are now being worked, and may be purchased with the estate or separately, together with about 1,000 acres of minerals immediately adjoining, all forming part of the Bristol coalfield.

An extent of the demesne lands of Barre's Court under the title of "Hanam," made 10 Hen. VI. for Robert Greyndour, is in the British Museum, No. 7,361: it is a roll of parchment 25 feet long, and was bought at the Hon. Miss Harley's sale, July 9, 1850, with two volumes of surveys, made in 1740, for Michael Newton, esq. numbered in Addit. MSS. 18,266, 18,267.

WERE CRESTS ACQUIRED BY INHERITANCE AND MARRIAGE, OR BY COLLATERAL ADOPTION?

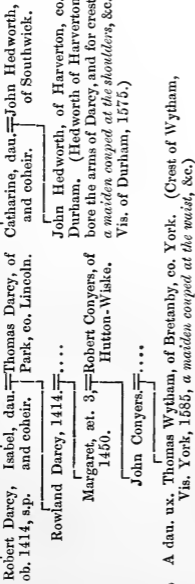
To the Editor of the HERALD AND GENEALOGIST.

SIR,—In your review of No. IV. of my *Notices of the Ellises*, in part XXII. you remark (p. 356) that I am disposed to treat Crests and "Armorial Insignia as part of a community of similar devices, borne by families of cognate relationship, and consequently adopted in the spirit of clanship." This passage, it strikes me, misrepresents my views, and on that account, and for the purpose generally of eliciting correct heraldic knowledge, I must crave a little space in the *Herald*.

On a former occasion (H. and G. iii. 3) you attempted to account for the identity or resemblance of arms as borne by cousins, by the practice of collateral adoption, whether feudal or family, as opposed to my opposite explanation of inheritance from a common source. In my work above mentioned I show that a certain crest variously modified was "borne by families of cognate relationship;" and I inferred that such crest was derived lineally and *not collaterally*—not as you put it, "consequently adopted in the spirit of clanship." By clanship in such a case I understand the adoption for special, as warlike purposes, of some badge or symbol; or for general purposes, as a distinction from other clans, of a particular plaid or dress common to a large class who acknowledge one head or chief. Neither coat-armour nor crests were, I contend, so adopted at any time. I subjoin two pedigrees to enable your readers to judge whether collateral or lineal and uxorial adoption of the crests in each case will explain the identity of usage, or whether this latter was altogether accidental.

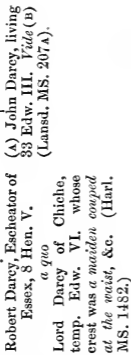
Sir John Darcy, 1326, owned West Harrington, co. Durham, ob. 1355, leaving John Darcy, Knt. s. of John Darcy, del Park, his next of kin, and of full age. (Surtees, i. 182.)

(B) Sir John Darcy, Knt. *Vide* (A).



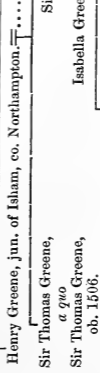
Sir John Darcy, 1326, owned West Harrington, co. Durham, ob. 1355, leaving John Darcy, Knt. s. of John Darcy, del Park, his next of kin, and of full age. (Surtees, i. 182.)

Norman Darcy, of Coningsby Park, co. Lincoln. —————
 John Darcy, ob. 1347. — Petromilla.
 Sir Robert Darcy, living John Darcy, del Parke, — Alice, 34 Edw. III. dead 33 Edw. III.

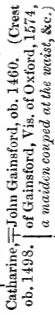
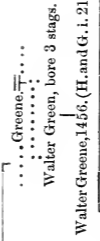
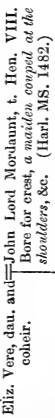


A dau. ux. Thomas Wytham, of Bretanby, co. York. (Crest of Wytham, Vis. York, 1585, a maiden couped at the waist, &c.)

II.



Dau. and coheir ux. Sir Thomas Parr, whose crest was a maiden couped at the shoulders, &c., which was borne also by his son William Parr, Marquis of Northampton, and his daughter Katharine, wife of King Henry VIII.



Crest of Tanfield, a maiden couped at the waist, &c. (Vis. of Northampton, 1556.)

I must also here notice your remark, that "so many ancient families had armorial coats without crests for several generations before crests were supplied by the heralds." Now crests are certainly met with on seals in the 12th and 13th centuries, rarely I admit; Jeffrey de Vinsauf speaks of them as borne temp. Richard I. in the Crusades; and reference to two or three is made in the Close Rolls of Henry III. (*Vide* Ency. Britannica.) But it is not till the reign of Edward III. that they occur plentifully. This, I believe, was owing to the perfection to which seal-engraving had then arrived, as evinced by many beautiful examples. The crest, helmet, and often mantling, superadded to the shield, afforded an opportunity of displaying greater ornamentation and a more picturesque heraldic composition. The absence or rare occurrence previously of the crest on armorial seals I contend is no proof that their owners never used a crest—at least it is but negative. But the subject requires elucidation. Were crests in the early periods confined to commanders, as some writers say? or to barons or knights?

Charlwood, Surrey.

W. S. ELLIS.

ORIGIN AND DESCENT OF THE HAMILTONS.

The Pedigree of the Hamilton Family. By AUDI ALTERAM PARTEM. London, S. A. Mowels, 142, Sloane Street, S.W. 1867. Sm. 8vo. pp. 32.

The writer of this brief but very pretentious essay has deemed it necessary to enlist in his support a subscription which includes the names of an Earl, two Viscounts, a Baron, a Right Honourable, and several Baronets and M.P.'s of the name of Hamilton; but it will be readily shown that he is quite unworthy of their confidence.

Though called in the Preface an "Examination" of the Hamilton Pedigree, the work is little more than a reproduction of the ancient and exploded legends handed down by Crawford and Douglas, with some other "authorities," the value of which will be seen as we proceed. The author assigns as his reason for his self-imposed task the perusal by him of an article on the Hamilton-Douglasses which appeared in the *Spectator* of October 1864, the opening statement of which is,—

"The Hamiltons, again, are the children of Gilbert de Hameldun, a personage with some courage, much energy, and *no cash*, whose son Sir Walter, an English adventurer, became acquainted with the Earl of Carrick, followed him as Robert the

Pretender, and was invested by him as King Robert of Scotland, with Machane in Clydesdale, the Barony of Kinnineil (*sic*) in the Sheriffdom of *Lanark* (*sic*). Any earlier or other origin of these families may be dismissed as either flattery or romance."

AUDI ALTERAM PARTEM then proceeds to censure the *Spectator* for his "precise account of Sir Gilbert's courage, energy, and pecuniary resources," which is characterised "as unjust and flippant in the extreme." In this opinion we so far concur with him, but for different reasons, the chief of which (though he may be surprised to learn it) is, that, notwithstanding the researches of genealogists, *nothing whatever is yet known* of Sir Gilbert, the alleged ancestor of the family, their first authentic progenitor being "Wauter fiz Gilbert de Hameldon," who in 1296 swore fealty to Edward I. among the other "Libere tenentes" of Lanarkshire. This our author (p. 15), on the authority of Anderson's *Scottish Nation*, amplifies into the assertion that Walter swore fealty for lands in Lanarkshire "and different other places, and was thus a Baron by tenure before the accession of King Robert Bruce," which is quite incorrect, as he certainly attained no such rank till long afterwards, and was first merely the *Crown tenant* in the royal Barony of Cadyow, which was not *feudally* acquired by the family till the reign of King David Bruce. The *correct* statement we have taken from *The Reply to Bardowie* (Edinburgh, 1828, 4to.) p. 25, by the late John Riddell, esq. the highest authority of our day, and if A. A. P. instead of wasting his time on Crawford and Douglas and similar "authorities," had read the above, and another of Mr. Riddell's works, *Stewartiana* (Edinburgh, 1843, 8vo.) he might probably have arrived at an accurate idea of Walter FitzGilbert and his true status, when he first emerged from comparative obscurity.

At pp. 8 and 9 he proceeds to demolish the *Spectator* (itself not deeply versant with the subject) by remarking that Burton's account (the Historian of Leicestershire) "is not one of mere *conjecture* but of *certainty*, and was *no doubt* the result of very careful investigation and research. It is *most probable* also that he possessed far greater opportunities of arriving at the truth than any modern genealogist (?) as it is *well known* that many *valuable* (?) pedigrees and documents were lost or destroyed during the civil war which soon after ensued." A.A.P. shows his whole case, and begs the question, in these feeble observations. *Because* Burton, a country squire, who wrote about 1623, nearly four centuries after the alleged Hambleton emigration to Scotland, had *probably* access to some family pedigrees (a most trustworthy source!) which were afterwards lost, *ergo*, his account is one of

certainty, not *conjecture*, and no one must presume to dispute it now, although we have access to original records, &c. of which worthy Burton probably never heard. Our readers will feel more confidence in the following account (Riddell's *Reply to Bardowie*, p. 25) of the famous Walter:—

“He was probably a person of baronial descent, and the cadet of a family; on his seal, still extant at Westminster, besides the three cinquefoils, the common arms of Hamilton, there seemingly is a label in chief, well known at the time as a baronial mark of cadency. * * * * * The bearing of the cinquefoil, *peculiar to many Leicester families*, an observation of Burton, in his History of Leicestershire, and the frequent occurrence of Hambleton in England, independently of other coincidences, *point at an origin in that country, but its precise nature is unknown, and this is a fair subject for antiquarian investigation.*”

Certainly such “investigation” as that of A. A. P. will not tend to clear up the obscurity. At p. 13 he gives the following story taken from Douglas's Peerage:—

“Gilbert de Hameldun being on record in the Chartulary of Paisley, 1272, a charter of Thomas de Cragyn, son and heir of Johane Hose, dated die Lunæ proximo ante festum Sanctæ Lucie Virginis that year, confirming to the Monastery of Paisley the donation of the Church of Cragyn, by Walter Hose, is authenticated by the seal of Alexander, the High Steward of Scotland, and witnessed Waltero S(e)nescallo (de) Comite de Menteth, Gilberto de Hameldun, clerico, and several others. It is probable that this Gilbert de Hameldun was the father of three sons:—

“1. Walter filius Gilberti,

“2. Sir John de Hamilton, of Ross-Aven.

“3. Hugo. A charter in the possession of the Robertons of Carnode (? Earnock) has for witnesses Walterus filius Gilberti, et Hugo frater ejusdem. The word ‘clerico,’ attached to the name of Sir Gilbert de Hameldun, denotes that he was a man of learning (!); and it is most probable that he held some official post in the Scottish realm at that time. ‘Clericus’ was used to denote a learned man, a man of letters, and Pasquier observes, ‘Secretaries of state were called Clerks of the Secret.’ So clericus dominus (*sic*) regis in the time of King Edward I. was Englished the King's secretary, or clerk of his council. The term was applied indifferently to all who made any profession of learning, or who knew how to manage the pen (!) though at first it was appropriated to ecclesiastics.”

Thus far Douglas (*apparently*, at least, for the quotation, very carelessly noted, *may* include more than he says).¹ He has quite misdescribed the Charter, the real granters of which are, “Walterus de Lindsay, Miles, filius et hæres quondam Cristiane Hose, et Matildis soror ejusdem Cristiane, *heredes* quondam domini Johannis Hose Militis” (*Cart. Passelet*, p. 233).² And the *correct* names of the witnesses to it are literally as follows—“his testibus, domino Walter Senescallo

¹ We find it does so. The passage in Douglas ends at “ejusdem.”—*Edit.*

² Quoted by Lord Lindsay, *Lives*, i. p. 63 note.

Comite de Menteth, domino Symone *vicario* de Innerkip, domino David *Capellano* de Nigra aula, domino Mauricio *Capellano* de Passelet, Lamberto *rectore* ecclesie de Dunhon, *Gilberto de Hameldun*, *Clerico*, Wilhelmo Logan *Clerico*." On which the remarks of Mr. Riddell (*Stewartiana*, pp. 75-76) are so conclusive, and known to those who take an interest in the subject, that they render the ignorance of Douglas and his followers most conspicuous. "But pray" (says Mr. R.) "what is that unseemly little word that clings like a caterpillar to the bud of so much promise, and infects his" (Gilbert's) "name—*Clericus*—a churchman! This is indeed sad; and besides he is but a very secondary clerical person figuring in the wake, with only another *clericus* or monk, *after* a vicar, two chaplains, and a rector, while those still desperately rivet him to clerical celibacy." The speculations of Douglas, Pasquier, and A. A. P., as to *their* interpretation of *clericus* are quite irrelevant,—this word, attached to a name in an ancient charter, invariably denoting a *churchman*, and nothing else. Thus, as Mr. Riddell points out, if this "Gilbert de Hameldun, *clericus*," is to be held the first-known ancestor of the family of Hamilton, this ducal house "are but the spurious issue of an obscure priest." But, as he shows (*Stewartiana*, p. 77), the name is of far earlier occurrence in Scotland than is generally supposed, for so far back as the era of William the Lion, and his son Alexander II. (*i.e.* 1165—1249), two charters are found in the Chartulary of Melrose, vol. i., the first (pp. 107-9) witnessed "Thomâ de Homeldun, et Rogero filio ejus;" the second (pp. 267-9) by "Roberto de Hameldun, et Rogero de Hameldun." And the same learned authority concludes by observing, "that the Hamiltons, *before* the era of the *visionary* Sir Gilbert, came from England, like many other Scottish families."

With regard to the three immediate successors of Sir Walter, A. A. P. is tolerably correct, having apparently followed the unexceptionable authority of Lodge. But he falls into complete error (pp. 21, 22) respecting the 5th and 6th feudal lords, both named James, when he calls the *latter* the "1st Lord of Parliament;" the fact being that the 5th feudal lord and the *first* Baron Hamilton were one and the same. This is proved by Mr. Riddell (*Reply to Bardowie*, p. 6), who, when noticing the seal of the first Lord of Parliament, appended to his bond of manrent to the Earl of Angus in 1457, and its remarkable display of the arms acquired by alliance, on *banners*, instead of the later mode of *quartering*, observes, that he was the son of Sir John of Cadyow and Buthernock, and a daughter of the house of Dalkeith,

which fixes him to be the 5th feudal Lord. A. A. P. has here evidently followed Sir Robert Douglas's Peerage, the account in which is contradicted by Crawford, and as the latter is supported by Nisbet (a better guide than either) his view is in this case the true one; and it therefore follows that it was the 6th feudal Lord and 2nd Lord of Parliament who became the husband of the Princess Mary in 1474. Euphemia Graham, who is assigned by A. A. P. to this personage as his first wife, was the second wife of his father, and moreover was previously the widow of Archibald 5th Earl of Douglas, who died in 1438, by whom she left issue, viz. the unlucky young Earl, who, with his brother, was treacherously executed by Chancellor Crichton in Edinburgh Castle. And the princess's husband, besides the 1st Earl of Arran, who is called by A. A. P. (p. 23) "his *one* son," had certainly another—Sir Patrick Hamilton of Kincavell—a personage of some note, who was slain in the streets of Edinburgh in 1520, in the skirmish between the partizans of his brother Arran and those of Archibald Earl of Angus, historically known as "Cleanse-the-Causeway." Sir Patrick, who ought not to have been passed over in our author's "examination," married a lady of royal blood—Margaret, daughter of Alexander, Duke of Albany, the brother of James III.; and by her was the father of Patrick Hamilton, Abbot of Fearn, the proto-martyr of the Scottish Reformation. This lady must have consoled herself by a second marriage, for she obtained, in 1530, a divorce at her own instance from a John Hamilton, on the ground of consanguinity between him and Sir Patrick. (Reg. Officialis Sanct. Andreae, p. 41.)

A. A. P. omits to notice the singular fact that the 1st Earl was thrice married; and managed to divorce two of his wives, all three being alive at the same time!

Sir James Hamilton of Fynnart, paraded by our author (p. 23) as the ancestor of some Irish branches of the family, was (though the fact is not stated) a bastard son of this Earl; who, besides his son the Regent Chatelherault (whose own legitimacy was disputed by the Lennox family, his rivals in the competition for the regency), was the father of the Archbishop of St. Andrew's (John Hamilton), James Hamilton of Sprouston, and Joneta Hamilton, all bastards, as the records testify.

We think our readers may now form a tolerably correct estimate of this pamphlet, the "summing-up" of which (pp. 31-2) is a marvellous specimen of reasoning in a circle. It may be added that it is full of

errors in dates and names of places, and bears evidence of hasty and careless preparation. Indeed, from their preponderance in the Subscription List, and engrossing much more than their due share of notice in the work otherwise, it would seem to have been chiefly got up to flatter the numerous Irish branches of the house. With the Scottish proverb, "A' Stuarts are no sib (*i.e.* not related) to the King," in our recollection, we should like to see a "little more" strictly legal evidence to show how some of these affiliate themselves to the ducal stem.

THE PEDIGREE OF WHATMAN.

Correspondence between Thomas Wharton Jones, F.R.S., of 35, George Street, Hanover Square, London, and James Whatman, F.R.S., of Vinters, near Maidstone, Kent; respecting a Portrait of Mr. Wharton Jones's great-grandmother, Mrs. Mary Philips (*née* Freeman); and certain Papers relating to the above Family of Philips, now represented by Mr. Wharton Jones, in the possession of Mr. Whatman. 8vo. pp. 32.

A Letter addressed to Sir John Bernard Burke, Ulster King of Arms of all Ireland. With an Appendix of Documents and Notes. 8vo. pp. 24.

This letter is signed T. WHARTON JONES, and dated January 1867. Its subject is the Pedigree of Whatman, of Vinters, co. Kent, as set forth in the *History of the Landed Gentry*. It originated from the inquiries of the author when endeavouring to ascertain the parentage of Susan Elizabeth Philips, the wife of Richard Elliston Philips, esq. Commissioner of Customs for Scotland, who died in Edinburgh on the 26th Jan. 1820.

Mrs. Philips was born a Whatman, the daughter of James Whatman, of Boxley, in Kent, paper-maker; but, as no record of her birth or baptism has been found, it remains a question whether she was the daughter of James Whatman by his wife Ann, the relict of Richard Harris, or by a previous wife. The pedigree published in the *Landed Gentry* has stated that James Whatman, in 1740, married Mrs. Ann Harris, but without mentioning that she was the relict of Richard Harris, or even that she was a widow at all. What is still more inexplicable, Mrs. Philips is named in the pedigree "Elizabeth Sarah" instead of Susan Elizabeth: and the baptism of Elizabeth Sarah, daughter of James Whatman and Anne his wife, Aug. 24, 1747, has been found in the register of Boxley, but no baptism of a Susan Elizabeth.

These discrepancies induced Mr. Wharton Jones to investigate further, and the result is a complete overhauling of the Whatman pedigree, set forth in the *Landed Gentry*.

That pedigree was ambitiously traced, in a general way, to a period anterior to the Norman Conquest.

Whateman or Hwatemán is a Saxon family of the weald of Kent, and their Saxon name is but little changed by the more modern orthography. Subsequently they were amongst the independent yeomen of Kent, and remained until the sixteenth century near Romney and Hawkhurst, in both of which they had good property, and left much of the land to monasteries.

In 1626 Thomas Whatman, esq. was Recorder of Chichester, and a Bencher of the Inner Temple. He married Cicely, daughter and co-heir of John Sackville of Dorking and Blechingley, cousin to the first Earl of Dorset, by Anne daughter and heir of William Harvey esquire, Clarenceux King of Arms, and left issue:—Anne, married to Robert Dering of Charing; Katherine, married to Thomas Marshall of Michelham, co. Sussex; and Mary, married to the Rev. Thomas Russell, Rector of St. John's, Lewes; and two sons, Thomas and Edward, then *unmarried*.

From them descended (!) Henry Whatman of Maiden Bradley, co. Wilts, who died in 1708; Hannah, wife of Henry Ludlow, esq. of the Middle Temple; Phillis, Mrs. Bernard; and James Whatman, only son of James Whatman (who died in 1725) by Mary his wife (who died in the following year).

Now, there was certainly such a person as Thomas Whatman, who, if we were to trust to that very inaccurate historian Dallaway,¹ occupied the office of Recorder of Chichester from 1623 to 1640; but it appears from various documents in the State Paper Office that he was actually removed from that office, for certain misdemeanors, so early as 1626. Mr. Wharton Jones has not traced the source of the information given in the pedigree relative to the marriage and issue of the Recorder.

He remarks, however, that no evidence is adduced to shew that either Thomas or Edward, his sons, "unmarried" at their father's death, were subsequently married, or that James Whatman, of Loose co. Kent, Tanner, who died in 1725, was descended from either of them.

The will of James Whatman, Tanner, of Loose, in Kent, is dated November 2, 1721, and is given in the appendix to the brochure before us. He names his wife Mary, *his only son James*, his niece Lidia Catt the widow of John Catt of Yalding deceased, his kinsman Robert Peene, his kinsman James Casstreet son of James Castreat

¹ Dallaway gives the name as Whetham. In Dugdale's list of Readers at the Inner Temple the same person occurs as Watman in 2 Jac.

his brother-in-law, and his brother-in-law William Harriss, and Thomas and Lidia Harris the children of William.

Our author is willing to admit the identity of the son James with the first paper-maker at Boxley: but we confess that, in the sceptical mood which he has suggested to us, we are not convinced even of this; for, as will be seen hereafter, there were Whatmans at Boxley as early as 1674.

It is true the name of Harris occurs in the tanner's will; a name which has materially helped Mr. Wharton Jones in the pursuit of his inquiry. It is well known that the first paper-mill set up in England was that which was established at Dartford in the reign of Elizabeth, by John Spilman, a German, who was afterwards knighted by King James I. To the same mill succeeded, towards the end of the seventeenth century, one Thomas Harris; and to Thomas Harris a George Gill, the ancestor of the Gylls now of Wraysbury in Buckinghamshire.

Again, the same George Gill purchased the fulling mills in the parish of Boxley, (on the decay of the clothing trade around Maidstone,) and converted them into paper-mills, still called the Turkey Mills. These mills were sold by William Gill, son of George, in 1730; and in Hasted's *History of Kent* it is stated that they were purchased by Mr. James Whatman. But this was not the case: they first came into the possession of a Richard Harris; whether of the same family as Thomas Harris, the predecessor of the Gills at Dartford, does not appear.

But Mr. Wharton Jones has found and printed the will of this Richard Harris, dated August 22, 1739, and proved April 8, 1740. The remarkable point of it is that the first of the three witnesses is James Whatman, who very shortly after married the widow. No record of the solemnization of the marriage has been found; but James Whatman, its first issue, was baptised at Boxley, August 25, 1741. The father's will, made and proved in 1759, testifies to the fact omitted by the genealogist that Ann, his wife, had been the widow of Richard Harris, and that she had brought him the Turkey Mills, of which she was seized under the will of her said late husband.

James Whatman, the first paper-maker at Boxley, died in 1759. James, his son, born in 1741, died in 1798, and his will was proved immediately after as that of James Whatman, esq., late of Vinters, in the parish of Boxley.

His son, James Whatman, the third, died in 1843.

And the fourth of the name is the present James Whatman, esq., F.R.S., and M.P. for Maidstone.

Of other Whatmans discovered in the records of Kent and Sussex, Mr. Wharton Jones gives the following account:—

The most considerable person of the name of Whatman in Kent in the 17th century was Arthur Whatman, of Ospringe, esq., whose will was proved in 1674. He describes himself as a member of the Haberdashers' Company, and as being 83 years old. He left legacies to all his friends, and also to "poor distressed Presbyterian Ministers." He mentions, among other relations his cousin William Whatman of Boxley, the son of John Whatman.

In the calendars of the Principal Registry at Doctors' Commons I have found, under the year 1647, the will of a John Whateman, of Salehurst, co. Sussex, yeoman; and under the year 1666 one of a Mary Whatman, of the same place.

In the calendars of the registry of the archdeaconry of Lewes I have found, from the year 1675 to 1715 inclusive, six wills and two administrations of persons of the name of Whatman.

From this it appears that the name was not uncommon in East Sussex. There, the most considerable family of the name appears to have been the Whatmans of Salehurst.

In the Whatman pedigree in the *Landed Gentry* no claim of relationship is made on behalf of James Whatman, of Loose, tanner, who died in 1725, the grandfather [?] or his "only son" James Whatman, of Boxley, paper-maker, the father of Mrs. Susannah Elizabeth Phillips, to any of the Whatmans above-mentioned; nor to Thomas Whatman, bricklayer, whose will was proved at Chichester about 1628-30; nor to James Whatman, of Harwich, merchant-tailor, whose will was proved in the Prerogative Court of Canterbury in 1659; nor to William Whatman, of Merstham, co. Surrey, blacksmith, whose will was proved in the same court in 1660; nor to William Whatman, of Hawkhurst, co. Kent, a grant of administration to whose relict Mary Whatman was made in the same court in 1693: though all these worthy people may have been descendants of the "old Saxon family of Whatman."

The pedigree, in short, appears to have been made after the approved fashion of the advertising genealogists, of collating "fragments" from various quarters, and ingeniously "dovetailing" them together.¹ Three families of Whatman, which have successively risen into some eminence, that of the Recorder of Chichester, that of Maiden Bradley, and that of Boxley, have been linked together into one chain, together with the tanner of Loose, upon whose claim as a progenitor of the present race we have hinted a doubt.

With the Whatmans of Maiden Bradley, in Wiltshire, there is not the slightest indication of any connection. Of that family our author has collected but few particulars, although they appear to have ranked as gentry for some generations. The burial of Thomas What-

¹ See p. 466 of our present Part.

man, gent., in 1628, occurs in the Maiden Bradley register, as extracted in Hoare's *History of Wiltshire*, and others no doubt would there be found. Mr. Wharton Jones remarks that "this might have been the Recorder of Chichester;" and that his elder son Thomas may have been identical with the Thomas mentioned in the following record: 1655, July, Administration granted to Margaret Whattman, relict of Thomas Whattman, of Mayden Bradley, co. Wilts. (Prerog. Court of Canterbury.)

At any event, Henry Whatman, of the same place, whose will was proved in the Prerogative Court in 1708, was of good standing, for he designates Henry Ludlow esquire of the Inner Temple as his *kinsman*, and Mrs. Hannah Ludlow as his *kinswoman*; but Mrs. Bernard only as his *sister*. On reference to the genealogy already extracted from the *Landed Gentry*, it will be seen that the two former parties have been translated into "Hannah, wife of Henry Ludlow, esq. of the Middle Temple," thus assuming that Hannah was by descent a Whatman. We think it probable that a little further inquiry would elucidate these personages somewhat more.

As to the armorial bearings now borne by Whatman of Vinters, it appears that they occur in Harris's *History of Kent* for the name of

WHETMAN. Parti per pale or and sable, a pheon counterchanged.

This however would seem to have been really the coat used by the Whatmans of Hawkhurst and Romney, with this crest,—a demi-lion holding in the paws a pheon.

In Burke's *General Armory* the same coat quartered with Sackville is given for Whatman of Maiden Bradley, there stated to have been "descended from the marriage, about the year 1610, of Thomas Whatman of Chichester, esq. with Cicely Sackville;" but, as we have seen, there is no proof of such descent; and Mr. Wharton Jones adds, "I have examined with great care the arms on the seal attached to the original will of Henry Whatman of Maiden Bradley, proved in the Prerogative Court of Canterbury in 1708. There are four quarterings, but what they are cannot positively be made out, as the impression is not good. It is evident, however, that there is neither a pheon nor a bend vair on any of the quarterings."

We have headed this article with the titles of two pamphlets. The story of that which is first mentioned, though consisting of a correspondence prolonged throughout a space of three years, may be very briefly told.

Mr. Charles Philips, of Great Queen Street, in the parish of St.

Giles's, Middlesex, by his will made in 1747, left four pictures to his "dear wife Mary," viz.: 1. The portrait of his own mother, Martha, daughter of Mr. John Elliston of West Malling in Kent. 2. The portrait of his "brother Freeman," namely, Arthur Freeman, esq. 3. The portrait of his wife, Mary, second daughter of Thomas Freeman, esq., of Antigua, by Rebecca, daughter of Colonel William Byam; and 4. the picture of his children.

The two first of these pictures descended to the writer, who is the grandson of Martha Byam Philips, the only daughter of Charles Philips and Mary Freeman, and only child that left issue. He still possesses the portrait of his great-great-grandmother, and has given that of his great-grandmother (Mary, *née* Freeman) to Mr. F. F. Thomas, of Ratton in Sussex, the great-grandson of the person it represents. The picture of the children is lost; but the third picture, having come into the possession of the third and youngest brother, Mr. Richard Elliston Philips, was left by him to his widow, *née* Whatman, and passed to the Whatman family. It has thus become the subject of the present unpleasant correspondence. As the Whatman branches are not actually descended from the lady it represents, Mr. T. Wharton Jones, being her direct representative, was desirous to reclaim it. The courtesy of Mr. Whatman at one time extended so far as to consent that a photographic copy should be taken; but, after many delays, he at last took offence at Mr. Wharton Jones's importunity, and "adjourned, *sine die*, the fulfilment of his engagements." It is not worth while to enter more fully into details; but whilst we must admire, on the one hand, the sentiments which would preserve and honour the ancestral *icon*, it is impossible not to condemn such churlish feelings as in this instance have prevented their gratification. It is suggested that Mr. Whatman may still desire "to appear as the representative of the Philips family," having, it appears, some twenty-five years ago, proposed to assume the name of Philips. Mr. T. Wharton Jones tells him, in conclusion, "I find it, however, difficult to believe that you and your late father ever entertained the idea of being considered the representatives of the Philips branch of my family." Mr. Jones has therefore, in this brochure, defended his own genealogical rights; whilst in that we have first noticed he has carried the warfare, with desolating vengeance, into the Whatman territory.

DOUBTFUL PEDIGREES.

“DUCKETT OF DUCKETT'S GROVE, CO. CARLOW.”

(*Burke's Landed Gentry.*)

The assertion that the Ducketts of Duckett's Grove derive from a common ancestor (with other families of the name in England), in Richard Duckett, Lord of the Manor of Fillingham (Lincolnshire), in 1205, is obviously a gratuitous assumption. Indeed, the descent as given would convince at a glance any student of genealogy of its apocryphal character.

Thus Richard Duckett, living *temp.* Henry III., whose reign is one of the longest on record, was succeeded, we are told, by his *third* son *Stephen*, heir of his *elder brothers*, whose names, however, are *not given*, nor is any reference made to inquisitions, or other documents, which might, if these persons had really existed, have tended to enlighten the inquirer. But at this “*Stephen*” we make a genealogical leap, from *temp.* Henry III., whose reign terminated in 1272, to the reign of Richard II. (passing over those of three Edwards, who reigned collectively about 105 years), and we are introduced to Stephen Duckett's “*great-great-grandson*” (the intermediate ancestry not being forthcoming) “*John Duckett*,” who is said to have married Margaret, dau. and heir. of William de Windesore, Lord of Grayrigg in Westmerland, *great-great-grandson* (again!) of Alexander de Windesore, whose grandmother was “*relict of Roger Earl of Warwick*,” and grand-daughter of William the Conqueror through his daughter Gundreda, wife of William Earl Warren!

Now, *supposing* that there is any common origin between the family of Duckett's Grove and “*John Duket*,” who is *said* to have married a daughter of William de Windsor, the assumed fact is an open question whether William de Windsor, who died in the 5th of Richard II. left *any lawful issue*, and neither Sir Harris Nicolas nor Banks have determined the question, while leaving the presumption rather on the negative side of the argument.

Moreover, there is no proof whatever that this William de Windsor was a lineal descendant of William the Conqueror, and the most that can be said of him is, that “*he was said to be descended from William FitzOther.*”

But to proceed,—(still, for the sake of argument, supposing that the Irish family has any claim to a common ancestry with the English,)

—from this “John Duket” we go on swimmingly to his descendants 1. Richard, 2. Sir Richard, 3. Thomas, 4. Richard, 5. Richard, 6. Sir Francis.

But *here* we come upon one of those double leaps that make the genealogist pause! The difficulty seems small; we are only asked to take it for granted that, 1st, James Duckett (no dates) was *grandson* of Sir Francis Duckett, of Grayrigg, Knt. (no mention whatever of whose *wife* or issue, however, is made), and had by his *third* wife, with other issue, a son—

“Thomas Duckett, Esq., who first settled in Ireland, where he purchased estates in 1695.”

Now, here we have had no ordinary genealogical steeplechase—eleven names given as the male descent of *sixteen* generations, extending over 490 years!

But in addition to this, there are these fatal gaps—

1. The parentage of “*Stephen Duckett*,” or Duket, *temp.* Hen. III.
2. Of John Duckett *temp.* Ric. II.
3. Of Sir Francis Duckett (no date).
4. Of James Duckett (possibly supposed to have lived *temp.* Charles II.)
5. Of Thomas Duckett *who first settled in Ireland.*

These five shadowy figures pass before us like Banquo’s issue.

“Absurd and objectionable as are the pretentious claims to aristocratic birth and connexion by the parade of titles and pedigrees, which prove illusory on examination,”¹ the public ought to be obliged to a compiler who will enable it to grapple with the evil; for when such families boldly challenge the critic, and leave for themselves no retreat, society at large is benefited, by seeing at any rate the best, and the worst of them!

S.

“MONTGOMERY, OF GREY ABBEY.”

The Irish family of Montgomery of Grey Abbey quarter the arms of Eglintoun (Burke’s *Landed Gentry*), and assert a descent from Robert, younger son of Adam Montgomery, fourth laird of Braidstane; but the descent does not appear to be sustained by reference to any proofs, and, while we have the utmost minuteness of detail in names and dates *else-*

¹ Quarterly Review, March 1856.

where, in this pedigree, it must strike any genealogist as remarkable to find it thus continued across what looks very like a fatal gap.

“The younger son, Robert Montgomery, was *father* of John Montgomery, who went over to Ireland in the *early part* of the reign of King James I. with his *cousin*, Hugh, sixth laird of Braidstane, afterwards Viscount Montgomery. He married an *heiress of the family* of Stewart in Scotland, and was *esteemed* a man of opulence, which *supposition*, causing his house to be attacked by robbers himself, his wife and *all his servants*, were inhumanely murdered, save one, who escaped with his son,

“Hugh Montgomery, who had been left for dead in attempting to defend his father, but, recovering from his wounds, he lived to an *old age*, on his property at Maghera, co. Derry, to which he removed after the attack upon his *paternal dwelling*.” (?)

It will be observed that no *date* is given for the *emigration to Ireland* of John Montgomery, nor is there a single reference to any record, or other proof in which his presumed father is named *Robert*, or styled the *son of Adam* Montgomery, and it is scarcely too much to say that such assumed links, as are thus presented to us, must be purely conjectural and without any foundation.

This emigrant John, moreover, is said to have gone to Ireland “with his *cousin*, afterwards Viscount Montgomery,” but how this double assertion can be sustained it is not easy to conceive. *Prima facie*, all these names references to *eras* (for *dates* are entirely deficient), and degrees of consanguinity, seem totally devoid of *substance*.

To make the matter still more striking, John, the emigrant, is asserted to have married an heiress of the “*family of Stewart* in Scotland.” Now, considering how *many* families of Stewart there have been for many centuries in Scotland (and how common the name is), it is remarkable that the particular family is not specified particularly, as it ended in this asserted “*heiress*.”

There is some modesty, however, in what follows—and here comes the “touch of nature;” this fortunate husband of a Scotch heiress named Stewart (perhaps if her county were added Mr. C. might supply the arms!) “was *esteemed* a man of opulence,”—almost implying that the honest man was not himself quite certain of the prosperous condition for which “the world” is *said* to have given him credit.

This *opulent* Scotch emigrant of the 17th century, who found his native country not sufficiently attractive, or perhaps owing to some other cause deemed it necessary to remove with kith and kin to the Emerald Isle (a not uncommon kind of inverted *absenteeism* at that period), was at length slain in his own mansion, the exact *locality* and *name* of which are not given. Only one son escaped to continue the line, and accordingly he reappears at Maghera, county Derry, and afterwards becomes a member of the Irish Parliament.

Now, merely taken as a specimen of pedigree-making, before any court

of law it would be impossible with such evidence to gainsay the assertion that, in truth, this unknown emigrant Hugh Montgomery of Maghera was the founder of his family, and must be so considered if this pedigree be taken at its true critical value.

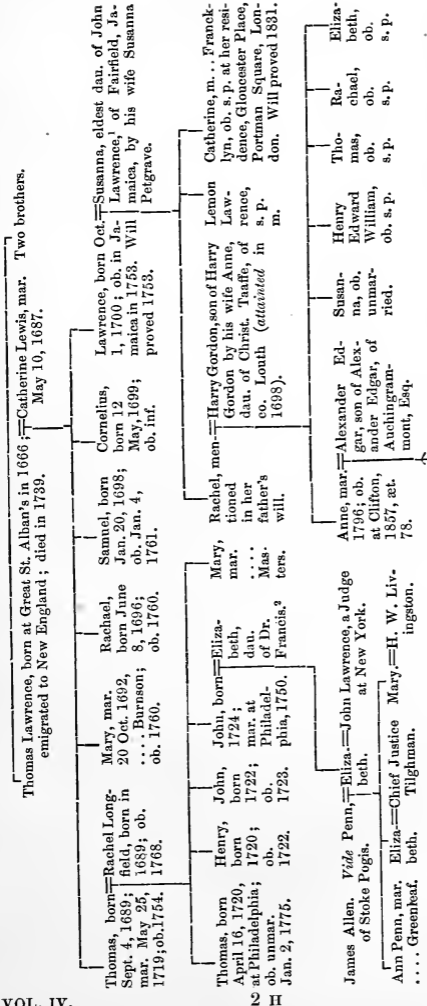
Afterwards, by alliances, Hugh's descendants rose in the social scale, and no doubt became useful and honourable members of society, and therefore it is a pity that real worth should be disparaged by absurdities, or names linked together in a hap-hazard fashion, and which, if considered critically, would be repudiated by all, and the more so as there is an existing noble family of the name, which must have a just cause of complaint against such an *innovation*. S.

CAREY ESTATES IN DURHAM. THE BROMLEYS.

I was interested by the will of Robert, Earl of Monmouth, p. 136, but the surmise that Hulon is Hilton is inappropriate. It is *Hulam*, adjoining to Castle Eden, the manor of which he purchased in 1614. These Durham estates do not seem to occur in the will of Henry Earl of Monmouth in 1659. Before 1678 the manor of Castle Eden had become the property of Sir William Bromley of Baginton. It is observable that in 1644 Robert Bromley of Hart, the first of a Durham branch of Bromley, devised lands in High Hesleden and Little Eden, doubtless the other Eden and the Hes-selton of the first Earl of Monmouth's will. Shotton, the remaining place mentioned in it, is close at hand. W. H. D. L.

LAWRENCE OF GREAT ST. ALBAN'S, A SUPPOSED BRANCH OF LAWRENCE OF IVER.

In 1696 Sir Thomas Lawrence, Bart. of Iver, co. Bucks, was Secretary of Maryland under Governor Seymour, and he did not, as stated in Burke's *Extinct and Dormant Baronetage*, "emigrate in 1700" in consequence of having "spent all his estate." "Sir Thomas Lawrence, Bart. who was buried at Chelsea in April 1714," says the same authority, "is presumed to be this gentleman." But Sir Thomas Lawrence, Bart. of Iver, and Secretary of Maryland, died in that colony in 1712, and it can scarcely be supposed that his remains were sent home for interment at Chelsea two years afterwards.—L.-A.



1 This John Lawrence was son of John (will 1690) "son of Henry Lawrence, President of Cromwell's Council of State," Note to Milton's Sonnet to Lawrence (Sir E. Brydges, Ed.) Burke's Peerage, "Abinger," &c.

2 Nearly related, according to tradition, to Sir Philip Francis (Junius?).

TRADING "GENEALOGISTS."

The popularity of Heraldry and Genealogy at the present day is proved in various ways; and, among others, by the number of publications on these subjects,—by the great use that is made of the genealogical manuscripts at the British Museum,—and by the tribe of advertising quacks who endeavour to intercept the business which ought to come to the hands of the professional Heralds.

The two following documents, of which the originals lay before us, will best exhibit their own character:—

1. *A letter-press circular:***Fraternity of Genealogists.**

SECRETARY'S OFFICE, 51, KING STREET, REGENT STREET.

A Society of practical Genealogists (resident in all the principal towns of England, Scotland, and Wales) has been formed for the purpose of properly and correctly tracing the pedigrees of families of ancient date. By this union access is acquired to every Public Library in Great Britain, and also to most of the celebrated Private Libraries. By the latter, very many perfect and valuable pedigrees and other MSS. have been discovered, the existence of which was previously unknown, and by this, the pedigrees of very many families of note which have been traced by Genealogists and others in the olden time can be laid before them.

It is well known by Genealogists that many of the MSS. in the Harleian, Cottonian, and other Libraries contain but fragments of pedigrees—a perfect pedigree being the exception to the rule; but by transmitting these fragments to Oxford, Manchester, Preston, and many other places, and interchanging information, the whole is most frequently satisfactorily completed.

Several thousand pedigrees have been carefully culled by a vast extent of research from various MSS. the major part from Private Libraries.

In bygone days many different members or branches of the same family often resided in different parts of the kingdom, and were visited by different Heralds; from hence fragments of pedigrees are most frequently found—far more so than would be in these more enlightened and peaceful days. Hence the necessity of an union among Genealogists, that the information from each may be *dovetailed* with that of the others.

Pedigrees of different branches, such as second or third sons, are in all cases noted for further reference, if desired.

The pedigrees in Herald's College are but *copies* of the most perfect in the Harleian Library, to examine and have copies of which, large sums are demanded.

Estates, Money in Chancery, Unclaimed Dividends, &c., have been, and are frequently recovered by the proof of heirship shown in a pedigree.

The Pedigrees before referred to commence at the earliest periods to which it is possible they can be traced—many from the Conquest, and also from subsequent early reigns to the visitation of the Heralds in the 17th century.

Most people, from memoranda, letters, registers, &c., can trace back to the 17th century, and so join the modern and ancient pedigree. If, however, in any instance, this cannot be done, they can be assisted by the Fraternity.

For the ancient pedigree the fee is Two Guineas, pre-paid, either by Crossed Cheque or P.O.O. at P.O., Foubert's Place, Regent Street, in favour of

HENRY DELAINE, *Secretary.*

Pedigrees when completed can be illuminated after the chaste and classic style of the 13th and 14th centuries by one of the first illuminators in the kingdom. Presses and dies by one of our first engravers, at usual prices.

2. *A lithographed circular :*

FRATERNITY OF GENEALOGISTS.

Secretary's Office, 51, King Street, Regent Street, W.

SIR,

(A date is here written in.)

The Pedigree of your Ancestors is one of those alluded to in the enclosed technical statement. If you desire a copy, and will remit the fee, the Pedigree will be forwarded within a month of the receipt.

The general and correct information which is culled by this Union of Genealogists has been of late highly appreciated by the Aristocracy and Families of Note (either for fresh Pedigrees or renovation, such as dating, &c. &c. of old ones) producing a daily increasing pressure of business.

I therefore respectfully suggest on your part an early decision. Date of Pedigree from (Edward I. *This written in for the occasion.*)

I have the honor to be, Sir,

Your very obedient Servant, HENRY DELAINE, *Secretary.*

The charming confidence with which this gentleman engages to provide for every genealogical want is extremely amusing: nor less so is the readiness with which the deficiencies of all the Public Libraries of the country are to be supplied by the aid of private information. Access has been acquired, we are told, "to most of the celebrated Private Libraries," but the writer does not encourage us with the assurance that they include those of Sir Thomas Phillipps and Lord Ashburton. It seems that they exist at "Oxford, Manchester, Preston, and many other places:" perhaps some one has succeeded at Manchester to the *cabinet* of the late Mr. Knowles, the immortal "genealogist" of the Coultharts. But who is the great man at Preston? Has the gentleman who lately practised at Battle removed thither?

Any how, the members of the Heralds College' must hide their diminished heads. Their pedigrees are "but *copies* of the most perfect in the Harleian Library!" There is no longer any call for their services to *prove* Pedigrees: for it is quite sufficient to collect "fragments" from "different parts of the kingdom," and to *dovetail* them nicely together! This, alas! is the way in which too many of our zealous Transatlantic friends have already been deluded: but we have reason to know that they are now growing wiser: and, though there will always be a *vulgus qui vult decipi*, we do not anticipate a very long career to any such *Fraternity of Genealogists.*

HERALDIC CHRONICLE FOR 1866.

(Continued from p. 292.)

[The death of Mr. Courthope, which led to the new appointments of Somerset and Rouge Croix recorded in our previous pages, was omitted in its proper place.]

1866, *May* 13. Died, at Hastings, WILLIAM COURTHOPE, ESQ. SOMERSET HERALD, and Registrar of the College of Arms. He was born at Rotherhithe, May 20, 1808, the only son of Thomas Courthope and Mary Buxton. At the age of sixteen he became clerk to Francis Townsend, esq. Rouge Dragon, after whose death in 1833 he was employed in the service of the Office of Arms under the direction of its Registrar (the present Garter), with whom he remained until his appointment as Rouge Croix pursuivant 7 Feb. 1839. He was advanced to be Somerset herald, 8 Feb. 1854; and Registrar of the College of Arms, Nov. 1859. In 1842 he became associated with Garter as his Secretary; and by Garter he was appointed secretary to the missions sent with the order to the sovereigns of Turkey 1856, Portugal 1858, Prussia 1861, Denmark and Hesse Darmstadt 1865, and Belgium 1866. He was called to the bar at the Inner Temple in 1851: but he did not practise in that profession; at the College of Arms his work was unremitting, and was always conducted with intelligence and punctuality. For the public he superintended three editions of Debrett's Peerage, 1834, 1836, and 1838, one of Debrett's Baronetage 1835, and compiled a *Synopsis of the Extinct Baronetage of England* published in the same year, on the plan of Nicolas's "Synopsis of the Peerage." A revised edition of the latter work, under the title of *The Historic Peerage of England*, was also completed by him in 1857, after thirty years had elapsed from its former publication, and in its improvement Mr. Courthope availed himself of the MSS. of Glover, Vincent, Walker, Anstis, Leake, and Townsend, together with Sir Harris Nicolas's interleaved copy of his Synopsis. The dissertation upon Dignities which is prefixed to this volume, and occupies fifty-six 8vo pages, was materially enlarged and improved by the Editor. In 1852 Mr. Courthope produced an interesting biographical and genealogical volume, being a *Memoir of Daniel Chamier, Minister of the Reformed Church; with Notices of his Descendants*. In 1859 he wrote an introduction to *The Rows Roll of the Earls of Warwick*, a volume which bears in its title-page the date 1845, the plates having been prepared in fac-simile so long before by the late William Pickering.¹

¹ There are two versions, in Latin and English, of this remarkable historical roll: and, though nearly of the same date, they are of different complexion in respect to politics. The Yorkist roll, which is in English, is in the possession of the Duke of Manchester; it is the one from which the fac-similes above-mentioned were made, and its text was carefully copied by the Rev. Lambert B. Larking. It is in better preservation, and its illuminations perhaps originally of somewhat better art, than

To the *Collectanea Topographica et Genealogica* (vol. ii.) he contributed various documents relating to the Courthope family. Mr. Courthope married Frances-Elizabeth eldest daughter of the Rev. Frederic Gardiner, Rector of Llanvetherine, co. Monmouth, and Vicar of Wadhurst, co. Sussex, and his body was interred at the latter place. (For further particulars see a Memoir in the *Gentleman's Magazine* for July 1866, but some inaccuracies of which are now corrected.) Mr. Courthope's library was sold at Sotheby's on the 23rd June 1867. It consisted of a considerable collection of books connected with his profession, but, as few of them were of high market value, the total produce of the day's sale did not exceed 192*l.* 12*s.*

Aug. 22. Created a BARON of the United Kingdom: Gustavus-Frederick Viscount Boyne in Ireland, by the title of BARON BRANCEPETH, of Brancepeth, co. Durham.¹

Sept. 8. Horace James *Smith*, of Broxbournbury, co. Hertford, esq. in memory of his father-in-law George Jacob Bosanquet, of Broxbournbury, esq. formerly Chargé d'Affaires at Madrid, and in compliance with his will, to take the name of BOSANQUET after Smith, and bear the arms of Bosanquet quarterly with his own.

Sept. 10. Died at Plymouth, aged 59, the Right Hon. William Brabazon Ponsonby, the 4th BARON PONSONBY, of Imokilly, co. Cork, in the peerage of the United Kingdom. This dignity was conferred in 1806, during the brief supremacy of the Whigs, the claims of its recipient, the Right Hon. William Brabazon Ponsonby, being his staunch adherence to that party, and his near connexion with some of its leading chieftains. He was a grandson of the first Earl of Besborough, and also of the third Duke of Devonshire; he was the only brother of the Right Hon. George Ponsonby, then Lord Chancellor of Ireland; and he was father-in-law of Charles Viscount Howick, afterwards the prime-minister Earl Grey. The second Lord, a distinguished diplomatist, was advanced to a Viscounty in 1839, but died without issue in 1855. The Barony then devolved on William the posthumous son of the Hon. Sir William Ponsonby, K.C.B. who was killed at Waterloo. On the death of the third Lord in 1861 it came to his cousin, only son of the Hon. Richard Ponsonby, D.D. Lord Bishop of Derry; and now, upon his death, it has become Extinct.

the Lancastrian and Latin roll, which is in the library of the College of Arms. From the latter various fac-similes of the portraits have from time to time been made, in Walpole's *Historic Doubts*, in Dallaway's *Heraldic Inquiries*, in Spicer's *History of Warwick Castle*, and in Miss Halstead's *Life of Richard III.*

¹ Lord Viscount Boyne inherited the estate of Brancepeth in right of his wife, on the death in 1850 of her brother William Russell, esq. sometime knight of the shire for Durham; whose father Matthew Russell (ob. 1822) had restored Brancepeth, one of the ancient castles of the Nevilles, from a state of ruin. It had been purchased from the Tempests by the grandfather, William Russell, esq. who, having acquired an immense fortune as a coal-owner, died in 1817.

Oct. 18. John Henry *Bax*, of Houghton le Spring, co. Durham, esq. of the Bengal civil service, C. B. magistrate and collector at Benares, eldest son and heir of John Bax late of Twyford co. Hertf. esq. sometime of the Bombay civil service, and Resident at the court of Rao Holkar, by Jane dau. of William Ironside of Houghton le Spring esq. Capt. 68th Foot, and sister and coheir of William Ironside esq. Lieut. 33d Foot, in compliance with a deed of release dated 2 June 1866 to take the surname of IRNSIDE after Bax, and bear the arms of Ironside quarterly with Bax.

Nov. 10. Created BARONETS: Daniel *Gooch* of Clewer Park, co. Berks, esq.; and Curtis Miranda *Lampson*, of Rowfant in the parish of Worth, co. Sussex, esq.

Nov. 29. Frederick John *Skoulding*, of Gilston cottage in the parish of Gilston co. Hertf. gentleman, in compliance with the will of his maternal grandfather Samuel Cann late of Wymondham co. Norfolk gentleman, to take the name of CANN after Skoulding, and bear the arms of Cann quarterly with those of Skoulding.

Dec. 8. Elizabeth Margaret Hulton, of Droylsden in the parish of Manchester, widow of Arthur Hyde Hulton, clerk, perp. curate of Christ-church, Ashton under Lyne, on behalf of her second son William Edward Montagu *Hulton* (a minor of 18 years), that he, in compliance with the will of his maternal grandfather Jonah Harrop of Bardsley house in Ashton under Lyne esq. may take the name of HARROP after Hulton, and bear the arms of Harrop, quarterly with Hulton, in the first quarter.

THE LYON REGISTER, 1865 AND 1866.

Note of Grants or Matriculations of Arms in the Lyon Register, accompanied with record of Change of Surname or assumption of an additional Surname, during the years 1865 and 1866.

“We occasionally hear of Scotchmen applying for and obtaining an official sanction of a new surname by royal licence in England,—a proceeding not merely unnecessary, but irregular. In the matter both of surname and of arms, a native of Scotland is subject to the jurisdiction of the heraldic authorities of his own country, and not of England. The Lord Lyon does not indeed empower a Scotchman to change his name; that he can do, if he pleases, *proprio motu*: all that Lyon does is to adhibit his official sanction to the change. When an applicant petitions for a change of arms in connection with a change of name, he must satisfy the Lyon that the new surname is to be adopted on some reasonable ground—such as an obligation in a deed of conveyance—and not from mere caprice; and the patent of arms, at the same time that it accords the new ensigns, recognises and records the assumption of the new name, and is accompanied by a certificate of that recognition, which serves precisely the same purpose at the Horse-Guards, Admiralty, and everywhere else, as a certificate of royal licence does in the case of an Englishman.”—Paper on “The Court of the Lord Lyon,” in *The Journal of Jurisprudence*, Dec. 1865.

1865, *Feb.* 1. James George Hay *Boyd*, of Townend, co. Ayr, Major 20th Foot, (h. p.) has patent of arms, and records his assumption of the surname of Boyd after that of Hay, in compliance with deeds of settlement executed in 1811 and 1817 by John Boyd of Townend, esq. his maternal grand-uncle.

March 9. Sir John *Hepburn-Stuart-Forbes*, of Pitsligo, co. Aberdeen, Fettercairn, co. Kincardine, and Invermay, co. Perth, Baronet, matriculates his arms, and records his assumption of the surname of Hepburn before those of Stuart-Forbes, on succeeding to the estate of Invermay, under a deed of entail executed in 1824 by Alexander Hepburn Murray Belshes of Invermay, esq. under the authority of an act of parliament, "for settling and securing parts and portions of the lands and barony of Invermay, in the county of Perth, to and in favour of Alexander Hepburn Belshes, esq. and the series of heirs entitled to take by certain deeds of entail made by Barbara Hepburn and others and Sir Patrick Hepburn Murray, and under the conditions and limitations contained therein, and for vesting in lieu thereof the barony and estate of Blackcastle, in the counties of Haddington and Berwick, in the said Alexander Hepburn Belshes and his heirs and assigns in fee simple."

March 29. Claud Hamilton *Hamilton* (formerly Claud Hamilton Brown), esq. of Calcutta, recently additional member of the council of the Governor-general of India, presently residing at Hartrigge House, near Jedburgh, has a patent of arms, and records his assumption of the surname of Hamilton in place of that of Brown, in compliance with a wish expressed in the will dated 25 May, 1857, of his maternal uncle Claud Hamilton of Mirzapore, esq.

April 25. Robert Cosens *Weir* of Bogangreen, co. Berwick, esq. Lieut. 1st Royals, has a patent of arms, and records his assumption of the surname of Weir after that of Cosens, in compliance with the terms of the settlement of his maternal uncle Thomas Weir of Bogangreen, advocate, who died in 1846.

July 7. James Gordon-*Oswald* of Scotstoun, co. Renfrew, esq. has a patent of arms, and records his assumption of the surname of Oswald after that of Gordon, in compliance with the terms of a deed of entail of the estate of Scotstoun, executed 12 Dec. 1818, by George Oswald of Auchincruive and Scotstoun, his maternal great-grandfather.

Oct. 21. The Rev. William Edmund Craufurd Austin-*Gourlay* of Kincaig, co. Fife, Rector of Stoke Abbott, co. Dorset, matriculates his arms and records his assumption of the surname of Gourlay after that of Austin, in compliance with the terms of the deed of entail of the lands and barony of Kincaig, &c. executed 29 August, 1771, by William Gourlay of Kincaig.

Dec. 1. His Grace John James Hugh Henry *Stewart-Murray*, Duke of Atholl, matriculates his arms, and records his assumption of the surname of Stewart in addition to and before that of Murray, in consideration of his descent from and representation of the Stewarts Earls of Atholl.

1866, *Feb.* 17. Menzies James Bowden-*Fullarton* of Kilmichael, in the island of Arran and county of Bute, esq. has a patent of arms, and records the assumption of the surname of Fullarton after that of Bowden by himself and his wife Jane Annabella, eldest daughter of the late Major Archibald Fullarton of Kilmichael, in compliance with the obligations contained in the deed of entail of the estates of Kilmichael and Whytefarland, executed 5 Dec. 1782, by John Fullarton of Kilmichael.

April 6. John *Cockburn-Hood* of Stoneridge, co. Berwick, esq. matriculates his arms, and records his assumption of the surname of Cockburn before that of Hood, in consideration of his maternal descent from Thomas Cockburn of Rowchester.

April 20. John Brown Brown-*Morison*, of Finderlie, co. Kinross, and of West Errol and Coupar Grange, co. Perth, esq. has a patent of arms, and records his assumption of the surname of Morison after that of Brown, in compliance with the obligations contained in the disposition and deed of settlement executed 11 Dec. 1841, by his maternal grand-uncle David Morison, Lord Provost of Perth, and in the entails of the estates of West Errol and Coupar Grange, executed by the trustees under the said disposition and deed of settlement.

July 6. Sir Alexander Charles *Ramsay-Gibson-Maitland* of Cliftonhall and Barnton, co. Edinburgh, and of Kersie and Sauchie, co. Stirling, baronet, has a patent of arms, and records his assumption of the surname of Ramsay in addition to and before those of Gibson-Maitland, in compliance with the obligations contained in the disposition and deed of entail of the lands and baronies of Barnton, Cramond, Gogar, Hallyards, Sauchie, and Bannockburn, executed 25 Dec. 1807, by his maternal grandfather George Ramsay of Barnton.

Oct. 9. Miss Ellen Elizabeth Reid-*Seton* of Oxmantownhill, co. Dublin, presently residing at Leyton, co. Essex, has a patent of arms, and records her assumption of the surname of Seton after that of Reid, in consideration of her being one of the heirs of line of Sir Thomas Seton of Olivestob, co. Haddington, fourth son of Robert first Earl of Winton.

Oct. 13. The Right Hon. John Francis Erskine Goodeve-*Erskine*, Earl of Mar and Lord Garioch, matriculates his arms, and records his assumption of the surname of Erskine after that of Goodeve, in consequence of his succession to the Earldom of Mar and the representation as heir of line of the family of Erskine.¹

Nov. 17. John Austin *Lake-Gloag*, esq. presently residing in Edinburgh, has a patent of arms, and records his assumption of the surname of Lake before that of Gloag, in consequence of his marriage to the Hon. Elizabeth Georgiana Lake, daughter and co-heiress of Warwick third and last Viscount Lake.

¹ See the remarks in p. 188, *antea*.

ROYAL LICENCES FOR CHANGES OF NAME AND ARMS, REGISTERED IN THE
OFFICE OF ARMS AT DUBLIN.

Oct. 24, 1865. John Thomas *Stewart*, of Ballyatwood House, co. Down, esq., only son and heir of John Stewart, esq. late Deputy Remembrancer of the Court of Exchequer in Ireland, by Harriet Louisa his late wife, daughter and co-heiress of the late Hans Mark Hamill, of Ballyatwood House, esq., to take the surname of HAMILL before STEWART, and the arms of Hamill quarterly with Stewart.

1866, *Jan. 3.* Windham *Brady*, Ensign in H.M.17th Regt. of Foot, second son of Luke Brady, of Brookville, co. Clare, esq. deceased, to take the surname and arms of BROWNE, in lieu of those of Brady, in compliance with the will of his late grand-uncle Thomas Browne, esq. of New Grove, co. Clare.

Jan. 8. Thomas Nugent *Kenney*, of Correndoo, co. Galway, and of Hermitage Park, co. Dublin, esq. and his wife Isabel Louisa Charlotte Augusta Bruce, only child and heiress of the late Sir John Kingsmill, formerly Colonel of the Battle Axe Guards (by Elizabeth Catharine his wife, daughter and heiress of the late Sir Robert Kingsmill, of Sidmanton, co. Southampton, Baronet) and their issue, to take the surname of KINGSMILL only, instead of Kenney, and to bear the arms of Kingsmill and Kenney quarterly.¹

(*Same date.*) George Montagu Warren *Peacocke*, esq. M.P. nephew and heir of the late General Sir Marmaduke Warren Peacocke, K.C.H., K.T.S. and grandson of Marmaduke Peacocke, esq. by Mary Peacocke, of Graige and Barntic, co. Clare, eventual heiress of the family of Sandford, of Sandford Court, co. Kilkenny, to take the surname of SANDFORD only, and bear the arms of Sandford and Peacocke quarterly.

Aug. 8 Fulke Southwell *Greville*, of Clonyn Castle and Clonhugh, co. Westmeath, and of North Mymys Park, co. Hertford, esq., Colonel of the Westmeath Militia and one of the representatives in Parliament for the county of Longford, and his wife the Lady Rosa Emily Mary Anne Greville, only child of the most hon. George Thomas John Nugent, Marquess of Westmeath, and their issue, to take the surname of NUGENT, in addition to Greville, and bear the arms of Nugent and Greville quarterly.

¹ The ancient family of Kingsmill of Sidmanton became extinct in the male line in 1766: whereupon the name was assumed in that year by Admiral Robert Brice, who had married Elizabeth, daughter of Hugh Correy, esq. of Newton Ardes, co. Down, by Frances daughter of Sir William Kingsmill, Knt. Admiral Robert Kingsmill was created a Baronet in 1800, with special remainder to his brother Edward Brice esq. who also took the name and arms of Kingsmill in 1787. Sir Robert, son of Edward, succeeded to the Baronetcy in 1805; but, as he had no male heir, it became extinct on his death in 1823. His daughter and heiress mentioned in the text was married in 1824 to John Woodham esq. who took the name and arms of Kingsmill in 1826, was knighted by the Lord Lieutenant of Ireland 5 Oct. 1830, being then Colonel of the Battle Axe Guards, and died in 1859.

Sept. 8. James Henry *Todd*, of Westbrook, co. Donegal, esq., a justice of the peace of that county and its present high sheriff, late Captain H.M. 40th regiment, and now Major in the Donegal Militia, eldest surviving son of the late William Thornton Todd, of Buncrana Castle, in the said county, esq. and grandson of David Todd deceased, by Letitia Thornton his wife, aunt of the late Robert James Thornton, and of the late Sir William Thornton, K.C.B. to take the surname of THORNTON in addition to Todd, and bear the arms of Thornton and Todd quarterly.

Oct. 11. Charles-William *Talbot*, Lieut. R.N. eldest son of Admiral Sir Charles Talbot, of Southsea, co. Southampton, by the Hon. Charlotte Georgiana Talbot, his wife, sister of the right hon. William 3rd Lord Ponsonby of Imokilly, co. Cork, to take the surname of PONSONBY in addition to and after the surname of Talbot, and bear the arms of Ponsonby and Talbot quarterly.

Nov. 16. Colonel the hon. Leicester *Curzon*, Military Secretary to the General Commanding the Forces in Ireland, and Alicia Maria his wife, elder daughter of the late Robert Smyth of Drumcree, co. Westmeath, esq. to take, in accordance with the testamentary injunction of the said Robert Smyth, the surname of SMYTH only and bear the arms of Smyth and Curzon quarterly.

NAMES ASSUMED PROPRIO MOTU.

(Chiefly from Advertisements in *The Times*.)

1866. *Jan. 12.* The Rev. William *Rothery*, late of Hexham, and now of Middleton near Manchester, assumes the surname of HUME before ROTHERY.

Jan. 19. Joe Drury *Bottomley*, of Charlton, Kent, Lieut. R. M. Light Inf. assumes the surname of DRURY instead of Bottomley.

Feb. 16. Edward Joseph *Thackwell* of Norman's Land, in the parish of Dymock, co. Glouc. barrister at law, abandons the surname of Thackwell and assumes that of SMITH.

William Henry Cunningham *Clapp* of Wilmington sq. Middlesex gent. will use the names of Wm. Henry CUNNINGHAM, and no other.

Feb. 28. Elizabeth Glover Atkinson, wife of Anthony Owst Atkinson of Kingston upon Hull solicitor, and his only daughters Ellen Elizabeth and Edith Annie assume the name of OWST before ATKINSON.

April 10. John Pugh Vaughan Pryse, of Bwlch Bychan, co. Cardigan, esq. heretofore John Pugh Pryse, has assumed the additional name of VAUGHAN before PRYSE, from the 15th of June last, in compliance with the will of John Vaughan esq.

April 16. John Edward Coxwell, of Brighton, takes the names of GRINFIELD, being that of his maternal grandfather, before COXWELL.

April 24. Charles Edwin *Bones*, of Gresham Street, London, warehouseman, and Edward *Bones*, of Manchester, warehouseman, take their maternal family surname of *CHURCHILL* instead of *Bones*.

April 25. Robert *Death*, of Bartholomew villas, Kentish Town, takes the name of *MORTON-DAY*.

April 27. Thomas George Smith *AUSTIN*, and Sydney Charles Smith *Austin*, of Luton co. Bedford, abandon the name of *Smith*.

May 4. Charles *Bowman*, of the Strand, in the parish of St. Martin's in the Fields, Middlesex, silversmith, takes in addition the surname of *VAUGHAN*, being that of his paternal (*sic*) grandfather.

June 11. The Rev. Logan *Dobinson* of Lockington rectory, near Beverley. Frances *Dobinson* of Lincoln's Inn, Esq. late of East Grinstead, and now residing at Ardverikie, Kingussie, N.B. and Isabella and Ellen *Dobinson*, both of Malvern (all which four parties were formerly of Egham lodge, Surrey), take their maternal family name of *LOGAN*, instead of *Dobinson*,—by deed enrolled in Chancery.

June 14. Frederick William *Binns* of Farsley, near Leeds, surgeon's assistant, takes the name of *LAMBERT*, instead of *Binns*.

June 19. Walter *Balls* of Tavistock-pl. M.B. takes the name of *HEADLEY* after his own.

SANKEY.—I have been informed that there is a credited tradition of the family of *Sankey* of Ireland, that it is lineally (?) descended from St. Peter, the prince of apostles. The motto is, "*SANCTA CÆLI CLAVIS*." What is the foundation of this extraordinary opinion? Is the pedigree traced? If so, I should very much like to know where I could get a copy, as my paternal grandmother was lineally descended from that family.

Can any of your readers trace John *Sankey*, of Pouldhurst Court, Harbledown, Kent (?) nat. 1665, ob. 1740, who is supposed to have come from Ireland, to Galfridus de *Sankey*, fl. 1207? I have the pedigrees of both, but not connected.

The present descendants of John *Sankey* bear, Party per pale argent and sable, three martlets in pale counterchanged; but the Irish family bears, Argent, on a bend sable three luces of the field. S.

Note.—The motto above stated is evidently allusive to the name—*san* (the abbreviation of *sancta*) *key*. Has not the fanciful legend of a descent from St. Peter been derived from the fact of the *keys* being the symbol of that apostle? The wonder is that the armorial charges also have not been made to cant in like manner upon the name. (EDIT. H. & G.)

HORTON OR HOUGHTON.—I am desirous of information relating to the family of Colonel *Horton* or *Houghton*, the Parliamentarian Commissary-General of Horse in Ireland, who served with great distinction in South Wales in May 1648. At whose death in Ireland, in 1649, Cromwell magni-

fies his courage and integrity thus: "Colonel Horton is lately dead of the country-disease, leaving a son behind him. He was a person of great integrity and courage. His former service, especially that of the last summer, I hope will be had in remembrance."¹

In the Journal of the House of Commons for 23rd August, 1649, we read it was "Ordered, That it be referred to the Committee at Goldsmiths' Hall, to examine how the business stands touching the lands of John Barlow, formerly given to Colonel Horton: and to report the state thereof to the House. An Act for settling upon Colonel Horton's Bridage the Lands and Possessions of John Barlow, Esquire, formerly given to Major Langhorne; as also 1,000*l.* per annum out of the lands of William Earl of Newcastle."

Again, Nov. 16, 1649, "Ordered, That it be referred unto Colonel Harrison and Mr. Herbert to consider how the arrears due to Colonel Horton may be satisfied to his son: and present their opinion to the House."

Again, May 25, 1651, "Ordered, That the sum of 900*l.* be given to Horton, son of Colonel Horton deceased, in full satisfaction and discharge of all arrears due to the said Colonel Horton his late father deceased, and all demands in respect of his service; and it is referred to the Committee of the Army to consider how the same may be paid out of the remainder of the general compositions of delinquents in North Wales, unto the persons intrusted or to be intrusted for the said Horton, to be employed for the benefit of the said Horton the son."

I should like to know what relation (if any) the above-mentioned Colonel Horton was to Jeremy Horton, also a Colonel in the Parliament's service, who died in the summer of 1647. He, I presume, is the Colonel Horton who (according to Clarendon) attempted Donnington Castle in 1644.

Any information relating to either of the above will greatly oblige

A. HOUGHTON MILLS.

Free Library, Campfield, Manchester.

COLONEL COSBY, GOVERNOR OF NEW YORK.

To the Editor of the HERALD AND GENEALOGIST.

SIR,—In reference to the List of Governors of New York, given at p. 381 of your last number, and the request for further information concerning any of them, I beg to inform S. W. P. your querist, that the descent of Sir Charles Augustus Fitzroy from *Col. William Cosby* is given in *Antigua and Antiguan*, vol. ii. p. 346, where he will find that previously to his appointment to the government of New York Colonel Cosby was Governor of the Leeward Islands, of which Antigua was the chief; an appointment for which, though not there so stated, he *kissed hands* at the Court of St. James's

¹ Carlyle's *Letters and Speeches of Cromwell*, vol. ii.

on 29 April 1731. Colonel Cosby was also a Brigadier-General, Equerry to King George the Second, and Colonel of the Royal Irish. The name of his wife was *Grace*, daughter of *George* Montague Earl of Halifax. He died 10 March 1736, leaving a daughter, Elizabeth, who had two husbands : 1. Lord Augustus Fitzroy ; 2. James Jefferys, esq. ; and by the first had Augustus Charles Fitzroy, third Duke of Grafton, at the seat of whose descendant, the present Duke, it is very probable S. W. P. will find a portrait of the Duke's ancestor Colonel Cosby, though I have no certain knowledge that he will. S. W. P. will, however, most certainly find further mention of Col. Cosby, or rather his said daughter Elizabeth, in Oldmixon's *History of the British Empire in America*, vol. i. p. 260, where, previously to her marriage with Lord Augustus (who had the command of a British man-of-war on the New York Station) he will find her termed with some emphasis *an agreeable young lady*, and it is probable S. W. P. will readily discover registry of the marriage at New York, where it was solemnised. In *Antigua and Antiguan*s this Colonel Cosby or Brigadier-General Cosby is called *Crosby*, but this is a mere misprint.

Yours, &c. EDWARD S. BYAM.

THE PORTRAIT GALLERY OF SOMERSETSHIRE WORTHIES.

On the suggestion of Robert Arthur Kinglake, esq. J. P. of Weston-super-Mare, a sculpture gallery for the reception of the busts of the great men of Somersetshire has been commenced in the Shire-hall at Taunton. The first placed within it were the busts of Locke, Blake, and Speke ; to which have been added, on the 27th of May, those of Pym, Ken, Byam, and Dr. Thomas Young. We subjoin further particulars (arranged in alphabetical order) :

1. ROBERT BLAKE, Admiral of the Commonwealth of England, born at Bridgewater 1599 ; died 1657.

2. HENRY BYAM, D.D. Loyalist, and Chaplain to King Charles II. ; born at Luckham, or Luccombe, in 1580, and died at same place 1669.¹

3. THOMAS KEN, Bishop of Bath and Wells, born at Berkhamstead, in Hertfordshire, 1637, descended from the ancient family of Ken, of Ken, co. Somerset ; died 1711.

4. JOHN LOCKE, Philosopher, born at Wrington 1632 ; died 1704.

5. JOHN PYM, Patriot, born at Brymore 1584 ; died 1643.

¹ See an account of the recent restoration of Dr. Henry Byam's monument in the church of Luccombe in our vol. i. p. 377. Also in vol. iii. p. 379, an account of a monument placed to the memory of his brother the Rev. Edward Byam, Precentor of Cloyne, in the church of Castle Lyons, co. Cork, where he was Vicar. We have observed with regret the subsequent decease of the gentleman by whom it was raised, the Rev. Richard Burgh Byam, M.A. Vicar of Kew and Petersham in Surrey : he died March 1, 1867, aged 82. See the memoir of him in the Gentleman's Magazine for May 1867, p. 672.

6. Capt. JOHN HENNING SPEKE, African Discoverer, born at Whitelackington 1829; died 1864.

7. THOMAS YOUNG, M.D. Natural Philosopher, born at Milverton 1773; died 1829.

The first six of these busts are all produced by Messrs. Tyley, sculptors of Bristol. That of Byam is from a portrait in possession of the family; that of Ken from the picture belonging to the Marquess of Bath; that of Pym from a painting belonging to Mr. Bouverie, M.P. at Brymore.

The bust of Young is by Papworth, (a pupil of the late E. H. Baily, R.A.) and its authority the picture by Sir Thomas Lawrence, lent for the purpose by the Governors of St. George's Hospital.

HARE OF STOW-BARDOLPH, &c. (vol ii. 473). Sir B. Burke's pedigree of the family does not account for the members which are mentioned below.

Catherine Holt of the Close, New Sarum, relict of John Holt of the same, by her will dated 1 April, 1672, and proved in London 21 June, 1672, bequeaths certain property to her "son-in-law Hugh Hare, esq. and Katherine, his wife, my daughter." She also mentions her grandchild Henry Hare. Hugh seems to have been a favourite Christian name in the family.

C. J. R.

QUINEY FAMILY (vol. ii. 589-513). The following extract from Dugard's MS. Register of Admissions to Merchant Taylors' School, London, affords some additional information:—

1648.

Adryan Quyne, second son of Richard Quyne, grocer, born at Stratford-on-Avon 26 Jan. 1629.

Thomas Quyne, third son of Richard Quyne, grocer, born in the parish of St. Steven's, Walbrook, London, 14 July, 1632.

There was also a *Richard Quiney*, who was one of the Head Scholars of the same school in 1641, and was born about 1624.

C. J. R.

Can any of your readers give me information respecting a family named Carrington, formerly of Cheshire, and then of Spaunton, Yorkshire? Dr. Paul Carrington it is said emigrated from Ireland to Barbadoes about 1680, and married a descendant of the family of Henningham. This Paul Carrington bore the same coat-armour as the Carringtons of Spaunton near Lestingham, Yorkshire. I should also be glad to obtain particulars of the descendants of Samuel Carrington, vicar of Beighton near Bridlington, 1661, of William Carrington, rector of Anthonpe, co. Lincoln, 1662, and of Capt. Samuel Carrington who in 1649 was in Barbadoes.

H. A. B.

In answer to the queries of T. H. (p. 96) respecting the Hodges family, a Thomas Hodges married a Miss Blake, sister to the M.P. for Sudbury, April 1, 1769.

REVIEWS.

DEBRET's *Illustrated House of Commons, and the Judicial Bench*. 1867. *Compiled and Edited by* ROBERT HENRY MAIR. Dean and Son, Ludgate Hill. 12mo.

This is a corresponding volume to the two manuals of DEBRET's *Peerage* and DEBRET's *Baronetage and Knightage*, which we noticed in our last Part. It contains those portions of the previous edition which we mentioned in p. 360 as having been omitted in the *Peerage* of 1867; namely, the account of the Judges, and a very commonplace "Grammar of Heraldry:" but, in order to make up a volume, it embraces also many repetitions. For, as we before mentioned, the House of Commons already accompanies the *Peerage* of 1867 in a condensed form; and now the House of Peers, in a condensed form, but still occupying forty pages, forms a part of the present volume.

The idea of "illustration," i.e. of giving engravings of Arms, seems to be put forth as the chief attraction of the modern "Debretts." This is now carried out to a greater extent than ever before; and, devoted as we are to heraldry, it would ill become us to condemn it. Still, we must candidly admit that we deem it of minor importance to that careful compilation of biographical facts by which the parallel works of Dod have been so honourably distinguished.

We will now briefly describe the composition of this book—which we must even yet regard as somewhat in a stage of transition,—like the great Institution itself of which it undertakes to delineate the personal features.

The Members of the House of Commons, in alphabetical order, occupy 250 pages, or nearly-two thirds of the book; 2. The places returning members, whether Counties, Cities, Boroughs, Universities, or Cinque Ports, are described, also in alphabetical arrangement; 3. The Peers and Bishops; 4. The Judicial Bench, followed by the London Commissioners of Bankruptcy and the County Court Judges; 5. An Explanation of some Technical Parliamentary Expressions, with brief descriptions of the duties of some of the higher Officers of State (16 pp.); 6. Heraldic Distinctions and Armorial Bearings—being the former "Grammar of Heraldry."

It is stated in the preface that nine-tenths of the Members of Parliament and Judges have courteously corrected proofs of their own biographies, which is an important guarantee for accuracy.

The Members of Parliament are "illustrated" with their arms for by far the greater part, for there are only seventy-two blank shields; every now and then the impaled arms of marriage are also engraved, which appears to have been regulated merely by the accidental circumstance of their sup-

plying an impression of a seal with that addition. The blazonry is still punctuated after this absurd and unintelligible fashion :

Ar. : a lion ram., gu. ; on a chief, sa., three escal., or. Crest, A goat pas., ar., armed and ungu., or ; instead of,

Argent, a lion rampant gules, on a chief sable three escallops argent. Crest, A goat passant argent, armed and unguled or.

The next division of the book "A List of the Counties, Cities, Boroughs, Universities, and Cinque Ports returning Members to Parliament, with the names of the Members that represent them," is "illustrated" with copies of Corporation Seals, or other representations of Borough Arms. These we perceive are the same which were engraved more than thirty years ago, for Lewis's Topographical Dictionary. The seals are an interesting series, their fault being only that they are reduced to a small uniform size, and not represented in their real dimensions.

Of the Complete List of Peers and Peeresses we need say nothing more.

The account of the Judicial Bench is the most peculiar feature of the book : containing as it does genealogical as well as biographical particulars. Of all the Judges engravings of their arms are given. The account of the County Court Judges is of the same character : with the blason of their arms, but no engravings.

Altogether, this manual, like its fellows, is of unquestionable utility : but we anticipate there must be still another arrangement of the three "Debretts:" whether they continue three volumes or are again condensed into two.

A Catalogue of Pedigrees hitherto unindexed. [By G. W. MARSHALL.] London : Printed for the Editor by Wyman and Sons, Great Queen Street, Lincoln's Inn Fields, W.C. 1867. 8vo. pp. 70.

This is a very valuable supplement to Mr. Marshall's former *Index to Pedigrees in the printed Herald's Visitations*, and to Mr. Bridger's *Index to Printed Pedigrees*, both published in 1866. The pedigrees here notified are not mentioned in either of those works : and yet we are surprised to find here nearly 3,000 references. Perhaps they are not all properly speaking pedigrees : still they point to information, of more or less value, of which genealogical inquirers will be glad to be apprised. Among the principal books from which they have been selected are, Morant's *Essex*, second edition ; Hasted's *Kent*, folio edition ; The Gentleman's Magazine ; Gough's *Sepulchral Monuments* ; Kent's *British Banner Displayed* ; and a number of Family Histories, Peerage Cases, Biographical, Topographical, and Genealogical publications. References are also given to some of the more important genealogical articles in *Notes and Queries*. The reason why the histories of Morant and Hasted are now indexed for the first time is, that their pedigrees are not given in a tabular form, but as narrative. The twelve last pages are occupied by a useful alphabetical list of Family Histories, Peerage Cases, &c.

THE FAMILY OF GROSVENOR OR GRAVENOR

OF BUSHBURY IN STAFFORDSHIRE, AND OF CLAVERLEY, BRIDGNORTH, AND ELSEWHERE, IN THE COUNTIES OF STAFFORD, SALOP, AND WARWICK.

BYSHBURY or Bushbury, a manor and parish of considerable extent near Wolverhampton in Staffordshire, was the estate of a family, who assumed their surname from thence, from the Conquest until the reign of Henry the Seventh; when, on the death issueless of Ralph de Bushbury, it passed in marriage with his niece and heiress Rose to John Clayton of Little Harwood, co. Lancaster.

John Clayton, however, having had issue by the said Rose two only daughters, this manor passed to the younger Rose the wife of John Grosvenor of Tettenhall, and continued in the possession of the Grosvenor family until the early part of the last century, when it was sold by Archibald Grosvenor to Edward Chandler, Bishop of Lichfield.

This John Grosvenor, who was the son of Humphrey Grosvenor of Farncote, co. Salop, was in the commission of the peace and "of the Quorum;" he resided for "all or the greater part of his life" at Tettenhall, and by Rose his wife left issue a son Walter Grosvenor, who (says Shaw) was the first of the family who had residence at Bushbury. In Shaw's work¹ is a tabular pedigree of the lords of Bushbury, derived from the Huntbach MSS., in which the genealogy of the Grosvenor family is carried back no further than John's grandfather "William Grosvenor de Broughton co. Salop, 4 Edw. IV." but it is stated in the text that "this family of the Grosvenors derive their descent from John a younger son of Ralph Grosvenor, grandchild to Sir Robert Grosvenor of Hulme, in the county of Chester, who had a great contest with Scroop concerning the bearing of a coat of arms in the reign of Richard the Second, as by a pedigree I (*i. e.* Huntbach) have seen is intimated."

Walter Grosvenor of Bushbury recorded his pedigree at the Staffordshire Visitation in 1583, as did also his second son Gawen

¹ History of Staffordshire, vol. ii. p. 178.

Grosvenor of Sutton Coldfield, at the Warwickshire Visitation of 1619; and in both of these pedigrees, as also in that recorded by Robert Grosvenor of Wade's Mill in the Herts Visitation, the family is traced from Randal or Richard Grosvenor, fourth son of Sir Thomas of Hulme in Cheshire.

Erdeswick,¹ writing in the sixteenth century, gives no genealogical particulars of this family; but simply states that Bushbury had come into a house of the Grosvenors, whose seat it then was, but by what title he knew not. His Editor, however, Dr. Harwood, repeats the assertion of Mr. Huntbach as to their descent from those of Hulme; and in Collins's Peerage, and indeed in most published accounts of the Marquess of Westminster's family, a similar assertion is made.

That such descent was fully recognised by the heralds is evidenced by the fact of their allowing to the Bushbury line the golden garb and talbot crest for their armorial insignia, the latter being differenced by a collar gules and the former by being placed between three bezants. Moreover, the escutcheon of Gawen Grosvenor of Sutton displays among its eight quarterings the ensigns of Pulford and Phesant, which could only belong to the descendants of the Hulme family.

Mr. Eyton's *Antiquities of Shropshire* throws, however, a new light on the origin of this family. In noticing a place called *Gravenor* in the parish of Claverley, that writer states that a family *deriving its surname therefrom* flourished there in the thirteenth century; the first mention of the place or the family being implied (he says) by the attestations of Roger de Gravenor at that period. William de Gravenor occurs in 1324, 1331, and 1333; Thomas son of Richard Gravenor and Richard heir of Agnes de Gravenor occur contemporarily; the latter taking a tenement at the Lea until such time as the right heir of the said tenement should be forthcoming.

Hence it appears that at a place in the immediate neighbourhood of which the Bushbury Grosvenors had lands, a family of a similar name was existing long before their alleged ancestor Randal or Richard Grosvenor was born.

Unfortunately Mr. Eyton gives no further particulars of the

¹ Survey of Staffordshire.

family, nor does he in any way attempt to connect them with the Grosvenors of Bushbury; but that the origin of the latter is to be sought in the genealogy of the Gravenors of Gravenor does not admit of a doubt.

The surname of the Bushbury line is as often called Gravenor as Grosvenor; and, although it was subsequently written Grosvenor, we learn from Symonds's Diary¹ that the then lord of Bushbury was popularly styled "Squire Gravenor." Huntbach himself derives them from William Grosvenor of Broughton, which is in Claverley parish; and several deeds cited in Shaw (ii. 208) of William, Humphrey, John, Rose, and Walter *Gravenor* are conclusive as to their being of the same stock as those of Claverley.

However, the question is now set at rest for ever by the researches of the late able genealogist, Mr. Joseph Morris of Shrewsbury, who, from the evidences preserved in the parish chest of Claverley and other authorities, compiled the copious genealogy which, through the kindness of Mr. J. J. Peele of Shrewsbury, I am enabled to make public.²

Of the etymology of the word Gravenor I know nothing; but, if the Gravenors of that place were of the Cheshire stock, they must have branched off much earlier than has been hitherto supposed; and, not only so, but they must as early as the thirteenth century either have conferred their name upon their new residence, or have migrated to a place in a distant county which unaccountably bore a similar name to that of their family.

From the evidence adduced in the celebrated Scrope and Grosvenor case, we learn that the Cheshire family were descended from one Gilbert le Grosvenour, who, in the train of his uncle Hugh Lupus (afterwards Earl palatine of Chester) accompanied the Conqueror to England; and the name, *le Gros Venour*, is said to have been derived from their family having held the hereditary post of chief huntsman to the Dukes of Normandy. It is to this that the family crest, a talbot, alludes; while the arms which on the adverse termination of the suit Grosvenor was permitted to assume are part of the bearings of the old Earls of Chester.

¹ Printed for the Camden Society, 1861, p. 169.

² This will appear in our next Volume. (EDIT. H. & G.)

The surname of the Cheshire house is usually found written *le Grosvenor*. It is true that it has been sometimes corruptly written Gravenor; yet it would seem that *Grosvenor* and *Gravenor* are quite distinct surnames, unless we suppose that the nephew of Hugh Lupus and the chief huntsman to the Dukes of Normandy existed only in the imagination of the Abbot of Vale Royal, and that the great Cheshire house of Grosvenor derived its name from an obscure hamlet in Shropshire.

I do not attempt for a single instant to decide so important a question; but the early history of the Cheshire Grosvenors is involved in some obscurity, and surely it is *within the bounds of probability* that the statements of the abbot at the trial are mythical. He spoke not of course from his own personal knowledge, but derived his information from some ancient writings he had seen.

Who shall say, after the lapse of so many centuries, whether these ancient writings were authentic, or in fact whether they ever existed?

At a very early period we find two distinct branches of the Grosvenor family in Cheshire; one seated at Budworth, and the other at Hulme; but the precise point of connection has never been satisfactorily ascertained.

That even so late as the fourteenth century they occupied no very brilliant or exalted position, may be inferred from the several depositions of the witnesses at the great trial: for the very existence of Sir Robert or his family is ignored by some of Scrope's witnesses; and, if one may judge from the evidence of Sir Matthew Redman, their importance in that county was acquired through Sir Robert's marriage with Pulford's heiress. Again, Lord Grey de Ruthin declared that he knew nothing whatever of the family except that he once purchased a black mare from "one Emma Grosvenor."

Besides Mr. Morris's pedigree I forward another, compiled before I either saw his manuscripts or Mr. Eyton's work, from manuscript sources and from genealogical works of repute. It is interesting, as shewing how one may be misled by exclusively trusting to Heralds' Visitations, or rather to such copies with additions as are to be found among the Harleian and other col-

lections at the British Museum. Moreover, as it contains some particulars of other families connected with the Grosvenors, it may on this account be deemed worthy of preservation in *The Herald and Genealogist*. Before concluding these introductory remarks, I may mention that I have a third version of the pedigree of the Grosvenors of Dallicott and Upper Grosvenor, a marvellous compound of fact and fiction, the composition of a genealogist *by profession*, one of that class who for a—not always *trifling*—consideration supply ambitious parvenus with arms and ancestors.

In this document the earlier generations down to Sir Thomas who married Phesant's heir are faithfully transcribed from the peerages, &c. but his third son Thomas, from whom by Isabella Peshull his wife came the Grosvenors of Bellaport, is here supplied with a second wife, "Elizabeth daughter of Lionel Lord of Perton," and is made the father of William of Broughton with whom Shaw's pedigree commences. Shaw's account is then followed for three generations, but with sundry improvements; for instance his "Margaret fil. et hæ. . . . Smith de Pen" is magnified into the "daughter and heiress of Humphrey Smith, esq. of the Hilton family, and Margaret Leveson his wife;" the fair daughter and coheir of John Wells alias Clarke, (Shaw says, "Jocosa fil. et hæ. Clarke de Tetnul,") becomes "Joice daughter and heir of *Richard* Clarke, Esq. of Tettenhall, and Joice Perton his wife."

The Dallicott branch is made to spring from "Richard Grosvenor of Farcote and Upper Grosvenor" (son of Walter by Joice Fowke; poor *Jonas* is ignored altogether,) whose son William "of Heathton *jure uxoris*" (Elizabeth daughter of the Rev. Anthony Hardwicke of Bobbington) was father of "William Grosvenor born 1595, of Heathton, Upper Grosvenor, and Dallicott." This worthy married, according to this veracious document, "Margaret born 1597 daughter of John Perton, Esq. by Joan daughter and coheir of Walter Littleton of Eccleshall," and had a son William, who by his wife "Elizabeth daughter of Hugh Wrottesley Hardwicke, Esq. (by Margaret Mytton Blakemore his wife), and sister to Wm. Hardwicke, Esq. born 1629," was father

of William Grosvenor of Dallicott, "born 1660," who married Sarah Bradney, "born 1663," and had issue Sarah "born 1684," wife of Edward Smith "born 1680"; and so it emerges from the land of fable, and continues pretty correctly through Wilkes and Grazebrook to Kettle, except that the dates of the births are not quite right, the husbands being always a few years older than their wives.

I regret to say that I have seen several pedigrees emanating from the same source.

H. S. G.

ARMORIAL NOTES.

The armorial bearings of Grosvenor of Bushbury were, Azure, a garb or between three bezants. Crest: A talbot or, collared gules.

In the Harl. MS. 6128 (Stafford Visitation of 1583, with additions, &c.) the coat is tricked with two bezants only, and is quartered with three other coats, viz.—2. Sable, a buck's head cabossed or, between the attires a plate (Wells *alias* Clarke); 3. Argent, a bend sable between three mullets gules (Clayton); 4. Argent, on a fesse cotised sable three escallops of the first (Byshbury).

The shield of Gawen Grosvenor of Sutton Coldfield, in the Warwickshire Visitation of 1619 (Harl. MS. 1167) is, Quarterly of eight: 1. Grosvenor, with three bezants; 2. Sable, a cross patonce or (Pulford); 3. Azure, three pheasants or (Phesant); 4. Vert, fretty or (Whitmore); 5. Gules, two bars argent, in chief three cinquefoils of the same. . . .¹; 6. Vaire, a canton gules . . . ; 7. Clayton; and 8. Bushbury. Crest, as above.

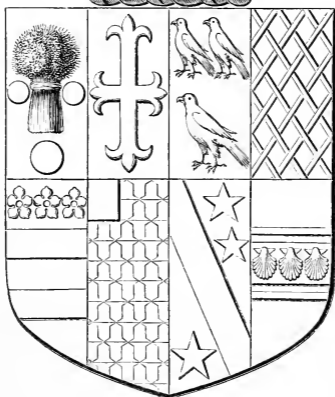
In the Harl. MS. 1072 four coats of Grosvenor are given, viz.: "Gravenor of Bushbury, com. Staff. 1583. Azure, a garb or between three bezants.

Gravenor in com. Chester. The same.

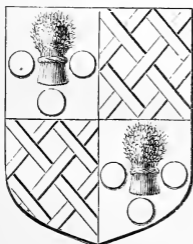
Gravenor. . . . Azure, a garb and chief or.

Gravenor de com. Ley'te. Azure, a fesse between three garbs or, banded gules.

¹ Argent, two bars gules, in chief three cinquefoils argent, was borne by a family of Smith; see Harl. MS. 3526. This may therefore be intended for Scar-Smith.



GROSVENOR OF SUTTON COLDFIELD.
(Harl. MS. 1167.)



GROSVENOR OF WADE'S MILL.
(Herts, Visitation.)



GROSVENOR OF LONDON.
(Harl. MS. 1476.)

Symonds (Diary printed for the Camden Society, p. 169) tells us that on Friday, 16th May 1645, the King lay at Bushbury, "a private sweete village, where 'Squire Gravenor,' as they call him, lives; which name," he adds, "hath continued here 120 years; before him lived Bisbury of Bisbury." He then tricks a shield, which, he says, "is in the parlor of this Grosvenour's howse at Bushbury, in glasse—old." This is a shield having Bushbury's arms in chief, and in base quarterly:—1. Azure, a garb or between three bezants; 2. Argent, a lion rampant sable; 3. Argent, a chevron between three leopard's heads sable; 4. Azure, a bend and in the sinister chief a buck's head cabossed or.

Burke (*General Armory*) gives nine coats to the name of Grosvenor, viz. :—

1. The Marquis of Westminster, Azure, a garb or.

2. G. of Cheshire: Quarterly argent and sable, a cross flory counterchanged. This is the coat of Eaton of Eaton, quartered by the Marquis of Westminster.

3. G. of Dorsetshire: Azure, a garb or. Crest, A horse courant saddled and bridled, all proper.

4. G. of Leek, Staffordshire: Paly of ten gules and or, a cross moline of the last between four crows sable. Of this family there are several detached notices in Mr. Sleigh's *History of Leek*. Temp. Henry VIII. Richard Grosvenor and Thomas his son were lessees of Pulton. In 1722 the market tolls of Leek were conveyed to William Grosvenor, M.D.¹ and they have been "recently sold by the widow of his descendant to the Town Commissioners." (Sleigh, p. 27.) In 1741 William Grosvenor, gent. gave the interest of 20*l.* to the poor of Leek. In 1743 William Condiffe married Catherine daughter of William Grosvenor of Leek; and on 15th December 1790, Sarah, relict of Joshua Grosvenor, Esq. was buried at Leek.

5. G. of Staffordshire: Gules, a bend or within a bordure ermine. If the field were azure this would be the coat allowed to Sir Robert Grosvenor, but which he did not adopt; indeed, he could not legally adopt it, for, on his appeal to the King from the adverse decision of the Court of Chivalry, it was determined that, with respect to the arms, *Azure, a bend or within a bordure*, which had been conceded to him by the constable, "considering that such a bordure is not a suffi-

¹ The only Grosvenor in Dr. Munk's *Roll of the College of Physicians* is a William Grosvenor, of Bewdley, in Worcestershire, who was admitted an extra licentiate of the College 8 Aug. 1770.

cient difference between two strangers in the same kingdom, but only between cousin and cousin related by blood," the ordination of the constable of the said arms to Grosvenor was annulled. (See *The Quarterly Review*, vol. lvi. p. 29, and *The Herald and Genealogist*, vol. i. p. 399.)

6. G. (no place nor county): Sable, a cross patonce argent. This is the coat of Pulford.

7. Grosvenour of Staffordshire: Argent, a bend sable between three mullets gules. This is the coat of Clayton quartered by G. of Bushbury.

8. Grosvenour. . . . Azure, a garb or between three bezants.

9. Grosvenour. . . . Azure, a garb or, banded gules, between two bezants.

Edmondson gives to "Grosvenor of Bishbury in Staffordshire" the undifferenced coat of the Marquess of Westminster; and to "Grosvenor of Staffordshire, Warwickshire, and of Wade's Mill in Herts," the coat with three bezants.

The name of *Gravenor* does not occur in either of these works; but Berry (*Encyclopedia Heraldica*) ascribes several coats to the name, all variations of the Grosvenor coat, and to Gravenor of Staffordshire he assigns the garb and three bezants.

In the *Gentleman's Magazine*, Oct. 1865, p. 528, is the following obituary notice:—

"At Stainton by Tickhill, co. York, aged 64, Mr. Richard Gravenor. Mr. Gravenor was a member of an old family long settled at Messingham, co. Lincoln. Arms: Azure, within a bordure argent a garb or."

Godard Gravenor of Messingham, in com. Lincoln, married Anne daughter of Edward Lindsay of Buckstede; see Visitation of Sussex, anno 1633-4. (Harl. MS. 6164.) I have no further particulars of this family.



PEDIGREE OF GROSVENOR OF BUSHBURY, &c., FROM THE HERALDS' VISITATIONS, &c. HARL. MSS. 1,100, 1,167, 1,439, 6,128, 1,504, 1,476, 6,147, 1,433, 1,570, &c. &c.

Sir Robert le Grosvenor, Lord of Hulme, co. Chester, who had the famous suit with Scrope, married first, Joan daughter of Sir John D'Anyers or Daniel, of Tabley, co. Chester, knt. by whom he had no issue; and secondly, Joan, Jane, or Jocelyne, daughter and eventual heiress of Sir Robert de Pulford of Pulford, knt., and, dying in 1396, was succeeded by his son

Sir Thomas Grosvenor of Hulme, &c. knt. living 10 Hen. V. He married Katherine daughter and heiress of Sir William Phesant, knt. of the county of Stafford, and by her, who married secondly Thomas de la Roche, had issue:—

1. Sir Robert of Hulme, who married and had female issue only.

2. Rawlings *vel* Rad'us Grosvenor, who by Joan his wife, daughter and heiress of John Eaton of Eaton, co. Chester, was ancestor to the Grosvenors of Eaton, now represented by the Marquess of Westminster.

3. Thomas Grosvenor of Drayton, ancestor of the Grosvenors of Bellaport, Ongar's Heath, &c.

4. Randall or Richard Grosvenor, whose son, John Grosvenor, married the daughter and heiress of Whitmore of Staffordshire (Vert, fretty or), and was father of William Grosvenor of Whitmore.¹ He married Margaret daughter and one of the heirs of Richard Scarsmith,² and had issue:—

1. John, who had William, who had Nicholas, who had Richard.

2. Humphrey Grosvenor³ of Farcote, in Shropshire, of whom presently.

3. William Grosvenor of Enville, Staffordshire, who, according to Harl. MS. 1439, had a son, William "Gravenor," whose son John was

¹ In Harl. MS. 1439 this William is styled "of Eaton." Huntbach says "de Broughton, co. Salop."

² Huntbach's pedigree has "fil et hæ Smith de Pen." Richard "Schare-smith de Penne" is witness to a deed of about Henry the Sixth's time, whereby John Dudley of Sedgley, Esq. grants certain lands in Penn to John Bache in exchange for other lands (cited in Shaw's *Staffordshire*, vol. ii. p. 221*).

³ In the Herts Visitation Humphrey is called son and heir, and John second son.

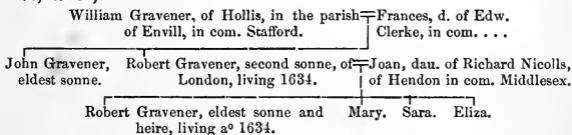
the father of—1. Edward Gravenor¹ of Enville²; 2. Robert Grosvenor of Wade's Mill, Herts (who married Elizabeth daughter of Farnfold of Sussex, and had issue Jane, Elizabeth, and Mary); and, 3. William Grosvenor. Edward Gravenor was of the Hollies, in the parish of Enville. He married Eleanor daughter and co-heiress of Richard Jonnes of Dudley by Clare his wife, daughter and co-heiress of Cornes Colborne, or Colbrand, an ancient Staffordshire family, originally of Colbrand Hall, Tipton,³ and had issue a son,

John Gravenor or Grosvenor, of the Hollies, who married Jane, daughter of Edward Jorden⁴ of Dunsley, and had issue :

¹ An Edward Gravenor in 1654 left 5*l.* to be paid by the trustees of his property of Swindon half-yearly to a schoolmaster at Enville who should teach six boys, being poor men's children, to read.

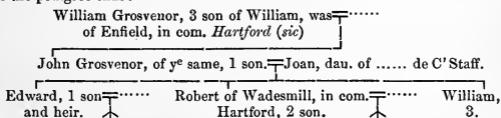
Edward Gravenor also left 10*l.* the interest whereof was to be drawn from the rent of his house at the Hollies to be given to forty poor people in threepences.

The following pedigree is entered in the Visitation of London, 1633-4 (Harl. MS. 1476, fo. 250).



Arms: Azure, a garb or between two bezants in fesse.

² The Herts Visitation (Harl. MSS. 1504 and 1546) omits the second William, and gives the pedigree thus :



³ A branch of this family was seated in Leicestershire, and the pedigree was entered in the visitation of that county in 1619. See Nichols, iv. 394. Colborne bore, Argent, a chevron between three bugle-horns sable.

⁴ Jorden of Dunsley in Kinver parish, where this family was seated at a very early period. Its arms, Sable, an eagle displayed in bend between two cotices argent, a canton sinister or, appear on a seal to a deed of 1696 relating to Kinver attested by Francis and Edward Jorden; and the same coat is engraved in the margin of Plot's Map of Staffordshire with a reference to Dunsley. Thomas Jorden in 1595 gave 50*l.* per annum for charitable purposes charged upon a farm at High Grove in the parish of Kinver. The Jordens were subsequently of Prior's Lee in Shropshire; and Sarah, only child of Edward Jorden, Esq. of that place, married Humphrey Pitt, whose daughter and

1. Edward, aged 22 in 1614;
2. William;
3. John;
4. Richard; and

I. Jane, married to Henry Dyson¹ of Inkberrow, co. Worcester.

4. Rowland Grosvenor, who had two sons, Richard and William, both of whom died s. p. and a daughter, Anne,² heiress to her brother, married to Richard Jenks, whose daughter and heiress Margaret married Humphrey Wightwick, Esq.

I. Elizabeth, wife of . . . Jenkins.

The second son (in Harl. MS. 1,504 he is called eldest son), Humphrey Grosvenor, was of Farncote or Farmcote in Shropshire; he married Joyce,³ daughter and co-heiress of John Wells *alias*

coheiress Martha married in 1761 Plowden Slaney, Esq. of Hatton Grange. "The accidental possession by this Edward Jordan (says Blakeway) of an apparently worthless collection of old ballads, and his gift of it to an ingenious and aspiring young clergyman (Percy) of ancient lineage, but humble condition, led to a publication which more than most others influenced the public mind to a love of our early poetry, and eventually placed its author upon the episcopal bench." Of this family also was Thomas (son of John) Jordan, of London, merchant, who died about 1672 leaving by his wife, Catherine Whittell, a daughter and, I think, coheiress Abigail, who married Sir Godfrey Webster, Knt. and was ancestress of the baronetical family of Webster. This Thomas had considerable property at Oldswinford, co. Worcester, and Alveley, Salop. The same arms were borne by a family of Jordan seated at Aldridge in Staffordshire, whose pedigree is given in Shaw, ii. p. 107.

¹ In the Harl. MS. 1566 Mrs. Dyson is called daughter of "William Grosvenor of Hollis." They had issue Henry Dyson, aged 8 in 1630, Jane, Tabitha, Edward, and Elizabeth. Arms: Azure, the sun half eclipsed, *i.e.* per pale wavy sable and or. Crest, On a mount vert a paschal lamb. Motto, *Mortale non opto.* (Harl. MS. 1566, 5814, &c.)

The Dysons subsequently resided at the Hollies. Grosvenor Dyson was High Sheriff of Staffordshire in 4 Will. III. and Gravenor Dyson, gent. was a subscriber to Plot's *Natural History of Staffordshire* published in 1686. The arms of Dyson as above described are engraved in the margin of the map in that work with a reference to the Hollies. This mansion was subsequently occupied by the Hale family who were of Compton in Plot's time. It is now the property of the Earl of Stamford and Warrington, and is occupied by a substantial farmer.

² The Harl. MS. 1504 states that Richard Grosvenor had a son William, so that Elizabeth the wife of Jenkes was not, according to this authority, an heiress unless William her nephew died issueless. The statement in the text is, however, confirmed by the Wightwick pedigree (Shaw, ii. 201), wherein the wife of Humphrey Wightwick is stated to have been "Margaret fil. et. h. Jenks, ejus ux. erat fil. et hæres. . . Grosvenor in com. Salop."

³ The following pedigree is extracted from Harl. MS. 6128, fo. 25 b. (Visitation of Staffordshire, 1583, with additions, &c.)

Clarke¹ of Tipton, in Staffordshire, near Dudley (by Alice his wife, daughter and heiress of Roger Roberts of Tettenhall), and had issue :

1. John Grosvenor, of whom presently.

2. Humphrey Grosvenor.

3. Richard Grosvenor, "Clericus."

I. Isabella, wife of Oliver Whorwood.

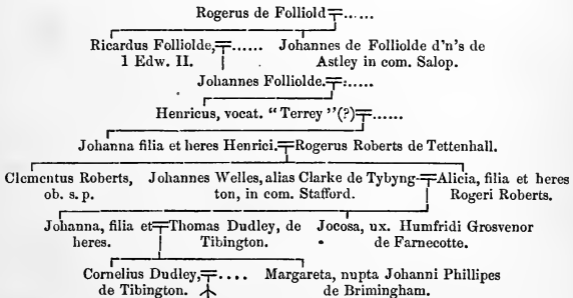
II. Margaret, married to Thomas Brook of Chorley.

III. Joan, wife of Robert Collard of Feckenham, co. Worcester.

The eldest son, John Grosvenor, married Rose, daughter and co-heiress of John Clayton of Harwood Parva, co. Lancaster, by Rose his wife, daughter and heiress of Richard Bushbury of Bushbury, in whose right he became possessed of the lordship of Bushbury, near Wolverhampton. He was a justice of the peace and "coram" for Staffordshire, and by Rose his wife he had issue :

1. Walter of Bushbury, who succeeded.

2. Henry, who married Alice daughter of Robert Whitgreave of Burton, and died s.p.



A family of Filioll bore, Vaire, a canton gules, which coat was quartered by Gawen Grosvenor of Sutton Coldfield; but, on referring to the Shropshire Visitations of 1584 and 1623, I find the Filylode family of Alveley, one of whom married an heiress of Astley of Astley, bore, Argent, three leopard's heads, two and one, sable, in chief a lion passant guardant gules, and the pedigree there given differs from the above. It shows the marriage of Giles Filylode with the daughter and heir of John Astley of Astley, the son of which match, Giles of Alveley, had two daughters and coheirs: Katharine wife of Richard Blyke, from whom the Blykes of Astley; and Elizabeth, who married Thomas Corbyn, whose daughter and heir Elizabeth was married to John Lutteley of Lutteley, and was ancestress to the Barneby-Lutteleys of Brookhampton, co. Hereford. (See also Dugdale's Warwickshire, p. 455, ed. 1765.)

¹ Ped. in Shaw, "Joyce d. of ... Clarke of Tettenhall."

3, 4, 5. John, James, and Richard (died s. p.).

I. Elizabeth, married to Thomas Newman of Handsworth, near Birmingham.

Walter Grosvenor of Bushbury, living 1583 (in some pedigrees called William), succeeded his father at Bushbury; he married Joyce, daughter of Roger¹ Fowke (in MSS called John Fowke) of Gunston, and had issue:

1. Jonas his successor.

2. Gawen Grosvenor of Sutton Coldfield, co. Warwick, attorney in the Star Chamber, aged 53 in 1619, married Dorothy daughter of George Pudsey of Langley, in the county of Warwick, Esq. and had issue, living at the Warwickshire Visitation of 1619:

Fulke,² aged 17.

Job, aged 13, "non compos mentis."

Gawen; and two daughters, Winifred³ and Catherine.

3. Walter Grosvenor married Anne daughter of Humphrey Hill of Hilton, co. Stafford.

4. Joseph }
5. Solomon } s. p.

I. Gertrude, wife of . . . Wright.

II. Sarah, married, first, to Hugh Whitbrook, secondly, . . . Lilly.

III. Hester, wife of Hugh Ower or Over of London.

IV. Venus, wife of Thomas Franke of Essex.

Jonas Grosvenor of Bushbury, Esq. (the eldest son), living 1612, 1614, and 1619, by his wife Elizabeth daughter of Humphrey Cotton, Esq. had issue:

1. Walter Grosvenor of Bushbury, aged 30 in 1614.

2. Thomas.

3. Edward.

¹ According to the Fowke pedigree in Shaw, vol. ii. p. 60, Roger Fowke of Gunston had five daughters and coheirresses; of whom Joyce, the third, was married first to William Grosvenor and secondly to Richard Cresswell. Arms: Vert, a fleur-de-lis argent; quartering, Azure, a fesse wavy between six dolphins argent, for Newman.

²

Fowk Grosvenor of Sutton

Gawen. Olive, bap. at "Corsh." with her cousin "Walter Grosvenor, son of Walter," being born at Gunston, April 9, 1639.

MS. additions to the British Museum copy of Shaw's Staffordshire, by S. P. Wolferstan.

³ Thomas Corbyn of Corbyn's Hall, Kingswinford, Staffordshire, married in 1620 Winifred daughter of Gawen Grosvenor, Esq. (Shaw, Ped. of Corbyn.)

I. Joyce, married to Edward James¹ of Rowley.

II. Dorothy, wife of Humphrey Ashley of Church Eaton.

The eldest son, Walter Grosvenor, Esq. married, first, Eleanor daughter of John Bradshaw of Burton, and, secondly, Judith daughter of Sir Thomas Vernon. By his first wife he had issue :

Walter his successor.

Jonas.

Francis, ob. s.p.

Elizabeth.

Walter Grosvenor of Bushbury, Esq. married Elizabeth daughter of Sherrington Talbot, Esq.² and died in 1692, leaving issue :

Jonas, of whom presently.

Walter.

William.

Richard.

Sherrington.

Jonas Grosvenor married Anne daughter of John Shelbury of St. Clement's Danes in Middlesex, gent. and died in 1698, having had issue, according to the Visitation of Middlesex, in 1663 :

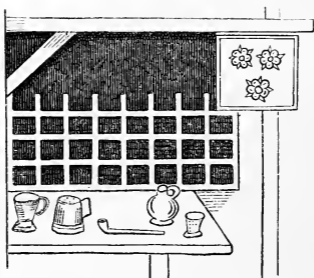
Jonas, Henry, and Anne, then (1663) an infant.

Shaw's pedigree gives five children, all of whom died issueless, viz. : Jonas, d. 1705 ; Archibald, who married Frances Hale ; John ; Sherrington ; and Richard.

¹ Edward James, of Rowley, co. Staff. was the son of Walter James of Arley by Martha daughter of John Talbot of Bashall. Walter's brother Henry James was of Fairfield Court (anciently called Forfield and Foxley) in Bell-Broughton parish. He married Bridget daughter of Roger Lyttelton of Groveley, and had four daughters and coheiresses : Elizabeth, wife of Humphrey Perrott of Bell Hall ; Dorothy, wife of Henry Greswolde of Yardley ; Anne, wife of Thomas Rudyerd ; and Martha, married to John Perrott of Worcestershire. (Harl. MS. 6128.) Of the Perrotts of Bell Hall some particulars are given in Mr. Barnwell's recently printed "Perrott Notes," to which the above may be added.

² Sherrington Talbot, of Salwarp, co. Worcester, had by Elizabeth his wife, daughter and coheir of Sir Thomas Leighton of Feckenham (with others), two daughters, Elizabeth married to Walter Grosvenor, and Mary, who also married a Mr. Grosvenor.

HOUSE-SIGNS AND HERALDRY.



THE HISTORY OF SIGNBOARDS, from the Earliest Times to the Present Day. By JACOB LARWOOD and JOHN CAMDEN HOTTEN. With One hundred Illustrations in facsimile by J. Larwood. London: John Camden Hotten, Piccadilly. 1866. 12mo. pp. x. 536.

The signs which still linger about our inns and public houses, — and in some rare instances upon other ancient seats of business, as honourable testimonies of perpetuated and permanent success, are now become not unlike the relics of an obsolete and almost disused language, which was once generally current and universal. Until the numbering of houses in each street had been adopted, — less than a century ago,¹ — signs were necessary and indispensable. Every house had its individual name²: a name derived from

¹ So early as 1512 a commencement of numbering had been made at Paris, when sixty-eight new houses were built on the Pont Notre Dame: yet more than two centuries elapsed before the numerical arrangement was generally adopted in that city. In Hatton's *New View of London*, 1708, it is remarked of Prescott Street, Goodman's Fields, that "instead of signs the houses are distinguished by numbers, as the staircases in the Inns of Court and Chancery." In 1761, by an act of the police, the streets of Paris were cleared of the sign-posts and sign-irons, and all signs were ordered to be fixed to the walls of the houses, and not to project more than four inches. The example was soon after followed in London, but, as the parishes acted individually, the revolution was not completed throughout our metropolis until 1770.

² In large inns each chamber was named after its own sign, so entirely did the pictorial symbol take the place of numbering.

some symbolic object which was presented in a tangible or pictorial shape to the eye of the illiterate as well as the learned. In this respect the devices of sign-boards were much akin to those of Armory, and the more we pursue this inquiry the more we shall find the frequent connection and relationship between these two systems of symbols.

The soldier recognised his captain by the one, and his quarters by the other. The hostelry has continued to boast the patronage of the chieftain, whether military or territorial, and to bear testimony to his celebrity by displaying sometimes his "Head" or portraiture, but more frequently his "Arms," his Crest, or his Cognisance, as its sign and designation. The signs in their turn have had a great influence upon local nomenclature. In the preface of the volume before us we are told that "the names of hundreds of streets in the metropolis derive their titles from taverns or public-houses in the immediate neighbourhood." Sometimes a tavern or place of entertainment has even given name to an important district, as in the case of Pimlico.

In these respects the history of signboards is connected at every step with personal and local history; and the amount of biographical and topographical anecdote embraced by it is inexhaustible. The authors of the work before us have worked in this abundant field with spirit and industry, and have filled to very good effect, with sound as well as entertaining information, the pages of their compact but copious volume.

Harrison in his *Description of England*, written about the year 1585, when speaking of our "great and sumptuous innes," remarks that

It is a world to see how eche owner of them contendeth with other for goodness of interteinment of their ghests, as about finenesse and change of linen, furniture of bedding, beautie of roomes, service at the table, costlinesse of plate, strength of drinke, varietie of wines, or well using of horssees. Finallie, there is not so much omitted among them as the gorgeousnesse of their verie signes at their doores, wherein some doo consume thirtie or fortie poundes, a meere vanitie in mine opinion, but so vaine will they needs be, and that not onelie to give some outward token of the inne-keeper's welth, but also to procure good ghests to the frequenting of their houses, in hope there to be well used.

The same characteristic was still prevalent in England in the first half of the last century, as we read in the work of the French traveller Misson, who visited England in 1719:—

By a decree of the police the signs in Paris must be small, and not too far advanced from the houses. At London they are commonly very large, and jut out so far that in some narrow streets they touch one another; nay, and run across almost quite to the other side. They are generally adorned with carving and gilding, and there are several that, with the branches of iron which support them, cost above a hundred guineas.

And again another Frenchman, M. Grosley, so late as 1765, makes the following observations:—

I saw nothing remarkable [at Dover, as soon as he landed] but the enormous size of the public-house signs, the ridiculous magnificence of the ornaments with which they are overcharged, the height of a sort of triumphal arches that support them, and most of which cross the streets.

One who walked through London in the reign of James I. took notes of all the inns and taverns in his path, and it is remarkable how many of them are of heraldic derivation:

On the way from Whitehall to Charing Cross we pass: the White Hart, the Red Lion, the Mairmaide, iij. Tuns, Salutation, the Graihound, the Bell, the Golden Lyon. In sight of Charing Crosse, the Checker¹, the Swan,¹ the Bear and Ragged Staffe, the Angel, the King Harry Head. Then, from Charing Cross towards the Cittie: another White Hart, the Eagle and Child, the Helmet, the Swan, the Bell, King Harry Head, the Flower-de-Luce, Angel, the Holy Lambe, the Bear and Harroe, the Plough, the Shippe, the Black Bell, another King Harry Head, the Bull Head, the Golden Bull (a sixpenny ordinarye), another Flower-de-Luce, the Red Lyon, the Horns, the White Horse, the Prince's Arms, Bell Savadge's Inn, the S. John the Baptist, the Talbot, the Shipp of War, the S. Dunstan, the Hercules or the Owld Man Tavern, the Mitar, another iij. Tunnes Inn, and a iij. Tunnes Tavern, and a Graihound, another Mitar, another King Harry Head, iij. Tunnes, and the iij. Cranes. (Harl. MS. 6850, fol. 31.)

¹ We have corrected these two names from the MS. In the book before us they are printed as the Garter and the Crown. [EDIT. H. & G.]

All animals distinguished by their colours, many of which still remain at our inns, and now appear monstrous and unnatural to the uninformed, may be set down as heraldic. The *Greyhound*, like the *Golden Lion*, was one of the royal beasts of our Tudor sovereigns. The *White Horse* was the badge of the Earls of Arundel. The *Bear and Ragged Staff* was the well-known badge of the brother Earls of Warwick and Leicester; and the *Eagle and Child* of the Earl of Derby. In the year 1864 there were still in London 9 Greyhounds, 15 Golden Lions, and 44 White Horses. There is still a Bear and Ragged Staff at Cumnor in Oxfordshire, where the Lady Robert Dudley (Amy Robsart) met her untimely death. At Chester this sign has been altered into the Bear and Billet. Our authors do not tell us where any Eagle and Child remains; but they say (p. 138) that it was occasionally called the Bird and Bantling, for the sake of alliteration. The Eagle and Child was the sign of Thomas Creede, a bookseller, in the Old Exchange at London, in 1584; and in 1630, Taylor, the Water Poet, was made particularly happy at an Eagle and Child in Manchester. But we will transcribe at length a collection of Heraldic signs made by Bagford,¹ among his MSS. on the history of printing:—

Then for the original of Signs used to be set over the doors of tradesmen, as Innkeepers, Taverners, &c. they having been domestic servants to some nobleman, on leaving their master's service took to themselves for their signs the crest, badge, or arms of their lord, and this was a distinction or mark of one man's house from another. . . .

The Antelope was the badge of King Henry the Eighth, as well as the Portcullis and the Rose and Crown.

Anchor, Gold, the Lord of Lincoln and the Lord High Admiral.

Bull, Black, with gold horns, the House of Clarence.

Bull, Dun, the Lords Neville, Westmerland, Bergavenny, Latimer, and Southampton.

Boar, White, the Lord Windsor; Blue, with a mullet, the Earl of Oxford.

Bucket and Chain, the Lord Welles.

¹ Our authors have printed this list "in all the unrestrained freedom of Bagford's spelling;" but as that answers no good purpose, and certainly does not add to its lucidity, we take the opposite course.

Bear and Ragged Staff, the Earl of Leicester.

Bear, Black, the Earl of Warwick.

Bear, White, the Earl of Kent.

Bear's head muzzled, the Lord Morley.

Roebuck, the Lord Montague.

Bull's head erased, White, the Lord Wharton; Red, the Lord Ogle.

Crescent, or half-moon, the Earl of Northumberland, and the Temporality.

Condy (?) Black, the Lord Bray.

Cat, the Lord Eure.

Cat of Mountain and Leopard, Marquis of Worcester and the Lord Buckhurst.

Crosses and Mitres, and Cross Keys, Archbishops, Bishops, and Abbots.

Cardinal's Caps or Hats. You have not many of these; they were set up by some that had been servants to Thomas Wolsey.

Dragon, Black, Wiltshire and Clifford; Red, Cumberland; Green, the Earl of Pembroke.

Eagle, the Earl of Cambridge (?).

Eagle and Child, the Earl of Derby.

Eagle, Black, the Lord Norris.

Eagle, Spread, the Emperor.

Elephant, Sir Francis Knowles (Henry Wyke, a printer, living in Fleet Street, 1570, servant to Sir Francis Knowles, gave the Elephant for his sign); and likewise it was the badge of the Lord Beaumont and the Lord Sandes.

Phoenix, the Lord Hertford.

Fox, Red, Gloucester, and the Bishop of Winchester.

Falcon, the Marquis of Winchester; armed and collared, the Lord St. John and Lord Zouche.

Gripe's Foot, the Lord Stanley.¹

Goat, the Earl of Bedford.

Greyhound, the Lord Clinton; White, Drury; Greyhound's head, the Lord Rich.

Griffin, the Lord Wentworth.

¹ The "gripe" was the medieval name of the griffin; but the badge of Stanley was an eagle's foot, erased at the thigh, or. (*Collectanea Topogr. et Geneal.* iii. 66; *Excerpta Historica*, p. 332.) This badge is still to be seen in bas-relief in the court-yard of the College of Arms, once the town mansion of the Earls of Derby.



EAGLE AND CHILD.



BOAR.



HEDGEHOG.



BOLT IN TUN.



SWAN WITH TWO NECKS.



BULL'S HEAD.

Harp, for Ireland.

Hedgehog, Sir Henry Sidney. William Seeres was his printer.

Hind, Sir Christopher Hatton. Henry Benyman his printer.

Lock, the House of Suffolk. Such a sign without Temple Bar.

Lion, Blue, Denmark; Red, rampant, Scotland.

Lion, White, passant, the Earl of March; rampant, Norfolk and all the Howards.

Maidenhead, the Duke of Buckingham.

Portcullis, the Earl of Somerset; Wales; and the Lord of Worcester.

The Pye, the Lord Rivers.

Pelican, the Lord Cromwell.

Peacock, the Earl of Rutland.

Plume of Feathers, the Earl of Lincoln; Azure, the Lord Scrope.

Raven, White, the Earl of Cumberland; Black, the King of Scots.

Swan, the Duke of Buckingham, Gloucester, Hertford, Hunsdon, Stafford.

Sun, the Spirituality; the Lords Willoughby and York.

Staff, White, Ragged, Warwick; Black, Kent.

Star, the Earl of Sussex, and the Lord Fitzwalter.

Saracen's head, the Lord Audley and the Lord Cobham.

Talbot, the Earl of Shrewsbury and the Lord Montague.

Tiger's Head, Sir Francis Walsingham.

Wheatsheaf, the Earl of Exeter, the Lord Burghley, &c.

Ape, clogged, the House of Suffolk.

Butterfly, White, the Lord Audley.

Camel, the Earl of Worcester.

The three Fleur de Luces, the King of France.

Fool's head, the Earl of Bath.

Hart, White, King Richard the Second, and Sir Walter Rawley.

Horse, White, the Earl of Arundel.

Horns, Two, of silver, the Lord Cheyne.

Millsail, of Windmill, the Lord Willoughby.

Rose in the Sun-beams, the Lord Warden of the Cinque Ports.

Spearhead, Pembroke.

Unicorn, White, the Lord Windsor.

We shall not be far wrong if we come to the conclusion that the majority of house-signs in ancient times were heraldic, or akin to what we now call heraldry: whilst another large division

had reference to the Saints and their symbols. The former class were usually the Badges or Cognisances of great families,—not armorial shields, until later times. The “Arms,” which are now so common for the signs of public houses, scarcely occur before the seventeenth century; and when arms were first taken for signs, they generally acquired a popular name descriptive of the objects represented, and were not called as now by the names of the persons or communities to whom the arms belonged. Several examples of this will occur in the particulars which follow.

In the history of signs there is nothing more remarkable than the long endurance and great prevalence of the *White Hart*, which was the livery badge of King Richard the Second. In 1864 there still remained in London 63 White Harts, the very same number as there were of King's Heads; whilst there were 89 King's Arms, and 61 Crowns, attesting, as do many other signs, to our national loyalty. There is something decidedly elegant in the White Hart, as he sits couched, or lodged, with a crown of gold about his neck, and a chain of gold hanging thereto; but we think that in great measure to a lingering affection, mixed with pity, for the dethroned sovereign,—in other words, to party feelings resembling those which subsequently actuated the Jacobites, may be attributed the continued maintenance of this sign. It was at the White Hart in the borough of Southwark that the rebel Jack Cade established his headquarters in the year 1450; and beheaded in its courtyard “one Hawardyne of Saint Martin's.” The White Hart in Bishopsgate has the date 1480 on its front: and a White Hart in the Strand is believed to have given name to Hart Street, as well as White Hart Yard. The White Hart at Scole in Norfolk had the most sumptuous signboard of any inn in England; it was decorated in carving and painting with the armorial insignia of the neighbouring nobility and gentry, and a copy of the curious print that represents it would have been a desirable frontispiece for the volume before us.

The *Swan* was a favourite heraldic bird, and when, like the White Hart, or the Unicorn, it is gorged with a coronet or collar, it may certainly be regarded in that light. So early as

the days of Edward III. "the White Swan" occurs as an emblem in a royal tournament. It became the well-known cognisance of the Bohuns, and was thence adopted by their royal heirs, King Henry the Fourth, and Thomas of Woodstock, Duke of Gloucester; the latter of whom the poet Gower designates as "Cignus de corde benignus"

The *Swan with Two Necks* has been interpreted somewhat too ingeniously, as the Swan having two *nicks*, by way of mark, on his bill; but it seems more probable that the name arose from a popular misinterpretation of a signboard which represented two swans swimming together.

The Black Prince, in 1375, bequeathed to his son Richard his hangings for a hall, embroidered with mermen, and a border of red and black empaled, embroidered with swans having ladies' heads. This appears suggestive of the *Swan and Maidenhead* at Stratford-upon-Avon: but the *Maidenhead* alone was simply the head of the Virgin, which formed the armorial coat¹ of the Company of Mercers. It occurs in 1509 as the sign of Richard Fox, a printer, on the title-page of *Salus Corporis, Salus Animæ*;² and Thomas Petit, another printer, lived in 1541 at (probably the same) "Maydens head in Paulis churchyard."

Richard the Third made the *White Boar* his distinguishing badge; and this, in its turn, became popular for a sign. In 1542 a White Boar was the sign of John Mayler, a printer, in Botolph Lane, in London. It is imagined that "after Richard's defeat and death, the White Boars were changed into Blue Boars," (p. 116), and that this was particularly the case at Leicester, at the house in which King Richard slept the night before the fatal field of Bosworth; but we do not give credit to this notion, for why should not that house have been the *Blue Boar* before, since the Boar of his father, the Duke of York, was of that colour? Besides, the crest of the Earls of Oxford, canting on their name Vere (*quasi verres*), was a Blue Boar.

The *Antelope* of the House of Lancaster seems to be now extinct in the metropolis, though we read of one in West Smith-

¹ Not their "crest," as stated in p. 141 of the volume before us.

² Impressum est presens opusculum Londiniis in Divi Pauli cemeterio sub Virginei Capitulis signo, Anno millesimo quingentesimo nono.

field in the year 1664, and one remaining in White Hart Yard, Covent Garden, in 1797.

There were still fifteen *Green Dragons* in 1864; but the Red Dragons and White Dragons had then died off.

The old royal badge of the *Rose and Crown* is now the sign of forty-eight public-houses in London. Some landlords of Scottish origin have adopted the corresponding badge of the *Thistle and Crown*. The *Crown and Harp* occurs at Bishop's Cleeve, in Gloucestershire; and the *Crown and Leek* has also been recognised at Dean Street, Mile End.

The *Feathers* is the popular name for the plume, or badge, of the Prince of Wales; and their designation has been occasionally (incorrectly) varied into the title of the Prince of Wales's Arms.

The *Crown and Anchor*, the well-known badge of the Royal Navy, is a great favourite. It gave name until recently to one of the most frequented taverns in London, situated near the church of St. Clement's Danes.

The *Firebeacon*, another badge of the Admiralty, and also of King Edward IV., is still a sign at Fulston, in Lincolnshire.

The *Falcon and Fetterlock* of the House of York lingers under the designation of the Hawk and Buckle, at Wrenbury in Cheshire, Etwall in Derbyshire, and other places; whilst at St. Helen's in Lancashire, it is further corrupted to the Hawk and Buck. It is suggested that the Falcon and Horseshoe, at Poplar, appearing on a token of the seventeenth century, was another version of the same Badge; whilst the *Bull and Fetterlock*, at Chester, was also a combination of the badges of the House of York.

The badge of the Duke of Buckingham, temp. Richard III., was a golden cart-nave burning; nothing to do with *knaves of cards*, as imagined by our authors at p. 505.

If the coat of arms, instead of the badge or cognisance, was adopted for a sign, the popular name was still always that of the objects represented.

The *Three Balls* of the pawnbrokers are from the arms of the Dukes of Medici; from whose states, and from Lombardy, came nearly all the early bankers and dealers in money.

The *Lion and Castle*, of Leon and Castile, of which there are a few instances, may have been borrowed from the brand of the Spanish arms upon sherry casks, and have been adopted by landlords as indicating the sale of genuine Spanish wines.

The *Flower de Luce* was a frequent old-English sign. It might be adopted as a native royal badge, or it might allude to France. The *Three Flower de Lucas*, the sign of James Johnson, a goldsmith and banker in Cheapside in 1677, is more unequivocally a display of the arms of France.

The *Three Crowns* were the arms of the city of Cologne, alluding to the shrine of the Three Kings maintained in that city; and were adopted by mercers, to signify the wares they dealt in.

The *Cross Keys* of St. Peter were frequent in former times. They were the arms of the Papal See, and also entered into those of several churches dedicated to that saint, as York, Exeter, Gloucester, Peterborough, and Cashel.

In the reign of Elizabeth, Rowland Hall, a printer and bookseller, described himself as "dwelling in Guttur Lane, at the sygne of the *Half Eagle and Key*." This was the popular acceptance of the arms of the city of Geneva, where Hall had lived as refugee during the reign of Queen Mary.

The *Three Legs* (conjoint) are the well-known ensign of the Isle of Man.

At Bodmin the *Fifteen Balls* refer to the armorial coat of the county of Cornwall.

At Derby is the *Buck in the Park*, a vernacular rendering of the arms of that town.

The *Bible and Three Crowns*, implying the arms of Oxford University, was not uncommon among booksellers of the last century; and the *Oxford Arms* in Warwick Lane was one of the fine old galleried inns.

Many public-houses have derived their names from the arms of the Trading Companies with which they have been associated as houses of call. The *Three Compasses* are borne in the arms of both the Carpenters and the Masons; this sign is a special favourite in London, for no fewer than twenty-one houses make a living under its shadow. Again, the *Globe and Compasses*

means the Joiners' arms, which are a chevron between two pairs of compasses and a globe. The *Three Goat's Heads* are the prominent features of the Cordwainers' arms—Azure, a chevron or, between three goat's heads crased argent. And so the *Three Leopard's Heads*, the name of a house formerly in Bishopsgate, are the arms of the Weavers' Company. *The Green Man and Still*, by no means an uncommon sign, is the still of the arms of the Distillers, combined with one of the supporters of their arms, which are Indians carrying bows and arrows.

The *Three Tuns* are derived from the arms of the Vintners or the Brewers. The *Ram and Teazel* is suggested by the teazel of the Clothworkers' arms, combined with their crest, a ram statant.

The *Hammer and Crown* is from the Blacksmiths' arms—Sable, a chevron between three hammers crowned or. The *Lion in the Wood*, a tavern formerly of some note in Salisbury Court, Fleet Street, and still to be found in the neighbouring locality of Wilderness Lane, is the crest of the Woodmongers, whose wharves formerly lined the river side in London.

The *Adam and Eve*, which has always been a common sign, was the arms of the Fruiterers' Company.

We cannot pass unnoticed a serious heraldic mistake which our authors have committed when speaking of the *Falcon* (p. 219). After stating that it was one of the devices of Wynkyn de Worde and other booksellers in Fleet Street, they add that it was probably a device "borrowed from the Stationers' arms, which are, Argent, on a chevron between three bibles or, a *falcon* volant between two roses, the Holy Ghost in chief." The bird in their arms is no falcon, but the eagle of the Apocalypse, holding in its beak an ink-horn; such having been the symbol of St. John the Evangelist, the patron of the Scriveners, who were the earliest stationers or producers of written books before the invention of printing.

The signs of the old Booksellers are usually commemorated on the title-pages of their publications. In the reign of Elizabeth the *Hedgehog* was the sign of William Seeres, bookseller in St. Paul's Churchyard; who, according to Bagford, put it up because it was the badge of his former master Sir Henry Sidney. The hedgehog was represented with apples stuck on his quills,

because he was said to have a habit of collecting them by that process. (*See the engraving in p. 501.*)

Some of these, as the *Bible and Crown* of the Rivingtons, have been handed down to the present day. The still-remembered Dodsley traded in Pall Mall under the sign of the *Tully's Head*; and the same classic orator continues, but under the name of *Cicero's Head*, to be the patron of our own printing-office.

Again, the signs of the London bankers have been especially vivacious. The *Grasshopper* of Sir Thomas Gresham, still conspicuous on the Royal Exchange, has also been perpetuated at his house in Lombard Street. In 1677 Charles Duncombe and Richard Kent, goldsmiths, the former the ancestor of Lord Feversham, kept the Grasshopper in Lombard Street; and in 1790 it was occupied by Messrs. Martin the bankers, who still possessed Gresham's original sign.

A token of the seventeenth century exhibits the *Three Squirrels* in Fleet Street. That house was occupied by Gosling the banker, "over against St. Dunstan's Church," in 1673-4; and there the triad of squirrels may still be seen in the iron-work of the window.

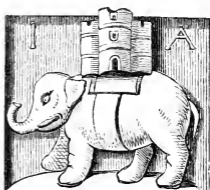
At no great distance, in the same street, the bank of Messrs. Hoare displays a *Golden Bottle*,—one of the old leathern bottles gilt. Their ancestor James Hoare was "at the Golden Bottle in Cheapside," in 1677, being then one of those goldsmiths who kept "running cashes."

Child's bank at Temple Bar also still maintains its sign of the *Marygold*; where Francis Child was, in the reign of Charles I. apprenticed to a goldsmith named William Wheeler, afterwards his father-in-law. The sign, as painted *circ.* 1670, is shown in the engraving. It resembles the Italian *imprese* rather than English heraldry. The marygold is turning towards the sun—*ainsi mon ame.*

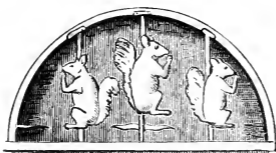
The *Two Storks*, an emblem of filial piety, was used by many continental booksellers in the sixteenth and seventeenth centuries. The colophons of Martin Nutius of Antwerp 1530, and his son Philip, are decorated with a young stork feeding an old one, and sometimes carrying him on his back, as in the woodcut, which bears the date of Antwerp 1639.



BOAR'S HEAD, EASTCHEAP.



ELEPHANT AND CASTLE.



THREE SQUIRRELS IN FLEET STREET.



TWO STORKS.



MARYGOLD.

We hear of the King's Arms and the Queen's Arms exhibited for a sign from an early period. In 1568 the prizes of the first lottery held in England were to be seen at the Queen's Arms in Cheapside, the house of Mr. Dericke the Queen's goldsmith. Other signs of "Arms," so called, are generally of more recent date. In many of the earlier cases, where personal coats of arms have been taken for signs, their charges have given the popular name, as in the various instances of arms of communities already mentioned.

The arms of Wynne, not uncommon in North Wales and Shropshire, being two foxes counter-salient, are popularly called the *Cross Foxes*.

At Northwich and at Altringham, in Cheshire, is a sign called the *Bleeding Wolf*, and there is good reason to conclude this was originally the Wolf's Head assigned as arms to Hugh Lupus, the first Norman Earl of Chester, for it would be represented erased and bleeding, and one of the city gates of Chester is named from it Wolf's Gate, not Wolf's Head Gate.

At Lewes was a house known as the *Three Pelicans*, being the arms of the family of Pelham. Another called the *Cats* is supposed to have originated from the leopards, the supporters of the Sackvilles, Earls of Dorset.

A very general sign which has been frequently, but erroneously, regarded as armorial is the *Chequers*. Upon this we find the following remarks:--

Perhaps the most patriarchal of all signs is the Chequers, which may be seen even on houses in exhumed Pompeii. On that of Hercules, for instance, at the corner of the Strada Fullonica, they are painted lozenge-wise, red, white, and yellow; and on several other houses in that ancient city similar decorations may be observed. Originally it is said to have indicated that draughts and backgammon were played within. Brand, in his *Popular Antiquities*, ignorant of any existence of the sign in so remote a period as that mentioned,¹ says

¹ This assertion conveys a false accusation. Brand supposes the Chequers to typify the game of draughts which might be played within. Some writers in the *Gentleman's Magazine*, quoted in Sir Henry Ellis's edition of Brand, speak of the monopoly of the Earl of Arundel for licensing public-houses and the consequent supposed display of the arms of Warren, but the Editor does not adopt the idea. On the contrary he points out that shops with the sign of the Chequers were common at Pompeii. (EDIT. H. & G.)

that it represented the coat of arms of the Earls of Warenne and Surrey, who bore Checky or and azure, and in the reign of Edward IV. possessed the privilege of licensing.

Dr. Lardner, in his work on Arithmetic, attributes this sign with greater probability to such houses being employed for the change of money and other pecuniary transactions, perhaps having special check-tables for the payment of wages, in humble imitation of the royal exchequer.

The Elephant, in the middle ages, was always represented with a castle on his back, and was thus represented in the badge of Stapleton and other families. An *Elephant and Castle* was also taken for the crest of the Cutlers' Company, who adopted it in reference to the ivory used in their trade. Hence a stone bas-relief in Belle Savage Yard, the sign of some now-forgotten shopkeeper, who adopted it out of regard to his landlords, the houses in that yard being the property of the Cutlers' Company (p. 156).

The *Bull's Head* has been the principal inn at Loughborough, in Leicestershire, probably for at least two centuries. It is the crest of the family of Hastings, junior members of which have twice been raised to the title of Baron Hastings of Loughborough. In the accompanying engraving it is surmounted by the coronet of the Earl of Huntingdon.

One of the best known instances of the old heraldic Rebus still existing as a sign is furnished by the *Bolt in Tun*, once a great coach-inn, in Fleet Street. This is a rebus of that numerous class invented for surnames ending in *ton*; and has been said to have originated with Bolton, the last prior of St. Bartholomew's in Smithfield; but that cannot be right,¹ for the house is mentioned on the Patent Roll of 21 Hen. VI. (1443) as "*hospitium vocatum le Bolt-en-ton*," in the parish of St. Dunstan. In the reign of Charles II. there were other houses of this sign in Bishopsgate Street Within and Bishopsgate Street Without.

Where signs were carved as bas-reliefs in stone in the fronts of houses, which was frequently done on the rebuilding of London

¹ It is true that Bolton erected the like rebus in his manor-house at Canonbury, which he rebuilt.

after the Great Fire of 1666, they are in some cases still preserved; and it is pleasing to observe some of them again perpetuated in the stone sculpture which so much contributes to decorate our modern street architecture. In the Poultry at No. 7, where Messrs. Corbyn and Co., druggists, have just erected a magnificent structure on the sites of Nos. 7 and 8, the old sign of a *Bell and Dragon* is now seen carved in relief above the door. It happens that the next house, No. 9, preserves, built into its front face, an old stone bas-relief of a Sun in full splendour, accompanied by the date 1668. This was of course executed during the rebuilding which followed the Great Fire; but the red-brick front itself is of subsequent date, having been rebuilt in the last century.

Of the Bell and Dragon, or Bel and the Dragon, as it seems to have been ambiguously called, we find the following remarkable account in the book before us:—

Of the Apocryphal Books there is only one example among the signboards, viz.: *Bel and the Dragon*, which was at one time not uncommon, more particularly with apothecaries. It was represented by a Bell and a Dragon, as appears from the *Spectator*, No. 28. "One Apocryphal Heathen God is also represented by this figure [of a Bell], which, in conjunction with the Dragon, makes a very handsome picture in several of our streets." Although at the first glance this sign seems to be taken from the doubtful books of the Old Testament, still there is nothing in the Apocryphal book which could in any way prompt the choice of it for a signboard. There still remain a few public-houses which employ it,—as in Worship Street; at Cookham, Maidenhead; at Norton in the Moors, &c.; whilst in Boss Street, Horsely Down, there is a variation in the form of the Bell and Griffin. From a handbill of Topham, the strong man, we see that it was vulgarly called the *King Astyages Arms*, for no better reason than because King Astyages is the first name in the story, the incidents related in the book of Bel and the Dragon having taken place after his death.

We have yet no information why this sign was adopted by the druggists and apothecaries, except that in another place (p. 158) our authors state that "in mediæval alchemy the dragon seems to have been the emblem of Mercury."

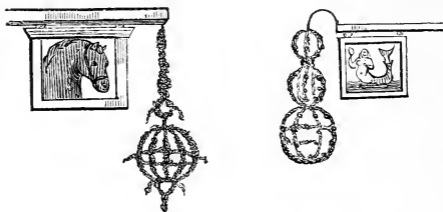
Latterly, many publicans and beer-shop keepers have paid an

an involuntary compliment to Heraldry by naming their houses with all manner of imaginary and impossible "Arms." Upon this absurd whim our authors make the following remarks:—

Good wine and beer were formerly to be had at the Boar's Head or the Three Tuns, but these emblems will not do now. It must be the "Arms" of somebody or something; whence we find such anomalies as the Angel Arms (Clapham), Dunstan's Arms (City Road), Diggers' Arms (Petworth, Surrey), Farmers' Arms and Gardeners' Arms (Lancashire), Grand Junction Arms (Praed Street, London), Griffin's Arms (Warrington), Mount Pleasant Arms, Paragon Arms (Kingston, Surrey), St. Paul's Arms (Newcastle), Portcullis Arms (Ludlow), Puddlers' Arms (Wellington, Shropshire), Railway Arms (Ludlow), Sol's Arms (Hampstead Road), the Vulcan Arms (Sheffield), General's Arms (Little Baddow, Essex), the Waterloo Arms (High Street, Marylebone), &c.

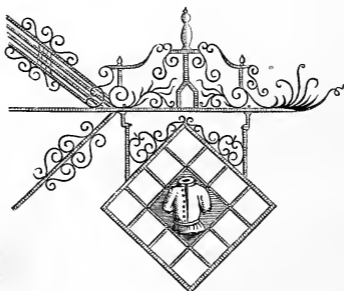
No doubt, it would utterly puzzle any of the Bonifaces who keep these houses to be required to blazon the "Arms" under the name of which they trade. It is most probable that in many cases they are wholly ignorant of any "Arms" whatever. Although armorial devices have been designed for various communities of Odd Fellows and Benefit Societies, we are not aware that any attempt has been made to invent them for the diggers, or the puddlers, or the fitters (these "Arms" are also to be found in York Road, Brighton); but in each case it is a mere name for the house. It marks a period when the symbolic picture has become wholly unnecessary, and everybody has learned to read letters, though not always with a capacity to fathom their meaning.

When all houses had their signs, inns were further particularly distinguished in ancient days by a bush, whence the proverb, "Good wine needs no bush;" to which succeeded a more elaborate garland, such as those shown in the engravings of the Nag's Head and Mermaid, inns in Cheapside, in the year 1640; and afterwards by a lattice, which screened the customers, but did not entirely exclude the fresh air (see the vignette at the head of this article). These lattices were usually painted red, and continued in use until the beginning of the eighteenth century. When they disappeared from the windows, they were sometimes adopted as signs. The *Green Lattice* occurs on a trades' token of Cock



THE NAG'S HEAD AND MERMAID IN CHEAPSIDE.

Lane, and still figures on an alehouse at Billingsgate; while not many years ago there was one in Brownlow Street, Holborn, which had been corrupted into the Green Lettuce. The *Doublet*, formerly the *Harrow and Doublet*, is still the sign of an iron warehouse in Upper Thames Street. It bears the date 1720, and the letters T.C., initials of one of the Crowley family, to whom the warehouse has belonged time out of mind. It is made of cast and painted iron, and is said to represent the leathern doublet in which the founder of the firm came to London a day-labourer. The annexed engraving presents an example of the old iron-work of signs.



HARROW AND DOUBLET.

With the help of this interesting work the memory of this remarkable feature of our olden architecture is not likely to be forgotten. Nor, indeed, we may say, has the sign entirely gone

out of fashion. Perhaps the most expensive, and certainly the most beautiful, sign ever erected is that which the South-Eastern Railway Company has lately placed in the courtyard of their station at Charing Cross. It is a perfect restoration, in size, architecture, and heraldry, of the ancient memorial cross which gave name to that locality, and which was one of those erected by King Edward III. in commemoration of the funeral procession of his beloved queen. This restoration is the more remarkable and the more to be admired, from the pains which have been taken to ascertain the actual appearance which was presented by its original.

THE USE OF ANTIQUE GEMS AS MEDIÆVAL SEALS.

The Rev. C. W. King in his excellent work on *Antique Gems* (p. 300) makes the following remarks on this subject:—

Every collection of documents of the Middle Ages will display in their seals attached abundant evidence of the universality of the custom. The parchments preserved in the Muniment Room of Corpus Christi College, Cambridge, have a great number of impressions from antique intagli set in the personal seals of the donors and attestors [*qu. parties*] of the various deeds.

And at p. 325 he gives the following interesting exemplifications of the practice:—

Pepin used for his signet a head of the Indian Bacchus, and Charlemagne one of Serapis; the first probably passed muster for that of Moses, the last for Christ himself.

It is interesting thus to identify the device, and still more so to discover the transformation of a classical object or subject into a scriptural or personal one. But such transformations were generally appropriations or interpretations made in ignorance of the meaning of the original device, and often when the subject-matter admitted of it gave birth in course of time to a new tradition founded on a complimentary conjecture or a specious speculation.

I propose in this paper to notice three such antique gems, two of which became heraldic, and gave rise to traditions that a knowledge of the history of the gems shows to be utterly unfounded.

In the *Collectanea Topographica et Genealogica* (vol. vi. p. 214)

there is abstracted a charter of Sir Stephen de Eddeworth, knt. temp. Edw. I. the seal of which is thus described: "Seal, an oblong oval, one inch and a quarter by one inch, apparently engraved on a stone, representing a horseman in full career, holding a spear levelled in his right hand. The legend is—*Qualis sit mittens signat ymago nitens.*" This



is accompanied by a woodcut, which is here reproduced. The execution of the horse and rider are evidently not mediæval but classical, especially the costume of the latter. The legend of course is mediæval, and engraved on the metallic setting of the gem. And to what era and people the gem may be ascribed a reference to Layard's work on *Nineveh and Babylon* easily explains. That author, discoursing of Phœnician seals at p. 155, has these observations:—

The seals most remarkable for beauty of design and skilful execution represent horsemen, one at full speed raising a spear, the other hunting a stag. The impressions show that they were little inferior to Greek intaglios. No Assyrian or Babylonian relics yet discovered equal them in delicacy of workmanship, and the best examples of the art of engraving on gems,—an art which appears to have reached great perfection among the Assyrians,—are unknown to us except through those impressions.

Mr. Layard's work also explains the meaning and origin of another and more remarkable gem-seal that, unlike the previous instance, has given rise to a very plausible legendary tale, which Mr. Drummond in his work on *British Families*, under the name of Nevill, thus narrates:—

Sir Hugh (son of Ralphe de Nevill) had a fee in South Stoke, co. Sussex, 1207. His chief fame rests upon an exploit which he performed when with King Richard in the Holy Land in 1190, where he shot a lion with an arrow. The lion sprang upon him, when he caught the beast by the throat, and killed him with his sword. This valiant deed is recorded on his seal, and by the old Leonine verse, *Viribus Hugonis vires periere leonis*. The following deposition confirms the story given by Dugdale from Mathew Paris, &c. "Rogerus de Holt, ætatis 50 annorum, dicit quod dictum manerium de Blaston [co. Leic.], fuit manerium Domini Ricardi Regis Angliæ, et idem rex dictum manerium cum libera capella cuidam militi Hugoni Nevill tunc temporis sibi servienti contulit pro eo quod fuit secum in terra sancta quando occidit leonem," &c. (Nichols' *Hist. of Leic.* ii. 445.) This story is in the

printed copies of Mathew Paris, but it does not occur in Roger of Wendover, from whom M. Paris copied all the transactions of this period, nor is it in the original MS. which belonged to himself, and therefore the most authentic, in the British Museum. The seals, however, prove the substance of the tradition. Sir Hugh died 1235.

Mr. Drummond gives four engravings of different types of this seal, the subject of which is a warrior grasping with one hand the throat of a rampant lion, and with the other thrusting a sword or dagger into his body. Three of them have the legend "Sigill. Hugonis de Nevill;" one of them being very rudely done, the other two of better execution. The remaining seal is a small oval, from an obviously imperfect or defaced impression, and the outline of the figure is given by dotted lines. This is evidently the impression from an original gem, the others being from engraved metallic copies.

When we find from Layard (p. 154) that of the clay impressions of seals found at Kouyunjik "the most common of the Assyrian devices is that of a king plunging a dagger into the body of a rampant lion," which he adds "appears to have been the royal, and indeed the national, seal or signet," it were superfluous to suppose Sir Hugh's seal to be any other than identical with the Assyrian device, or to conceive the story founded on it to be anything but pure invention, did not the deposition of Roger de Holt, taken apparently about 50 years after the death of Sir Hugh, appear to lend some countenance to the truth of the tradition. He states, moreover, that the manor in question descended from heir to heir from Sir Hugh down to Ralph de Nevill, there being two persons of that name, one living 1302 and the other 1356. But half a century, if indeed the period were so short, is quite long enough to consecrate so plausible a tale as the seal would give birth to.

Sir Hugh sealed also with another seal, his true coat of arms, viz. a chief indented, with a bend over all; but his grandson, another Hugh, seemingly desirous of commemorating the legendary exploit of his ancestor, according to the Roll of Arms of Edw. II., bore a lion rampant, which also occurs on a seal attached to a deed of the date of 21 Edw. III.

Fortified by these two examples—and doubtless many similar cases might be ascertained—I may I think attempt to account for the origin of the naked female with her hair dishevelled, the unique crest of the Elyses of Kiddall, so far back probably as the reign of Edward III. certainly of not much later date, and noticed in the Review of my work, *Notices of the Ellises*, in the present volume of the *Herald and Genealogist*, p. 356.

The Crusaders when in the Holy Land picked up many ancient gems, and used them as personal seals at home, surrounding them with the usual legend, *Sigillum*, &c. or with mottoes. Those found in Syria would be oriental rather than classical; accordingly the seal of Sir Hugh de Nevill, who was a Crusader, is of that character. Mr. King informs me that Polyænus the historian relates that an ancient Persian monarch used for his signet the precise crest of the Elyses, to commemorate the circumstance of Semiramis suddenly quitting a bath naked, and her hair dishevelled, to quell a revolt. Though Sir Archibald Elys is as yet a traditional personage only, he might have been a real one, and he or some other Crusader of that or of another family have brought home a gem that sooner or later was adopted as a family crest. The story of Sir Archibald having captured a Saracen maiden, and like another Scipio spared her honour, or some such tale was necessary to explain the crest and give it an historical fame. A later explanation of a somewhat similar stamp is given in the *Gentleman's Magazine* for April 1867, p. 500, where it is said that about a century since the then Mr. Ellis of Kiddall rescued a lady who was tied in a state of nudity to a tree in a wood, threw his cloak around her, and brought her home to his house.¹

Charlwood, Surrey.

W. S. ELLIS.

CHILDREN OF CHARLES I. AND HENRIETTA-MARIA.

It has never been observed, so far as we are aware, that the account given of the children of King Charles the First and Queen Henrietta-Maria, in Sandford's *Genealogical History of England*, is (in both Editions of 1667 and 1707,) neither accurate nor complete.²

¹ The *secretum* of Richard Fitz-Eustace, Constable of Chester, temp. Stephen, is an antique gem containing a profile representation of a nude female standing, and behind her a pillar or altar. (Ormerod's *Cheshire*, i. 539). The seal of Sir Ralph de St. Owen attached to a deed temp. Hen. III. has the same representation, and is surrounded by the legend "S. Radulfi de Sancto Audoneo." It is an impression of a convex antique gem of great beauty and unusual size, and is engraved in Cartwright's *Rape of Bramber*, p. 83.

² Mr. T. C. Banks prefixed to his *Dormant and Extinct Peerages*, commenced in 8vo. 1812, an account of Extinct Royal Families; but in his enumeration of the children of Charles the First, at pp. 123—125, he has faithfully followed Sandford's errors. In the account of the Royal Family prefixed to Sir Bernard Burke's *Dictionary of the Peerage and Baronetage* only three sons and three daughters of King Charles I. are enumerated.

Eight children are named: 1. "Charles, Prince of Great-Britain, who was born, baptized, and deceased on the 18th Day of March 1628." 2. Charles, born 1630 (afterwards Charles II.). 3. Mary, born 1631. 4. James, born 1633. 5. Elizabeth, born 1635. 6. Anne, born 1636-7. 7. Henry, born 1640. 8. Henrietta-Maria, born 1644. There are two errors,—1. in stating that the first child was born on March 18, 1628, instead of May 13, 1629; 2. in naming the last child Henrietta-Maria instead of Henrietta-Anne. And there is also an omission, of Katharine, the King's fourth daughter, who was born in 1638-9.

A more perfect list has been preserved, and it is interesting as being in the handwriting of one of the royal sisters. The original is in the Harleian MSS. 6988, fol. 220, and it was edited by Sir Henry Ellis in his second series of *Original Letters*, 1827, vol. iii. p. 265 :

Prince Charles, borne at Greenwich May 15,¹ 1629.

Prince Charles, borne at St James May 29, 1630.

Princesse Mary, borne at St James November 4, 1631.

James Duke of Yorke, borne at St James October 14, 1633.

Princesse Elisabeth, borne at St James December 29, 1635.

Princes Anne, borne at St James March 17, 1636.

Princess Katharine, borne at Whitehall Jan. 29, 1639.

Henry Duke of Gloster, borne at Otlandes July 8, 1640.

Princes Henrietta, borne at Exeter June 16, 1644.

(Signed)

PRINCES ELISABETH.

Notwithstanding this most excellent evidence, Miss Agnes Strickland has, with regard to the first of these events, contrived to be wrong, by forming, with her customary felicity, a combination of the erroneous and correct accounts.

For this purpose our popular historian makes use of the story which that cunning, or rather mad, woman the Lady Eleanor Davies relates in one of her crack-brained pamphlets,² telling of her success in prophesying :

"About two years after the marriage of King Charles, I waiting on the Queen as she came from mass or evening service, All Saints' day, to know what service she pleased to command me, the first question was, When she should be with child? I answered, *Oportet habere tempus*, interpreted by the Earl of Carlisle.

* * * * *

"And so that time twelve months the Queen conceived a son; and, although [she]

¹ *Sic in orig.* an error for 13.

² *The Lady Eleanor her Appeal*. Printed in the year 1646. We are obliged to quote it at second hand from Ballard's *Memoirs of Learned Ladies*, as there is no copy in the British Museum.

had forgotten me, yet some about her I informed that her son should go to christening and burying in a day.

Miss Strickland says that the All Saints' day, the date of the Lady Eleanor's prophecy, was Nov. 1, 1627. So far no doubt she is right. The Queen had then been a wife more than two years, for on that day it was exactly two years and a half from the time of her first marriage (by proxy) at Paris on the 1st May, 1625. But Miss Strickland next proceeds, apparently with the object of accommodating Sandford's incorrect year, to state that the birth of Henrietta's first son was only seven months after the Lady Eleanor's prophetic manifestations, that is to say, on the 13th May, 1628, thereby contradicting the second paragraph of that lady's own narrative.

It was (as Lady Eleanor correctly intimates,) "that time twelve months," not before, that the Queen really gave promise of being a mother;¹ and subsequently, after the lapse of seven months, the weakly child was born whose life was so transient. There are several testimonies that the true date of the birth of the Prince who died on the same day was the 13th of May, 1629.

In a memoir of George Web, or Webbe, D.D. who was at the time in question Rector of Bath and afterwards Bishop of Limerick, Anthony a Wood says :

When K. Ch. I. came to the crown, he was made one of his Chaplains in Ordinary, and in his attendance at court he baptized his first child by the name of Charles James, 13 May, 1629, which child died about an hour after.—*Athenæ Oxonienses*, (edit. Bliss,) iii. 30.

Dr. Fuller relates the circumstances more at length :—

Charles, eldest son of King Charles and Q. Mary, was born at Greenwich *Anno* 1629. A fright of his Mother is generally reported to have accelerated, or rather antedated, his nativity. The Popish Priests belonging to the Queen stood ready, watching to snatch the Royal Babe to their superstitious baptism; but the tender care of King Charles did out-vigil their watchfulness, commanding Doctor Web (his

¹ In Laud's Works (Oxford, 1853, 8vo. *Library of Anglo-Catholic Theology*, vol. iii. pp. 102, 103, 104, 105) are preserved five Prayers :

1. For the safe Child-bearing of the Queen's Majesty, 1628.
2. For the safe Child-bearing of the Queen's Majesty, 1629, 1631.
3. A Thanksgiving for the Queen's safe Delivery, and happy Birth of Prince Charles, 1630, May 29.
4. A Thanksgiving for the Queen's safe Delivery, and happy Birth of the Lady Mary, Nov. 4, 1631.
5. A Thanksgiving for the Queen's safe Delivery, and happy Birth of James Duke of York [1633].

next Chaplain in attendance) to Christen it according to the Church of England. This done, within few houres he expired, and lyes buried at Westminster. *Worthies of England*, under Kent.

A more celebrated prelate performed the funeral service on the next day. In the Diary of Laud, who was then Bishop of London, we find these passages :

Maii 13, Wednesday. This morning, about three of the clock, the Queen was delivered before her time of a son. He was christened, and died within short space : his name Charles. This was Ascension-eve.

Maii 14. The next day, being Ascension day, *paulo ante mediam noctem*, I buried him at Westminster. If God repair not this loss, I much fear it was Descension-day to this state.

Among the State Papers, under the date of 13 May, 1629, is a letter in French from Sir Theodore Mayerne, Physician to the Queen, in which he announces to the Secretary of State, Lord Dorchester, that the Queen had been that night confined prematurely, having forestalled the ordinary term by about ten weeks. "God," he says, "has shown us a Prince of Wales, but the flower was cut down the same instant that it saw the light." (Dom. Charles I. vol. cxlii. No. 77.)

Further, the following entry is from the Register of Westminster Abbey in the year 1629 :

Charles Prince of Wales was buried May 13 (*lege 14*) on the south side of K. H. 7th Chappel.

It will have been observed that the Princess Elizabeth (in her list of the royal children already introduced,) was mistaken (by two days) in the actual date of the birth of her eldest brother, or in all probability she accidentally mis-copied the figures of some memorandum that had been furnished to her.

2. Laud's forebodings that the Queen would continue childless were not realised. By the end of another year, but five years after her early marriage,—for Henrietta-Maria was not sixteen when she became a wife,—the Queen gave birth to King CHARLES THE SECOND.¹ Laud's Diary again presents us with the circumstances :

Maii 29, Saturday. Prince Charles was born at St. James's, *paulo ante horam primam post meridiem*. - I was in the house three hours before, and had the honour and happiness to see the Prince before he was full one hour old.

Junii 27, Sunday. I had the honour, as Dean of the Chapel, my Lord's Grace of

¹ See the King's letter announcing the Prince's birth to the Bishop in Prynne's *Breviate*, p. 16.

Cant. being infirm, to christen Prince Charles at St. James's, *hora fere quinta pomeridiana*.

The baptism was thus registered at St. Martin's-in-the-fields, which was then the parish church of St. James's Palace :—

1630, June 27. Charolus Princeps bap^{tus} fuit.

3. MARY, afterwards Princess of Orange, was born at St. James's on the 4th Nov. 1631; and the following particulars are from a contemporary letter :

Upon Friday morninge, about 4. of the clocke, the Queen was (God be praised) safely delivered of a Princess, who was christened the same morninge, by reason it was weake (as some say), it beinge borne 3. weekes before the tyme. But I have hard it was donne to save chardges, and to prevent other christenings. The name MARIE, the Countesses of Carlile¹ and Denbigh² Godmothers, and the Lord Keeper³ Godfather; the Lady Roxborowe⁴ Lady Governess, and the Nurse one M^{ris} Bennet (some say the wife to a baker), and daughter to M^{ris} Browne that keepeth Sommersett House. (George Gresley to Sir Thomas Puckering, from Essex House the 9th of Nov. 1631. Harl. MS. 7000, art. 236; printed in Ellis's *Original Letters*, Second Series, iii. 264.)

Sandford does not describe the baptism of this Princess. Evidently it was not performed by Laud, who notices in his Diary the birth only :

Nov. 4, *Friday*. The Lady Mary, Princess, born at St. James's, *inter horas quintam et sextam matutinas*. It was thought she was born three weeks before her time.

Another contemporary writer states: "Some apprehension there was at first of danger in the child, whereof his Majesty made a pious use, and caused her forthwith to be baptised, by the name of Mary, without other solemnity than the rites of the Church. But, God be thanked, those fears are well passed, and as well our young Princess as her Majesty are in good and perfect state of health. (Hulme to Vane Nov. 29, 1631, Swedish Corresp. State Paper Office, printed in Mrs. Green's *Lives of the Princesses of England*, 1855, vol. vi. p. 101.)

Mary lived to be Princess of Orange, and the mother of King William the Third.

4. The fourth child was a son, afterwards King JAMES the Second. Kenrick Edisbury, Surveyor of the Navy, writing to Capt. Penning-

¹ The well-known Lady Lucy Percy, wife of James Hay, Earl of Carlisle.

² Susan, wife of William first Earl of Denbigh, and only sister of the Duke of Buckingham.

³ Archbishop Williams.

⁴ Jane (Drummond) sister to John second Earl of Perth, and wife of Robert first Earl of Roxburgh. She had been governess of the royal children in the previous reign.

ton on the 17th October, 1633, remarks that "On Monday, about eleven at night, her Majesty was brought to bed of a young Duke of York, a goodly, lusty child; God be thanked!" (Cal. of State Papers, p. 251.) The Monday preceding the 17th October was the 14th of that month.

Laud again officiated at the baptism, which was celebrated ten days after this Prince's birth, on Sunday the 27th Oct. 1633:

Nov. 24, Sunday. In the afternoon I christened King Charles his second son, James Duke of York, at St. James's. *Laud's Diary.*

5. The next, and fifth, child, was ELIZABETH; of whom Laud writes:

1635, *Dec. 28. Innocents' day*, about ten at night, the Queen was delivered at St. James's of a daughter, Princess Elizabeth. I christened her on Saturday following [*i.e.* Jan. 2, 1635-6].

This child is the last mentioned in Laud's Diary.

We have seen that the Princess Elizabeth herself dated her birthday on the 29th, not the 28th, of December.

6. The next was ANNE, who was the last of five to whom the Queen gave birth at the palace of St. James. She was "born (says Sandford) upon the 17th day of March, 1636, and, not having attained the age of three years and nine months, departed this life at Richmond the 8th day of December, *An. 1640.*"

Dr. Fuller has preserved the following account of her death from the mouth of Mrs. Conant, one of her rockers:

She was a very pregnant Lady, above her age, and died in her infancy, when not full four years old. Being minded by those about her to call upon God even when the pangs of death were upon her, "I am not able (saith she) to say my long prayer (meaning the Lord's Prayer), but I will say my short one, *Lighten mine eyes, O Lord, lest I sleep the sleep of death.*" This done, the little saint gave up the ghost. *Worthies of England*, Middlesex, p. 239.

Her burial is thus recorded in the register of Westminster Abbey:—

1640, Dec. 8. The Lady Anne, daughter of King Charles.

7. The Queen's seventh child, KATHARINE, is the one of whom any mention is omitted by Sandford. Her sister Elizabeth has recorded that she was born at Whitehall on the 29th Jan. 1639, and from the following MS. note which occurs in a book¹ now or lately in the possession of Thomas Willement, esq. F.S.A. it appears that

¹ A copy of Keepe's *Genealogies of the High-Born Prince and Princess George of Denmark*, 1684. (Moule, *Bibl. Her.* p. 222.)

it was in the year 1638, according to the English kalendar then in use, or as we now say 1638-9 :

Catherine, 4. dau. born 20 Ja. 1638, and dyed same day, and was inhumed at West^r.

Dr. Fuller (*Worthies*, p. 248,) says that she survived not half an hour after her baptising; and he adds this remarkable statement :

I am credibly informed that at the birth of every child of the King, born at White-hall or St. James's, full five pounds were ever faithfully paid to some unfaithful receivers thereof to record the names of such children in the register of St. Martin's. But the money being embezzled (we know by some, God knows by whom) no memorial is entered of them.

An examination ¹ of the Register of St. Martin's so far corroborates this story as to show that *only one* of King Charles's children is there recorded, namely Charles II. as already noticed.

8. HENRY, afterwards Duke of Gloucester, was born at Oatlands in Surrey, on the 8th July, 1640, and was baptised (says Sandford) on the 22nd of the same month. The following interesting notice of him is part of what will be found in Fuller's *Worthies of England*, under Surrey :

Henry of Oatlands (so I have heard him called in his cradle), fourth and youngest son of King Charles the First by Queen Mary, was born at Oatlands in this county, anno 1640. This I thought fit to observe, both because I find St. James's by some mistaken for the place of his birth, and because that house wherein he was born is buried in effect,—I mean taken down to the ground. He was commonly called Duke of Gloucester, by a Court *prolepsis* (from the King manifesting his intention in due time to make him so) before any solemn creation, &c. &c.

His interment is thus entered in the register of Westminster Abbey :—

1660, Sep. 21. Henry Duke of Gloucester, in south side of K. H. 7ths Chapel.

9. The ninth and last child was HENRIETTA-ANNE, to whom the Queen gave birth after an interval of nearly four years, during part of which her Majesty had been absent in France. This princess was born, as Sandford relates,

in Bedford House,² in the city of Exceter, on the sixteenth day of June, 1644, during the heat of the late Rebellion, and baptized in the Cathedral there on the third of

¹ We are enabled to speak positively to this point from the testimony of Colonel Jos. L. Chester, of the United S. America, by whom the parish registers of St. Martin's, as well as many others in England, have been thoroughly investigated.

² "So called for that it is the seat of the Earl of Bedford in this city, and was formerly the Dominican Priory." Westcote's *View of Devonshire* in 1630, edit. 1845, p. 145.

July following, by Doctor Burnel, chancellor and canon residentiary of the said church : in the body whereof was a font erected on purpose under a rich canopy of state, Sir John Berkley,¹ then Governor of the said city, being her Godfather, and the Lady Poulet² and Lady Dalkeith³ (the said Princess's governess) Godmothers, and named *Henrietta-Maria* ;

—which, as before noticed, is a mistake for *Henrietta-Anne*. She was married to Philip Duke of Anjou, afterwards Duke of Orleans, in 1662, and died in 1670.

J. G. N.

¹ Afterwards created Lord Berkeley of Stratton in 1658.

² Elizabeth, daughter and coheir of Christopher Ken, of Ken Court, co. Somerset, esq. wife of John first Baron Poulett of Hinton St. George.

³ Elizabeth, daughter of Sir Edward Villiers, President of Munster, wife of Robert Douglas, Lord Dalkeith (afterwards 9th Earl of Morton), son and heir apparent of William Earl of Morton, but which Earl William in 1641 alienated the dignity of Dalkeith to the family of Scott Earl of Buccleuch.

ARMS APPENDED TO VISITATIONS.

To the Editor of THE HERALD AND GENEALOGIST.

SIR,—In one of the Harleian MSS. (No. 1468, fol. 109) is an Alphabet of Arms attached to a Visitation of Lancashire. In this alphabet these arms, namely, Per pale argent and sable, a fesse embattled between three falcons counterchanged, belled or, are assigned to Thomsonne of Lancashire.

Will you oblige me, or will any correspondent oblige me, by saying what significance or authority attaches to the insertion of the arms in an alphabet appended to a visitation? Does it imply the residence of a family of the name in the county? If not, why is the coat placed on record in the alphabet? The Harleian MS. does not state to what visitation the alphabet was appended; but I presume it was one of the seventeenth century.

It seems probable the Heralds knew private persons entitled to use arms who were not resident on estates, but perhaps occupying some official position, and therefore warranted in the pretension to employ armorial insignia.

Light on this subject would be very acceptable to, Sir, yours obediently,
J. T.

Note. We apprehend that there is a preliminary question, viz. whether any original Visitation-book is accompanied by an *official* Alphabet of Arms? The fact of alphabets of arms being found attached to copies of Visitation-books may imply nothing more than that the owner of such copies found the juxta-position of both documents convenient for reference. (EDIT. H. & G.)

CREST AND MOTTO OF NEWTON.

THE defiant motto *HUIC HABEO NON TIBI*, attached to the arms of Ellis of Kiddall, has been noticed, at p. 357 of the present volume, as first occurring in the Visitation of Yorkshire 1612 (Harl. MS. 1487), accompanying the crest of a Naked Female, which is there styled "the more auntient creste" of the family. At p. 446 the same motto has occurred, as given by Sylvanus Morgan, for the family of Newton of Barscourt, co. Gloucester, in the year 1661, and borne in connection with the crest of a kneeling Moorish King, rendering up his sword, which crest was granted to Sir Thomas Newton, of the same place, in 1567, as stated in p. 439. I had previously been acquainted with this motto in connection with the name of Newton only from its being used by the present family of Newton of Mickleover, co. Derby, of whom an account is given in Burke's *Landed Gentry*. A certain similarity in the two crests, and their being attributed to the like Saracenic origin, at first begot in my mind the suspicion of a common source for the motto and the crests; but the motto borne by Newton seeming of recent adoption, and the crest a variation of a modern grant, this heraldic castle-building vanished like the "baseless fabric of a vision." As, however, in the last number of the *Herald* (p. 446) the motto is shown to have been borne by the Newtons of Bârré's Court as early as 1661, I am induced to renew my attempt at erecting a *Chateau en Espagne*, and I think with a better prospect of stability. The materials to accomplish this lie wide apart, and may perhaps be considered far-fetched, but I fancy their assemblage and juxta-position will exhibit a conformity and relationship that will show they form homogeneous parts of a connected whole.

The arms *Or, on a cross sable five crescents argent*, were borne as early as Edw. II. by Sir Henry Elys of Yorkshire (p. 356). Sir Griffith ap Elydir Goch, Knight of Rhodes, who lived at the same period, bore a similar coat, viz., *Argent, on a cross sable five crescents or, in the first quarter a spear-head gules* (Ordinary of Welch Arms in *Archæologia Cambrensis*, ii. 75; Welch Arms in Harl. MS. 1441; and Harl. MS. 4031, p. 113). Sir Rhys ap Thomas, K.G. (who died 1527), quartered this coat with his own, as also did his son Sir Griffith ap Rees. (Addit. MS. 21,017, p. 107, and List of Standards *temp.* Hen. VIII. in Bentley's *Excerpta Historica*.) Sir Rees' great-grandfather married a heiress descended from the Knight of Rhodes. Sir

William Thomas, Sheriff of Caernarvon 1608, of the same ancestry as the Knight of Rhodes, bore the same coat as Sir Rees ap Thomas (Harl. MS. 1978, p. 82). So far we trace the same bearing up to an early period in Wales and Yorkshire, without any symptom of common origin. But amongst the arms in the church of Llandovery, in Wales, were, "Arg. on a chevron gules three *maydes heddes* of the fild crined ore, the here hanging downe." The "armes were in the windowes of the church of Llanynddyfry, together with Sir Rees his arms in a Garter, next the first gartered cote in the same windowe." (Arch. Cambrensis, N.S. v. 207.) Here we have the *crest* of Ellis dimidiated, borne as arms, which constitutes a point of connection, and generates the suspicion of a common origin for the Welch and Yorkshire coats. Another Welch family bore the crest of the demi-female, viz., the descendants of Sir Rees ap Griffith, *valettus Regis*, 1321, who was at the Tournament at Dunstable, *temp.* Edw. III., and who might have been (for his ancestry is not met with) of the same family as Sir Rees ap Thomas. (Harl. MS. 1100, Vis. of Warwick 1619.)

It remains now to consider what connection the motto as borne by Sir John Newton in 1661 may have with the foregoing facts. John Cradock, his ancestor, married a daughter of Sir Elydir Dhu, Knight of the Sepulchre, who was ancestor of Sir Rees ap Thomas, K.G. This, it is true, is not a descent from Sir Griffith ap Elydir *Goch*, Knight of Rhodes, but there might have been some such descent not appearing in the pedigrees, and indirect, to justify the adoption, permissive or not, of some portion of ancestral heraldic insignia: and a motto or modified crest might even be taken from a collateral kinsman, especially if abandoned for some other by himself. The grant of the crest of the kneeling Moorish King in 1567 to Sir John Newton (p. 357 of the present volume), is stated to be founded on a crusading legend, for want of better knowledge, such legend being probably based on some old and defaced impression or painting of a full-length male or female figure. It is confirmatory of this conjecture and the notion that the Ellis crest of the full-length female and the motto are connected, that (as stated at p. 444) on the monument of Sir John Newton, the first Baronet, who used the motto, "on either side of the shield [of his arms] are two *female figures* in the place of supporters."

On the supposition of a common origin for the Welch and Yorkshire coats of arms, I will not pretend to decide which is the original, and which the derivative coat, but the spear-head in the Welch coat indi-

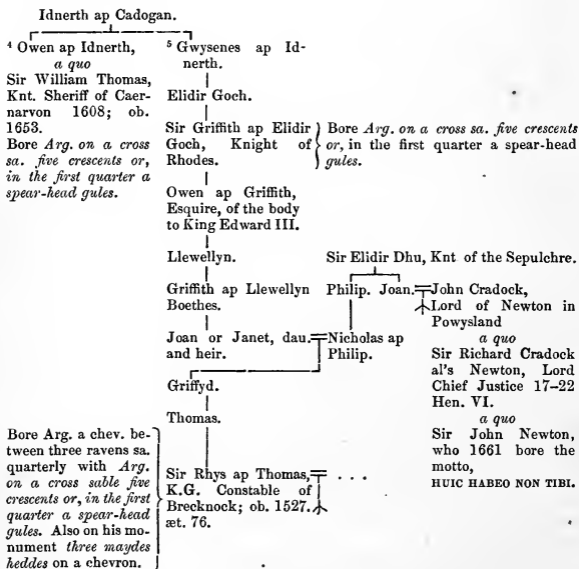
cates a *difference* which would show the Yorkshire to be the parent coat.¹

However fanciful the above speculations may appear to some, it is undeniable that I have brought together a group of remarkable coincidences, and they are too remarkable to be coincidences and nothing more.

The subjoined genealogical table exhibits at one view the connection of the families mentioned.

W. S. ELLIS.

Charlwood, Surrey.



¹ In Vincent's Ordinary of Arms in the Heralds' College Ap Thomas who bore the cross and crescents is said to have married the daughter and heiress of Sir John Elys.

LAURENCE OF CHELSEA, AND OF IVER, CO.
BUCKINGHAM.

In the ensuing pages we propose to give the ascertained history of this family, of which an imperfect account, but overloaded with many extraneous and apocryphal additions, is introduced by Faulkner into his *History of Chelsea*. We shall in the first place reprint the following letter, which was published in the *Gentleman's Magazine* for August 1829, shortly after the appearance of Faulkner's Second Edition:—

MR. URBAN,—The considerable additions will no doubt insure to Mr. Faulkner's *History of Chelsea* the approbation of the public; but the greater the success of a work, the greater is the necessity to correct its errors; and Dr. Whitaker, in his *History of Richmondshire*, having given the descent of the Laurences of Ashton Hall in Lancashire,¹ it is surprising that Mr. Faulkner should repeat, without any comment, the genealogical reveries of an inhabitant of Chelsea.²

During the English Commonwealth (and it is remarkable that no period was more fruitful in heraldic publications) Sir Edward Bysshe printed an edition of *Johannes de Bado Aureo*, who had been herald to

¹ On Laurence of Ashton Hall see our present volume, p. 181. (EDIT. H. & G.)

² Faulkner's *History of Chelsea*, 1829, vol. i. pp. 263—266. The same account of "the Lawrence family" had appeared in Faulkner's First Edition, 1810, pp. 243—246. The contributor was probably "James Lawrence, Esq. Park Place South," whose name occurs among Mr. Faulkner's subscribers, p. x. He was one of those who attribute to a single family every eminent person who has ever borne the name; as in the following passage—

"Since this family have settled in England, they appear to have been honoured with fifteen titles, including Knights Banneret, Knights, and Baronets; and among whom we find the following, who have signalized themselves in the service of their King and Country:

Sir John Lawrence made Knight Banneret at the siege of Ptolemais . . .	1191
William Lawrence, Esq. slain at the battle of St. Alban's . . .	1451
John Lawrence, Esq. who with Sir Edmund Howard commanded a wing at the battle of Flodden field . . .	1513
Oliver Lawrence, Esq. knighted by King Edward VI. [rather by the Duke of Somerset] at the battle of Musselborough field . . .	1547
Colonel Sir Robert Lawrence, Governor of Cork Castle for King Charles I. during the Civil Wars.	
Sir John Lawrence, Knight, was made Lord Mayor of London . . .	1665

Queen Anne, wife to Richard II. ; and, in his comment on the Lawrence arms, Sir Edward says, "Hæc est tessera gentilitia Antiquissimæ et Equestris LAURENTIORUM familiæ in agro Lancastriensi olim et jam Incolæ."

This roused Isaac Lawrence, descended from a race of substantial yeomen in Gloucestershire. Having married the daughter of Sir John Lawrence of Chelsea, a goldsmith or banker, whom Charles I. had created a Baronet, he set about making the Laurences of Gloucestershire the head of all the Laurences; and composed the pedigree from which Mr. Faulkner has made such extraordinary extracts, both in prose and verse. Numerous copies had long circulated in private. It is several feet long. The cross raguly gules is painted in it more than seventy times. It is entitled, *A Curious Pedigree copied from an antient Manuscript*. It is, indeed, a curiosity.¹

After a pious contemplation on the coat of arms, and a learned disquisition, in which Charles the Fourth of Germany, the learned Bartholus, and Ptolemy King of Egypt are honourably mentioned, the genealogist informs us that Sir Robert Lawrence of Ashton Hall raised a troop of horse *at his own expense*, and accompanied Richard I. to the siege of Ptolemais. Possibly this troop of horse were yeomen cavalry. He then gives ten generations of the Laurences of Ashton Hall; but of these the five first have so much resemblance to the five last, that it is probable he has written the same names twice over: having found two lists, he may have copied one before the other. On the other hand he has omitted other names,—both William de *Laurens*, who was Senescallus Domi, or Steward of the Household, to Henry Earl of Lancaster, and his son Edmund, summoned to Parliament 1361 (see Banks's *Dormant and Extinct Baronage*), and father to Sir Robert, sheriff for Lancashire, who lived till 1440. And, as it is not fit that men should be alone, he has provided them with wives from the first families in Lancashire. Had he been a limner, he might have embellished this curious pedigree with their portraits, eight lusty squires, and eight worshipful dames, as ever danced at a carousal or figured at a wax-work; but of these wives traces of two only are to be found, and these two are mis-stated. He marries the daughter of Lionel Lord Welles to Sir Thomas Lawrence, K.B. though she was the wife of his father Sir James Lawrence; but indemnifies this Sir James by giving him the wife of Sir James Standish, of Standish; for, he says, Sir James

¹ —“now (1810) in the possession of William Morris, esq. of East Gate Street, Gloucester.” Faulkner, 1st edit. p. 245.

Lawrence was called Sir James of Standish, as he usually dwelt there during the long life of his father. This is a pure invention of the genealogist; for Robert Lawrence of Ashton, esq. died 1450, leaving his eldest son James in his twenty-third year; and William Gerard of Ince (ancestor of Lord Gerard of Gerard Bromley,) having married Cecilia the daughter of Laurence Standish, he makes her daughter of Sir James Lawrence, and carry Ashton Hall to the Gerard family. This was an ingenious operation, out of two individuals, James Standish and Laurence Standish, to compose Sir James Lawrence of Standish. Thus the genealogist was ignorant that Ashton Hall had passed through heiresses from the Lawrences to the Butlers of Rawcliffe; from the Butlers to the Ratcliffes of Wimersley; and from the Ratcliffes to the Gerards of Gerard Bromley; but conceived that it had passed immediately through a daughter of Sir James from the Lawrences to the Gerards. It has since passed, through the heiress of the last Lord Gerard, to the Dukes of Hamilton.

When John Lawrence, son of Sir James, was killed at Flodden Field, the chief part of the Lawrence property was divided between the four daughters of Robert Lawrence, only brother of Sir James, or their descendants; whilst other manors descended to Lancelot Lawrence of Yeland Hall, as the next male descendant to Sir Robert, and consequently head of the family; whereas the curious pedigree passes over in silence the Laurences of Yeland hall, making this Robert leave three sons, Robert, John, and William, and this William marry Isabella heiress of John Molyneux. Of any such marriage there is no record; but William Molyneux of Sefton married Elizabeth Clifton, granddaughter and co-heir of Robert Lawrence. William Lawrence, according to the pedigree, in 1509 sold all his property in Lancashire, but for what reason is not certainly known, and purchased Norton in Warwickshire, and lands at WITHINGTON in Gloucestershire, whose revenues were anciently more than 2,000*l.* a-year.

We may remark, that about 1510 a certain John Lawrence, of Tishoe in Warwickshire, bequeaths lands at Norton Limesi, in Warwickshire, to his cousin William Lawrence (*registro* Bennet).

William Lawrence of Withington, by his will (*registro* Chauncy) 1559, bequeaths five hundred pounds, and five hundred sheep, among his five sons or their children. He having survived Thomas and Edmund, he names Richard Lawrence of Foxcote the overseer of his will, and directs that he should be buried at Withington, near his late wife Alice (and not Isabella).

1. John, his eldest son, was parson at Withington; he died intestate 1568, and his brothers William and Robert administered to his effects. This John Lawrence must not be confounded with another John Lawrence, prebendary of Worcester, whose will is *registro* Buck, 1551.

2. Thomas Lawrence died before his father, 1559 (*registro* Chauncy); he left three children, John, Agnes, and Eleanore. John, settled at Stowgumber, died 1596 (*registro* Drake), having survived his son Richard of Stowgumber, who died 1593 (*registro* Nevile), leaving daughters.

3. Robert Lawrence of Shurdington, yeoman, died 1585 (*registro* Brudenell), leaving William, Robert, and Antony, who was of Sevenhampton. William of Shurdington died 1638, leaving William, Antony, and Isaac, who married Grizel Lawrence of Chelsea.

4. William Lawrence of Yanworth, yeoman, died 1582 (*registro* Tyrwhit), leaving William of Cricklade.

5. Edmund Lawrence, yeoman, died before his father 1559 (*registro* Chauncy), and Richard Lawrence of Foxcote, yeoman, died 1575 (*registro* Carew).

Such was William of Withington and his immediate descendants. Without any pretension to gentility, they were richer than half the gentry of the land. For, though he must be ignorant of the value of money who could assert that his revenues were two thousand pounds a year, yet few squires in the days of Queen Bess had five hundred pounds to bequeath: and, though many of our most illustrious peers are descended from less elevated ancestors, it would be absurd to believe that a yeoman was the nephew of Sir James Lawrence of Ashton Hall, whose brother-in-law the Viscount Welles had married the Princess Cecilia, daughter of King Edward IV.

The Lawrences of Ashton Hall being cut off in 1513, the Lawrences of Yeland Hall became the senior branch. Thomas Lawrence, the second son of Sir Robert, had married Mabilla daughter and heir of John Redmain of Yeland-Redmain, whose pedigree is in the Bodleian Library, *Dodsworth*, vol. 120. Thomas Lawrence, *miles* (according to *Dodsworth*, vols. 147 and 149), was sheriff of Lancashire from the 11th to the 23rd of Henry VI. He had six sons, Edmund, John, William, Robert, Richard, and James. One of the elder sons must have been father of the above-mentioned Launcelot, who died 26th Hen. VIII. leaving Thomas and Robert. Robert died 2nd Philip and Mary, leaving by Anne daughter of Thomas Bradley, of Bradley, an only

daughter Anne Lawrence, who married Walter Sydenham, third son of Sir John Sydenham, of Brimpton in Somersetshire. Observe that the fifth son of Thomas of Yeland was named Richard.

But to return to the curious pedigree. "Nicholas Lawrence of Agercroft, younger brother of Sir James, married an heiress of — Moore." Here are three errors; Sir James had no brother but Robert. Agercroft, a mansion near Manchester, belonged to the family of Sir Robert Lungley, and the heiress of More, who was widow of — Nicholson, was not the mother, but the first wife, of Sir Oliver Laurence, and hence his descendants quartered her arms. Nicholas had seven sons, Thomas, Robert, William, John, Richard, Henry, and Sir Oliver. The fifth son of this brood was a Richard also. This Richard, says the genealogist, was seated at Stapleton, co. Dorset. Now the Lawrences of Winterton Stapleton, of whom Hutchins gives an account, were the descendants of the above-mentioned Richard of Foxcote, a yeoman, and consequently could not be of the Ashton Hall family.

But according to Addit. MS. 5533¹ (Brit. Mus.) Richard Lawrence, gent. in right of his wife Agnes, daughter and heir of Thomas Franks, councillor at law 9 Hen. VII. was of Hertingfordbury, co. Herts. from 23 Hen. VII. to 28 Hen. VIII. [His son] William Lawrence, gent. who married Dorothy daughter of Walter Wrottesley of Wrottesley Hall, co. Stafford, was of Hertingfordbury from 28 Hen. VIII. to 3 Eliz.; [and their son] Roger Lawrence, gent. who married Elizabeth daughter of George Minne, esq. of Hertingfordbury, was of Hertingfordbury from 3 Edward VI. to 6 Eliz. Susan Lawrence, daughter and coheir of Roger, married John Darnel, esq. by whom she had four daughters; the eldest, Elizabeth, married Christopher Vernon, esq. son of William Vernon of Stukeley, co. Huntingdon. He died 1652, and on the monument which she erected [at Hertingfordbury] to his memory she styles her mother Susan "coheres Rogeri Laurence, post varias Lawrentiorum successiones in Hertinfordbury prædictâ verè celeberrimas, masculorum ultimi."²

In Mr. Clutterbuck's Hertfordshire,³ Richard [Lawrence, the husband of Mary Franks,] is named John; but his account of the family is less circumstantial than the above.

Now this Richard bore for difference in his arms an annulet; he

¹ This is a transcript by Hasted, the Kentish topographer, of the Visitation of London, 1634.

² Clutterbuck's Hertfordshire, ii. 206.

³ Ibid. p. 201.

therefore must have been a fifth son. He has been considered the brother of Sir Oliver; but, as the deaths of the father, son, and grandson succeeded so rapidly, he might have lived to a very old age, and have been the son of Thomas of Yeland; and, as nothing is known of the father of Sir Oliver, neither where he dwelt nor whom he married, and as Nic. and Ric. Nich. and Rich. in the deciphering of ancient deeds are so easily confounded, it is not impossible that Richard of Hertingfordbury has been converted into Nicholas of Agercroft. William died either in the 3rd of Edw. or 3rd of Eliz. and Sir Oliver, who died 1558-9, mentions in his will his sister Dorothy. This may possibly mean his sister-in-law. Thomas Franks bore the same arms as Franks of Campsal; and at York is the will of Thomas Lawrence of Campsal, proved 1530. This Thomas may be one of the seven sons. In two Harleian MSS. Nos. 1457 and 4198, are the arms of John Laurence, Esq. bearing the lion of Saint Ives,¹ placed among the Yorkshire gentry; and the two wives of William Laurence, of Saint Ives, sheriff and knight of the shire of Huntingdon, were, Frances, daughter of Henry Hunston of Loudham, Notts. and Margaret Kaye of Woodsom, Yorkshire.

These observations may be useful to those (and several there are) who at no small expense and trouble are endeavouring to make out the Laurence pedigree. The Hertingfordbury wills, could they be discovered either at Buckden, at Hertford, or at Lincoln, would clear up every difficulty. Three generations of so distinguished a family could not have died intestate. The inquisitions post mortem at the Rolls or Lancaster office would ascertain whether William could have been the elder brother of Sir Oliver or his nephew. The second wife² of Sir Oliver was Anne Wriothesley, sister of Thomas Earl of Southampton, and Sir Oliver leaves a hundred marks to his daughter Juliana, wife of Wriosly or Wrotsley (for the word is not very legible), and Henry Lawrence of Tisbury, gent. brother of Sir Oliver, bequeaths a legacy to his brother's daughter's son, John Wriosly or Wrosly, 1566 (*registro* Grimes). The wills of the Hertingfordbury branch would connect every link, and might be useful to other junior branches in uniting them to the ancient stock.

¹ The arms of Lawrence of St. Ives are distinguished by a chief of the second (gules) charged with a lion passant or.

² According to the pedigree in the *History of Dorsetshire* (3rd edition, vol. i. p. 599) Anne Wriothesley was Sir Oliver Lawrence's first wife, and the mother of his children. We have already noticed Sir Oliver Lawrence and his pedigree in the second volume of *The Herald and Genealogist*, p. 140. (EDIT. H. & G.)

Nor can we deem the *successiones Laurentiorum celeberrimas* an exaggeration. Through Dorothy Wrottesley, daughter of Walter (or Richard) Wrottesley, by Dorothy daughter of Edmund Sutton, who died in the life-time of his father, John Lord Dudley, K.G., the Laurences of Hertingfordbury were allied to all that was great and illustrious, and cousins to the ambitious Dudley Duke of Northumberland; to the Earls of Warwick; to Lord Guildford Dudley, who expiated on the scaffold the short-lived royalty of Lady Jane Grey; the brilliant Leicester, who set two queens at variance; and of Sir Phillip Sidney, who had refused a throne. Their family portraits would form an historical gallery. Sir William A'Court, now Lord Heytesbury, heir of the Vernons, is representative of this branch.

Yet this branch also the curious pedigree omits; but atones for the omission by naming Sir John Laurence, Mayor of London during the plague, among the worthies descended from the Crusader. His activity, charity, and munificence have been celebrated by Dr. Darwin, and would have been honourable to any family; but the Roman custom of adoption never prevailed in England. The Lord Mayor was the grandson of a Fleming, who left the Netherlands in the reign of Queen Elizabeth, and settled in the parish of St. Helen's in London, where Sir John built a mansion worthy of a doge of Genoa. Having been ennobled together with one of his brothers by a grant of arms,¹ he was knighted at a city feast given to Charles the Second. These arms were a cross ragulée gules, with a canton ermines. Here I will take the liberty to observe, that, while marks of cadency are highly useful to distinguish the different branches of the same family, the practice of granting to different families arms nearly similar defeats the chief purpose of blazonry, which is distinction and not confusion. The nearer two families approach in name the wider their arms should differ.

But not only the mayor and aldermen, but the common councilmen, about this period seem to have taken a fancy to the cross ragulée gules, and "intra muros peccatur et extra." The genealogists in London were not more scrupulous than at Chelsea, and produced also a pedigree (Addit. MS. 5533) in which they filled up all the vacancies with their favourites; so that if Nicholas Lawrence, who may have lived, but certainly not at Agercroft, were to come to life again, he would be surprised at the number of his descendants.

¹ Argent, a cross raguly gules, a canton ermine. Crest, two trunks of a tree raguly in saltire, environed with a chaplet vert. Granted 18 Nov. 1652.

But I must not forget the Cardinal d'Este's question to Ariosto, "Messer Ludovico, dove avete pigliate queste coglionerie?"

ST. IVE'S.

Every reader of this letter will perceive that its writer had carefully studied the subject discussed in it, and any one acquainted with the heraldic authors of the last generation will readily recognise the pen of Sir James Lawrence, author of an essay *On the Nobility of the British Gentry*, who designated himself as "ST. IVE'S," because he was himself a member of that race of Lawrence which was seated at St. Ive's, in Huntingdonshire. He had previously communicated to the *Gentleman's Magazine* (for January 1815) a memoir upon his own family, including the biography of Henry Lawrence, President of the Council during the Protectorate: and this we propose to reprint in a future Part.

The memoir of the Laurences which Faulkner admitted into his *History of Chelsea* commences with a statement that "the ancient and respectable family of Lawrence" came into England with William the Conqueror; and, after relating the legendary story that Sir Robert Lawrence was made Banneret by King Richard the First at Ptolemais, and on that occasion received permission to bear the red cross ragulée for his arms, proceeds with the remark, that "It is uncertain when this eminent family first came to reside in Chelsea." But a conjecture is added, that they probably settled there about the beginning of the fourteenth century, because (as the writer imagined) the architecture of "the Lawrence Chapel in the church" is of that date—not adverting to the circumstance that this chapel might have received the name (as it certainly did) long after it was originally built.

The subject is first introduced with a statement that the manor-house of Chelsea ("the residence of the Lawrence family *for many ages!*") stood on the site of the present Lawrence Street, until, Lord Sandys having alienated the manor to King Henry VIII., that monarch built a new manor-house further to the eastward, and sold the ancient house to *Sir Thomas Lawrence*.¹ But the purchaser on that occasion was not a knight: nor was the con-

¹ History of Chelsea, 2nd edit. 1829, i. p. 263 and p. 310; or, as in the first edit. 1810, p. 231, "to the ancestors of Sir Thomas Lawrence."

nection of the family with Chelsea earlier than that purchase (circ. 1536).

It appears from a pedigree by Lilly in the Harl. MS. 1096 (and which is appended in p. 544), that Thomas Laurence the goldsmith of London, who was buried at Chelsea in 1593, was the son of Thomas Laurence of Chelmarsh, near Bridgenorth, and probably born at that place, where also Thomas Laurence his grandfather resided.

Whether the goldsmith himself was the purchaser at Chelsea in the early part of his life, or whether the purchase was made by his father, is not apparent.

The goldsmith's will is on record: and the following are notes taken from it:—

Thomas Laurence, citizen and goldsmith of London—His wife Martha. To the poor of Chelsey parish. To his executors 400*l.* to be employed by them in “the finishing of the buildings which are in hand at Iver, in the county of Bucks.” To my sister-in-law Katherine Cage, wife of Mr. John Cage. To my sister Lowton's children. To my sister Heades children. Cousin Joice Jackson. Executors his wife and son Thomas. Overseers, brother-in-law Mr. John Cage of London, salter, and John Taylor of London, mercer. Real property in Bucks, Chelsea, and London. To his wife his house at Chelsey, with all the grounds, orchardes, gardens, &c. ; over to his son Thomas in tail; over to son John in tail. Daughters Blanche, Martha, and Sara. Proved at Hadleighe, co. Middx. Nov. 1593.

The Laurence Chapel at Chelsea is to the north of the chancel, and the monument of Thomas Laurence is affixed upon its north wall. It exhibits within two arched recesses kneeling effigies of the citizen and his wife, with three sons behind him, and behind her six daughters, besides two babes in swaddling-clothes laid on a cushion before their mother. Above the cornice are three shields of arms; the personal coat of the deceased in the centre, between those of the Merchant Adventurers and the Goldsmiths. The first is Argent, a cross raguly gules, on a chief azure three leopard's heads or.¹ On another shield, placed behind the middle pillar of the monument, is the same coat impaling, 1 and 4. Per pale [az.]

¹ This chief, evidently distinguishing the Goldsmith's occupation, is omitted in Faulkner's engraving.

and [gu.] (tinctures gone), over all a saltire or, for Cage; 2 and 3. A swan flying, for Dale. The inscription is as follows:—

1593.

The yeares wherin I livd ware fifty-fowre,
 October twentye-eyght did end my life,
 Children five of eleven God left in store,
 Sole comfort of theyr mother & my wife.
 The world can say what I have bin before,
 What I am now examples still are rife,
 Thus Thomas Larrance spekes to tymes ensving,
 That Death is sure & Tyme is past renuing.

On the same wall is the monument of Mrs Sarah Colvile, one of the daughters of the preceding Thomas Laurence. It represents the deceased, in a winding-sheet, rising from her tomb, and bears the following inscription:—

“And you shall know that I am the Lord when I have opened your graves, O my people, and brought you up out of your sepulchres.”

Ezek. 37, vers. 13.

Sacred to y^e blessed memory of that unstayned copy & rare example of all virtue, SARA, wife to Richard Colvile of Neuton, in y^e Ile of Ely, in y^e county of Cambridge, Esq., daughter to Thomas Laurence of Iver, in y^e county of Buckingham, Esq., who in y^e 40th yeare of her age received y^e glorious reward of her constant piety, being y^e happy mother of 8 sons and 2 daughters.

Wonder not (Reader) how this stone
 Should be so smooth and pure: Theres one
 That lies within, by whose fayre light
 It shines so cleere & looks so bright.
 The cutter's art could only give
 A forme, but of no power to live;
 Nor shall it ever loose this grace
 Till she arive and leave the place;
 For losse of whome y^e mournfull urne
 Shall fire, and to cynders turn.

She dyed y^e 17 of April 1631.

Arms: Quarterly, 1 and 4. Azure, a lion rampant argent, a label of three points gules; 2. Argent, three chessrooks gules,¹ Walsingham; 3. Argent, on a bend sa. a bezant, Pinchbeck; impaling Laurence.

¹ Incorrectly blazoned in Faulkner, i. 222, as Or, three chessrooks gules and argent. How inaccurately the epitaphs are printed in the History of Chelsea cannot be imagined without comparison with the present copies.

Crests : 1. A lion rampant arg. 2. A chessrook.

On a large tablet of black marble, affixed to the east wall:—

Sacred to the memory of **SR JOHN LAURENCE**, late of Iver, in ye county of Bucks, Knight & Baronet, who married Grissell daughter & co-heire of Gervase Gibbon, of Benenden, in the county of Kent, esq. by whom he had issue seven sons and foure daughters. He deceased the xiith of Novembr 1638, aged 50 years.

When bad men dy and turn to their last sleepe,
 What stir the poets and engravers keep,
 By a fained skil to pile them up a name
 With terms of Good and Just outlasting fame.
 Alas! poor men, such most have need of stone
 And epitaphs; the Good (indeed) lack none.
 Their owne true worth's enough to give a glory
 Unto th'uncankerd record of their story.
 Such was the man lies here, yet doth pertake
 Of verse and stone, but 'tis for fashion sake.

Arms : Argent, a cross raguly gules, on a chief azure three leopard's heads or; on a scutcheon of pretence the arms of Ulster; impaling Sable, a lion ramp. guard. between three escallops or. (Gibbon.)

On a black marble slab, on the floor of the Chapel:—

Sacred to the memory of **HENRY LAURENCE**, Turkey marchant, youngest sonne of Sir John Laurence, Knt. & Baronet, who dyed in the 30th yeare of his age, the 14th of October 1661.

Here rests ye weary Marchant, having tri'd
 And finding this world's traffick vain delite
 That empty trifle, now hee's gone to trad
 In th' other world for gaines which never fade;
 Thence you shall see when he acquits this urne
 Of everlasting crownes a brave returne;
 The stock of goodness he imbarkt before
 Ensures him there an hundred fold and more.

A fifth inscription (unnoticed by Faulkner) is on the floor, only partially visible. It commemorates Frances the second daughter of Sir John Laurence:

Pew Floor here.

Resurrection
 lyeth whatsoever
 tall of the Excellent
 ances Lawrence
 for her truly Loyall
 iples to the Crown,
 stancy to the Church
 d in the worst of Times
 hreescore and ten years
 allwais a virgin; She was
 aught^r to Sr John Lawrence
 the County of Bucks
 Baronet by Dame Grissell
 his only wife
 ing worthy of such Parents
 ted this life at Chelsey
 8th day of Novemb^r
 no Domini 1685.

Sir John Laurence, of Delaford, in Iver, co. Bucks, and of Chelsea, co. Middlesex, was created a Baronet on the 9th Oct. 1628. He died in Nov. 1638, and was buried at Chelsea (but styled in the Register "Knt." only), and was succeeded by his son, a second Sir John; the date of whose death is not upon record.¹

He was the father of Sir Thomas Laurence who was buried at Chelsea on the 25th of April 1714; who was the last that bore the title. He had married "a daughter of Mr. English, but had no issue."²

¹ It was this Sir John Laurence who repaired the monument of Sir Thomas More in Chelsea church and had the inscription recut upon a slab of black marble: "After he was beheaded, his trunk was interred in Chelsey church, near the middle of the south wall, where was some slight monument erected, which being worne by time, about 1644 Sir [John] Laurence of Chelsey. (no kinne to him) at his own proper costs and chardges erected to his memorie a handsome inscription of marble." Aubrey's *Lives of Eminent Men*, appended to Letters, &c. from the Bodleian, 1813. 8vo. ii. 463.

² Burke's *Extinct Baronetcies*, p. 300. It is stated in the same place that "Sir Thomas spent all his estate, and about the year 1700 emigrated to Maryland." There was a Sir Thomas Lawrence, who was Secretary of Maryland in 1696, and who

There had, however, been a son, if he did not live to inherit the title; for in 1706, March 26, John Lawrence of Chelsea, esq. heir apparent of Sir Thomas Lawrence, Bart. and Anne his wife, conveyed to William Lord Cheyne and his heirs, in consideration of 70*l.*, three messuages and gardens on the north side of Lordship Yard.¹ It may be concluded that about the same period the rest of the Lawrence property in Chelsea passed out of the hands of the family.

A book,² published by the Rev. Dr. Warmstry in the year 1658, mentions Henry Laurence the Turkey merchant, whose epitaph has been already given, and a brother-in-law, also named Lawrence, who was engaged in the same traffic. Was this the

has been identified with the Baronet of Iver (see p. 464 of our present volume). He is said to have died in Maryland in 1712: two years before the interment at Chelsea. In his *Extinct Baronets* Burke inaccurately assigns to Laurence of Chelsea and Iver the arms of the family of Lawrence of St. Ives.

¹ Faulkner's Chelsea, i. 262. Lordship Yard leads out of Lawrence Street.

² "The Baptized Turk, or a Narrative of the happy Conversion of Signior Rizep Dandulo, the only son of a Silk Merchant in the Isle of Tzio, from the delusions of that great Impostor Mahomet, unto the Christian Religion: and of his admission unto Baptism by Mr. Gunning at Excester-house Chappel the 8th of Novemb. 1657. Drawn up by Tho. Warmstry, D.D., 1658." 12mo. Dedicated to the Countess [the young Countess, p. 139] of Dorset, the Lord Gorge, and the worshipful Philip Warwick, Esq. witnesses at the baptism.

Dandulo was descended from an ancient Venetian family; his father a professed Turk, but his mother a Christian of the Greek Church.

At Smyrna "he met with Mr. Laurence, son of the Lady Laurence of Chelsey, with whom he fell into some acquaintance." Afterwards, being at Algiers, he was sent as an agent to England, and there again met with the same Mr. Laurence, "by whom he was after some time brought into Chelsey to the house of his worthy mother, where he was kindly entertained; and in the time of his first continuance there I had a sight of him in his Turkish habit. * * * In the time of his being there he had entered into some familiarity with Mr. (*blank*) Lawrence, a Turkish merchant, who married the daughter of the Lady Laurence before mentioned, who finding him, as he conceived, proper for some purposes of his, prevailed with him to stay some longer time in England than he intended to have done. * * * A while after he came again to the Lady Laurence's of Chelsey, at whose house I happily found him when I came thither one evening to do those observances which I owe unto that worthy lady, by whose favour I enjoy a habitation as her tenant in the town of Chelsey. * * * So in much weakness, with the assistance of Mr. Laurence the merchant afore mentioned, who was pleased to do the part of an interpreter between me and this convert, I made an entrance upon the work of his conversion." Subsequently "that worthy and learned divine Mr. Peter Gunning"—with Mr. Samoiz,

Isaac Lawrence, husband of Grissell, one of the daughters of Sir John Lawrence,¹ for whom the magnificent pedigree was prepared?

ENTRIES OF THE NAME OF LAURENCE, ETC. IN THE PARISH
REGISTERS OF ST. LUKE'S, CHELSEA, CO. MIDDLESEX.

Communicated by Jos. L. Chester, Esq.

Married.

1638 June 2. Mr. John Larrance and Mrs Kattring^s Laslock.

1642-3. Jan. 18. Wm. Tomkines and Elsebeth Larance.

1704. July 31. Joseph Weld and Unasa Lawrence, both of St. Margaret's, Westminster.

1722. June 22. John Wathen, of Allhallows Barking, and Susanna Lawrence of Eltham, Kent.

Baptisms.

1653-4. Feb. 1. Henry, son of Isaac Lawrence.

1655. March 28. Thomas, son of Isaac Lawrence.

1656. Nov. 12. Mary, dau. Mr. Isaac Lawrence.

1658. June 14. Jane, dau. of Mr. Isaac Lawrence.

1675. May 4. Anna, d. Thos. Lawrence, esq.

1676. Nov. 5. John, son of Thos. Lawrence, esq.

Burials.

1593. Oct. 29. Thomas Larrance, de civitate London. Goldsmith, obiit die solis 28 Octobris et sepult. 29 die sequente.

1634. Aug. 31. Jane Larance, gentlewoman.

1638. Nov. 14. Sir John Larance, Knt.

1654. Apl. 20. Henry, son of Mr. Isaac Lawrence.

1657. July 13. Mary, dau. of Mr. Isaac Lawrence.

1658. Aug. 11. Jane, dau. of Mr. Isaac Lawrence.

1661. Oct. 17. Mr. Henry Lawrence.

“addresseth himself unto Chelsey to the house of the Lady Laurence, who was pleased to give a very favourable and courteous entertainment to all that came about that holy business,—which I hope will be returned in many blessings upon her family.”

¹ As already stated in p. 532.

1664. Oct. 11. The Lady Lawrence wife of Sir John Laurance.¹
 1670. Oct. 17. Margaret, dau. Mr. Isaac Lawrence.
 1674-5. Mch. 22. Dame Grizzell Lawrence.
 1675. Aug. 21. Ann d. Thomas Lawrence, esq.
 1680. Dec. 28. Giles, son of Mr. Thos. Laurance, esq.
 1685. Nov. 28. Mrs. Frances Lawrence.
 1691. July 15. Mr. Thomas Lawrence.
 1700-1. Mch. 6. Mrs. Grizel Lawrence.
 1701. Aug. 9. Mrs. Elizabeth, wife of Jo. Lawrence, esq.
 1710-11. Feb. 19. Mrs. Elizabeth English, Lady Lawrence's mother.
 1714. Apl. 25. Sir Thomas Lawrence, Bart.
 1723. Nov. 2. Anne, Lady Lawrence.

EXTRACTS FROM THE PARISH REGISTER OF IVER.

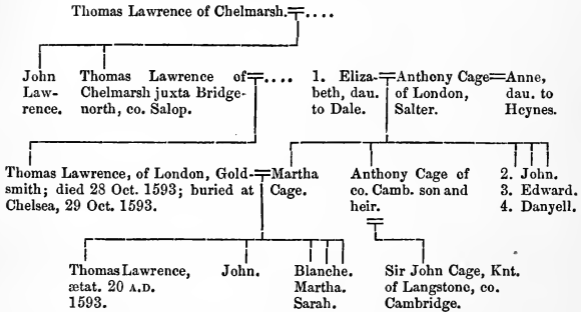
1723. John Lawrence, son of Edward and Mary, bapt. 7 June;
 buried June 26.
 1725. Edward, son of Edward Lawrence, buried June 26.
 1730. Mr. Lawrence, brother to Lord Bathurst, buried June 28th.

In the next page are appended two pedigrees of Laurence of Chelsea and Iver: the second from the original Visitation of Buckinghamshire in 1634. We should add that the latter has been recently published in *Miscellanea Genealogica et Heraldica*, vol. i. p. 211, as one of a series of Lawrence pedigrees, which apparently comprises all that are on record at the College of Arms.

¹ Identified by Faulkner in a note (ii. 132) with Sir John Lawrence, Lord Mayor in 1665, commemorated in Darwin's *Botanic Garden*, for his attentions to the poor during the Great Plague in his mayoralty; but the Lord Mayor was of a totally different family, and of Flemish extraction, as already stated by the Chevalier Lawrence (p. 535).

PEDIGREE OF LAWRENCE AND CAGE.

(From a MS. of Lilly, Harl. MS. 1096.)



ARMS: *Lawrence*, Argent, a cross raguly gules.

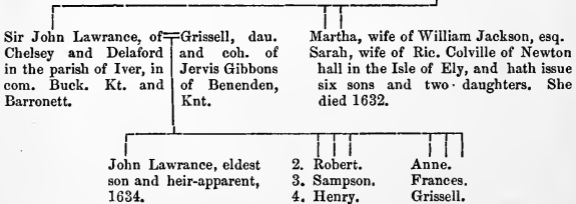
Cage, Per pale azure and gules, a saltire or.

PEDIGREE OF LAURENCE, OF CHELSEA AND IVER.

(From the Visitation of Buckinghamshire 1634; Coll. Arm, 1st C. 26.)

ARMS. Argent, a cross ragulée gules, on a chief azure three leopard's heads or; an escutcheon of Ulster. Crest. A demi-turbot, tail upwards, gules.

Thomas Lawrance, descended from Lawrance of Lancashire, buried in a chappell appropriat to his familie at Chelsey in Com. Middlesex. = Martha, one of the heires of Anthony Cage of London.



(Signed) JO. LAURENCE.

THE VISCOUNTCY OF NETTERVILLE.

THE CLAIM TO THIS PEERAGE,

which was decided by the Committee for Privileges of the House of Lords on the 26th July 1867, in favour of the claimant Arthur James Netterville of Cruicerath, co. Meath, is one of peculiar importance, as restoring to the Irish roll of nobility a very ancient and honourable family and one of the oldest viscountcies in Ireland. The pedigree is as follows :

I. THE MAIN LINE, THAT OF DOUTH.

The family of NETTERVILLE is of Norman descent and of considerable antiquity; it took from an early period an important and historic position in Ireland, and made high connections and alliances there. It was settled at Douth, co. Meath, in the reign of HENRY II.

SIR LUKE NETTERVILLE, of Douth, was appointed one of the Justices of the Court of Queen's Bench in Ireland, 15th October, 1559. He married Margaret daughter of Sir Thomas Luttrell, of Luttrellstown, by whom he had, with other issue,

1. JOHN, of whom presently.

2. Richard, of Corballis, co. Meath, who acquired considerable estates in Meath and Tipperary, married Alison, daughter of Sir John Plunket of Dunsoghly, Chief Justice of the Queen's Bench; and died s. p. 5 Sept. 1607. By his will he devised his Meath estates to Lucas, second son of his nephew Nicholas Viscount Netterville, in tail male, with remainder to Patrick, third son of Viscount Netterville, in tail male; and his Tipperary estates to Patrick Netterville, in tail male, with a shifting clause directing the Tipperary estates to go to the fourth son of Viscount Netterville, in case Patrick, the third son, should succeed to the Meath estates.

The eldest son,

JOHN NETTERVILLE, succeeded his father at Douth, and was M.P. for co. Meath in 1585. He married Eleanor, daughter of Sir James Gernon of Kilmacooles, co. Louth, and dying 20 Sept. 1601 left by her (who died 29 Jan. 1620) an only son,

NICHOLAS NETTERVILLE, of Douth, who was raised to the peerage of Ireland 3 April, 1622, as VISCOUNT NETTERVILLE of Douth, co. Meath. He married, first, Eleanor, daughter of Sir John Bathe of

Athcarne and Drumconragh, co. Meath, and by her (who died 27 Oct. 1634) had issue,

1. JOHN, his successor.

2. Lucas, who, under the will of his great-uncle Richard Netterville, succeeded to the estate of Corballis; he married Mabel, daughter of Sir Patrick Barnewall, Bart. of Turvey, and died before 1652, leaving issue by her,

I. Francis, who married Mary, daughter of General Thomas Preston, and died before 1660, having had issue by her Thomas and Mary, who both died young.

II. Richard, who died an infant.

3. PATRICK, head of the Lecarrow branch, and ancestor of James, seventh Viscount Netterville.

4. ROBERT, head of the Cruicerath branch, and ancestor of the successful claimant, now the eighth Viscount.

His lordship married, secondly, Mary, daughter of Alderman Brice of Drogheda, widow of John Hoey, Esq. Serjeant-at-Arms, and relict of Sir Thomas Hibbotts, Chancellor of the Exchequer, but had no issue by her, and dying in 1654, was succeeded by his eldest son,

JOHN, second Viscount, who married in 1623 Elizabeth, elder daughter of Richard Earl of Portland, K.G., Lord High-Treasurer of England, and by her (who died in 1656) had issue four sons:

1. NICHOLAS, his successor.

2. Hierome, died s. p. in 1705.

3. Robert, died an infant.

4. James, who married Eleanor, daughter of Sir William Talbot, Bart. of Cartown, and widow of Sir Henry O'Neile, and died s. p.

His lordship was deprived of all his estates by Cromwell's government, and died in 1659, when he was succeeded by his eldest son,

NICHOLAS, third Viscount, who, after the Restoration, was restored to the Douth estate, but kept out of the greater part of the inheritance of his family. He married in April, 1661, Margaret, daughter of Thadeus O'Hara, Esq. of Crebilly, co. Antrim, by whom he had three sons:

1. JOHN, his successor.

2. Nicholas, died s. p. in 1696.

3. Luke, married Anne, daughter of Mr. Stanley of Drogheda, and died in 1742, leaving issue,

I. Nicholas, who died s. p. in 1776.

II. Jerome, who died s. p.

His lordship died in 1689, and was succeeded by his eldest son, JOHN, fourth Viscount, who in 1715 took the oath of allegiance in the House of Lords, but declined to make the declaration, and was ordered to withdraw. He married 30 May, 1704, Frances, eldest daughter of Richard Viscount Rosse, and died at Liege, in Flanders, 12 Dec. 1727, aged 53 years, leaving an only son,

NICHOLAS, fifth Viscount, born 1708, who took his seat in the Irish House of Lords 25 Feb. 1729-30. He married 28 Feb. 1731, Catherine, only daughter of Samuel Burton, Esq. of Burton Hall, co. Carlow, and had issue,

1. JOHN, his successor.

1. Frances, married to Dominick Blake, Esq. of Castle Grove, co. Galway, and died in 1764, leaving issue.

2. Anne, died unmarried in 1756.

His lordship died 19 March, 1750, and was succeeded by his only son,

JOHN, sixth Viscount, who, born in 1744, died unmarried in 1826, when the male issue of John second Viscount Netterville, the eldest son of the first Viscount, became extinct. The two sons of Lucas, the second son of the first Viscount, as before mentioned, died without surviving issue. The next succession to the title was to be found in

II. THE LECARROW BRANCH.

PATRICK NETTERVILLE, of Lecarrow, co. Galway, (the third son of the first Viscount,) married Mary, daughter of Peter Duffe of Drogheda, and had issue,

1. NICHOLAS, his heir.

2. Luke, who married, but died s. p. after 1718.

3. Richard, who married Honestas, daughter of Christopher Netterville, Esq. of Fethard, but died s. p.

4. John, who died s. p. before 1718.

He died in 1676, and was succeeded by his eldest son,

NICHOLAS NETTERVILLE, of Lecarrow and Longford, co. Galway; who married, first, Cecilia, daughter of Sir Redmond Burke, Bart. of Glinsk, and had issue two sons,

1. PATRICK, his successor.

2. Edmund of Sligo, who married Dorothea Douglas, and died in 1744, leaving an only son Patrick, who died without issue.

He married, secondly, Mary, daughter of Christopher Betagh, Esq. and had issue by her five sons:

3. Christopher, who died unmarried.
4. JAMES, the grandfather of James, seventh Viscount.
5. Nicholas, who died s. p.
6. Peter, who died s. p.
7. Francis, who died s. p.

Nicholas Netterville, Esq. died in 1719, and was succeeded by his eldest son,

PATRICK NETTERVILLE of Longford, who married Margaret, sister of James Ferral, Esq. of Kilmore, co. Roscommon, and had issue by her :

1. EDMUND, his heir.
2. James, who died young and unmarried.
3. Patrick, who died young and unmarried.

1. Cecilia, married to Sir Henry Burke, Bart. of Glinsk.
2. Margaret, married to John Fallon, Esq. of Ballygrass, co. Roscommon, and had issue, Christopher and Henry.

He died in 1736, and was succeeded by his eldest son,

EDMUND NETTERVILLE of Longford, co. Galway, and of Glasnevin, co. Dublin. He married Margery, daughter of Frederick Trench, Esq., M.P. and had issue,

1. FREDERICK, his heir.

1. Margery, married to Walter Lawrence, Esq. of Woodfield, co. Galway, and had issue, Peter and Maria.

He settled his estates by his will dated 15 Nov. 1765, and died in 1777, when he was succeeded by his only son,

FREDERICK NETTERVILLE of Longford and Glasnevin, who married Mary, daughter of Mr. Keogh, by whom he had issue :

1. EDMUND, his heir.
2. Robert, who died unmarried in 1814.
3. Frederick, who died unmarried in 1808.

1. Marcella,¹ married to John Gerrard, Esq. of Gibbonstown, and died s. p. 1865.

2. Maria, died unmarried 1823.
3. Cressy, died unmarried 1825.

He died in 1785, and was succeeded by his eldest son,

EDMUND NETTERVILLE of Longford and Glasnevin, who died unmar-

¹ In 1865, by the death intestate of Mrs. Gerrard of Gibbonstown, representative of the Nettervilles of Lecarrow, her extensive estates devolved on her next heirs, the present Viscount Netterville, John Fallon, Esq., and Sir John Bradstreet, Bart., who are now the heirs general of Patrick Netterville, of Lecarrow.

ried in 1814, when the male issue of Nicholas Netterville of Lecarrow by his first wife became extinct. The descent therefore reverted to

JAMES NETTERTVILLE, (the fourth son of Nicholas Netterville of Lecarrow, and his second son by his second wife,) who married Reddis, daughter of D'Arcy Hamilton, Esq. of Fahy, co. Galway, and had issue four sons :

1. NICHOLAS, his heir.

2. Hamilton, who died s. p.

3. Mark, who married Anne and died s. p. in 1817. His widow was living in 1830, but is now deceased.

4. Robert, who died s. p.

He died in 1782, and was succeeded by his eldest son,

NICHOLAS NETTERTVILLE, who married Bridget, daughter of Bartholomew French, by whom he had issue :

1. JAMES, his heir.

1. Bridget, married to James Jordan.

2. Reddis (a daughter), died unmarried.

He died in 1798, and was succeeded by his only son,

JAMES NETTERTVILLE, who, on the death of John sixth Viscount Netterville, in 1826, became the heir male of the body of Nicholas first Viscount Netterville, and on 14 Aug. 1834 it was resolved and adjudged by the House of Lords that he had made out his claim to the honour and dignity of Viscount Netterville. He married Eliza, daughter of Joseph Kirwan, Esq. of Hillsbrook, co. Galway, and died in 1854, leaving two daughters :

1. Elizabeth-Gwendoline-Theodora.

2. Mary-Reddis, married 22 Nov. 1860, to Joshua-James, (who took, 1865, by royal licence, the surname of Netterville only, in lieu of his patronymic,) younger son of the late James M'Evoy, Esq. of Tobertinan, co. Meath, and grandson of the late Sir Joshua Meredyth, Bart., and has three daughters, Mary-Netterville, Theresa, and Eliza.

James, seventh Viscount Netterville, leaving thus no son, the male issue of Patrick Netterville of Lecarrow, third son of the first Viscount, became extinct ; and the representative of the family was to be sought in

III. THE CRUICERATH BRANCH.

ROBERT NETTERTVILLE of Cruicerath, co. Meath, (fourth son of Nicholas, first Viscount Netterville,) who acquired by purchase the lands of Cruicerath, and who, on the failure of the male issue of his elder brother Lucas, succeeded to the estates in the co. Tipperary devised

by the will of his great-uncle Richard Netterville. He married Jane, daughter of Sir William Rigdon of Rigdon Hall, co. Lincoln, and had, with other issue, an eldest son,

NICHOLAS NETTERVILLE, who succeeded to Cruicerath on the death of his father. He married Katherine, daughter of William Viscount Fitzwilliam in Ireland, and by her (who died in 1741) he had, with other issue, WILLIAM, his eldest son. He died in 1716, and was succeeded by his eldest son,

WILLIAM NETTERVILLE of Cruicerath, who married Mary, daughter of Robert Preston, Esq. of Charlestown, co. Dublin, and had issue,

1. ROBERT, his heir.

2. WILLIAM, who succeeded his brother.

3. Thomas, a Roman Catholic priest.

He died in 1757, and was succeeded by his eldest son,

ROBERT NETTERVILLE of Cruicerath, who married Margaret, daughter of Sir Andrew Aylmer, Bart. and widow of Henry Luttrell, Esq. but had no issue. He made a settlement of Cruicerath and the Tipperary estates by his will, and under that settlement they descended to Arthur-James, eighth and present Viscount Netterville. He died in 1791, and was succeeded by his brother,

WILLIAM NETTERVILLE of Cruicerath, who married Margaret, daughter of James Madan, Esq. and had issue,

1. WILLIAM, who married Susanna, daughter of Sir Ulick Burke, Bart. of Glinsk, and died in 1788, leaving an only son,

ROBERT-WILLIAM, who succeeded his grandfather.

He died in 1801, and was succeeded by his grandson,

ROBERT-WILLIAM NETTERVILLE of Cruicerath, who married Mary, daughter of John Bernard, Esq. of Ballynegar, co. Kerry, by whom he had, with other issue, ARTHUR-JAMES, his eldest son.

He died in 1834, and was succeeded by his eldest son,

ARTHUR-JAMES NETTERVILLE of Cruicerath, successfully claiming to be 8th Viscount, as the heir male of the body of Nicholas first Viscount Netterville.

The case of this now successful claimant first came before the House of Lords on the 29th of July, 1861, and it has, at various times, occupied the attention of the House during every subsequent Session of Parliament. There was throughout no doubt of the descent of the claimant, or of the perfect correctness of his pedigree; but the difficulty was to prove the extinction without issue of three sets of younger sons

who lay between him and James the seventh and prior Viscount, viz. Hamilton, Mark, and Robert, the uncles of that Viscount; their three uncles, Nicholas, Peter, and Francis; and their great-uncles, Luke, Richard, and John. This difficulty was a very formidable one, when one considers that in this case (owing to the imperfect state of registries in Ireland) not a single register of birth, death, or marriage could be adduced. Wills, deeds, and reputation were, however, brought to the rescue; and of these, through the learned and persevering searches of the present Ulster King of Arms, the weight was so increased as to eventually satisfy the House of Lords.

At the final hearing, on the 26th July, 1867, before Lord Redesdale, Chairman of the Committee for Privileges, the Lord Chancellor, and Lord Cranworth, when Mr. Fleming, Q.C., Mr. Serjeant Burke, and Mr. J. S. Molloy were (as throughout the case) the claimant's counsel; while the Attorneys-General for England and Ireland and Mr. Clark appeared for the Crown; Mr. Fleming summed up the case very minutely, and, after the English Attorney-General had been also heard, the Committee unanimously decided that ARTHUR JAMES NETTERVILLE, the claimant, had established his right to the dignity, and thus recognised him as the eighth and present VISCOUNT NETTERVILLE.

DOUBTFUL PEDIGREES.

(BURKE'S *Landed Gentry*.)

In selecting the two following for analysis the writer disclaims any offensive intention towards the doubtless respectable representatives. He has simply taken the first "lineages" occurring under the letter A, which appeared to be drawn up in violation of fact. Indeed the exposure may be thought salutary, and not requiring apology. As the knife of the surgeon cuts away without mercy the superfluous and diseased flesh with the view of curing the patient; so he who tries fictitious (or partly fictitious) pedigrees by the standard of historical criticism, and plucks off the borrowed plumes in which venal or ignorant empirics have arrayed their employers, restores the latter to their true status, both in their own eyes, and, what is better, those of the public, ever too ready to believe in high-sounding names and titles, without inquiring into their reality.

He has taken them from the *Landed Gentry* for 1846-8, names and dates being given there more fully than in later editions, in which, however, the objectionable and false statements of the former are, as lawyers say, substantially homologated, by not being expressly corrected or withdrawn.

ADAIRE OF BELLEGROVE AND RATH, QUEEN'S COUNTY.

This lineage commences with—(1). "Thomas 6th Earl of Desmond," who, having made what in the opinion of "his family and clan" was a mesalliance with "the daughter of William McCormic," was "compelled by them to fly to France," where "he died of grief at Rouen A.D. 1420, the King of England attending his funeral." His elder son, (2). Maurice [nothing more being said as to the younger, John, who is therefore commended to the notice of the Fraternity of Genealogists] was the father of (3). Robert, who, inverting the usual procedure in Scoto-Irish pedigrees, after an unsuccessful attempt on the family estates, "fled to Scotland," and "assumed the name of Adaire." He married "Arabella, daughter of John Campbell, Lord of Argyle and Lorne," and had a son, (4) "Sir Ninian Adaire, who first took the title of Laird of Kinhilt, in Galloway, Scotland." "Sir Ninian" also married an "Arabella, daughter of Sir John Echlin," and had a son "and heir"

5. "Sir" William Adaire, who "married Mabilia, daughter of Sir J. Forbes, by Mary, daughter of Lindsay, Earl of Crawford, and was father of"

6. "Sir Robert Adaire, who m." [a *third*] "Arabella, daughter of Right Hon. R. Steuart, called the Good Lord of Ochiltree," and was succeeded by his son

7. "Sir" William Adaire, who married "Juliana, daughter of Sir R. Douglas, brother of the Earl of Dumbarton, and had a son and successor"

8. "Sir" Robert Adaire, who "married Anne, daughter of Sir John Campbell, 2nd brother of the Lord of Argyle and Lorne, and was succeeded by his son"

9. Ninian Adaire, "esq." who, though somewhat lower in rank than his predecessors, marries "Elizabeth, daughter of John Hamilton, Viceroy of Albany, and was succeeded by his son."

10. William Adaire, also merely an "esq." who nevertheless marries "Jane, daughter of R. Lindsay, Earl of Crauford," and, instead of the usual "son and heir," leaves two, viz.:

11. Robert Adaire, esq. and Archibald Adaire, dean of Raphoe 1630,

bishop of Killala 1640, and of Waterford 1641. This "Right Reverend" married "Helena, daughter of Sir J. Campbell of Argyle," and died at Bristol, 1647. Although "distinguished for his great piety, learning, and hospitality," his chief claim to remembrance seems to be, that "from him was descended the famous (?) Johnny Adair of Kiltiernan." The elder son Robert was father of—

12. Archibald Adaire, esq. who married "Mary, daughter of Sir R. Campbell," and had a son,

13. Thomas, born 1641. The father and son, we are told, "served under King William III. at the battle of the Boyne, the former receiving the honour of knighthood on the field of battle." Thomas married "Mary, a daughter of the noble house of Hamilton, in Scotland," and "settled in the Queen's county, his patrimonial estates being much diminished, in consequence of his father having been attainted by King James on account of his strong attachment to the Protestant party, and his property in the King's and other southern counties confiscated." And so on. In the 15th representative, "John Adair, Esq. of Rath," who flourished in 1776, we probably find the first undoubted ancestor of the family.

This is a highly suspicious composition. Quite irrespective of the *undated* births or deaths of the several representatives, or their evidently fictitious marriages to Arabellas, Mabilias, and Julianas, the daughters of personages with fancy titles, such as "the Viceroy of Albany," or sobriquets as "The Good Lord of Ochiltree" (which latter, by the way, was borne by *Andrew Stewart Lord Ochiltree*, the father-in-law of the Reformer Knox), it will be observed that, putting the case in the most favourable light, and assuming Maurice (2) to have been 20 years old at the death of his noble parent in 1420, and Archibald (No. 12) to have been but 21 when his son Thomas was born in 1641, eleven generations are assigned to a period of only 220 years! The successive "knights" and "esquires" tread too closely on each other's heels to be all *genuine*. In fact, the whole is a tissue of ignorant confusion. Two instances may be selected, on the principle, "ex uno disce omnes." The 7th representative, "Sir William," who cannot possibly have flourished later than the middle of the 16th century, marries the niece of "the Earl of Dumbarton," a dignity which was not created till 1675, the era of his alleged great-great-great-great-grandson Thomas! The other singular circumstance is, how the estates of this last individual (we are not told when the family left Galloway for Ireland), whose father and himself were adherents of

William III. could be confiscated by James II.—a *dethroned King!* The “attainder” by James must also have been a “brutum fulmen.”

The arms, crest, and motto assigned to the family are identical with those of a totally distinct race, “Adair of Heatherton Park, Somersetshire,” the head of which is Sir Robert Shafto Adair, Bart. of Flixton Hall, Suffolk. On examining his pedigree, the real “knight banneret” of the Boyne will be discovered—“Sir *Robert* Adair of Kinhilt and Ballymena, co. Antrim,” the latter a more likely residence than the King’s County, for a supporter of William III. Its incidents otherwise are in every way *consistent and probable*, while at the same time they *completely discredit* the Bellegrove and Rath compilation! *Both*, in short, *cannot possibly be true*. Our readers may easily determine which to believe.

ALEXANDER OF POWIS, CO. CLACKMANNAN.

This is a still worse example of Pedigree manufacture, inasmuch as, besides the usual bede roll of knights and squires, it assumes, as will be seen, by implication, the representation of the dormant Earldom of Stirling.

It commences with the vague general assertion (evidently worth nothing, and a mere makeweight), that “this family claims to be a branch from the same root as the Earls of Stirling;” after which preliminary flourish it abjures the Alexander patronymic till the close of the performance, but states that *it* “inherits the lands of Powis from the heiress of MAYNE, whose progenitors, descending from the Maynes of Lochwood [who were they?], were settled near Stirling, and have been landed proprietors in that neighbourhood since the commencement of the 15th century”—a respectable antiquity, if true.

The first member presented to us, however, plain “William Mayne,” is only stated as “living temp. Queen Mary and James VI.” who has a son,

John Mayne, Esq.” born in 1586, which gentleman, after being thrice “wedded,” dies “at the unusually advanced age of 110,” and, as might be expected, is “succeeded by his grandson,

“William Mayne, Esq.” who, by what may well be deemed an extraordinary instance of fraternal liberality, “was by his [younger] brother Edward put in possession of the lands of Powis and Logie in 1731.” This worthy, like his grandfather, “wedded” three wives, by whom “he had twenty-one children, and the cradle is said to have

rocked in his house for 50 years!" Truly a second Henry Jenkins! But his crowning achievement was in the person of his sixth son,

"VI. WILLIAM (SIR), BARON NEWHAVEN, who d. s. p. in 1794, when his honours became EXTINCT."

This *Irish* title, created in 1776, and the holder of which, according to Lodge, sat in the British Parliament for the rotten borough of Gatton, must not be confounded with an older *Scottish* dignity, the Viscounty of Newhaven and Barony of Cheyne, created by patent (17th May 1681) in favour of a member of the ancient Norman family of *Cheyne*, which became extinct on the death of the second Viscount in 1738.¹ The remaining steps of the "lineage" are rather improbably crowded with figures, and possibly we first touch solid ground in the person of "Edward Alexander, Esq. of Powis, born in 1768," (son of the Provost of Stirling by a Miss Mayne) and father of the present representative, an officer, it is understood, of reputation, and who doubtless may not be responsible for the unwarrantable assumptions made in his behalf. It may be observed by the way that no mention whatever is made of a "James Mayne, Esq. of Powis," who is so designed in the subscription list to Jamieson's *Scottish Dictionary*, published in 1808, and of course a cotemporary of the Edward Alexander, also "of Powis,"—which is rather singular.

¹ This extinct peerage was noticed (*Herald and Genealogist*, vol. ii. p. 134) in an interesting article on Davington Priory and the Lords Cheney, where, however, it was erroneously called an "Irish" title. The writer, in his account of the various families of the name, omitted all reference to the great northern house of Chene or Chein, of Caithness, Lords of Inverugie, two of whom, "Ranald le Chen the father, and Ranald le Chen the son," joined, among other Scottish magnates, in 1290 in recommending the marriage between Prince Edward of England and the Maid of Norway. Their names occur in the Ragman Rolls in 1296. A third Ranald (or Reginald) de Chene appears in the famous letter in 1320 by the nobles and community of Scotland to the Pope. He was taken prisoner at Halidon Hill in 1333, and is said to have died in captivity in 1350. According to Lord Hailes and Chalmers (cited in *Orig. Paroch. Scot.* vol. ii. pp. 811-12, v. Cannisbay) he is said to be traditionally known in Caithness as the "Morrar-na-Shean," and a mighty hunter of deer. His male line failed, and his two daughters carried his estates into the Sutherland and Keith families. The arms of these Chenes in 1290, were, "a bend dexter on a field semé of cross-crosslets fitché"—the son differencing his bend by charging it with three escallop shells. (*Laing's Cat.* I. No. 176, 177.) A resemblance may perhaps be traced between the above and the bearings of the Lords Cheney of Davington—Ermine, a bend sable charged with three martlets or. Possibly of this family were two brothers "Alexander and Patrick Chene sons of the deceased Sir John Chene, of Essilmont, knight," who in 1513 had a singular dispute which was finally settled at Rome before the "Curia Sacri Palatii Apostolici," regarding the legitimacy of one brother. (*Riddell's Consistorial Law*, p. 449.)

The pedigree is garnished with alliances to (among others) "Grahams of *Kernock*" (scions of course of Montrose), "Cunninghams of *Capiston*," "Galbraith of Balgair, grand-daughter of Sir Philip Musgrave, Bart." (a strange connection this last for a *Dumbartonshire* family in the seventeenth century), and other supposititious houses.

It ends by coolly *assuming* the very distinctive arms, supporters, crest, and motto of the first Earl of Stirling! The *crest* (a beaver) and the *motto* (PER MARE PER TERRAS) peculiarly allusive to that nobleman's Nova Scotia possessions. Even granting that the family is from the *same root* as the first Earl—rather a remarkable man in his day—(all Alexanders in Stirlingshire firmly believe this of themselves) *this* of itself is no warrant for using the arms, &c. Till an heir male turns up, these insignia, it is presumed, should belong to the Downshire family, who are lineally descended from the sister of the fifth and last bonâ fide Earl of Stirling, who died in 1739, and who have an undoubted right to object to any *soi disant* branch appropriating them.

The singular claims that have from time to time been made to this dormant Earldom, and the forgeries and frauds to which at least *one* of these owed its rise, are well known to students of peerage law. Another claimant, it is understood, is about to submit his case to the House of Lords; and, the matter being thus *adhuc sub judice*, it is but right that attention should be drawn to the highly unwarrantable misstatements and assumptions that have just been noticed in the foregoing pedigree.

ANGLO-SCOTUS.

PAINTERS AND ENGRAVERS OF NEW ENGLAND.

Notes concerning Peter Pelham, the earliest Artist resident in New England, and his successors prior to the Revolution. (Reprinted, with Additions, from the Proceedings of the Massachusetts Historical Society for 1866-67.) By WILLIAM H. WHITMORE. 1867. 8vo.

The standard authority on the History of Art in America is a work by William Dunlap. The author of the present essay has pursued the subject in its early stages with far greater minuteness of research. It was thought that the first resident artist in Boston had been John Smibert, a Scotchman, born at Edinburgh in 1684, who, after studying in Italy, was taken to America by Bishop Berkeley, and having run a successful career as a portrait painter, died in Boston in 1752.

He has had the credit of having been the instructor of John Singleton Copley, although the latter was only thirteen years of age at the time of Smibert's death. In the present essay, it is shown that the pioneer artist of New England was Peter Pelham, a competent painter and engraver, who preceded Smibert by at least three years; and who was the stepfather of John Singleton Copley, and probably his chief instructor. Pelham produced in Boston works of art, in the form of engravings, superior to any which were executed there for more than half a century after his death; and the influence of his works is traced through various pupils of whom Mr. Whitmore gives particulars.

The truth seems to have been that Smibert was a popular but indifferent portrait-painter: Pelham an engraver, also a portrait-painter, and on the whole a superior artist. He died in Dec. 1751; so that Boston lost both these artists at nearly the same time.

Peter Pelham emigrated from London, having had two children baptized at St. Paul's Covent Garden in 1721 and 1722. At Boston he had a son baptised in 1729. In 1727 he engraved a portrait of the Rev. Cotton Mather; this he had painted from the life, and the painting is now in the library of the American Antiquarian Society at Worcester, Massachusetts. Several other portraits were subsequently produced by him, the latest in date being "a print in Metzotintu of Thomas Hollis late of London merchant, a most generous benefactor to Harvard College in New England."

The arts of design were not, however, alone sufficient to maintain their professor. Pelham at the same time kept a school, respecting which some amusing Advertisements have been discovered. The following is of the year 1738:

Mr. Peter Pelham gives notice to all Gentlemen and Ladies in Town and Country, That at the House of Philip Dumerisque, Esq. in Summer Street (next his own Dwelling house), Young Gentlemen and Ladies may be Taught Dancing, Writing, Reading, Painting upon Glass, and all sorts of needlework.

Again, after he had married "the widow Copley"—

Mr. Pelham's Writing and Arithmetick School near the Town House (during the Winter) will be open from Candle Light till nine in the Evening, as usual, for the benefit of those employed in Business all the day; and at his Dwelling House near the Quakers meeting in Lindall's Row, all persons may be supply'd with the best Virginia Tobacco, cut, spun into very best Pigtail, and all other sorts; also Snuff at the Cheapest Rates.

The widow Copley, to whom Pelham was married on the 22nd May

1748, had brought her business with her. This appears from an advertisement of the 11th July in the same year.

Mrs. Mary Pelham (formerly the widow Copley on Long Wharf, tobacconist,) is removed to Lindel's Row, against the Quaker Meeting House, near the upper end of King Street, Boston, where she continues to sell the best Virginia Tobacco, Cut, Pigtail, and Spun, of all sorts, by Wholesale and Retail, at the cheapest prices.

Her maiden name had been Mary Singleton; her husband Richard Copley of Boston; and her son by him was John Singleton Copley, the father of the late Lord Lyndhurst.

Pelham died in Dec. 1751; his widow in May 1789. By her second husband she had a son Henry Pelham: who also became an artist. He painted and engraved a picture of The Finding of Moses; and he engraved in mezzotinto the Old Countess of Desmond, published as late as 1806. He was a good civil engineer, and having come to Ireland, in the service of the Marquess of Lansdowne, he was preparing a map of the county Kerry, when he died suddenly in his boat, while superintending the building of a Martello tower on Bear Island, in the river Kenmare. His own face is handed down in the picture of the Boy and Squirrel, which was Copley's first great success, and which, since the death of Lord Lyndhurst, has been recovered by the city of Boston.

John Singleton Copley was born in 1738. He was therefore only ten years old at his father's death and his mother's re-marriage: and only fifteen when he published a portrait thus inscribed—

Rev. William Welstead of Boston, in New England, Æ. 58, 1753. J. S. Copley pinxit et fecit. Printed for and sold by Stephen Whiting at y^e Rose and Crown in Union Street.

Only four years later, in 1757, he painted those grand portraits of the Traceys of Newburyfort, which in his old age he regarded as nearly his best productions. It has been the fashion with Copley's biographers to say that he was entirely self-taught: but it can scarcely be doubted, after the preceding details, that he was instructed by his step-father Pelham. In 1767, when thirty years of age, he writes in a letter, "I am now in as good business as the poverty of this place will admit. I make as much money as if I were a Raphael or a Correggio: and three hundred guineas a year, my present income, is equal to nine hundred a year in London." After purchasing considerable landed property in Boston, he left for England in 1774; and, after travelling in Italy and other European countries, he finally settled in London, where he died on the 9th Sept. 1815, aged seventy-eight.

The elder Pelham, by his first wife, had two sons, who left posterity. Peter, born in 1721, removed to Virginia, where his family increased to thirteen children: and many branches are now scattered through the South and West. One descendant was William, Surveyor-general of Arkansas; and probably another was the artillery officer, who, during the late war, distinguished himself in Virginia.

Charles Pelham, born in 1722, was schoolmaster at Medford, and married there in 1766 Mary, daughter of Andrew Tyler, by his wife Miriam, sister of the famous Sir William Pepperell. His daughter Helen married Thomas Curtis, and was mother of Charles Pelham Curtis, a late distinguished citizen of Boston. A portrait of Charles Pelham, painted by Copley, is still preserved.

Respecting other artists of minor interest, Mr. Whitmore has industriously gathered a variety of curious particulars.

LYON KING OF ARMS.

In pp. 80—86 of our present Volume we inserted various particulars regarding the office of Lyon King of Arms, including the returns made to the House of Commons in the Session of 1866, upon its recent condition, duties, and emoluments. In the Session of 1867 an Act has been passed for the future conduct of the office: of which the leading provisions are— that the jurisdiction in armorial matters conferred on Lyon by Acts 1592, c. 125, and 1672, c. 21, is confirmed; that the Lyon King shall henceforth discharge his duties personally, on a fixed salary of 600*l.*; the Lyon Clerk in like manner, on a salary of 250*l.* (all fees being paid into H.M. Treasury); and that the Heralds and Pursuivants (heretofore six in number of each grade) shall be eventually reduced to three Heralds and three Pursuivants—their salaries to be fixed by the Commissioners of the Treasury. We subjoin a copy of this Act (being the 30 Vict. cap. 17):—

An Act to regulate the Court and Office of the Lyon King of Arms in Scotland, and the Emoluments of the Officers of the same. [3rd May 1867.]

WHEREAS it is expedient to regulate the Court and Office of the Lyon King of arms in Scotland, and the Emoluments of the Officers of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the passing of this Act the jurisdiction of the Lyon Court in Scotland shall be exercised by the Lyon King of Arms, who shall have the same rights, duties, powers, privileges, and dignities as have heretofore belonged to the Lyon King of Arms in Scotland, except in so far as these are hereinafter altered or regulated.

2. The Lyon King of Arms shall be bound to discharge the duties of his office personally and not by deputy : Provided always, That in the event of the temporary absence of the Lyon King of Arms, from illness or other necessary cause, it shall be lawful for the Lord President of the Court of Session to grant a commission to some other person to discharge the duties of Lyon King of Arms *ad interim*, and such commission shall not be liable to any stamp duty : And provided also, That without any such commission, in the event of the temporary absence or incapacity of the Lyon King of Arms, the Lyon Clerk shall be and is hereby empowered to admit to the office of Messenger at Arms persons properly qualified according to the present law and practice.

3. The Lyon King of Arms, who shall be appointed by Her Majesty, her Heirs and Successors, shall receive such salary, not exceeding 600*l.* per annum, as the Commissioners of Her Majesty's Treasury shall from time to time approve, payable quarterly out of any moneys to be voted by Parliament for that purpose, which salary shall come in place of the fees hitherto exigible by him, to which he shall no longer be entitled.

4. The Lyon Clerk shall hereafter have the same rights and perform the same duties as heretofore, except in so far as the same are hereinafter altered or regulated.

5. The Lyon Clerk, who shall be appointed by Her Majesty, her Heirs and Successors, shall, subject to the provision contained in the twelfth section of this Act, perform the duties of his office personally and not by deputy, and shall receive such salary, not exceeding 250*l.* per annum, as the Commissioners of Her Majesty's Treasury shall from time to time approve, payable as aforesaid, which salary shall come in place of the fees hitherto exigible by him, to which he shall no longer be entitled : Provided always, That in the event of the temporary absence or incapacity of the Lyon Clerk it shall be lawful for the Lyon King of Arms, with the consent of Her Majesty's Advocate, to grant a commission to some other person to discharge the duties of the Lyon Clerk *ad interim*, and such commission shall not be liable to any stamp duty.

6. The Heralds and Pursuivants in Scotland shall be appointed by the Lyon King of Arms, and shall have the same rights and privileges and discharge the same duties as heretofore, except in so far as altered or regulated by this Act.

7. No vacancy in the Office of Herald in Scotland shall be filled up by the Lyon King of Arms until the number of Heralds has, by death, resignation, or removal fallen to below three, after which event the vacancies which may occur in said office shall be filled up, so that the number of Heralds shall in time coming be maintained at three ; and no vacancy in the office of Pursuivant in Scotland shall be filled up by the Lyon King of Arms until the number of Pursuivants has, by death, resignation, or removal fallen to below three, after which event the vacancies which may occur in said office shall be filled up, so that the number of Pursuivants shall in time coming be maintained at three : Provided always, That no Herald or Pursuivant appointed before the passing of this Act shall, in respect of any vacancy not being filled up, be entitled to any larger share of fees than he would have been entitled to had there been no such vacancy.

8. No Herald or Pursuivant appointed after the passing of this Act shall be entitled to exact any fees, but each Herald or Pursuivant so appointed shall receive, in lieu of fees, such salary as the Commissioners of Her Majesty's Treasury shall from time to time approve, payable as aforesaid : Provided always, That no Herald or

Pursuivant appointed after the passing of this Act shall pay or give to the Lyon King of Arms any consideration for his appointment, and if any such consideration shall have been paid or given by any such Herald or Pursuivant his appointment shall be null and void.

9. The Herald Painter in Scotland and Procurator Fiscal of the Lyon Court shall hereafter be appointed by the Lyon King of Arms, and shall respectively perform the duties, and be entitled to receive the fees, which the Herald Painter and Procurator Fiscal aforesaid have hitherto been bound to perform and entitled to exact: Provided always, That no Herald Painter or Procurator Fiscal shall have any vested right in such fees.

10. From the 1st of October to the 20th December, and from the 5th January to the 20th July in each year, the hours of attendance at the Lyon Office shall be from 11 o'clock in the forenoon to 3 o'clock in the afternoon, every lawful day except Saturday; and from the 21st July to the 30th September, and from the 21st December to the 4th January in each year the hours of attendance shall be from 11 o'clock in the forenoon to 2 o'clock in the afternoon, and on Wednesdays and Fridays only: Provided always, That between the 21st July and the 30th September, and between the 21st December and the 4th January, in each year, the Lyon King of Arms shall not be bound to entertain any applications for Grants or Matriculations of Arms, or for recording Pedigrees: Provided also, That there shall be provided for the Lyon King of Arms, the Lyon Clerk, and the Herald Painter, such sufficient office accommodation as the Commissioners of Her Majesty's Treasury may determine.

11. The fees hitherto payable to the Lyon King of Arms by Knights of the Thistle, under statutes of the Order of the Thistle, and the fees payable to the Lyon King of Arms in terms of a grant of his Majesty King George the Second, under the Great Seal of Great Britain, of date the 19th July 1731, shall from and after the passing of this Act be paid into Her Majesty's Exchequer; and after the death, resignation, or removal of any of the Heralds or Pursuivants aforesaid, appointed prior to the passing of this Act, the proportion of fees which but for the said death, resignation, or removal would have been payable to him or them in terms of the said statutes of the Order of the Thistle, or in terms of the before-mentioned grant of his Majesty King George the Second, shall be paid into Her Majesty's Exchequer, so that after the death, resignation, or removal of all the Heralds and Pursuivants appointed prior to the passing of this Act the whole sums appointed by the said statutes of the Order of the Thistle and the said grant of his Majesty King George the Second, to be paid to the Heralds and Pursuivants aforesaid, shall instead be paid into Her Majesty's Exchequer.

12. Until the death, resignation, or removal of the present Lyon Clerk, notwithstanding anything to the contrary contained in this Act, it shall be lawful for him to perform the duties of his office as he is authorised by his commissioner, and to exact the fees and dues hitherto exigible by him.

13. Until the occurrence of the next vacancy in the office of Lyon Clerk, the fees and dues enumerated in Schedule A annexed to this Act shall be exigible in lieu of the fees and dues hitherto payable to the Lyon King of Arms and Lyon Depute, and shall be paid into her Majesty's Exchequer; and after the occurrence of such vacancy the fees and dues enumerated in Schedule B, annexed to this Act, shall be exigible in lieu of the fees and dues hitherto payable to the Lyon King of Arms, Lyon Depute, and Lyon Clerk, and shall be paid into Her Majesty's Exchequer.

Schedule A.

	£	s.	d.
On every patent of arms with supporters	29	8	0
On every patent of arms without supporters	13	13	0
On every matriculation of arms with supporters, without a new patent	6	16	6
On every matriculation of arms without supporters, without a new patent	4	14	6
On every matriculation of arms without a new patent of arms, but with a patent of supporters	22	1	0
On every genealogy recorded	7	17	6
On the admission of a messenger at arms to practice in the county of Edinburgh	11	2	3
On the admission of a messenger at arms to practice out of the county of Edinburgh	8	6	8
Annual dues of each messenger at arms	0	11	2

(These fees are exclusive of stamp duties when such are exigible.)

Schedule B.

On every patent of arms with supporters	49	12	0
On every patent of arms without supporters	29	18	0
On every matriculation of arms with supporters, without a new patent	15	16	6
On every matriculation of arms without supporters, without a new patent	12	0	6
On every matriculation of arms without a new patent of arms, but with a patent of supporters	34	13	6
On every genealogy recorded	10	10	0
Additional for each member of the pedigree	0	5	0
Certificate regarding change of surname	0	15	0
Search in Register of Arms	0	5	0
Search in Register of Genealogies	0	5	0
General search in Heraldic MSS.	1	1	0
General search in Genealogical MSS.	1	1	0
On every extract from a register	0	10	6
On entering a caveat	0	5	0
On the admission of a messenger at arms to practice in the county of Edinburgh	19	14	0
On the admission of a messenger at arms to practice out of the county of Edinburgh	15	14	0
Annual dues of a messenger at arms practising in the county of Edinburgh	0	17	0
Annual dues of a messenger at arms practising out of the county of Edinburgh	0	17	6
On renewal of a messenger's bond of caution	2	10	0
On recording resignation or change of residence of a messenger	0	2	6
On search for a messenger's cautioner	0	2	6
On every certified statement of name and designation of such cautioner, and date of bond	0	5	0
On each petition or paper lodged in a process against a messenger	0	5	0
On each interlocutor in a process against a messenger	0	5	0

	£	s.	d.
On extracting each warrant, decret. or precept of suspension, first sheet	0	5	0
On ditto, each subsequent sheet	0	3	0
On affixing seal of office to warrant, decree, or precept	0	5	0
On examining executions of service and intimations of precepts of suspension, marking them on the record, and giving out certificate	0	5	0
On lending process and taking receipt	0	2	0
On return of process and scoring receipt	0	1	0
On re-admission of a messenger at arms	1	0	6
On the appointment of a Herald	9	16	4
On the appointment of a Pursuivant	9	1	0

(These fees are exclusive of stamp duties when such are exigible.)

HERALDIC CHRONICLE FOR 1867.

Jan. 20. DIED, at Dublin, aged 74, JOHN D'ALTON, esq. barrister-at-law, a very industrious genealogist and historian. A biographical memoir containing some account of his works has been published in the *Gentleman's Magazine* for March 1867. The most comprehensive of his printed productions was his "Illustrations, Historical and Genealogical, of King James's Irish Army List, 1689," of which there were two impressions. He communicated various accounts of his manuscript collections to the *Gentleman's Magazine*. To the *Topographer and Genealogist* he communicated Extracts from the Parish Registers of St. Nicholas, Dublin.

Jan. 22. William John *Boteler*, of Taplow, co. Bucks. Lieut. R.N. in compliance with the will of his aunt Maria Ann wife of Robert Boteler of Llandough castle co. Glamorgan, Colonel R. Eng. and only surviving child and heir of John Thomas Casberd, of Penmark, co. Glam. LL.D. to take the name of CASBERD before BOTELEB, and bear the arms of Casberd in the second quarter.

Jan. 24. John *Todd* of Guards, in the parish of Kirkby Ireleth, co. Lanc. esq. in compliance with the will of Robert Nicholas Newcomb, of Stamford co. Lincoln, esq. to take the name of NEWCOME after Todd, and bear the arms of Newcomb quarterly with Todd.

Feb. 1. The Hon. Fred. Wm. Adolphus *Bruce*, G.C.B., H. M. Envoy Ext. and Minister Plen. to the United States of America, in compliance with the will of Lady Frances Elizabeth Wright-Wilson, late of Chelsea-park co. Middx. and Drayton lodge co. Southampton, widow of Sir Henry Wright-Wilson of Chelsea-park and Crofton hall co. York knt. to take the name of WRIGHT before BRUCE, and bear the arms of Wright in the second quarter.

Feb. 22. Created BARONS of the United Kingdom: the Rt. Hon. Duncan McNeill, late Lord Justice-general and President of the Court of Session in Scotland, by the title of Baron COLONSAY, of Colonsay and Cronsay, co.

Argyll; and the Rt. Hon. Sir Hugh MacCalmont Cairns, Knt. a Judge of the Court of Appeal in Chancery, by the title of Baron CAIRNS, of Gar-moyle, co. Antrim.

Feb. 25. James *Tovey*, residing in the Coton Hill Asylum, co. Stafford, in compliance with the will of James Tennent, of Pynnacles in the parish of Great Stanmore co. Middx. esq. to take the name of TENNENT only, and quarter the arms of Tennent with his own arms.

March 4. William Thomas Hodgetts *Chambers* of Instow co. Devon gentleman, only son of William Wyllys Chambers, Capt. R.N. by Eliza Anne only dau. and heir of Thomas Webb Hodgetts of Hagley co. Worc. esq. in compliance with the will of the said T. W. Hodgetts, to take the name of HODGETTS instead of Chambers, and to bear the arms of Hodgetts quarterly with his family arms.

March 5. William Henry *Winsor* of Kensington gardens square co. Middx. and of Gwersyllt in the parish of Wrexham co. Denbigh gentleman, in memory of his maternal grandfather Joseph Benyon of Gwersyllt gentleman, to take the surname of BENYON before WINSOR, and bear the arms of Benyon quarterly with those of Winsor.

March 6. Sir Edward *Gage*, of Hengrave hall, Suffolk, and of Coldham hall in the parish of Stanningfield in the same county Baronet, in compliance with the will of his uncle John Gage-Rokewode, late of Coldham hall and Lincoln's inn esq. barrister at law,¹ to take the name of ROKEWODE before GAGE, and bear the arms of Rokewode in the second quarter.

March 6. John Cunliffe *Pickersgill*, of Hooley house in the parish of Coulsdon co. Surrey and of London merchant, second son of John Pickersgill late of Netherne house in the parish of Merstham co. Surrey and of London merchant deceased, by Sophia youngest dau. of John Cunliffe of High house in the parish of Addingham co. York esq. in compliance with the will of his maternal aunt Harriet Ellis late of Addingham widow, to take the name of CUNLIFFE after Pickersgill, and bear the arms of Cunliffe in the first quarter.

March 13. Joshua Hutchinson *Robson* of Highbury co. Middx. and of London stockbroker, son of William Robson of Stockton upon Tees gentleman, by Rachel eldest dau. of Joshua Hutchinson esq. of Highbury, and

¹ The heiress of Rookwood or Rokewode was the mother of the fifth Baronet: who was named Sir Thomas Rookwood Gage, his only brother being a priest. In the next generation there was one only son, Sir Thomas Gage; but his second son, Robert-Joseph, assumed the surname of his great-grandmother in 1799. On his death s. p. m. s., it was again assumed in 1838 by his only surviving brother John Gage, esq. the amiable and learned Director of the Society of Antiquaries, who died unmarried; and a third time in 1843 by his nephew the late Sir Thomas Rokewode Gage, Bart. who died June 7, 1866. His brother and successor has now followed the same course. An old pedigree of Rokewode of Coldham hall, illustrated by charters, and accompanied by a continuation, was contributed by Mr. Gage to the *Collectanea Topogr. et Genealogica*, vol. ii.

sister of James Hutchinson of Cowley Manor co. Glouc. to take the name of HUTCHINSON only.

March 20. DIED, at the manor-house, Mells, Somerset, aged 76, Sir John Stuart HIPPLESLEY Bart. He was the only son of Sir John Coxe Hipplesley, who was created a Baronet in 1798, in recognition of his services in India and in several diplomatic negotiations. The son having lived a bachelor, the title has now become EXTINCT. This was one of the few titles in the English Baronetage which bore arms with the addition of Supporters. After the first Sir John Coxe Hipplesley had negotiated the marriage of the Grand Duke (afterwards King) of Wurtemberg with the Princess Royal of England, he received from that prince letters patent granting to him and his posterity the right of bearing the arms of Wurtemberg, accompanied with the device or motto of the Great Order of Wurtemberg, *Amicitia virtutisque fœdus*. No augmentation was, in consequence, made to Sir J. C. Hipplesley's coat of arms; but the arms of Wurtemberg, —Or, three stag's horns barways sable, surmounted by the ducal coronet proper, were suspended to the necks of the eagles, (rising, reguardant,) granted to him as supporters, and confirmed by the King's sign manual, July 7, 1797.

April 3. Waterman Gardner a minor aged 14 and William Gardner aged 13, the only children of Sladden Gardner, late of Ivy-house, New Romney, co. Kent, gentleman, by Jane Clarke Gardner now of Street End in the parish of Willesborough co. Kent, only child and heir of John Waterman of Willesborough, Commander R.N., in compliance with the will of their maternal grandfather, to take the name of WATERMAN after Gardner.¹

April 4. Sir Gerald Richard FitzGerald of Castle Ishen co. Cork, Thurnham-hall co. Lanc. and of Bigod's-hall in the parish of Great Dunmow co. Essex, Bart. in compliance with an indenture dated 30 July 1842 executed in pursuance of the will of John Dalton esq. of Thurnham-hall, to take the name of DALTON in addition to FitzGerald, and quarter the arms of Dalton with FitzGerald.

April 8. Created BARONETS: the Rt. Hon. Joseph Napier, of Merrion-square in the city of Dublin; William Bagge of Stradsett-hall co. Norfolk esq.; Benjamin Lee Guinness, of Ashford co. Galway and of St. Stephen's Green in the city of Dublin esq.; William Lawrence, of Ealing Park and of Whitehall-place co. Middx. one of H.M. Serjeant Surgeons.

April 18. John Simpson of Castle lodge, Knaresborough, Dove house in the parish of Handsworth, both in West Riding co. York and of Gloucester-place, Middx. M.D. and his issue by his wife Elizabeth Simpson, sole heir and representative of her maternal uncle Andrew Hudleston, of Whitehaven, D.D. Incumbent of Whitehaven and Rector of Bowness, to take the name of HUDLESTON in lieu of Simpson and bear the arms of Hudleston.

¹ Mrs. Gardner also assumes the name of Waterman, as appears by a notice (advertised in the *Times*) signed by her on the 13th of April, witnessed by Jeffery Morphew of Hinxhill, Ashford, Kent.

April 27. DIED, in Stanhope-street West, Middlesex, aged 64, the Right Hon. Sir Benjamin Hall, Lord LLANOVER of Llanover and Abercarn, co. Monmouth, and a Baronet. He was the eldest son of Benjamin Hall, esq. of Hensol Castle, co. Glamorgan, and of Abercarn, M.P. for Glamorgan-shire, by Charlotte daughter of William Crawshay, esq. of Cyfarthfa, co. Glam. He was created a Baronet in 1838; and, having filled the offices of President of the Board of Health (on which occasion he was sworn a Privy Councillor in 1854), and First Commissioner of Works, he was raised to the peerage in 1859. In 1861 he was appointed Lord Lieutenant of the county of Monmouth. He married in 1823 Augusta, daughter and coheir of Benj. Waddington, esq., of Llanover; by whom he had one daughter married in 1846 to John Arthur Edward Herbert, esq. (late Jones¹) of Llanarth, co. Monmouth. Having no male issue, his peerage and baronetcy have both become EXTINCT.

May 3. David *Jeffreys* of Boryaliss, co. Brecon, esq. son of David Jeffreys late of Trecastle in the parish of Llywell gentleman by Mary dau. of Thomas Powell of Trecastle gentleman and sister of Lewis Powell of John-st. Berkeley-sq. co. Middx. all deceased, in compliance with the will of the said Lewis Powell, to take the name of POWELL after Jeffreys, and bear the arms of Powell quarterly with Jeffreys.

May 18. Charles Henry *Drake*, of Lee in the parish of Ilfracombe gentleman, eldest son and heir of Charles Cutcliffe Drake of Springfield co. Devon esq. deceased, who was the second son of Zachary Hammett Drake of Springfield esq. by Frances eldest sister and co-heir of John Mervin Cutcliffe of Webbury in the parish of Alverdiscot in the same county, Lieut.-Colonel 23d Lancers, and C.B., to take the name of CUTCLIFFE after Drake.

June 1. Thomas *Royle* of Urmston co. Lanc. farmer, and Ellen his wife, only child of Thomas Higginson of Ashton on Mersey gentleman deceased, and grand-dau. of Thomas Higginson of Urmston gentleman, in compliance with the will of her grandfather last named, to take the name of HIGGINSON after Royle.

June 8. DIED, in St. James's place, Westminster, aged 42, the Right Hon. George William Richard Fermor, the fifth EARL OF POMFRET, co. York, the sixth BARON LEMPSTER, of Lempster, co. Hereford, and the seventh Baronet. These dignities, which all become EXTINCT on the death of this nobleman, were conferred,—the Baronetcy in 1641 on William Fermor, of Easton Neston, co. Northampton, esquire; the Barony on his son Sir William in 1692; and the Earldom in 1721, on his grandson Thomas, a Knight of the Bath. It is remarkable that both the titles of peerage in this family, like Burlington with Boyle and Cavendish, followed the corrupt orthography of the last century, Pomfret meaning Pontefract, and Lempster meaning Leominster. The family descended from Thomas Ricards, it

¹ See our vol. i. p. 12.

is said of Welch extraction, who made his will as Thomas Ricards alias Fermour senior of Whitney in Oxfordshire, in 1485. His younger son William, who was Clerk of the Crown, founded a family which flourished for some generations at Somerton in Oxfordshire; and Richard the elder, having made his fortune as a merchant of the staple of Calais, was ancestor of the Earls of Pomfret.

June 15. Mary Douglas *Frankland* of Dover-st. spinster and the Hon. Agnes Steuart *Kerr* of Eshing house, co. Surrey widow of the Hon. Arthur Schomberg Kerr, the two daughters of James Henry Frankland of Eshing house deceased by Mary dau. and heir of Henry Streater Gill esq. and niece of William Gill esq. of Eshing house all deceased, in compliance with the will of the last-named to take the name of GILL only instead of Frankland, and bear the arms of Gill.

July 5. Thomas Picton *Warlow*, of Ewenny abbey, co. Glam. Capt. R. Art. son of Thomas Warlow late Capt. of Engineers Bengal est., and grandson of John Warlow of Haverfordwest esq. and of Catherine his wife, daughter of Thomas Picton of Poyston in the parish of Rudbaxton co. Pemb. esquire, and sister of Richard Turbervill Picton, afterwards Richard Turbervill Turbervill late of Ewenny abbey esquire, in compliance with the will of his cousin Elizabeth Margaret Turbervill late of Ewenny abbey spinster, to take the name of TURBERVILL in lieu of Warlow, and bear the arms of Turbervill quarterly with his family arms.

July 10. William Amhurst *Tyssen-Amhurst*, of Amhurst co. Kent and Didlington hall co. Norfolk esq. Francis *Tyssen-Amhurst* of the Inner Temple barrister at law, and Amelia *Tyssen-Amhurst* of Didlington hall spinster, children of William George Tyssen Tyssen Amhurst (formerly Daniel-Tyssen) of Foulden hall co. Norfolk esquire deceased, who was the eldest son and heir of William George Daniel-Tyssen (theretofore Daniel) of Westbrooke house co. Dorset, Foulden hall aforesaid, and of Fo'ey house Maidstone esq. to resume the name of DANIEL after that of Tyssen and before Amhurst, and bear the arms of Daniel quarterly with those of Amhurst and Tyssen.

July 12. Yarburgh Gamaliel *Lloyd*, of Sewerby house in the parish of Bridlington clerk, second son of George Lloyd late of Stockton hall in the parish of Stockton on the Forest, N. R. co. York esquire, by Alicia Maria only dau. of John Greame of Sewerby house esquire, and sister and sole heir of Yarburgh Greame, afterwards Yarburgh Yarburgh, also of Sewerby house and of Heslington hall E. R. co. York esq. all deceased, in compliance with the will of his maternal uncle the said Yarburgh Yarburgh esquire, to take the name of GREAME after Lloyd, and bear the arms of Greame.

Aug. 3. Created a BARONET: the Rt. Hon. Thomas *Gabriel*, of Edgecombe hall, co. Surrey, Lord Mayor of London.¹

¹ Her Majesty was on the same day pleased to confer the honour of knighthood

Aug. 13. DIED, at Ardwell, Stranraer, N.B., aged 78, Sir John MAC TAGGART, Bart. He was the eldest son of John McTaggart, esq. of Ardwell, by Susannah daughter of John Dean, esq. of St. Alban's. Sir John was a merchant of London, and for many years M.P. for the Wigtoun district of Burghs; and was created a Baronet shortly before the resignation of the Melbourne ministry in 1841. Having lost his only son in 1849, the Baronetcy has become EXTINCT.

Aug. 24. William Corbet *Jones-Parry*, of Plas yn Yale co. Denbigh esq. barrister at law, eldest son and heir of John Parry Jones-Parry clerk, Rector of Edeyrn and Llangelynin, deceased, in compliance with the will of Sarah Yale of Plas yn Yale spinster, to take the name of YALE only, and bear the arms of Yale only.

Sept. 4. Thomas Drewett *Brown*, of Jarrow, co. Durham, esq. J.P. eldest son of Thomas Brown late of New Grove, Stepney, co. Middx. by Susanna eldest of the three daughters and coheirs of Peter Drewett late of Colerne, co. Wilts, esq. in compliance with the will of his maternal aunt Frances wife of Benjamin Granger of Norwood co. Surrey esq. to take the name of DREWETT only, and bear the arms of Drewett.

Charles Henry Rolle *Trefusis*, Baron Clinton, and Harriet Williamina Trefusis his wife, only dau. and heir of Sir John Hepburn-Stuart-Forbes, of Pitsligo and Fettercairn, Baronet, deceased, in compliance with certain deeds of entail, to take the surnames of HEPBURN-STUART-FORBES before TREFUSIS, and bear the arms of Stuart and Forbes quarterly with his own arms of Trefusis.

ROYAL LICENCES FOR CHANGES OF NAME AND ARMS REGISTERED IN THE
OFFICE OF ARMS AT DUBLIN CASTLE, 1867.

Feb. 6. James Daniel *Nolan*, a minor, resident at Beechwood, co. Roscommon, to take the surname and arms of IRWIN, in lieu of the surname and arms of Nolan, in compliance with the will of his stepfather, the late Daniel Henry Irwin, of Beechwood aforesaid, Esq. J.P.

Feb. 11. Sir James *Emerson-Tennent*, of Tempo Manor, co. Fermanagh, knight, to continue to use the surname of TENNENT in addition to and after that of Emerson, and also to bear the arms of Tennent and Emerson quarterly.

May 11. James *Stuart*, Esq. (commonly called Viscount Stuart) and his wife Augusta-Leviscount only daughter and heiress of the late William upon the Sheriffs of London and Middlesex, Sydney Hedley Waterlow esq. alderman, and Francis Lycett, in recognition of the recent entertainment of his Majesty the Sultan of Turkey by the City. Also at the same time, her Majesty conferred Knighthood upon Alderman William Anderson Rose, who was Lord Mayor when the Princess of Wales was publicly received in the City upon her marriage.

Stewart Richardson-Brady, of Oaklands, co. Tyrone, Esq. to take the surname of RICHARDSON in addition to and after the surname of STUART, and to bear the arms of Richardson and Stuart quarterly, in compliance with the will of the said William Stewart Richardson-Brady, esq.

In p. 474, line 6, read "of the late Major Robert Innes Thornton, and of the late Lieut.-Gen. Sir William Thornton, K.C.B."

NAMES ASSUMED PROPRIO MOTU.

(Chiefly from Advertisements in the Times.)

1866. Sept. 22. George William Smith, late of the 11th Hussars, of Denbigh, Haslemere, Surrey, and of Shelden-lodge, Alton, Hants, takes the additional name of FIELDING.

Dec. 3. Daniel Dunglas Home of Sloane-street, esq. takes henceforth the name of DANIEL HOME LYON, having been adopted by Mrs. Jane Lyon, the widow of Charles Lyon, esq. of Wooth Grange, Bridport, co. Dorset, as her son, and desired by her to use the name of Lyon as his last and principal surname.

Dec. 18. John Lipscomb, of 217, Hampstead Road, London, and of Mount Sion, Tunbridge Wells, assumes the name of Grombridge or Groombridge.

John Daniel Ferguson, esq., Capt. East York Militia, takes the additional name of FAWSITT, having married (at the priory church, Bridlington, Dec. 31, 1866,) Ann Eliza Fawsitt of Beverley, elder of the two daughters of John Fawsitt, late of Hursley-house, in the parish of Rowley, E. R. York.

1867, Jan. 1. Mr. William Ginger, of 47, Denbigh Street, Pimlico, substitutes the name of Glyn as his only surname.

March 8. John Silley, of South Damerham, Wilts, farmer, abandons the name of Silley, and takes that of EGREMONT only.

April 17. Thomas Coghlan, M.D, M.R.C.S., Surgeon of H. M. ship "Malabar," changes his name to COLAN.

May 2. Matthew Robinson Wilson, of Borrenthwaite upon Stainmore, co. Westmerland, in July 1866 assumed the name of EWBANKE instead of Wilson.

May 13. Patrick Wilson, Perpetual Curate of Moxley, co. Stafford, proposes to assume, from the 1st of July ensuing, as a prefix to his Christian name, the Christian name of his paternal grandfather John Wilson, and to be called John Patrick Wilson.

June 15. John Todd Harling, of Burnley, co. Lanc. machinist, and his daughter Emily, assume the name of Harling only, and not Todd.

June 24. Hunter Alexander Coghlan, M.R.C.S., Staff Assistant Surgeon in H.M. Army, drops the name of Coghlan, and adopts that of COLAN.

July 1. Samuel Ashton Thompson, second son of Samuel Henry Thompson of Thingwall hall near Liverpool esq. in compliance with an instru-

ment of appointment dated 1 Aug. 1855, made by Joseph Brooks Yates of West Dingle, Toxteth park, esq. deceased, takes the surname of YATES after Thompson.

William Wootten *Undershell*, of Oxford, banker, abandons that name, and adopts his maternal name of WOOTTEN.

Robert Gregory Welch, Capt. R.N. of Bath, takes the names of Hoel Walsh, in addition to his baptismal names.

July 8. Charles *Wilson* of Crescent-place, Mornington crescent, gentleman, takes the surname of NORTON after Wilson.

July 11. Lewis Marianne *Luard*, tenant for life in possession of the Mote estate, in the parish of Ightham, co. Kent, and Robert Luard her husband, Captain and brevet Major R. Art. in compliance with the will of Thomas Selby esq. of the Mote, take the name of SELBY after Luard.

July 19. *Goodman Benjamin*, late of Manchester, but now of Bayswater, adopts the name of BENJAMIN GOODWIN.

Aug. 19. William Pilkington, of Windle, co. Lanc. glass manufacturer, assumes the name of Windle after his Christian name William.

Sept. 11. Richard *Edwards*, of Moreton, co. Lanc., clerk, Vicar of Mytton, W. R. of York, takes the name of TAYLOR after Edwards, in compliance with the will of James Taylor, of Whalley, co. Lanc., esq., dated 19th Oct. 1825.

Oct. 1. Thomas *Nicholson*, of Elswick Dene, George-road, Newcastle-on-Tyne, takes in addition the name of COOKE, being his mother's maiden name.

John William *Anichini*, of Thurlow-lodge, Lower Norwood, Surrey, assumes the additional surname of ROLFES.

IMPALING AND QUARTERING.

Our interpretation of the two royal shields at Nottingham (p. 165) is doubtless the true one—that one represents the shield of the King, and the other that of the Queen. It may be generally assumed that all early impalements are intended for the arms of ladies, that is to say, of wives or widows rather than their husbands. Such is the view taken by one of the best of our living armorial antiquaries, Mr. Dyer Longstaffe, in *The Old Heraldry of the Percies*. He there remarks (p. 3), “The modern rules as to husbands impaling, or wearing escutcheons of pretence, and the issue quartering, were unknown. When the husband took a vested right in his wife's lands, he either impaled or quartered her arms; while for the issue the inherited coats were sometimes impaled as well as quartered with each other, and so long as the inheritor had two coats by right of descent, they might be coupled in impalements, though the families so designated had never directly intermarried. There is a good example of this practice in the south Dacre tomb at Lanercost. Usually, however, *males quartered* the

arms of their wives or ancestresses from whom they acquired their lands, whilst *impalements were practically the general bearings of married women* who took an immediate interest in their husbands' land by right of dower.

"The practice of husbands impaling their wives' arms, whether heiresses or not, probably arose near the close of the 15th century. Even now it is laid down that the arms of a wife should not in general be borne upon the husband's banner, surcoat, or official seal.

"In early times, pursuant to the above rules, we often find *two shields; one the husband's alone, for himself, the other the same impaled with his wife's, for her.* (This is the rule in point, for the example at Nottingham.) And so in portraits, the husband is clothed in his own coat, while the wife's robes contain his bearings on one side, hers on the other. The old practice is still kept up in the achievements of gartered peers."

The following is Mr. Longstaffe's description (in *Archæologia Æliana*, 8vo. iv. 149) of the arms on the tomb of Thomas, second Lord Dacre, who married Elizabeth, the heiress of Greystock, and died in 1525. It is in the south chapel at Lanercost.

"*North side.* A motto in ornamental capitals, **FORT EN LOIALTE**, above the following coats :

I. Three cushions, for *Greystock*, IMPALING Barry, three chaplets, for *Grimthorp*.

II. *Dacre* QUARTERING *Vaux*, *Multon*, and *Morville*. Supporters, two gryphons.

III. A fess chequy between six crosses patee fitchéé, for *Boteler* of *Wemme*, IMPALING *Vaux*.

South side. Motto as before.

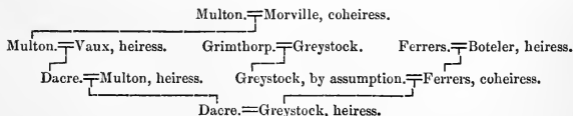
I. *Dacre* IMPALING *Vaux*.

II. *Greystock* QUARTERING *Grimthorp*, *Boteler*, and *Vaux*. Supporters, two dolphins.

III. *Morville* IMPALING *Multon*.

"All the coats on this tomb are within garters, and the impaled forms do not betoken marriages. The whole are intended as mere quarterings or indications of the various baronies this knight of the garter represented."

Omitting intervening generations, the rights to quarter descended thus :



According to present rules the coats of the two heiresses of Boteler and Vaux would not be impaled together, nor could Greystock quarter Vaux.

The seal of the Lord Dacre of 1531 presents six quarterings which to modern eyes may seem to be marshalled in strange order. 1. Dacre; 2. Grimthorp; 3. Greystock; 4. Vaux; 5. Morville; 6. Ferrers. (See Hodgson's *History of Northumberland*, II. ii. 379.)

THE NAMES OF CHURCHMEN IN THE MIDDLE AGES.

The variety of names sometimes borne by the same individual in the middle ages is singularly illustrated in the case of Pope Urban the Fourth.

He was a Frenchman, born in the city of Troyes in 1185; where, below the baptismal font of the church of St. Jacques aux Nouveains, the following inscription is engraved upon a pillar:—

Hic fuit ablutus purâ baptismatis undâ
Urbanus, Jacobi nomen et inde tulit.

So we find his first name, JACQUES, was that of the patron saint of the parish of his birth.

His father was a cobbler, working in a poor shop that belonged to the nunnery of Nôtre Dame, of which church the boy became a chorister. The father's name was Pantaléon, apparently his only name; so that the son's name would have been only Jacques, or *Jacques fils de Pantaléon*, if he had not entered the priesthood; but, doing so, he adopted, as was customary, the name of his birth-place, and his degrees at the college of Troyes, as master in arts, doctor in law, and doctor in theology, were taken under the name of JACQUES DE TROYES.

He had, however, a nephew, whom he promoted to the rank of Cardinal, and he is on record with two names, as *Aucher Pantaléon*.

Jacques de Troyes had already reached the age of seventy-six, when, on the 20th August, 1261, he was elected to the pontifical chair; and on that occasion he assumed the name of URBAN. Of this event his townsmen were naturally proud; and, in order to its appropriate commemoration, he was solicited by the abbess of Nôtre Dame, the monastery under whose wing he had been reared, to lend his aid in the foundation of a church on the site of his birth-place. For that object, by a letter dated at Viterbo, on the 20th May, 1262, the Holy Father granted to the abbess and her nuns permission to sell the house that had been the humble residence of his parents, together with all the neighbouring dwellings and places that belonged to the abbey, and to erect on the site a church that should bear his name—that of course by which he was now recognised by the Christian world. In the introductory part of this letter, the usage of the Roman pontiffs, in assuming a new name, when they were called to the government of the Church, is attributed to the precedent that was set by our Lord and Saviour Jesus Christ, when he desired the prince of the apostles to quit the name of Simon in order to bear that of Peter. "In conformity with this usage" (the letter continues,) "on the day we were raised to the apostolic chair, we assumed the name of the blessed Urban, pope and martyr." The same name he now expressed his desire to perpetuate after his decease in the city of his birth, for to her it might then be justly said, "*Thou, Troyes, art not one of the least among the most famous cities of France, since from thee has come forth the head which governs and guides the people of Christendom.*"

The freedom which is here taken with the language of scripture was too

universally practised by the churchmen of that day to call for censure in this particular instance; nor must we too severely take the words placed in the Pope's mouth as an instance of personal boasting. They were more probably dictated by one of the scribes of the Apostolic chamber than by himself.

There is an anecdote extant of Urban IV. which represents his character as the reverse of being individually proud. It is said that the son of the *cordonnier* Pantaléon never blushed to avow his origin; and was wont to smile good-humouredly if the *soubriquet* came to his ears that was occasionally given him by the envious and spiteful of his days, which was that of JACQUES DE COURT-PALAIS. So that it appears he had still one more name, *in ore vulgi*. Its meaning is not explained.

The King of Spain, having an interview with Urban IV. is related to have rallied him on the lowness of his birth, when Urban replied,—“It is no merit whatever to be born Noble, but it is one to become so.”

THE COULTHART EPIDEMIC.

To the Editor of the HERALD AND GENEALOGIST.

Sir,—Among all our books of Armory there was one which, from its strictly documentary character, I should have thought might have remained impervious to what has already been properly characterized in your pages as the Coulthart plague-spot, prevailing like an epidemic in modern heraldic publications. I allude to Mr. J. W. Papworth's *Ordinary of British Armorial*: a work which, as you know, draws its materials from all authorities, but still, as I had imagined, was not quite so omnivorous as to accept the *ipse dixit* of the late Mr. Knowles of Manchester.

I have, however, encountered with much regret the following passage under the head Cross (p. 618):

Quarterly indented arg. and sa. a cross counterchanged. *Glendining, Glendonyn, Glendinning, or Glendonwyn, That Ilk; Nisbet, i. 113; Lansd. MS. 255, fo. 20 b;* which coat, or rather one having an earlier origin with the field quarterly engrailed, passed by marriage, 1474, to Coulthart of Coulthart, chief of the name; and is quartered with seven other coats by John Ross Coulthart, esq. of Ashton-under-Lyne, co. Lancaster, the present representative of the Coulthart and Glendonyn families. *Knowles, Genealogy of the Coultharts, fo. 13 and 18.*

This appeared in Part XIII. of Mr. Papworth's *Ordinary*, which is dated 1865; and we may charitably presume that it was printed before the appearance of *Popular Genealogists*, or the exposure of the Coulthart' *Armorial*, that was opened forth to the admiration of the public in your number for May in that year. I think, however, its insertion should be followed by some distinct contradiction on the part of Mr. Papworth, who must feel himself somewhat mortified in having been hoodwinked into the belief

that the Coulthart quartering was one of "*earlier origin!*" than the legitimate coat of Glendonwyn. I have not taken the trouble to search whether any of the "seven other coats" have also unfortunately found their way into his columns, and therefore require similar withdrawals. But I would commend it to his careful attention to purge that portion of his work which remains in MS. of any of the proved fabrications of either Mr. Knowles or other charlatan *genealogistes*: and to publish, conspicuously, a disavowal of the error (or errors) into which he has already unwittingly fallen.

Yours, &c.

R. C.

TRADING " GENEALOGISTS."

To the Editor of THE HERALD AND GENEALOGIST.

As a pendant to the remarks in your present volume, pp. 466, 467, permit me to add that a few months since two or three respectable families in Sussex applied to me for an opinion as to the amount of credibility due to the pedigrees supplied by the "*Fraternity of Genealogists.*" Each applicant sent me the printed circular which you have copied signed HENRY DELAINE, *Secretary.* I need not say that my reply in each case was not favourable to the "*Fraternity.*" So far no harm was done, but at the back of the copies of the circular which came into my hands were some additional remarks on the study of genealogy associated with my own name. An extract from my "*Curiosities of Heraldry*" on the sources of genealogical information was given, but so expanded that I was made to say what I never had said. I was naturally annoyed at this, as it seemed to give the sanction of my name (whatever that may be worth) to the labours of this self-constituted body of pedigree-makers. I therefore wrote at once to the "*secretary,*" and he replied with an apology to the effect that these circulars had gone abroad with the additional paragraph without his knowledge, and that in future issues it should be suppressed! I leave the reader to put his own construction upon this statement.

As to the doings of the "*Battle Herald Extraordinary*" I have not heard much of late. I think he must have nearly stocked the public of these parts with his armorial handiwork. My late friend, John Tattersal Auckland, esq. F.S.A. received one of his applications offering to send him the arms of *Tettershall.* The name of Auckland did not appear in Berry, Burke, and such like authorities, and so the "*Herald*" thought *Tettershall* would do. I need not remark that my friend on the contrary thought the coat would not fit. Yours, &c.

MARK ANTONY LOWER.

Seaford, 24th Aug. 1867.

ARMS AND CREST OF WINNINGTON.

To the Editor of THE HERALD AND GENEALOGIST.

The arms of the Winnington family are sometimes described, an *orle* between eight martlets sable, occasionally an *inescocheon* between the same. Can you inform me which is the correct designation?

A more important difference of opinion exists as to our ancient Crest, which Ormerod in his *History of Cheshire* describes as "a still argent." The Saracen's head belonging to the Salwey family whose arms we quarter is at the present day alone in use; but, as I contemplate the revival of the true Winnington crest, I am anxious to ascertain its meaning. A learned contributor to *Notes and Queries* has suggested it to be an extinguisher for altar candles, adopted possibly at a time when the head of the family had presented some such furniture to his Church.

It is I believe quite unique, and is figured in the *History of Cheshire* above quoted, and book-plates with its representation are yet in Stanford library, though it has not been in use for nearly two centuries.

The Jeffreys of Ham Castle, Worcestershire, an extinct family, bore scaling-ladders in their arms (Sable, a lion between three scaling ladders argent) now remaining in their old house, and in the church of Clifton on Teme. Guillim gives the family of Shipstow as bearing the same. Are they borne by any other families?

Stanford Court, Worcester.

THOMAS E. WINNINGTON.

SIR EDWARD WIDDINGTON. (Vol. iii. p. 514.) At Lulworth Castle there is a picture of a deceased person laid out in the Franciscan habit, with this inscription: "Vera effigies Illustrissimi Domini EDWARDI WIDDINGTON Equitis et Baronetti, ætatis suæ 57. Obiit anno 1671, 13 Junii." I am inclined to believe that this person is the Edward (son of the first Lord) who is called in the Pedigree (p. 514) "Captain of the Horse; slain at the battle of the Boyne," and that these latter particulars belong to Edward who appears in the Pedigree as son of the second Baron. Taking what I state to be correct, it explains the circumstance of this picture being at Lulworth: his grandson having married a Weld.—F. J. B.

Hodgson, the historian of Northumberland, so far supports our correspondent's suggestion, that he is inclined (in his Pedigree of Widdington, II. ii. 238) to identify the earlier Edward with a Sir Edward Widdington, who, after the defeat of the royalists at Marston Moor, in 1644, passed over to Hamburgh with the Earl of Newcastle, Lord Widdington, and others. (*Memoirs*, p. 32.) Hodgson, however, both in this pedigree and in that of Horsley (same volume, p. 104) states that he was slain at the battle of the Boyne, July 1, 1690. Immediately after he adds, "By a very polite and

cautious electioneering letter from the Duke of Newcastle to Sir John Swinburne, in 1676, it would appear that this Edward was a candidate in that year for some office in the county. (*Wid. Misc. No. 40.*)

This reference is to a subsequent page of Mr Hodgson's book, where the letter referred to is thus printed among his *Widdrington Miscellanea*.

"For the hon^{ble} Sr John Swinburne, Barronnett, These: Sir, having receued severall favors from you, I hope you will pardon me y^t I begg y^e favour from you y^t you will make your votes for my cosen Edward Widdrington: he is a very good Protestant worthy man as^t liues. I have presumed to write to Sr Francis Ratcliff. His and your intrest with your frends will chuse anybody, soe powerfull you are in Northumberland. I haue soe much buseness I write in hast to you. I present my humble service to my lady, and am your most faithfull serv^t.

Welbeck, Jan: y^e 22, 1676.

H. NEWCASTLE.

It scarcely seems probable that the Historian was correct in identifying this "very good Protestant" with one of the direct line of Widdrington.

Of the second Edward named by our correspondent Mr. Hodgson merely says "Will proved in 1699."

Should this be 1690, the year of the battle of the Boyne? Sir Edward Widdrington, who died in 1671, would be a Knight, though not a Baronet, as stated on the picture. The error might partly arise from the Baronetcy vested in his father, it having been conferred on his grandfather Sir William in 1642, and the peerage in 1643.

CORRIGENDA.

Vol. I. p. 428, line 13, *for* Horner *read* Homer.

P. 432, line 33, place a full stop after "issue;" the five daughters next mentioned being sisters to Mary (Mrs. Foster).

Vol. IV. p. 257. The Rev. Weeden Butler, junior, was brother to the Very Rev. George Butler, Dean (*not* Bishop) of Peterborough. The former died in 1831; the latter in 1853.

Page 340, *for* Thurstanton *read* Thurstaston.

Page 347. Basildon was sold many years since to Mr. Morrison, and the Sykes family has nothing there now.

Pages 443, 444. The monument is that of Sir Henry Newton, who died 1599 (as correctly stated in the pedigree, p. 437). The name of *Thomas* has therefore to be corrected to Henry twice in p. 443, and again in the epitaph, p. 444; and the date 1594 is to be altered to 1599 in both pages.

Page 446. The reference to the note placed in this page should have been made at the fourth line of the following page.

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