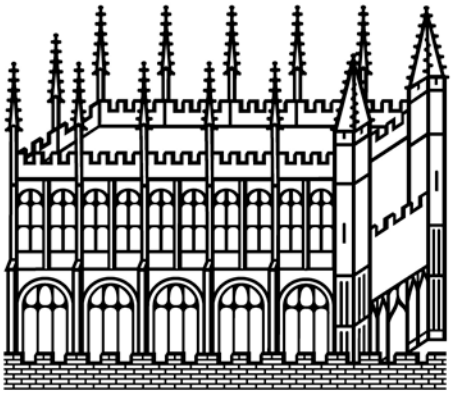

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THE

ANNALS OF CHEPSTOW CASTLE.

Six Centuries of the Lords of Strigul,

FROM THE CONQUEST TO THE REVOLUTION,

By JOHN FITCHETT MARSH,

Of Hardwick House near Chepstow, Esq., deceased,

TO BE EDITED BY

SIR JOHN MACLEAN, F.S.A., &c.

The late Mr. Marsh was well known as a zealous, painstaking, and accurate Archæologist, especially in the counties of Lancaster and Cheshire, to the Historic Society of which counties he was a frequent contributor.

The MS. of the abovementioned work, which upon Mr. Marsh's death devolved upon his Executors, is the result of great labour and research, and contains a complete history of the Castle from the time of its erection; tracing its custody through the families of Fitz Osborne; Marshall; Bigod; Plantagenet (de Brotherton); Manny and Hastings; Mowbray; Herbert and Tudor; to that of Somerset, by whom it is now held. It gives, in considerable detail, the personal and political history of the several Lords, their marriages and issue; which is accompanied by tabular pedigrees shewing the descent of the Lordship and Castle through the several families.

The following item relating to Richard Marshall Earl of Pembroke, extracted from the Table of Contents, will shew the important and interesting character of the work:—

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Gough Add.ⁿ Monmouth 4ᵒ 3.

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Annals of Chepstow Castle.

ANNALS

OF

Chepstow Castle

OR

SIX CENTURIES OF THE LORDS OF STRIGUIL

FROM THE

CONQUEST TO THE REVOLUTION

BY JOHN FITCHETT MARSH

Deceased

EDITED BY SIR JOHN MACLEAN, F.S.A., ETC.

PRIVATELY PRINTED BY WILLIAM POLLARD, EXETER

1883

TO

HIS GRACE

Henry, Duke of Beaufort

KNIGHT OF THE MOST NOBLE ORDER OF THE GARTER

LORD LIEUTENANT OF THE COUNTY OF MONMOUTH

AND ONE OF

THE QUEEN'S MOST HONOURABLE PRIVY COUNCIL

THESE

Annals of Chepstow Castle

OR

SIX CENTURIES OF THE LORDS OF STRIGUIL

ARE

BY HIS GRACE'S PERMISSION

MOST RESPECTFULLY

DEDICATED.

PREFACE

Mr. John Fitchett Marsh, the author of this volume, was born at Wigan, in Lancaſhire, in 1818, and was educated at the Grammar School at Warrington, of which town he afterwards became a diſtinguiſhed ſolicitor, and, eventually, Town-clerk. Untiring in the diſcharge of his profeſſional and official duties, his mental energy and activity of character enabled him to find time, from an early age, for literary and ſcientific purſuits, in which he was aided by the poſſeſſion of a large and choice library, partly inherited from his uncle, Mr. John Fitchett. He was a ſtudent of great induſtry, reſearch and accuracy; an active and generous ſupporter of the local educational inſtitutions at which he frequently lectured on literary and antiquarian ſubjects. He was alſo an occaſional contributor of papers to the Hiſtoric Society of Lancaſhire and Cheſhire, among which may be mentioned an intereſting monograph on the Engraved Portraits and Pretended Portraits of Milton, and to other kindred ſocieties and publications. On his retirement from his profeſſion at Warrington, in 1873, he ſettled at Hardwick, a ſmall eſtate which he purchaſed near Chepſtow. There he employed a portion of his leiſure in collecting materials for a Hiſtory of the Caſtles of Monmouthſhire. He had ſcarcely, however, completed that of the firſt, the Annals of Chepſtow Caſtle, when his ſtudies were prematurely brought to a cloſe by a fatal illneſs in the ſummer of 1880.

The Annals of Chepſtow is not a mere local hiſtory. The whole ſeries of the Lords of Striguil were among the foremoſt men of the ages in which they reſpectively lived, and took their parts in the moſt ſtirring and important events of their times. The author has very carefully ſtudied the old chronicles and all the other valuable hiſtorical works relating to his ſubject, and has brought to bear upon them a

great amount of legal acumen in the examination of evidence, and critical ſkill. By theſe means, he has cleared up many controverted queſtions and corrected many errors and fallacies found in the works of the moſt accredited authors.

It is much to be regretted that Mr. Marſh's life was not ſpared to carry out his full deſign; and his executors have done well in giving to the public this record of ſix centuries of the Lords of Striguil, it being a work of great intereſt, as well as a laſting memorial of the ſcholarly taſte and ability of the Author.

J. M.

INTRODUCTION.

WHATEVER doubt was at one time thrown on the identity of Chepſtow Caſtle with that mentioned in Domeſday as Eſtrighoiel, and in later documents as Strigul, Striguil, &c., has been finally ſet at reſt by the reſearches of Mr. Ormerod, who, in various intereſting memoirs, principally communicated in the firſt inſtance to the Society of Antiquaries and the Archæological Inſtitute, but collected in a privately printed volume entitled "Strigulenſia," has brought to bear on the point an irreſiſtible array of evidence, relating as well to the caſtle itſelf as to the "river, port, vill, priory, bridge, and boundary of known extenſive manors," ſhewing that the original miſtake—the aſcription of the name of Strigul by Camden and writers who have followed him to a petty caſtellet or fortified houſe on the northern border of Wentwood, erected about the commencement of the fourteenth century—has ariſen from a corruption of the name of Cas Troggy or Stroggy, which the latter probably derived from the brook Troggy there taking its riſe. It is to be obſerved that this often reiterated miſtake has been confined to the topographers, the petty caſtellet referred to having always been ſpoken of by the inhabitants of its immediate neighbourhood by the name of Cas Troggy; and it is much to be regretted that the alternative name of Striguil Caſtle, given on the Ordnance map, will perpetuate the error, though the theory which has been baſed upon it can never again be maintained.

FOR the name of Eſtrighoiel various derivations have been propoſed. To ſay nothing of the ſuggeſtion of Sir Robert Atkyns, who places it in the city of Glouceſter; and after miſreading the name as "Eſtðrighoiel," converts it into "Eaſt Bridge Hoiel" (whatever that may mean), which his copyiſts, perhaps in correction of a miſprint, have further altered to "Eaſt Bridge Hotel," there have been numerous conjectures baſed on ſimilarity of ſound, the rock on which ſo many etymologiſts have made ſhipwreck. One correſpondent of Notes and Queries (4th series, vii., 377) propoſes "Eſtrig-hoewal"—the rapid eddy or whirling tide; and another, "Ys-dwr-gowel"—the tranſparent

parent or clear ſtream ; the appropriateneſs of which, and its illuſtration of the ſignificance of Welſh names can ſcarcely be appreciated without a viſit to the banks of the Wye. Mr. Planché (Brit. Arch. Aſſo. Jour., x., 249, 267) went to the Saxon, of all languages, for a derivation, and propoſed "Eſt-rik-howel" —the Eaſt kingdom of Howel ; but withdrew his ſuggeſtion in favour of the view advanced by Mr. Wakeman, but long previouſly broached by Roger Gale, as pointed out by Mr. Ormerod, that it was derived from "Strata Julia," or its Welſh equivalent, "Yſtrad-Iwl." Mr. Ormerod, however, has ſhewn the fallacy of this, and ſuggeſts that the name of Eſtrighoiel, Strighil, or Strigul, given to the Norman fortreſs on the bank of the Wye was an adoption of the name of "Ys-traigyl," belonging to the neighbouring earthwork which it ſuperſeded for purpoſes of defence, a Romano-Britiſh encampment on Hardwick Cliffs, figured in Coxe's Monmouthſhire, p. 376, and ſtill known and deſcribed in modern title deeds (penes meipſum) by the name of "The Bulwark," and where, if at all in this neighbourhood, Mr. Wakeman in his paper above alluded to conſiders a Britiſh town to have exiſted. A more whimſical corruption of the name Ys-traigyl has ariſen in its application to the little iſland with its lonely oratory at the mouth of the Wye, popularly known as "Saint Treacle Chapel," and ſo named in Saxton's map publiſhed in the early editions of Camden's Britannia—called by William of Worceſter, "Rok Seynt Tryacle' and "Capella ſancti Teriaci Anachoritæ"—and in Valor Eccleſiaſticus of Henry VIII., "Capella ſancti Triaci"—and in modern maps and guide books placed under the patronage of Saint Tecla or Thecla, a virgin martyr of Iconium of the firſt century, better known to the Greek than to the Latin church. For the origin and import of the name "Ys-traigyl" we muſt refer to Mr. Ormerod's papers (Strig., pp. 65, 74), not venturing, in the abſence of all knowledge of the Welſh language, to meddle with the diſcuſſion. The correctneſs, or otherwiſe, of his etymology does not affect the application of the name to the Hardwick encampment, or the fact which he adduces that Yſtreigyl is referred to by Cynzelw, a bard of the twelfth century, as one of the extreme limits to which his hero Owain Gwynedd had extended his ſovereignty.

The fact that in early ages the caſtle bore the name of Strigul in one or other of its endleſs varieties of forms, while the town acquired the name of Chepſtow, need create no difficulty. On the principle enunciated by Wamba, the ſon of Witleſs, that ox and calf, ſheep and ſwine were Saxon while under the charge of the ſerfs whoſe buſineſs it was to tend them, but took the Norman names

names of beef and veal, mutton and pork in the worſhipful mouths which exiſted only to conſume them, it is not ſurprizing that while the Norman nobles, who regarded Celt and Saxon with ſupreme indifference, ſpoke of their feudal caſtle by a modification of the name which they had adopted but never learned to ſpell, their Saxon dependents gave the name of "Chepe-ſtowe" to the trading ſtation, which the name implies, carried on under the protection of its walls. If ſimilar difficulty has been encountered in determining the orthography to be adopted in this memoir for the name which, except in quotations, I propoſe, for reaſons to be preſently ſhewn, to ſpell uniformly "Striguil," it has not been for want of choice; for the following variations are actually found in ancient records and chronicles, and in modern works of more or leſs importance, from which, for the ſake of brevity, a ſingle authority is here ſelected for each mode of ſpelling:—

1. Eſtrighill. Camden, p. 633, ed. 1610.
2. Eſtrighoiel. Domeſday Book.
3. Eſtrigil. Camden, p. 488, ed. 1607; quoted in Orm. Strig., 66.
4. Eſtrigol. Maddox's Exchequer, 20; quoted by Coxe.
5. Eſtrogoil. Documents referred to in Morgan and Wakeman on Wentwood, p. 39.
6. Storgoil. Robert of Glouceſter, 524.
7. Storguyl. Taxatio Eccleſiaſtica, 1291; quoted in Orm. Strig., 69.
8. Stragul. Scobell's Acts and Ordinances, 16th July, 1651.
9. Strigeil. Rot. 8 Suſs. Mich., 6 Ric. I.; quoted in Edmondſon's Heraldry, i., 37.
10. Strigeyll. Hardyng's Chronicle, p. 261, ed. 1812.
11. Strighal. Tanner's Notitia Monaſtica, p. 330.
12. Strighil. Ralph de Diceto, Twyſden's Scrip., 590; Coxe's Monmouthſhire, p. 366.
13. Strighoel. Record referred to by Mr. Wakeman, Brit. Arch. Aſs. Jour., x., 249.
14. Strighul. Camden, p. 633, ed. 1610.
15. Strighull. Weever's Funeral Monuments, 442, 443.
16. Strigiell. Orm. Strig., 71, quoting Chron. Joh. Brompton.
17. Strigil. Daniel and Truſſel's Hiſtory of England, p. 96, ed. 1685.
18. Strigill. Caradoc of Llancarvan, p. 151, ed. 1774.
19. Strigoielg. Domeſday Book, ſeveral places.
20. Strigoil. Roger de Hoveden, Savile's Scrip., 450 v.

21. Strigoill. Dug. Bar., ii., 63, 64, 150.
22. Strigoll. Rot. Lit. Claus., 11 Henry III.
23. Strigoul. Writ 11 Edward I., quoted in Clive's Ludlow Documents, p. 139.
24. Strigoyll. Writ 25 Henry III., quoted in Orm. Strig., 71 n.
25. Striguile. Holinſhed's Chronicle, ii., 190, ed. 1807.
26. Striguill. Holinſhed's Chronicle, ii., 204, 273, ed. 1807.
27. Striguille. Id., ii., 276.
28. Strigul. Annales Waverleienſes, 2 Gale's Scrip., 160.
29. Strigule. Tanner's Notitia Monaſtica, p. 330.
30. Strigull. Rot. Lit. Claus., 4 Henry III.
31. Strigvill. Calendar of Lanſdowne MSS., p. 195.
32. Striogul. Coxe's Monmouthſhire, 366.
33. Striogull. Survey of Wentworth (St. Pierre copy), printed in Williams' Mon., 187.
34. Stroghil. Tanner, quoting Leland's Itin., as to founder of Tintern Abbey.
35. Stroghoel. Records referred to by Mr. Wakeman, Brit. Arch. Aſs. Jour., x., 249.
36. Stroghul. Camden, Annales of Ireland, p. 155, ed. 1610.
37. Strogil. Leland, quoted in Orm. Strig., 66.
38. Strogill. Statute de prerogativa regis, 17 Edward II., c. 13; Ruffhead's Statutes.
39. Strogle. Saxton's Map, erroneouſly aſſigning the name to Cas Troggy.
40. Strogoel. Documents quoted by Mr. Wakeman, Brit. Arch. Aſs. Jour., x., 249.
41. Strogoil. Trivet's Annals, Eng. Hiſt. Soc. ed., p. 66.
42. Strogoile. Coronation claim of Margaret de Brotherton, 1 Ric. II.
43. Strogoill. Cal. Pat., 12 Edward III.
44. Strogoule. The above writ 11 Edward I., as quoted in Orm. Strig., 68.
45. Strogoyl. Trivet's Annals, ed. Eng. Hiſt. Soc., 66 n.
46. Stroguil. Tanner's Notitia Monaſtica, p. 330.
47. Strogul. Survey of Wentwood, as printed in Mr. Morgan's paper, p. 40.
48. Strogull. Id., from Lord Tredegar's copy.
49. Strogvell. Inquis. 10 Ric. II.
50. Strugeill. Record 1 Edward II., Orm. Strig., 67.
51. Strughulle. Tintern Chronicle, Dug. Mon., v., 270.
52. Struggle. Scobell's Acts and Ordinances, 16 July, 1651.
53. Strugle. Camden, p. 633, ed. 1610.

54. Strugoil. Chron. Joh. Brompton, Twyſden's Scrip., 1158.
55. Strugoill. Id., p. 1155.
56. Strugoyl. Chron. of Thomas Wikes, Gale's Scrip., ii., 42.
57. Struguill. Chron. Joh. Brompton, Twys. Scrip., 1194.
58. Struguille. Holinſhed's Chron., ii., 138, ed. 1807.
59. Strugul. Records referred to by Mr. Wakeman, Brit. Arch. Aſs. Jour., x., 249.
60. Strugull. Richard Strongbow's charter to Uſk Priory, Id., p. 261.
61. Strugulle. Court roll of Manor of Waldings, 1614, Orm. Strig., 68.
62. Strugvil. Annales de Margan, Gale's Scrip., ii., 8.
63. Strugwle. Ancient MS. printed in Arch. Cam., 1862, quoted in Morgan on Wentwood, p. 24.
64. Stryghall. Camden's Tract, 2 Hearne's Diſcourſes, 328.
65. Strygil. Caradoc of Llancarvan, p. 157, ed. 1774.
66. Strygill. Id., p. 135.
67. Strygule. Id., p. 199.
68. Sturggyl. Taxatio Eccleſiaſtica, 1291, as quoted in Dug. Mon., v., 265.
69. Sturgoil. Id., as quoted in Orm. Strig., 69.
70. Sturgoyl. Hen. Salgrave, quoted in note to Tanner's Not. Mon., p. 330.
71. Sturguil. Cal. Inq. p.m., John Haſtings, 49 Edward III., No. 70.

Among all theſe varieties, Striguil has been ſelected for normal uſe. Strigule would, perhaps, repreſent in modern Engliſh the neareſt equivalent for the Latin Strigulia; and Strigul is recommended by the example of Mr. Ormerod, Mr. Wakeman and Mr. Planché; but Striguil, beſide having at leaſt its full ſhare of ancient authorities, is the form which has come down to modern times in connection with the court-baron, and is that in which the title of the ancient earls is diſcuſſed in the Report of the Lords' Committee on the Dignity of a Peer.

Its alternative Welſh name of Cas Gwent (=the Fortreſs of Gwent), which it acquired in ſucceſſion to its neighbour Caerwent, Venta Silurum of Roman Britain, need not detain us, except to explain, for the benefit of readers, if any, who are quite unacquainted with the diſtrict, that Gwent, which in the ages ſucceeding the Roman occupation ſometimes formed a ſeparate principality and ſometimes part of the kingdom of Morganoc or Glamorgan, was nearly, but not quite, conterminous with the modern county of Monmouth. That portion which

which lies weſt of the Uſk formed a cantred, called Wentloog (the g being dropped in compoſition), ſtill retained as the name of one of the hundreds of Monmouthſhire; while that between Uſk and Wye was divided by the wooded range of Wentwood into two cantreds, of which the northern one was called Gwent Uchgoed (Gwent above the Wood) or Upperwent; and the ſouthern one, with which we are more immediately concerned, Gwent Iſcoed (Gwent under the Wood) or Netherwent.

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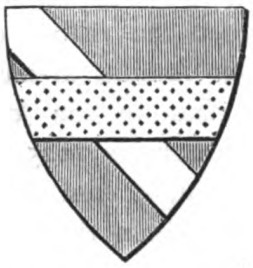
CHAPTER I.

Family of Fitz-Osbern.



THE caſtle of Striguil then, or Eſtrighoiel as it is called in Domeſday Book, was built, as is expreſſly ſtated in that venerable record, by Earl William. The powerful nobleman ſo deſignated was William Fitz Oſbern, in England Earl of Hereford and of the Iſle of Wight, and in Normandy Count of Breteuil, Paſcie, and Ivry. He was doubly related to the Conqueror in the degree, to ſpeak preciſely, of ſecond couſin once removed: for his father, Oſbern de Creſpon, was the ſon of Herfaſt, the brother of the Conqueror's great-grandmother, Gunnor,[1] wife of Richard the firſt, Duke of Normandy, ſurnamed Sans-Peur (Herfaſt and ſhe being children of a knight whoſe name has not come down to poſterity, but who was one of the Northmen who accompanied Rollo) while the mother of Fitz-Oſbern was the daughter of Rodolph, Count of Ivry, who was uterine brother of the same Richard, both being children of Sprote, daughter of Herbert, Count of Senlis, the former by her huſband Aſperling, and the latter by William Longue-epée, the ſon and ſucceſſor of Rollo.[2] Theſe relations, complicated as

[1] It is quite unneceſſary, even in Latin, to turn her name into Gunnora. Dudonde St. Quentin forms the Latin genitive in Gunnoris.

[2] As the Duke had a lawful wife, Leutgards, who is ſaid to have ſurvived him, his connection with Sprote is believed to have been an illicit one, and is ſo indicated in our pedigree; but their ſon, Richard Sans-Peur, aſcended the ducal throne without queſtion. [They are ſaid by Lappenberg to have been eſpouſed in the Daniſh manner. "Hiſtory of the Norman Kings."—Ed.]

as they read in the form of a narrative, will appear very clearly in our Pedigree No. I. Reckoning by number of deſcents, Fitz-Oſbern was therefore a generation older than the Conqueror; but there was probably no great diſparity in their ages, though the former was no doubt the ſenior. His father, Oſbern de Creſpon, the hereditary ſeneſchal of Normandy, was one of the victims of the ſtate of anarchy which aroſe in the Duchy on the death of Duke Robert in 1035, and was a few months afterwards murdered in his bed by William de Montgomery, in the very preſence of the young Duke, then about eight years old, and ſleeping in the ſame chamber, if not the ſame bed (cubiculo[1]), with his ſeneſchal. Fitz-Oſbern founded the Abbey of Lire in 1046; and ſuppoſing this to have been his firſt act on coming to man's eſtate, as it is likely enough to have been if done for the ſake of the ſoul of his murdered father, he muſt have been born at leaſt as early as 1025. He inherited from his father the office of ſeneſchal, which brought him near to the perſon of the Duke, of whom he may be ſaid to have been the right hand as well in council as in war. Of his connection with William we firſt read at the ſiege of Domfront, in or about 1054, when the Duke ſent him, with Roger de Montgomery, his future colleague in the marſhalſhip of England, and probably nephew of the murderer of Oſbern de Creſpon (but the pedigree is a little uncertain), to convey a meſſage of perſonal defiance to Geoffrey Martel, Count of Anjou, who was making efforts to raiſe the ſiege. Four years later William built the caſtle of Breteuil, in order to hold in check that of Tillières, which had been wreſted from him by the French king, and gave the cuſtody of it to William Fitz-Osbern. The ſite of it may probably have been already part of his anceſtral eſtate, for it lies between Paſcie and Ivry, on the eaſt, and Lire, where he had already founded a monaſtery, on the weſt. In the following year, Ambrières being threatened by Geoffrey Martel, the Duke ſent Fitz-Oſbern in all haſte to defend it, which he did ſucceſſfully. Of his foundation of the Abbey of Cormeilles we ſhall have to make repeated mention hereafter.

Of his influence among the Norman nobles a remarkable inſtance is related in the metrical chronicle of Maſter Wace, which I quote from the ſpirited proſe tranſlation of my friend, the late Mr. Edgar Taylor. After relating how Duke William, while hunting in his park at Rouen, received from a meſſenger the news of King Edward's death and the acceſſion of Harold, he proceeds

[1] Cubiculo.—In Claſſical Latin cubiculum is the bedchamber and cubile the bed, but in Mediæval Latin the ſame diſtinction does not ſeem to have been obſerved.

proceeds:—"When the Duke had liſtened to him, and learnt all the truth, how that Edward was dead and Harold was made King, he became as a man enraged, and left the craft of the woods. Oft he tied his mantle, and oft he untied it again, and ſpoke to no man, neither dared any man ſpeak to him. Then he croſſed the Seine in his boat, and came to his hall, and entered therein, and ſat down at the end of a bench, ſhifting his place from time to time, covering his face with his mantle, and reſting his head againſt a pillar. Thus he remained long in deep thought, for no one dared ſpeak to him, but many aſked aſide, 'What ails the Duke? Why makes he ſuch bad cheer?' Then behold in came his ſeneſchal, who rode from the park on horſeback, and he paſſed cloſe by the Duke, humming a tune as he went along the hall; and many came round him aſking how it came to paſs that the Duke was in ſuch plight. And he ſaid to them, 'Ye will hear news, but preſs not for it out of ſeaſon; news will always ſpread ſome time or another, and he who gets it not freſh has it old.' Then the Duke raiſed himſelf up, and the ſeneſchal ſaid to him, 'Sire, Sire, why do you conceal the news you have heard? If men hear it not at one time, they will at another. Concealment will do you no good, nor will the telling of it do harm. What you keep ſo cloſe is by this time known all over the city; for men go through the ſtreet telling, and all know, both great and ſmall, that King Edward is dead, and that Harold has become King in his ſtead, and poſſeſſes the realm.' 'That indeed is the cauſe of my ſorrow,' ſaid the Duke, 'but I know no help for it. I ſorrow for Edward and for his death, and for the wrong that Harold has done me. He has wronged me in taking the kingdom that was granted and promiſed to me, as he himſelf had ſworn.' To theſe words Fitz-Oſber, the bold of heart, replied, 'Sire, do not vex yourſelf, but beſtir yourſelf for your redreſs, that you may be revenged on Harold, who hath been so diſloyal to you. If your courage fail not, the land ſhall not abide with him. Call together all that you can call. Croſs the ſea, and take the kingdom from him. A bold man ſhould begin nothing unleſs he purſue it to the end. What he begins he ſhould carry through or abandon it without more ado.'" William, thus encouraged, took counſel with ſeveral of his principal nobles, including "Fitz-Oſber of Breteuil, William by name, the proud of ſpirit," who adviſed him to open the matter to his barons, that all might be taken into counſel who had to ſhare the labour. "So the barons were all ſummoned, and being aſſembled at a ſet day, the Duke ſhewed to them that Harold had cheated him, and had ſtolen the realm, whereof Edward had made him heir—that he wiſhed

wiſhed to avenge himſelf if he could—but that great aid was wanted, and that he could not, without their help, have [as] many men and many ſhips as he needed. Let each man ſay what he would do, how many men and ships he would bring. And they ſaid they would ſpeak together about it, and that after holding counſel they would anſwer him. And he conſented thereto. They remained long in counſel, and the debate laſted a great while, for they heſitated long among themſelves what they ſhould ſay, what anſwer they ſhould give, and what aid they would afford. They complained much to each other, ſaying that they had often been aggrieved; and they murmured much, conferring together in ſmall parties, here five, there fifteen, here forty, there thirty, ſixty, a hundred. Some ſaid they were willing to bring ſhips, and croſs the ſea with the Duke. Others ſaid they would not go, for they owed much and were poor. Some would, others would not, and there was a great contention amongſt them. Then Fitz-Oſber came forward and ſaid, 'Why do you go on wrangling with your natural lord, who ſeeks to gain honour? You ought never to be wanting. You owe him ſervice for your fiefs, and what you owe him you ought to render with all your might. Wait not for him to beſeech you. Aſk him for no reſpite; but go forward at once and offer him even more than you can perform. Let him not have cauſe to complain, nor miſs his undertaking on your account. If he fail, he will perchance ſoon ſay (for he is of a jealous temper) that you are the cauſe of his loſs. Take care that he has not to ſay that his expedition failed through you.' 'Sire,' ſaid they, 'we fear the ſea, and we are not bound to ſerve beyond it. Speak for us, we pray you, we put the ſpeech upon you. You ſhall ſay what you will, and we will do accordingly.' 'Do you put it upon me?' ſaid he. 'Yes," ſaid each, 'I agree. Let us go to the Duke. Speak for us for you know our minds.' Then Fitz-Oſber went at their head, and ſpoke for them. 'Sire, Sire, look around. There is no people under heaven that ſo love their lord, or will do ſo much for his honour as the people you have: and much ſhould you love and protect them. They ſay that to advance you they would ſwim through the ſea or throw themſelves into the raging fire. You may truſt them much, for they have ſerved you long, and followed you at great coſt, and they will willingly continue to ſerve you. If they have hitherto done well, they will hereafter do yet better. They will paſs with you over ſea, and double their ſervice. He who ſhould bring twenty knights will cheerfully bring forty. He who ſhould ſerve with thirty will now ſerve you with ſixty, and he who owes a hundred will willingly bring two hundred. For myſelf I will in good love bring to my lord in his need ſixty ſhips well furniſhed and charged

charged with fighting men.' At theſe words the barons marvelled and murmured much, grumbling loudly at the great promiſes he made, for which he had no warranty. Many began to diſavow him, and the Count became much troubled. Great noiſe aroſe and the barons ſtormed. They feared that doubling their ſervices would be turned into a charge on their fiefs, that it would grow to a cuſtom, and would thenceforth become permanently due. The aſſembly was greatly troubled. The noiſe was great and the clamour loud. No one could hear another ſpeak. No one could either liſten to reaſon or render it for himſelf. Then the Duke, being greatly diſturbed by the noiſe, drew on one ſide, and ſent for the barons one by one, and ſpoke with and entreated each, telling them what need he had—how much they ſtood in his love and grace—and that if they doubled their ſervices and did of their own accord more than they were bound in this undertaking, they would do well, but he pledged himſelf that they ſhould not be called on in future for ſervice beyond what was the cuſtom of the land, and ſuch as their anceſtors were wont to do for their lord. Each ſaid what he would do, and how many ſhips he could bring: and the Duke had it all recorded at once, numbering the ſhips and knights which the barons agreed to find."

The reſult was the army which fought at Haſtings, in which Fitz-Oſbern, who had volunteered ſixty ſhips with their armament for the expedition, led the van, and Roger de Montgomery, who had provided a ſimilar number, is ſaid to have led the centre: but the latter fact, and even Montgomery's preſence at Haſtings, are the ſubject of conflicting accounts among the chroniclers; and the queſtion is foreign to our ſubject, except ſo far as it has any bearing on the undoubted fact that Fitz-Oſbern and he were appointed joint marſhals of the king's hoſt, or marſhals of England, an office among the duties of which were to examine, judge, and determine whether thoſe who owed ſervices by their tenures anſwered thoſe ſervices by the qualities and numbers of the perſons required, then to muſter thoſe whom they had judged proper to admit, and to aſſign them quarters, and if it was an expedition into foreign parts, to billet them into ſhips for their tranſportation, and to govern them while they were upon the ſea, and upon their landing to direct them into what battalions and companies they ſhould be formed, and during the actual wars to hold court for the determination of all offences, committed againſt the laws of war, and for the deciſion of all civil cauſes ariſing in the army concerning right of priſoners, and booties taken, and ſuch like.

Fitz-Osbern was created Earl of Hereford and of the Isle of Wight, and Montgomery Earl of Shrewsbury, Chichester and Arundel. Both were enriched with vast possessions in various parts of the kingdom, but we are unable to specify the precise extent of those granted to Fitz-Osbern, in consequence of his death, and the forfeiture incurred by his successor, previous to the compilation of Domesday Book, the source from which all similar information is derived as to the manors and lordships held by the other companions in arms of the Norman adventurer. The earldom of Hereford comprised not the modern county, but so much of Gloucestershire as lies between the Severn and the Wye, thus forming, with the earldoms of Shrewsbury and Chester, a continuous frontier between England and Wales. It also comprised portions of territory on the right bank of the Wye, already conquered by the Saxons from the princes of South Wales, forming the Lordship Marcher, which, from the castle here erected being the Caput Baroniæ, acquired the name of the Lordship Marcher of Striguil, the immediate subject of our memoir. These Lordships Marchers seem to have originated in a tacit permission of the sovereign to certain of the great barons to make war on their own account against the princes of Wales, and to hold whatever lands they could conquer as tenants in capite under the English crown, and under the obligation of erecting and maintaining castles for the defence of the realm against their turbulent neighbours, but in all other respects singularly free from the jurisdiction of the king's courts. They had palatinate or more than palatinate jurisdiction. They were in fact petty sovereigns; for they enacted and enforced their own laws—had their seneschals, chancellors, and other high officers, on the model of the royal court—occasionally made war on each other, but more frequently alliances for the purpose of joint expeditions against the Welsh—and not only they, but even the mesne lords or petty barons, whom they created by way of sub-infeudation, exercised in some instances jura regalia, with power of life and death. In an ancient *Treatise on the Government of Wales* (Lansdowne MSS., No. 216), printed in Clive's "Documents connected with the history of Ludlow and the Lords Marchers," it is stated that "to the end that the said lords should be as well the more willing to these attempts, as able to rule and govern and keep in due obedience the people of the country, being once subdued, the kings of England suffered, and necessity of government forced, those lords to assume and take unto themselves such prerogative and authority within the said lordships as to themselves seemed best, and were fit for the quiet government of any country . . . . . And therefore there is no

no record to be found in the Tower, or elſewhere in England, of any grant made to any to be a Lord Marcher in Wales, nor any liberty granted to any of them as they themſelves then and long time after uſed, and the King's writs out of his courts of Weſtminſter did not run into Wales, Pembrokeſhire excepted, which was counted part of England, and therefore called Little England beyond Wales, neither was there any ſheriff or other officer of the King to execute any of the King's writs or precepts in Wales. And yet of neceſſity law and juſtice was to be adminiſtered for the quiet government of the people, without which no commonwealth nor ſociety might be preſerved or governed. Therefore theſe lords themſelves were forced of neceſſity to execute laws of ſovereign governors on their tenants and people in theſe ſtrange countries and lordſhips ſubdued by them, which the Kings of England did for policy permit for a time. And to grant charters of ſuch liberties in theſe caſes could not conveniently be for three cauſes" . . . And after ſetting out the difficulties ariſing from the uncertainty of the area to be conquered, and the indifference of the lords to ſecure their franchiſes until they had made ſome of their conqueſts, the writer proceeds:—"Another reaſon, which I have heard of the learned, why the lordſhips marchers had no charters of ſuch liberties as they uſed within their ſeignories, was for that the liberties and royal juriſdiction uſed by thoſe lords were ſuch and ſo high of nature, ſo royal, and ſo united to the crown, that by the laws of this land it lay not in the power of the King to ſever the ſame from his imperial crown: and therefore it was thought fitter and better courſe to ſuffer the lords to aſſume and take thoſe liberties of their own authority than to ſue and obtain a void grant of the ſame, which, if at any time were called in queſtion, muſt be adjudged of no force."

Of the ſource from which the Earl of Hereford derived the laws for his newly acquired territory, and the eſtimation in which they were held as models of good government, we have evidence, where we should little have expected to find it, in Domeſday Book for that part of the preſent county of Flint ſurveyed with Cheſhire, and publiſhed accordingly with that county by the Ordnance Office. Under the head of Roelend (Rhuddlan), held by Robert de Roelent, it is ſtated that "in this manor of Roelend a caſtle, alſo called Roelend, has been newly made. There is a new burgh, and therein are 18 burgeſſes between the Earl and Robert, as is above ſaid. On theſe burgeſſes they have beſtowed the laws and cuſtoms that are in Hereford and Bretuill, that is to ſay throughout the year they ſhall give nothing but 12 pence for any

any forfeiture, ſave homicide and theft and premeditated heinfare."[1] Not only are the laws and cuſtoms introduced by William Fitz-Oſbern thus connected with thoſe of one of his Norman poſſeſſions, but we have an indication of their origin in a paſſage in Ordericus Vitalis, who mentions (B. vi, c. 8) the building of the town of Aufay, in Normandy, by Richard de Heugleville, who introduced among his coloniſts the cuſtoms of Cormeilles. Now at Cormeilles was a monastery founded by Fitz-Oſbern himſelf, ſome years before the Conqueſt, and further endowed by ſome of his ſucceſſors in the lordſhip of Striguil. In fact the pariſh church of Chepſtow was formerly the church of an alien priory belonging to the Abbey of Cormeilles, a charter to which will be found to throw conſiderable light on the hiſtory of the early lords, when we come to notice it in its proper place.

Some portion at all events of Fitz-Oſbern's newly acquired territory on the right bank of the Wye had already been conquered by the Saxons. How far the conqueſts of Harold had extended is uncertain; but he built a palace at Portſkewet, and various monoliths, paſſing by the name of Harold's ſtones, are traditionally reputed to mark the track of his invaſion. His power ſeems to have been of very temporary duration, and ſeveral vills mentioned in Domeſday Book are ſtated to have been "waſted by King Caraduech," by whom the palace at Portſkewet is related in the Saxon Chronicle to have been burned. With this prince, Caradoc ap Griffith ap Rydderch, Fitz-Oſbern entered into an alliance, by means of which he conſolidated his power along the whole of the eaſtern portion of Gwent, and extended it at leaſt as far weſtward as Raglan: for a charter of Walter Bloet, printed in "Dug. Mon." ii, 989, ed. 1661, confirms a grant by Willielmus filius Oſberti to the Abbeys of Lire and Cormeilles of tithes "in villa de Ragthan." In return we find Fitz-Oſbern, or his ſon (for the date is a little uncertain), aſſiſting Caradoc in his warfare with Meredith ap Owen, his neighbour on the banks of the Rhymney, between which and the Uſk we may ſuppoſe the former's territory to have lain, with Caerleon as the ſeat of his power, which Mr. Floyd, in a paper *On the Norman Conquest of South Wales*, printed in the "Archæological Journal," xxviij, 293, conſiders was probably wreſted from him by the Normans in 1081, but was reſtored and held by him and his deſcendants, poſſibly with ſome intermiſſion, until they were diſpoſſeſſed, near the end of the twelfth century, by William Earl of Glouceſter and Lord of Glamorgan, and even after that reinſtated by Royal

[1] "Heinfare"="hinefare," ſignifies the loſs or departure of a ſervant from his maſter.—Ed.

Royal charter, as we ſhall have to notice in a future page. Whether the territory ſo acquired by Fitz-Oſbern, of which Raglan formed part, extended ſo far ſouthwards as to include what afterwards became the lordſhip of Uſk, or whether the latter was held by Caradoc ap Griffith along with his lordſhip of Caerleon, is a point on which the only information forthcoming is a ſtatement of Mr. Wakeman, in his paper *On the Town, Caſtle, and Priory of Uſk* ("Britiſh Archæological Aſſociation Journal," x, 258), adducing evidence of Fitz-Oſbern's poſſeſſion of Uſk from his having granted lands within the lordſhip to his Abbey of Lire. What thoſe lands were, or whether he refers to any other than the Raglan charter above noticed, does not appear. As uſual he gives no authority, and as we ſhall have occaſion, in a future chapter, to point out ſome ſerious miſtakes in that paper on points of vital importance, and a good deal turns on his ſtatement, we muſt be excuſed for regarding it as open to further enquiry. To our immediate purpoſe it is immaterial.

In public affairs Fitz-Oſbern continued for ſome time after the Conqueſt to retain the influence he had previouſly poſſeſſed. He was placed in charge of the royal caſtle of Wincheſter, and on the Conqueror's viſit to Normandy, in the year following his acquiſition of the Engliſh crown, was entruſted, along with the King's half brother, Odo Biſhop of Bayeux, with the government of the realm as juſticiaries. In this poſition, in which his ſhare of power was in the northern portion of the kingdom, the Earl cauſed himſelf to be more reſpected than beloved. Ordericus Vitalis (B. iv, ch. 14), ſays he was without exception the firſt and greateſt of the oppreſſors of the people of England, and amaſſed an enormous fortune by his exactions, cauſing the ruin and death of thouſands by his ſeverities. A year later he was placed in charge of York Caſtle, which had juſt had a narrow eſcape from a deſperate attack of an allied Daniſh and Saxon force, and we hear of him ſucceſſfully putting down a revolt in Devonſhire.

He did not continue to the end of his career in the full blaze of royal favour; for it ſeems from Dugdale's "Baronage," i, 109, that having, in exerciſe of his functions of ſteward of the houſehold, ſet before the king a crane inſufficiently roaſted, the angry monarch aſſerted the principle of miniſterial reſponſibility by doubling his fiſt and aiming a violent blow at the Earl, which was warded off by Eudo de Rie. The reader who cannot enter into the feelings of the injured ſovereign has perhaps never ſat down to a half roaſted crane. Think of a burnt woodcock. "It will aſſiſt thy fancy well." Fitz-Oſbern could

could not brook the inſult, and reſigned his office of ſteward in favour of Eudo, who accordingly ſucceeded him, and is deſcribed in Domeſday Book as Eudo Dapifer.[1] This little miſunderſtanding may have been one of the circumſtances, combined perhaps with ſome jealouſy of the Earl's power and the deſire of leſſening his opportunities for increaſing his influence at home, which led to his being ſent to Normandy to aſſiſt Queen Matilda in the defence of the duchy. At this period the King of France, having brought a military force in aid of Arnold Count of Flanders, to reſiſt an invaſion of his brother Robert the Friſian (ſo named as a term of reproach in conſequence of his having entered into alliance with his father's enemy, Florence Duke of Friſia), called upon Fitz-Oſbern, as Governor of Normandy, to attend him. Either from under-eſtimating the magnitude of the operations, from grudging the ſervice demanded of him, or from ill humour at his poſition generally, it is ſtated by Ordericus Vitalis (B. iv, c. 9) that he joined the King with only ten men at arms, and rode with him to Flanders as if he was only going to a tournament. The French King's army was ſurpriſed and totally defeated on the 20th February, 1071, at Bavenchoven, or Ravenchoven, near Caſſell, and Fitz-Oſbern himſelf was ſlain. William of Malmeſbury (Savile's "Scriptores," p. 59) gives a ſomewhat different account of the events attending the expedition to Flanders. He ſays Fitz-Oſbern incurred the king's diſpleaſure by his profuſe expenditure, and cloſed a brilliant career through fondneſs for a woman—alluding to Richelda, the widow of Baldwin Count of Flanders, and mother of Arnold and Robert, of whom in fact Fitz-Oſbern was guardian under their father's will. He ſtates that the inſurrection in favour of Robert the Friſian was provoked by the tyrannical exactions of Richelda, and that Fitz-Oſbern, who had abandoned himſelf to the love of her, entered Flanders with a military force, and riding from caſtle to caſtle with little attendance, from a falſe ſenſe of ſecurity, was ſurpriſed and ſlain by an ambuſh laid by Robert, who was aware of his raſhneſs. In Ducarel's "Anglo-Norman Antiquities," p. 64, is a pedigree of Queen Matilda, who was a ſiſter of Baldwin; and William Fitz-Oſbern is there ſtated to have become the third huſband of Richelda, but no authority is given, and the name of Ducarel does not carry much weight without. Indeed, in this very pedigree he makes Robert le Friſon the brother, inſtead of ſon of Baldwin.

It is propoſed to notice, in the courſe of our memoir, the armorial bearings

[1] Under that title he is named by the author of "Ingoldſby Legends" (3rd ſer., p. 244, orig. ed.) in whimſical connection with the name of a modern artiſt, whoſe department is not unaſſociated with the office reſigned by Fitz-Oſbern.

bearings of the ſucceſſive families of the lords of Striguil. To diſcuſs the arms *borne* at this early period would be to go back to the fabulous ages of heraldry; but admitting that coats of arms in the modern ſenſe were not then known, or at leaſt in general uſe,[1] the arms *attributed* by heralds to families of the pre-heraldic period form convenient genealogical ſymbols, which, as ſuch, are worth preſerving. Thoſe attributed to William Fitz-Oſbern, Earl of Hereford, are: Gules, a bend Argent and feſs Or. The arms of the next family we ſhall have to mention come within the ſcope of real heraldry.

Fitz-Osbern was buried in his own abbey of Cormeilles. By his wife, Adeliza, daughter of Roger de Toeni, he had two ſons, the eldeſt of whom, William, ſucceeded to his father's Norman eſtates, and the ſecond, Roger, better known as Roger de Breteuil (in Latin De Britolio), ſucceeded to his Engliſh Earldoms and poſſeſſions. The caſe is a curious one in relation to the hiſtory of the law of deſcent of peerages and real eſtate, and may tend to throw ſome light on ſtill more puzzling queſtions, which will hereafter be preſented to us in relation to the inheritance of the Clare family. In the *Observations on Dignities* prefixed to Courthope's "Hiſtoric Peerage," it is cited as an inſtance where "the poſſeſſion of the lands of the Earldom overruled the ſtrictly hereditary nature of the dignity;" but this does not explain how the Engliſh lands of Fitz-Oſbern came to be veſted in his younger ſon. The deviſe of real eſtate was not at this period, or for ages afterwards, an incident of feudal tenure, but Blackſtone (Com. B. ii, c. 14), quoting Spelman on "Feuds," obſerves that there was a period, before their deſcent by primogeniture was eſtabliſhed, when the lord might beſtow them on which of the ſons he thought proper, and Ordericus Vitalis (B. iv, c. 8, and B. v, c. 13), a truſtworthy authority on matters of common repute, though he

[1] The ſtatement in the text is colourleſs enough to avoid controverſy: but an incident, quoted from one of the early chronicles, in Lafrenaye's "Nouvelle hiſtoire de Normandie," p. 228, is worth citing as an illuſtration of the very early uſe of diſtinctive ſhields, eſpecially as Fitz-Oſbern himſelf happens to be connected with it. We have mentioned his being ſent on a meſſage of defiance from Duke William to Geoffrey Martel, Count of Anjou. The Count declared he would enter the gate of Domfront at break of day, and, in order that William might recognize him, he would be mounted on a white horſe, and have "un écu tout en or ſans aucune deviſe:" and the envoys promiſed, on the Duke's part, that he would be there, mounted on a bay horſe, "avec un écu de Gueulles," and with a cornet of taffety at the end of his lance. Though neither of them bore any charge upon his ſhield, at leaſt on that occaſion, the ſpecification of the negative fact diſtinctly indicates that there were others who did; but we muſt not ignore the gap between this uſe of diſtinctive ſhields and the bearing of hereditary arms.

he may have known little of the law of inheritance, ſpeaks of the entire inheritance in Normandy and England as the ſubject of diſtribution by the King between the two ſons of William Fitz-Oſbern.

His diſagreement with the Conqueror ſeems to have been only a paſſing cloud, and the ſecond Earl of Hereford was in good credit at court. Fabyan (cap. 220) attributes it to his counſel that the King "cauſed the abbeys of England to be ſearched, and what money in them at the ſeaſon was found to be brought to his treaſour" ..... "for the which deed," he adds, "after the expoſition of ſome authors, the ſaid Earl was puniſhed, as after ſhall be ſhewed." In the paſſage firſt quoted the Earl referred to is deſcribed as "the Erle of Hertforde," *e* and *t* being undiſtinguiſhable in ancient manuſcripts, but a reference to the ſame paſſage in cap. 222, makes it clear that Roger Earl of Hereford is intended. But in his private capacity he was a benefactor, rather than a plunderer, of the Church: for we find in Domeſday Book the Church of St. Mary of Cormeilles (founded, it will be remembered, by William Fitz-Oſbern) entered as tenants in capite of Noent (Newent), granted to it by Earl Roger, for the ſoul of his father, with the King's licence.

Within little more than three years from his acceſſion to his father's dignities Earl Roger made ſhipwreck of his fortunes by his participation in what is known as the Norfolk rebellion. A marriage was contracted between his ſiſter and Ralph Guader, Earl of Norfolk, but whether in oppoſition to the royal commands, according to Florence of Worceſter, or by the King's own arrangement, according to the Saxon Chronicle and the Annals of Waverley, is queſtionable. The nuptials were celebrated with great magnificence during the King's abſence in Normandy, and it was at the bridal feaſt at which many nobles, biſhops, and abbots were aſſembled, that a conſpiracy was formed, of which Earls Roger and Ralph were the head, having for its object the depoſition of William. Waltheof, Earl of Northampton, was at leaſt privy to the plot, but if he took any active part in it, he ſpeedily repented, and haſtened to Normandy to divulge it to the King—a ſtep which did not ſave his head. In the meantime the conſpiracy burſt into open rebellion in various parts of England. William de Warrenne and Richard Fitz-Gilbert, who had been appointed Juſticiaries of England, and practically Regents during the King's abſence, at once adopted vigorous meaſures, aſſembled an army, and defeated the rebels in a ſevere battle in Norfolk. Roger de Breteuil was not preſent

preſent, being probably engaged in raiſing his forces in the west; but his complicity in the rebellion was beyond queſtion. On the King's return to England, in the autumn of 1074, Roger was ſummoned to attend the court, and, not denying his treaſon, was adjudged to the forfeiture of his lands and perpetual impriſonment. It would probably have required but little ſhow of contrition to reſtore him to the royal favour, if his proud ſpirit could have ſtooped to an apology. The remembrance of former kindneſs and of the ſervices of William Fitz-Oſbern cauſed the Conqueror, even in the abſence of ſuch conceſſion, to treat his priſoner with exceptional leniency and even regard. Ordericus Vitalis relates that on one occaſion, when the faithful were celebrating the feaſt of Eaſter in due form, the King ſent to Earl Roger in priſon, by the hands of his guards a box containing a ſuit of very valuable robes; but the Earl cauſed a large fire to be made, and committed to the flames the royal preſents, the ſurcoat, and ſilken tunic, and mantle of the furs of precious ermines brought from abroad. The King hearing of this, exclaimed in great wrath, "He is very inſolent to put ſuch an affront upon me, but by God's light he ſhall never get out of priſon while I live." In priſon accordingly he remained during William's life, and when, on the king's deathbed, his nobles interceded for various political priſoners, he is related by Ordericus Vitalis to have anſwered:—"I have long kept in captivity Morcar the noble Engliſh Earl. In this I have been unjuſt, but my fear has been that if he were liberated he would raiſe diſturbance in the kingdom of England. I threw into priſon Roger de Breteuil, who oppoſed me with bitter animoſity, and ſtirred up againſt me his brother in law, Ralph de Guader, and many others, and I ſwore that he ſhould not be ſet free as long as I lived. In like manner I confined many perſons to puniſh them for their own offences, and others to prevent their cauſing future rebellions . . . . . Being now, however, at the point of death, as I hope to be ſaved, and by God's mercy abſolved from my ſins, I order that the priſon doors ſhall be forthwith thrown open, and all priſoners, except my brother, the Biſhop of Bayeux, be releaſed and ſuffered to go free, for the love of God, that He alſo may have mercy on me. But they are not to be liberated but on condition that they firſt take an oath to my miniſters, for the ſecurity of the ſtate, that they will uſe every means to preſerve the peace, both in Normandy and in England, and will ſteadfaſtly reſiſt the enemies of tranquillity to the utmoſt of their power." Whether William Rufus declined to be bound by the deathbed arrangements of his predeceſſor, or whether the haughty ſpirit which had prevented Earl Roger

Roger from humbling himſelf before his offended ſovereign prevented him alſo from taking the oath required of him, does not appear, but he is ſtated by Ordericus Vitalis, to have remained in captivity until his own death releaſed him from it, and the chronicler adds that at the date of writing his Fourth Book, Reynold and Roger, the two ſons of Roger de Breteuil, young men of great promiſe, were in the ſervice of King Henry, and in much diſtreſs, ſtill waiting for the exerciſe of his clemency, which appeared to them ſufficiently tardy. M. Leopold Deliſle, the French Editor of Ordericus Vitalis, conſiders from the internal evidence he advances, that the Fourth Book was written in 1125; but this cannot be—at all events as regards the paſſage under notice—as the writer could not have ſpoken of Roger's ſons as "young men of great promiſe," more than fifty years from the commencement of their father's impriſonment. But in fact the chapter contains internal evidence that it is one of the numerous inſtances in which the Author, after intervals of many years, inſerted additional matter in his chronicle, without making correſponding corrections in what he had previouſly written, for in a few ſentences further on, after moralizing, in an often quoted paſſage, on the tranſitory nature of human greatneſs in general and that of Fitz-Oſbern and his family in particular, he ſays that the race had ſo entirely diſappeared in England that, if the writer was not miſtaken, not the ſlighteſt trace of it could there be found. We may conclude therefore that the two ſons of Roger de Breteuil, though living in the reign of Henry I, had died without iſſue, or otherwiſe been loſt ſight of by their contemporaries, previous to 1125. At all events, nothing further is known of them, and there is no trace of either of them having ever been reſtored to any portion of their father's eſtates.

The ownerſhip of the caſtle and lordſhip of Striguil, from the date of the forfeiture in 1074 to the time of Walter de Clare, who founded Tintern Abbey in 1131, is involved in great uncertainty; and if we ſhould find reaſon to queſtion his ownerſhip of them, we do not even with him emerge from the obſcurity. The firſt ſtep towards reducing this period of uncertainty is to aſcertain what is to be learned from Domeſday Book. According to the uſually received date it was completed in 1086, and it is unqueſtionable that it was begun and finiſhed while Roger de Breteuil was in priſon, and the caſtle was in the King's hands. Iſolated paſſages from that venerable record have been frequently quoted in ſupport of one ſtatement after another, but it will be convenient to have before us the whole of that part of the record which has any reference to the diſtrict with which our ſubject is connected.

While

WHILE in the King's hands it could ſcarcely be adminiſtered as a lordſhip marcher. The King's writs were therefore directed to his ſheriff of the adjoining county of Glouceſter, and the lands formerly held by Earls William and Roger were returned with that county. In purſuance with the ſyſtem common to all parts of Domeſday, the record commences with entries relating to the city of Glouceſter and the King's demeſne lands, and then (before deſcribing the lands comprized in the reſpective hundreds of the county) proceeds thus :—

"THE Caſtle of Eſtrighoiel Earl William built, and in his time it yielded only forty ſhillings from ſhips paſſing to the foreſt, but in the time of Earl Roger, his ſon, the same vill yielded ſixteen pounds, and Ralph de Limeſi had one half. Now the King has from it twelve pounds. Between the rental[1] of Carleion and one carucate which is there, and ſeven fiſheries in the Wye and Usk, there iſſue ſeven pounds and ten ſhillings. In Wales there are three hardwicks, Lamecare [? Llanwern or Llanvair] Poteſchuiet and Dinan. In theſe are eight ploughs and eleven ſemi-villeins[2] and fifteen boors (bordarii) with ſix ploughs. For theſe three hardwicks Roger de Ivrei[3] was willing to take a hundred ſhillings. Under Waſwic, the bailiff, are thirteen vills; under Elmuis, fourteen vills; under Bleius there are thirteen vills; under Idhel there are fourteen vills (under the ſame bailiffs are four vills laid waſte by King Caraduech). Theſe yield forty-ſeven ſextaries of honey and forty

[1] "Inter redditionem de Carleion," which Mr. Baſevi Sanders, in a tranſlation of a few paſſages of Domeſday printed in a ſpecimen page of the "Ordnance" fac-ſimile of the portion relating to Glouceſterſhire, renders "Between the ſurrender of Carleion." We ſhall find that between the hiſtory of Caerleon and that of Striguil, there are certain points of contact, which make it deſirable to notice the confirmation of the ſtatement at a previous page, that Caerleon was ſurrendered by Caradoc in 1081. It is here alluded to as being in the King's hands, and is in fact ſo ſtated in the Domeſday Survey for Herefordſhire, but it muſt ſhortly afterwards have been re-granted to Caradoc, or his deſcendants, and ſeems never to have belonged to the Earls of Hereford.

[2] The villani dimidii appear to have been perſons who held moieties only of villanage tenements, or who were half free (liberi) and half villani. Ellis's "Introd. to Domeſday."—ED.

[3] In the Record Commiſſioners' Edition of Domesday, this is printed "de jurei," but it is clearly a ſurname. There was a Roger de Iveri mentioned in various parts of Domeſday, bearing (as his father Waleran de Iveri had done) the office of cupbearer to the Conqueror. It does not however appear how he comes to be here mentioned in ſo incidental a manner, and I am almoſt inclined to ſuſpect that the perſon here referred to was Roger de Breteuil himſelf. His father was lord of Breteuil, Paſcie, and Ivry; and as Roger held none of thoſe poſſeſſions, he had as much claim to a ſurname from one as the other.

forty ſwine and forty-one cows and twenty-eight ſhillings for hawks. All this is worth nine pounds ten ſhillings and four pence. For one waſte tenement Walter the croſſ-bow-man renders one ſectary of honey and one hog. Berdic the King's minſtrel has three vills, and here are five ploughs. They render nothing. Morinus has one vill, Cheneſis one, the ſon of Waſwic one, Seſſibert one, Abraham the prieſt two vills. Theſe have ſix ploughs and render nothing. Theſe Earl William appropriated to the cuſtom of King Griffin, by permiſſion of King William.[1] In alms of the King is one vill, which, for the ſake of his ſoul, renders to the church, at the feaſt of St. Martin, two hogs and a hundred loaves, with beer. Belonging to St. Michael is one carucate of land, and to St. Dewin [? St. David] one carucate. Theſe render no ſervice except to thoſe ſaints. One Beluard[2] of Caruen [Caerwent] has half a carucate of land, and renders nothing. Sixty and ſix ſwine are the proceeds of the pannage, and they are worth forty-four ſhillings. All theſe yield forty pounds twelve ſhillings and eight pence. Durand the ſheriff granted theſe ſame to William de Ow for fifty-five pounds to farm. Walter the croſſ-bow-man holds of the King two carucates of land, and has here three ploughs, and three male and three female ſerfs. Theſe are worth twenty ſhillings. Gerard has two carucates of land and two ploughs. Theſe are worth twenty ſhillings. Ovus the King's bailiff has two carucates of land and four ploughs there. They are worth twenty ſhillings. In the King's demeſne is one carucate of land there, which Dagobert held. Gozelin Breto holds five carucates of land in Caruen, and here are two ploughs with two Welſhmen. They are worth twenty ſhillings. The Biſhop of Coutances holds of the King five carucates of land, and from him there is his one man [at arms]. Here are two ploughs in demeſne and three in the hands of the villeins. They are worth forty ſhillings. Roger de Berchalei holds two carucates of land at Strigoielg, and there has ſix boors with one plough. They are worth twenty ſhillings. The ſheriff Durand holds of the King in Caruen one tenement called Caldecote. He has there in demeſne three

[1] "Hos miſit Willielmus comes ad conſuetudinem Griffin regis licentia regis Willielmi." I give the tranſlation in default of a better, but am neither ſatiſfied with it nor profeſs to underſtand the tranſaction it is intended to deſcribe.

[2] It would be uſeleſs for our purpoſe, if it were poſſible, to ſtrip the native names of the diſguiſes in which they are dreſſed by the Norman ſcribes; but as a ſpecimen it may be noticed that this Beluard has been indentified by Mr. Octavius Morgan with Beli Hardd ap Brochvael. For the moſt part the names are given as we find them, ſubſtituting only the nominative caſe where the name in the record appears to be the Latin ablative, or angliciſing the name when beyond doubt.

three ploughs and fifteen ſemi-villeins and four ſerfs and one man at arms. All theſe have twelve ploughs. Here is a mill of ten ſhillings. All this is worth ſix pounds. William de Ow has from Strigoielg nine pounds for the toll, as he aſſerts, but Girard and the other [jury-] men ſay that he has no more by right than ten pounds from the toll of Strigoielg, even if it were worth a hundred pounds. In Wales the ſaid William has in fee three fiſheries in the Wye. They yield ſeventy ſhillings and in the ſame fee Earl William gave to Ralph de Limeſi fifty carucates of land in like manner as was in Normandy[1] [*i.e.* of Norman meaſure]. This teſtify Hugh and other vouchers that he granted the whole to Ralph. Now William de Ow ſays that he has not any of this land except thirty-two carucates. Here are in demeſne eight ploughs, and the tenants have ſixteen ploughs. Here are two mills of ten ſhillings. The whole is worth twelve pounds and ten ſhillings. Roger de Laci holds in fee of Strigoielg ſo much land let to rent with one mill as is worth thirty-ſix ſhillings. Turſtin Fitz-Rolf has between Uſk and Wye ſeventeen carucates. Of theſe there are in demeſne four and a half. The others are in the hands of the tenants. Here are eleven boors and a mill of ſeven ſhillings. The whole is worth nine pounds. Of this land the King's bailiffs claim five carucates and a half, alleging that Turſtin took poſſeſſion without grant. The ſaid Turſtin has ſix carucates of land beyond the Uſk, and there his tenants have four ploughs and a mill, yielding fifteen ſhillings, and half a fiſhery of ten ſhillings. The whole is worth fifty-four ſhillings and ſixpence. Alured the Spaniard has in fee two carucates of land, and here are two ploughs in demeſne. The ſaid Alured has in Wales ſeven vills which were the property of Earl William and Roger his ſon in demeſne. Theſe render ſix ſextaries of honey and ſix hogs and ten ſhillings."

Various writers, including ſome whom we look up to with reſpect, aſſert, on the alleged authority of Domeſday Book, that the caſtle and lordſhip marcher of Striguil were held by William Count d'Eu, who held Tidenham and various manors by gift of the Conqueror and his ſucceſſors. The words of the Domeſday Record juſt quoted do not bear out this ſtatement; on the contrary it

[1] The late Mr. Eyton has pointed out the fact that the lands in Monmouthſhire adjoining the Welſh border were never "hidated." The term *hide* was eſſentially Saxon, and inaſmuch as the lands referred to were never poſſeſſed by the Saxons, but were derived by the Normans directly by conqueſt from the Britons, in the Great Inqueſt the Norman term *carucate* was introduced. Mr. Eyton was of opinion that the Normans intended thereby an eſtate which, in point of value and capacity, was cloſely analogous to the Saxon *hide* ("Key to the Domeſday of Dorſet," p. 17).—Ed.

it ſhews that, though grants had been made to various parties of other portions of the forfeited eſtates, the caſtle and town were then in the King's hands; and all it ſays in relation to them of the Count d'Eu, therein called William de Ow, is that he had out of Strigoielg, as he aſſerted, £9 from the toll, namely the cuſtomary dues on veſſels paſſing up the river, but that the jury limited his right to a fixed payment of £10 if the tolls amounted to more than that ſum. This at leaſt is my conſtruction of a ſtatement, which, on a firſt reading, ſeemed a little incoherent, as the finding of the jury appeared to extend inſtead of limiting his claim. Another poſſible explanation is that the ix pounds may be an error for xx, in tranſcription from the inquiſition to the Domeſday Record. The latter has unmiſtakeably ix, as we have the means of verifying by the photozincograph facſimile, publiſhed by the Ordnance Office. We will not wander from our ſubject to diſcuſs this. It is enough for our purpoſe to obſerve that the rights of the Count d'Eu related only to the toll, a grant of which to him (if he did not derive title to it, as well as to the thirty-two carucates of land in Wales, from Ralph de Limeſi, as may be inferred from paſſages above quoted and entries in other parts of Domeſday Book) ſeems natural enough, ſeeing that he was lord of Tidenham, on the oppoſite bank of the river. Be this as it may, his rights, whatever they may have been, ceaſed by forfeiture for his ſhare in the Mowbray conſpiracy, in 1095. Early in the following year, being defeated in trial by battle at Saliſbury, he was condemned to the loſs of his eyes and other mutilations.

Tintern Abbey was founded in 1131, but it is pointed out in Meſſrs. Morgan and Wakeman's paper on Dinham, printed for the Monmouthſhire and Caerleon Antiquarian Aſſociation (p. 25), that it was a tardy act of reparation for plunder on eſtates of the Church in Gwent previous to the acceſſion of Biſhop Urban to the ſee of Llandaff in 1107. If then we were to aſſume from his foundation of Tintern that Walter de Clare held Striguil Caſtle and Lordſhip Marcher as part of his poſſeſſions in Netherwent, the period of uncertainty as to the ownerſhip would be narrowed to the interval between the completion of the Domeſday Survey in 1086, when the caſtle was in the King's hands, and a date anterior to 1107. In attempting to fix with more preciſion the date of the acquiſition of this property by him or some other member of the Clare family, we muſt neceſſarily abandon the ſolid ground of aſcertained fact and truſt to ſome extent to conjecture, and I have been led by a variety of circumſtances, minute in themſelves, but ſignificant when viewed in connection with

with each other, to entertain what at the preſent ſtage of the enquiry I will not dignify with the name of a theory, or even a conjecture, but which I may venture to call a ſuſpicion, that Striguil, from the firſt grant to William Fitz-Oſbern, was held in grand ſerjeanty by the performance of the office of Marſhal of England or Marſhal of the King's host. This ſuſpicion is mentioned here that it may be borne in mind to aſſiſt in accounting for various unexplained facts which will encounter us in the progreſs of our memoir. One of them we have already paſſed by—the reſignation of William Fitz-Oſbern of his office of Seneſchal on an affront from the King. We hear nothing of any reſignation of his Marſhalſhip. If it were an office of grand ſerjeanty, the reſignation of it would have been the reſignation of his lands, which involved military power and perſonal influence too highly valued to be lightly ſurrendered.

It is true that Sir Edward Coke (4th Inſt., c. 17) ſays that "the office of Earl Marſhal of England ever paſſed by the grants of the King, and never belonged to any ſubject by reaſon of tenure, as the Stewardſhip and Conſtable-ſhip of England ſometime did." But on the other hand Littleton, whoſe work Coke edited with his famous commentary, expreſſly inſtances the office of Marſhal as one held by grand ſerjeanty :—"Tenure per graund ſerjeantie eſt lou un home tient ſes tenes ou tenements de noſtre ſeignior le roy per tiels ſervices que il doit en ſon proper perſon faire al roy, come de porter le banner de noſtre ſeignior le roy, ou ſa lance, ou de ameſner ſon hoſte *ou d'estre son Marshal*," &c. On which Coke comments (Co. Lit., ſec. 153) :—"If the King giveth lands to a man to hold of him to be his Marſhal of his hoſt, or to be Marſhal of England, or to be Conſtable of England, or to be High Steward of England, Chamberlayne of England, and the like, theſe are grand ſerjeanties, and theſe and ſuch like grand ſerjeanties are of great and high juriſdiction, and ſome of them concern matters military in time of war, and ſome matters of honour in time of peace. And this is to be obſerved that though there were divers Lords, *Marshalls of England*, before the reign of Richard II, yet King Richard II created Thomas Mowbray, Duke of Norfolk, the firſt *Earle Marshall of England*, per nomen Comitis Maréchalli Anglice." The diſtinction between an Earl Marſhal of England and an Earl who is Marſhal or Lord Marſhal of England is very fine, but it will be found on reference to the grant to Thomas Mowbray, Earl of Nottingham, and afterwards Duke of Norfolk, which we need not anticipate here, to have been a real one ; and if the paſſage firſt above quoted from Coke's 4th Inſtitute be meant to

to apply only to the office of Earl Marſhal as reconſtituted in the reign of Richard II, it has no bearing on the queſtion of the tenure of Striguil Caſtle in the reign of the Norman and early Plantagenet kings. Of the various grants cited by Coke in a note to this paſſage, one in the reign of King John is found on reference to the Rotuli Chartarum to relate to a wholly different office—that of "magiſtratum mareſcalciæ curiæ noſtræ"—and the others are foreign to our purpoſe, as bearing date after the Lordſhip of Striguil had paſſed into the hands of King Edward I on the ſurrender and death of Roger Bigod, as we ſhall have to notice in its proper place. Anſtis in his "Diſcourſe on the Court Military" (p. 25, but which is here quoted ſecond hand from Carte, II, 269, citing 2 Roll, 509), ſays:—"The Conſtable and Marſhal were obliged to attend our armies. Their caſes are ſomewhat peculiar that though both theſe offices were anciently inheritances held in grand ſerjeanty, and conſequently ſeemed regularly entitled by ſuch tenures to the exemptions incident thereto, yet both of them were compellable to attend all voyages royal." Carte quotes the above in ſupport of his poſition (in relation to the contention of the Earls of Hereford and Norfolk, temp. Edw. I., to be hereafter mentioned) that they were bound to attend in every army, whether commanded by the King or not; but the quotation does not ſupport his views, for a "voyage royal" meant an expedition of the King in perſon.

We have ſeen that the office of Marſhal was originally conferred by the Conqueror jointly on William Fitz-Oſbern, Earl of Hereford, and Roger Montgomery, Earl of Shrewſbury. Aſſuming that the offices thus created were hereditary, as was certainly the caſe when held by the ſucceſſive families of Clare, Marſhal, and Bigod, the forfeiture incurred by Roger de Breteuil, the ſecond Norman Earl of Hereford, left Roger Montgomery ſole marſhal, and there would be no practical inconvenience in not filling up the vacancy while Roger de Breteuil remained in priſon, and his eſtates, or at all events, Striguil Caſtle, which was the Caput Baroniæ, were in the King's hands. Roger Montgomery died in 1094, leaving four ſons. Hugh, the eldeſt, ſucceeded him as Earl of Shrewſbury and (on the aſſumption of the hereditary nature of the office) as marſhal alſo. The ſecond ſon, Robert, better known by the name of Robert de Beleſme, though he eventually ſucceeded his elder brother as Earl of Shrewſbury, inherited his father's poſſeſſions in Normandy, and the events of his life are principally connected with the affairs of that country. Of the two other ſurviving ſons of the firſt Earl of Shrewſbury Ordericus Vitalis, whoſe

whoſe family was in intimate relations with theirs, ſo that he may be conſidered as ſpeaking with ſpecial knowledge, ſays (B. V,c. 14) that the prudent old Earl obtained Earldoms for his two remaining ſons Roger and Arnulph, and again (B. VIII, c. 25) that they married noble wives and both were made Earls, and (B. XI, c. 3) that they were wealthy Engliſh Earls, and through the care of their father, the Earl Roger de Montgomery obtained great honours and domains. Roger, better known as Roger of Poictou, from poſſeſſions acquired with his wife, had a grant of the Honour of Lancaſter, and Arnulph that of the Honour or Lordſhip and Caſtle of Pembroke, or according to ſome writers only the cuſtody of the Caſtle. Both are conſtantly ſpoken of by their contemporaries as Earls, though their title is diſputed by modern authorities. In Mr. Floyd's paper on the Norman Conqueſt of South Wales, already quoted, it is contended that the Conqueſt of Cardigan and Dyved (Pembroke) in 1093 was effected in a national war, in ſome at leaſt of the operations of which the forces were led by William Rufus himſelf. If theſe propoſitions, or even the firſt of them, be eſtabliſhed, the Earl of Shrewſbury no doubt took part in the expedition, not as a Lord Marcher on his own account, but in the performance of his duties as Marſhal of England: and the tranſaction would account both for the grant to his ſon of the Earldom of Pembroke, as a reward for military ſervices to the crown, and for the peculiar poſition which Pembroke has always held, being reputed as an Engliſh county, and called "Little England beyond Wales." The queſtion of the Earldom or titular Earldom of Pembroke will be again noticed preſently. It is mentioned here, partly for the illuſtration it affords of the ſomewhat parallel caſe of the Earldom of Striguil, and partly becauſe the Earldom of Pembroke, real or titular, ſubſequently furniſhed a title for the earldom granted to Gilbert Strongbow, which may either have been a mere accident, or one of thoſe ſmall but ſignificant facts alluded to above as bearing on the connection between that earldom and the office of hereditary marſhal. The office, if it deſcended to either of the ſons of the firſt Earl of Shrewſbury, was forfeited by their treaſon in the year 1102. And, as the office of Marſhal was no ſinecure in the reigns of the three Norman kings, there muſt then have ariſen an urgent neceſſity for filling up the vacancy. Between this date and 1107 we find Walter de Clare in poſſeſſion of his eſtates in Gwent, at a period when a vacancy in the ſee of Llandaff afforded an opportunity for the uſurpations on Church property for which he was called to account when Biſhop Urban ſucceeded in that year, and he was then deſcribed as Lord of Caerwent. Whatever lands, therefore, were acquired in this neighbourhood

bourhood by Walter de Clare, whether from his own family or otherwiſe, were probably acquired before this period: and the date, important as it is to our purpoſe, would be ſtill more ſo if we were to aſſume, according to the generally received opinion, that theſe lands compriſed Striguil and its Lordſhip Marcher. But it is propoſed to ſhow that this aſſumption is not warranted by the known facts, and that about the ſame period lands in Netherwent, of which there is more reaſon for ſuppoſing Striguil to have formed part, were acquired by his elder brother, Gilbert, a man of great power and influence, of whoſe military exploits very much more is known, and of whoſe tenure of the Marſhalſhip we have a ſlight but not unimportant indication in his leading the van in the King's army. Hiſtory has not recorded the fact of either brother having held the office of Marſhal, but neither has it recorded the name of any other holder of that office from the period of William Fitz-Oſbern and his colleague Roger Montgomery to that of Gilbert Strongbow, Earl of Pembroke: and it was the identity of the period of uncertainty in the hiſtory of the Marſhalſhip and in that of the Lordſhip Marcher which firſt ſuggeſted their connection.

The manner in which the office of Marſhal was filled during this period has been a ſtanding puzzle to antiquaries. Various names have been ſuggeſted, "ſome conferring the honour on Hugo Grantemeiſnel, others on a Gulielmus Filius Gulielmi, or Fitz-William, ſome on Robert Fitz-Ede, a baſe ſon of Henry I, and ſome again, as Mr. Camden and others, on Walter Giffard, Earl of Buckingham." Readers who are deſirous of purſuing the ſubject and inveſtigating the grounds of probability for and againſt theſe rival claims, are referred to the pages of Edmondſon's Heraldry, from which work (I, 42), the preceding ſentence is extracted; but they muſt be cautioned againſt the unwarrantable aſſumption with which that writer opens the diſcuſſion by ſaying "there is no pretence that the office, at its primary inſtitution in this kingdom, was made hereditary in the family of either of thoſe Earls [of Hereford and Shrewſbury]." It would be much more reaſonable to ſay "there is no pretence" for *denying* the propoſition, for the fact of the office having been, at all events as early as 1138, held as an hereditary one, and continuing, with temporary and explainable exceptions, to be ſuch, whether held by inveſtiture or patent, from the reign of King Stephen to that of Queen Victoria, ſurely raiſes a preſumption, almoſt amounting to neceſſary inference, that the creation of the office only ſeventy-two years before the earlier of thoſe dates was on ſimilar terms as regards its hereditary nature, whether it was

was or was not an office of grand ſerjeanty, and that the courſe of deſcent had only been interrupted by the treaſon and conſequent forfeiture of its holders. Nor is the analogy between the office of Marſhal and other offices of ſimilar dignity and importance, ſuch as thoſe of the Conſtable and Steward, to be entirely diſregarded. It is ſubmitted that no caſe has been made out for any of the competitors, and that there is ſtill room for a new candidate for the vacant office, even if the reader is not diſpoſed to fill the vacancy with the name of the Lord Marcher of Striguil. He is only aſked at the preſent moment to ſuſpend his judgment.

CHAPTER II.

The Early Clares.

IN order to render intelligible what we ſhall have to ſay in examining the claim of Walter de Clare, and endeavouring to aſcertain when and in what manner Striguil came into the poſſeſſion of ſome member of the Clare family, it will be neceſſary, in the firſt inſtance, to give ſome particulars of Richard Fitz-Gilbert or de Clare of Bienfaite, who was the anceſtor of many Lords of Striguil, though I am not prepared, notwithſtanding high authority, to admit him among the number of them without more evidence than has yet been produced. He was diſtantly related to the Conqueror, like many others of the Norman adventurers, for his grandfather, Godfrey or Geoffrey, Count of Eu and Brionne (the former dignity however being ſurrendered in favour of his brother), was an illegitimate ſon of Richard Sans-Peur, Duke of Normandy, already mentioned as the great grandfather of William (*see* Pedigree, No. 1). The local name by which Earl Richard Fitz-Gilbert was known in Normandy was Richard de Bienfaite, and by that name we will continue to deſignate him in order to diſtinguiſh him from three other Richards, ſons of three other Gilberts, whom we ſhall have to mention among his deſcendants. It is a name however which has been the ſubject of a very gratuitous miſtake: De Bienfaite having been latinized by the chroniclers into De Benefacta, Dugdale (Bar. I, 206) makes what he honeſtly calls a gueſs that the firſt place of Richard Fitz-Gilbert's reſidence in England was at Benfield, in the eaſt part of Northamptonſhire.[1] There

[1] If he had gueſſed Weldon in the ſame county it would at leaſt have had the merit of founding like a literal tranſlation.

There is no foundation for this, Northamptonſhire not happening to be one of the counties in which his name is mentioned in Domeſday book, according to which he enjoyed thirty-eight lordſhips in Surrey, thirty-five in Eſſex, three in Cambridgeſhire, ninety-five in Suffolk, and others in Wilts and Devon. His principal Engliſh reſidences were at Clare in Suffolk, from which he and his poſterity took the name of De Clare,[1] and Tonbridge in Kent, which furniſhed a name by which his ſon Gilbert and grandſon Richard were frequently deſignated. The latter he obtained by a curious exchange with the Archbiſhop of Canterbury for his anceſtral caſtle of Brionne, round which the diſtance of a league was meaſured with a rope and the ſame rope brought over to England to meaſure a league round Tonbridge that equal quantities of land might be exchanged—ſo little idea had our anceſtors at this period of a ſtandard of meaſures.

Of his age at the date of the Conqueſt we may form an approximate eſtimate from the fact that on the murder of his father, in or ſoon after 1035, as related by William of Jumiege, being another of the acts of violence during the troubles then ariſing in the Duchy of Normandy, he and his brother Baldwin fled with their guardian to Baldwin Count of Flanders. They were therefore at that time of tender years. The miſtakes which have led ſome authors to poſtdate the death of this Richard to the year 1114, or even to 1136, and which will be noticed in future pages, have been much diſcuſſed and fully expoſed; but there is ſtill ſome confuſion as to the exact date. Mr. Ormerod in correcting theſe miſtakes, accepts as evidence of his deceaſe in 1091 the relation by Ordericus Vitalis (B. VII, c. 17 (of a horrible viſion of one Walkelin, a prieſt of Bonneval, in the dioceſe of Liſieux, in which Richard and his brother Baldwin were ſeen among a ghaſtly troop of tortured ſouls met by him on his return from a midnight viſit to a diſtant part of his pariſh; and incidental mention is made of their being then recently deceaſed. Now, the chronicler not only explicitly fixes the date of the viſion in the beginning of January 1091; but he relates that the prieſt, when he firſt heard the tramp of the ghoſtly troop, ſuppoſed the ſounds to proceed from the army of Robert de Beleſme on his march to the ſiege of Courci-ſur-Dive, the date of which preciſely

[1] The name of this Lordſhip, in its Latin adjective form of Clarenſis, eventually furniſhed the title of Clarence to ſome of our royal dukes, the Lordſhip of Clare, and the repreſentation of the Clare family having paſſed by marriage to the family of the De Burghs, and through them to Lionel, created Duke of Clarence, the third ſon of Edward III.

preciſely correſponds. But it was *during* this ſiege that Richard and others were taken priſoners by Robert de Beleſme[1] and experienced the rigours of his dungeon, as related by Ordericus in the chapter previous. Mr. Planché, in a note to the "Conqueror and his Companions" (ii, 36), ſtates unreſervedly that the Richard ſo impriſoned was not Richard de Bienfaite, but his grandſon, Richard, erroneouſly ſpoken of in the note as the ſecond inſtead of the eldeſt ſon of Gilbert Lord of Tonbridge. The dates render this very improbable. Early as the military career began in thoſe days, a family could ſcarcely be expected to furniſh, within ſo ſhort a period of each other, three generations of fighting men; and the ſecond Richard, who was ſlain by the Welſh forty-five years afterwards, is ſpoken of by William of Jumiege (B. VIII, c. 37) as "*immaturâ* morte peremptus." Mr. Planché's object was to ſhew that Richard de Bienfaite was dead at a still earlier period; as evidence of which he mentions the poſſeſſion and defence of Tonbridge Caſtle by his ſon Gilbert in 1088; but nothing is more natural than that he ſhould be found defending it during his father's abſence in Normandy. He alſo alleges that Baldwin was dead before 1090, on the ground of a hiſtory of his title, which his ſon Robert gave to Robert Curthoſe in that year in anſwer to a demand for the ſurrender of the Caſtle of Brionne to Robert de Beaumont, but here the dates do not bear out Mr. Planché's argument. In the abſence of any authority cited it is fair to aſſume that he has adopted, without examination, the ſtatement of Dugdale (Baronage, i, 254), who does indeed name that year for the incident referred to, but cites as his authority Ordericus Vitalis. On turning to that chronicler we find no date mentioned or indicated, except that he commences the chapter (B. VIII, c. 13), with the words "At the ſame time," the laſt previouſly mentioned event being the aſſaſſination of Gilbert de l'Aiglo and his burial on biſſextile day 1092. Perhaps the beſt explanation of the diſcrepancy in the account of Ordericus Vitalis is that with the credulity of his age he relates as an actual adventure of the prieſt of Bonneval circumſtances which paſſed only in a nightmare dream, in which his imagination mixed up with the other incidents the ſiege of Courci-ſur-Dive. The incidental mention of the deceaſe of Richard and Baldwin remains as evidence—the more valuable becauſe it is incidental—of their deaths about the period when the ſiege was a recent or ſtill current event. Whether Richard died in 1091, or 1088, or at

[1] Not, as ſtated in Mr. Ormerod's pedigree, Robert, Duke of Normandy, whoſe participation in the ſiege was little more than nominal. The point is of no importance, but no miſtake ſhould paſs unnoticed, when an opportunity ariſes for its correction.

at any earlier period, is immaterial to our purpoſe. All that is important with reference to the points we ſhall have to diſcuſs in relation to the hiſtory of Striguil is to ſhew that he was not alive at a much later period, or, at all events, that he did not ſurvive to the reign of Henry I.

He married Rohais, daughter of Walter Giffard, Earl of Buckingham, the ſon, according to Dugdale, but probably the grandſon, of Oſbern de Bolebec and Aveline or Duveline, his wife, a ſiſter of the Conqueror's great-grandmother Gunor,[1] an alliance by which, as we ſhall ſee, the eſtates of the Giffard family eventually paſſed to the deſcendants of Richard de Bienfaite. He had many children by his wife Rohais; but it is only neceſſary here to mention Gilbert, who ſucceeded to his father's Engliſh eſtates; Roger, his ſucceſſor in his Norman poſſeſſions, and Walter, known as the founder of Tintern Abbey, and hitherto, but as it is propoſed to ſhew erroneouſly, ſuppoſed to have been owner of the Lordſhip Marcher of Striguil. The genealogy of this great family is one that has been ſubjected to more than its ſhare of myſtification and confuſion, and we are again indebted to Mr. Ormerod for clearing away the imaginary Fitz-Oſberts and Clares of Ogie who have been interpolated into it—rectifying the miſtakes of Dugdale—and recalling us to the pedigree in Ducheſne's "Hiſt. Norm. Scriptores" for a truſtworthy account of the deſcent of the family. So much of it as is neceſſary for reference in elucidation of the ſtatements in our memoir is reproduced in our Pedigrees, Nos. I and II.

Mr. Ormerod (Strig. 79) deſcribes Richard Fitz-Gilbert de Bienfaite as Lord of Striguil, and attributes his obtaining the grant of it to his having been mainly inſtrumental in putting down the Norfolk Rebellion. A ſtatement of the Hiſtorian of Cheſhire is not to be lightly queſtioned, though the amuſements of his declining years muſt not be tried by the ſtandard of his great work; and if the preſent ſtatement had reſted on his bare aſſertion, I ſhould have implicitly relied upon it, contenting myſelf with the obſervation that I had failed to trace the original authority on which it was founded. But I underſtand him to indicate the grounds for his ſtatement in a paſſage in

[1] Wace repreſents Walter Giffard as excuſing himſelf from carrying William's gonfanon at Haſtings on the ground of his white and bald head, his failing ſtrength, and ſhortneſs of breath; but he muſt have been indeed a patriarch if his mother had been a ſiſter of the Conqueror's great-grandmother, and if he himſelf had ſurvived, Dugdale and Sir Harris Nicolas ſay he did, to 1102. Other authorities make the Walter who died in 1102 the ſon of the Walter who fought at Haſtings, and ſay that the laſt named was dead before 1084. The dates raiſe the preſumption, or rather the neceſſary inference, that even he was not nearer in deſcent to Oſbern de Bolebec than grandſon.

in the page preceding that juſt cited, involving unfortunately a manifeſt error in dates. In ſpeaking of the Priory Church of Striguil he quotes from Dug. Mon., 1077, vi, part 2, a confirmation charter of Henry II to the monks of Cormeilles, "confirming to them, inter alia, churches, lands, &c., as held by them in the time of his grandfather, Henry I, *who died in* 1100, and naming, among theſe, tithes in the demeſne of Earl Richard Fitz-Gilbert between Uſk and Wye, a fourth part of the tithes of Striguil, and the Church of Striguil, with its chapels, tithes, rents, and appurtenances." Now the year 1100 was the date of the acceſſion, and not the death, of Henry I, and consequently the Richard Fitz-Gilbert who flouriſhed in his reign (1100-1135) was not Richard Fitz-Gilbert de Bienfaite, who died, according to Mr. Ormerod's ſhewing, in or before 1091, but his grandſon, Richard Fitz-Gilbert de Clare, founder of Tonbridge Priory, the nephew, and not the father, of Walter de Clare, who founded Tintern Abbey.

The Tintern Chronicle ſtates that Walter de Clare ſucceeded to the eſtates of the Counts of Eu and Bretville. This however, if it mean that he ſucceeded by right of inheritance, is impoſſible for various reaſons. No title could be derived from either of them in conſequence of their forfeiture, and even if their eſtates had deſcended to their heirs, Walter de Clare, though diſtantly related to both (ſaving the objection of illegitimate links in the pedigree), was not heir to either of them, nor, if he had been, could he, according to the feudal law, have inherited the Engliſh lands granted to them after the Conqueſt, not being of the blood of the firſt purchaſers.[1] William Count of Eu, the grandfather of the William Count of Eu we have had occaſion to ſpeak of, and Geoffrey or Godfrey, Count of Brionne, already mentioned as the grandfather of Richard de Clare of Bienfaite, were illegitimate ſons of Richard Sans-Peur, and probably by different mothers, Dudon de St. Quentin (Ducheſne's Hiſt. Norm., 152) and Ralph de Diceto (Twyſden's Scrip., 457) ſpeaking of concubines in the plural in mentioning the births of Geoffrey, William, and two ſiſters. As to Roger de Breteuil (to ſay nothing of his having ſons who were living as late as the reign of Henry I), his relationſhip would have to be traced a generation further back

[1] This is a technical term of law, quite unconnected with purchaſe in the senſe of a pecuniary tranſaction. The Latin equivalent is "*perquisitor*," or "*conquæstor*," the anceſtor firſt acquiring the eſtate by grant or other means than the courſe of deſcent. It has been contended by Blackſtone and others that it was in this sense only, and not as having conquered England by the sword, that William took his appellation of the Conqueror.

back through the parent of Richard Sans-Peur, of whom Roger de Breteuil's great-grandfather, Rodolph, Count of Ivry, was uterine brother, ſo that no relationſhip could be traced except through the half blood and illegitimate births; and if theſe were admitted, the Engliſh king, as repreſentative of the elder line, had a prior claim over the family of Clare to any inheritance derived from the Counts of Eu or Breteuil. (*See* pedigree, No. 1). Nor was Walter de Clare even the repreſentative of the Clare family, being himſelf a younger ſon. Poſſibly the Tintern Chronicle only meant that he had grants of forfeited eſtates of the Counts of Eu and Breteuil; but if it be ſo it does not follow that Striguil was part of the eſtates ſo granted to him. Little is known of Walter de Clare. It may be that the reaſon quia caret vate ſacro is to be found in his dealings with the Church, and that the Chroniclers, acting on the principle of "De mortuis nil niſi bonum," told all the good they knew of him in recording him as the pious founder of Tintern Abbey. But a much more probable explanation of their ſilence is that he really filled a leſs important poſition, political and military, than he would have done if he had been the Lord Marcher of Striguil. As a younger ſon he had to carve out his own fortune, and it was quite in accordance with the manners and practices of the period, that, without being a perſon of any political importance, he ſhould acquire lands, partly by grant and partly by violence, or wholly by the latter means. The few circumſtances recorded of him preſent him rather in the light of one of thoſe ſoldiers of fortune, of whoſe poſition in the reign of Henry I a picture is given in Mr. Sharon Turner's chapter on Chivalry and Knight Errantry in England and Normandy, whoſe inducements to accept knighthood were not merely the honours and donations they received, but the plunder they were conſtantly acquiring, the eccleſiaſtical poſſeſſions being peculiarly the objects of attack. We accordingly catch occaſional glimpſes of him overrunning Netherwent and Gower, as recorded in the Tintern Chronicle, or turning a deaf ear to the thunders of the Church, whether in the form of an excommunication from Biſhop Urban in 1107, or the bulls of Pope Calixtus in 1119 and Pope Honorius II in 1128, until in 1131, in the ſpirit of thoſe who, after a life of rapine and violence,

> "To be ſure of paradiſe,
> Dying put on the weed of Dominick,
> Or in Franciſcan think to paſs diſguiſed,"

he founded, on part of the lands plundered from the Church of Llandaff, the Ciſtercian

Ciſtercian Abbey of St. Mary at Tintern. The reader need ſcarcely be reminded that the noble abbey church, the ruins of which are the principal glory of the Wye, was the production of a later age, and that the foundation of an abbey does not neceſſarily imply anything further than the grant of lands as an endowment for the maintenance of a religious community. Of courſe a conſecrated building for the celebration of the daily and nightly offices of the church would be a neceſſity, and there can be no doubt that the thirteenth century church, of which we now ſee the remains, was erected, if not on the ſite of, at all events in ſubſtitution for,[1] an earlier building, marked

[1] The ſuggeſtion is thus put in the alternative under an idea, which it would be foreign to our purpoſe to diſcuſs here beyond indicating it in a note. It is that Walter de Clare's abbey was perhaps erected in the pariſh from which it took its name, on the ſite of a building, of which remains ſtill exiſt, on a ſteep bank, on the north ſide of the preſent turnpike road, a little to the weſt of Tintern Church, that when Roger Bigod, nearly a century and a half later, determined to re-build it on a ſcale of greater ſplendour, the ſite being neither large enough, nor, from the nature of the ground, capable of extenſion, the abbey was erected on its preſent ſite, in the pariſh of Chapel Hill, taking with it its original name of Tintern Abbey, and giving the name of Abbey Tintern, in common acceptation (but not in any legal document of greater importance than a turnpike act), to the village which aroſe in its neighbourhood, and cauſing the pariſh of Tintern to be called, for diſtinction's ſake, Tintern Parva—and that the old monaſtic buildings were converted into, or became part of, the Abbot's Houſe, by which name the ruins in Tintern Parva are deſcribed in old guide books, though even the tradition is now fading from the memory of the inhabitants. The Abbot's Houſe formed an important feature in a monaſtery; it was uſually within the limits of the Cloſe, but detached from the monaſtic buildings, and was often arranged in cloiſter form, like a monaſtery on a reduced ſcale. That there ſhould be no trace of any ſuch eſtabliſhment near the preſent world-famous ruins, comparatively perfect as they are in other reſpects—that there is not a ſtone in them indicating an earlier date than the latter half of the thirteenth century—that at a mile diſtant, in Tintern, there is a building which has traditionally borne the name of the Abbot's Houſe—that what is now known as Tintern Abbey is not at Tintern, but at Chapel Hill, and that there is a pariſh of Tintern Parva, and no pariſh called Tintern Magna in contra-diſtinction, are conſiderations which have led me to append this note, as a hint for future enquiry, pending which I muſt not be underſtood as expreſſing an opinion on the ſubject.

In early times, that is during the 12th and 13th centuries, while the ſtrictneſs of the Ciſtercian Rule remained in full force, the Abbot had no ſpecial rooms; he ſlept in the common *Dortor* with his monks, and dined with the better claſs of gueſts in the Refectory of the *Hospitium*. In later times when Ciſtercian Abbots began to have ſpecial apartments provided for them, the place choſen was uſually far away on the eaſt of the monaſtic buildings, but for ſpecial reaſons, with reſpect to ſite or otherwiſe, it might have been in the weſt, and it is poſſible that the old building alluded to may have been originally conſtructed for the abbot's houſe. The author's ingenious ſuggeſtion is well worthy of conſideration.—Ed.

marked by the ſimplicity which was always enjoined, and in the early years of the order, ſtrictly obſerved, under the Ciſtercian rule, by which its form was rigidly preſcribed.

If there be one fact in the hiſtory of the early Lords of Striguil, which has hitherto paſſed unqueſtioned and unſuſpected, it is that Walter de Clare was one of them; but it does not appear that his ownerſhip of Striguil is more than an inference from the aſcertained facts of his poſſeſſing eſtates in Netherwent, encroaching on church property previous to 1107, and founding Tintern Abbey in 1131. The Tintern Chronicle, as quoted in the Monaſticon, after ſtating that he and his anceſtors acquired Netherwent and Gower, and mentioning his death without iſſue at a date not given, adds "Cui ſucceſſit in hæreditatem Gilbertus Strongbow, *filius patris sui*, qui incontinenti factus fuit primus comes Pembrochiæ, et idem Gilbertus dominium de Strughulle et totius Netherwenciæ, cum prædictis terris, habuit et tenuit per decennium, qui quidem Gilbertus genuit filium, et impoſuit ſibi nomen Richardus, et in anno 1148 obiit et ſepultus eſt apud Tynternam." The miſtake of *patris* for *fratris*, ſo liable to be confounded in manuſcripts, is obvious—ſo obvious indeed that it is ſurpriſing it ſhould have been the firſt ſtep towards the utter confuſion of the Clare pedigree in various attempts to reconcile it with the ſuppoſed fact of Gilbert Strongbow being the brother, inſtead of the nephew, of Walter de Clare." "Filius fratris ſui" would be a natural mode of deſcribing a nephew, but no one would write "filius patris ſui" to deſcribe a brother; and that Gilbert Strongbow was the ſecond ſon of Walter's elder brother, Gilbert de Clare of Tonbridge, is unqueſtionable. But further difficulties ariſe on the paſſage if we are to treat Striguil as part of Walter de Clare's poſſeſſions, for Gilbert Strongbow's ſucceſſion and tenure for ten years ending in 1148, which would bring us back to 1138 as the date of Walter de Clare's death, would be inconſiſtent with the confirmation charter to the Abbey of Cormeilles, referred to in the early part of the preſent chapter, which we agree with Mr. Ormerod in regarding as ſatiſfactory evidence of the poſſeſſion of Striguil by the Richard therein referred to, whoever he might be. This being ſo, the correction of the miſtake which identified him with Richard de Bienfaite proves the poſſeſſion of Richard Fitz-Gilbert de Clare, the nephew of Walter, and elder brother of Gilbert Strongbow, at a date previous to the death of Henry I, in 1135. This fact, under the ſame aſſumption of Striguil having belonged to Walter de Clare, would make it neceſſary to aſſign

assign an earlier date to his death. Archdeacon Coxe (Monmouthshire, p. 371) and other writers who have followed him do indeed give the date of 1131, the very year of his foundation of Tintern Abbey; but no authority is found for this, and it may be suspected to have arisen from the marginal date of 1131 being printed (as it is) a line too low in one of the early editions of Dugdale's Monasticon, opposite to the mention of the death of Walter de Clare, though intended to refer to the foundation of the abbey, the date of which is given in words at length in the previous line of the text. The Tintern monks, according to the calendar given by William of Worcester, and printed in Grose's Antiquities and Heath's Tintern, celebrated his obituary on the 10th March, but this does not help us to the year, even if the calendar could be accepted as evidence of the date of death.[1] Mr. Ormerod, in the pedigree illustrating his paper on the Descent of the Lords of Striguil, which he says follows that of Duchesne, collated with charters and found correct, states it to have been in 1138. No dates are given in Duchesne's pedigree—so that the addition must be read as Mr. Ormerod's own, derived from the documentary evidence he alludes to. A reader who ignored the possession of Richard Fitz-Gilbert of Tonbridge, in consequence of erroneously referring the mention of him to Richard Fitz-Gilbert of Bienfaite, and adopted the statement of the Tintern Chronicle that Gilbert Strongbow was the immediate successor of Walter de Clare, would, by reckoning backwards the "decennium" of that document, arrive at 1138 as the date of his death; and it is probable that this is either true or as near the truth as can be expected from a mode of calculation which necessarily takes no account of fractions of a year, and that Gilbert was in fact the immediate successor to Walter de Clare, but only as to lands which did not comprise Striguil. The first mention of this lordship in the Tintern Chronicle is not in connection with the name of Walter de Clare, but with that of Gilbert Strongbow, who, it says, held it, and the whole of Netherwent *with the aforesaid lands*, that is to say *with*, not *as part of*, the lands derived from his uncle Walter; and this is quite consistent with, if it does not actually point to, his having acquired Striguil by other means. Now a charter of Badaron

[1] Probably in many instances the obits were kept on days arbitrarily set apart for that purpose, and only conventionally representing the anniversaries of benefactors' deaths. The same calendar gives 27th June for the obituary of Galfredus Marescal, Earl of Pembroke, and 24th December for that of Anselmus Marescal—whereas they died within a month of each other, and neither of the dates precisely agrees with the accounts of the chroniclers.

Badaron, Lord of Monmouth, noticed by Mr. Wakeman at the Chepſtow Meeting of the Britiſh Archæological Aſſociation in 1854 (*see* their "Journal," vol. x, p. 280), recites the marriage of the grantor at Struguil, with Rohais, daughter of Gilbert the Conſul, at which Odo, Prior of Struguil, and Godfrey, Prior of Monmouth, were preſent and officiated; and Mr. Wakeman points out that the mention of Prior Godfrey fixes the date between 1125 and 1130, and in his notes on Penhow Caſtle [page 6], printed for the Monmouthſhire and Caerleon Antiquarian Aſſociation, he fixes it more preciſely in 1128. At the earlieſt of theſe dates Gilbert of Tonbridge, the father of Rohais, was dead, as ſhall be shewn immediately, notwithſtanding Mr. Wakeman's ſtatement to the contrary; but her marriage at Striguil raiſes a fair inference that it was the reſidence of her brother Richard, the then head of her family.

It would be a reaſonable aſſumption, even in the abſence of the further evidence about to be adduced, that both Walter de Clare and his brother Gilbert, the father of Rohais, held lands in Gwent, Striguil being among the poſſeſſions of the latter, and that the eſtates only became united in the hands of one owner in the next generation. There is a paſſage in Dugdale's "Baronage" (i, 208), which will ſtrongly confirm this, when read with the neceſſary correction of ſhewing that, amid the notorious errors of his pedigree of the Clare family, as to which he ſeems to have been eſpecially ill-informed, he has confounded Gilbert of Tonbridge, the ſon, with Gilbert Strongbow, the grandſon, of Richard de Bienfaite, aſſigning to one the events of the lives of both, and that ſo much of his narrative, in the following paſſage, as precedes the ſtatement of the latter acquiring the property of his two uncles and being created Earl of Pembroke, ought to have been given in relation to the former. He ſays: "This Gilbert, having often made ſuit to King Henry I to beſtow on him ſome lands in Wales, the King at length, diſcerning the Welſh to be unquiet among themſelves, and that they had made great depredations upon each other, about the tenth year of his reign [1109-10] ſent for him, and made him an offer of all the lands of Cadogan ap Blethyn in caſe he could win them; of which, joyfully accepting, he raiſed all the power he could, and landing in Cardiganſhire, brought that whole country in a ſhort time to ſubjection, where ſoon after he built two caſtles, one towards North Wales, upon the River Yſtwith, ... and the other towards Dyvet, upon the river Teivi, at a place called Dungerant, where Roger de Montgomery, Earl of Shrewſbury, had before time begun to fortify. After this, ſcil. in ann. 1113

1113 (14 Henry I), at the inſtigation of ſome who thirſted after the lands of the Welſh, and upon complaint of divers robberies and ſpoils committed by thoſe people, King Henry I raiſed an army, threatening to deſtroy all North Wales and Powyſland, and committed the van thereof to the conduct of this Gilbert. Poſſeſſing therefore all Netherwent, with the whole dominion of Striguil, now Chepſtow, and the one half of Grun[1] in Wales, and likewiſe all the lands of Roger and Walter, two of his uncles, who died without iſſue, he was made Earl of Pembroke by King Stephen in ann. 1138." That Dugdale did make this miſtake is one of the blots hit in Hornby's "Specimen of Miſtakes in Dugdale's Baronage," and the proof of it is clear: for the paſſage bears internal evidence of its origin in partially adopting the very words of Powel's tranſlation of Caradoc of Llancarvan, cited in the margin. This author ſpeaks of the Gilbert of the earlier incidents related as Gilbert Strongbow, Earl of Strygill, and the edition of 1584, which was that uſed by Dugdale, places the events of his warfare againſt Cadogan ap Blethyn under the year 1109, and the royal expedition againſt the Welſh, in which he led the van, in 1113: and in a ſubſequent paſſage at p. 183 mentions his death of a conſumption in 1116, miſnaming him however, in the laſt mentioned place, as *William* Strongbow. There are important variations between the above edition of Powel's tranſlation of Caradoc of Llancarvan and that of 1774, and eſpecially a diſcrepancy of two years in date running through all the events of about this period. The later edition (pp. 135 and 151) places the firſt or private expedition in 1107, the royal campaign in 1111, and the death of Strongbow, here correctly named Gilbert, in 1114. Now as all authorities, not excepting Dugdale, attribute the conferring of an earldom on Gilbert Strongbow to King Stephen, in 1138, it is clear either that the father, as well as the ſon, was known as Earl of Strygill, and by the ſurname of Strongbow, or at leaſt that Caradoc of Llancarvan[1] ſuppoſed ſuch to be the caſe, or elſe that he made a miſtake between them in ſo deſignating the elder—a miſtake from which, if it be one, Dugdale might have ſaved himſelf, if he had paid due regard to the ſtatement of his author that the perſon referred to died in 1114 (or 1116 according to the edition uſed), inſtead of ſuppreſſing that ſtatement, as an inconvenient fact which claſhed with the reading of the Tintern Chronicle in his Monaſticon, and

[1] It is aſſumed in the text that the words are thoſe of Caradoc, and not an interpolation of his tranſlator. They may have been found in the manuſcript he uſed, but in the Brut y Tywyſogion, as publiſhed under the authority of the Maſter of the Rolls, the name is ſimply Gilbert Fitz-Richard (Gilbert nab Rickert). The chronology confirms that of the later edition of Powel.

and ſubſtituting his creation as Earl of Pembroke, twenty-four years after the real date of his death. It is this unfair uſe of his authority—if the author had been one leſs entitled to reſpect, for his amazing induſtry at leaſt, if not for his accuracy, we might have been tempted to uſe a harder word—which has led to moſt of the difficulties of the Clare pedigree, and to all ſorts of expedients for reconciling facts and dates with the ſuppoſed relationſhip of brothers between Walter de Clare and Gilbert Strongbow, Earl of Pembroke. Hence the ſtatement in more than one paper of Mr. Wakeman that Richard de Bienfaite died in 1114, which was the date of the death of his ſon. Hence the confuſion by Dugdale himſelf between Richard de Bienfaite and Richard, his grandſon, in deſcribing in relation to the former, the circumſtances of the death of the latter, at the paſs of Coed Grono (to be hereafter related in its proper place), a miſtake which has been followed by Sir R. C. Hoare in his note to the account by Giraldus Cambrenſis of that event (Itin. ch. iv), and in his own Journal of a Tour in Ireland (p. lxxv), though the occurrence took place, according to Dugdale's own ſhewing, ſeventy years after the battle of Haſtings, at which Richard de Bienfaite could have been no ſtripling, and a century after we meet with the firſt mention of him flying with his brother, after the murder of their father, to Baldwin, Count of Flanders. To the ſame original error may be traced the further miſtake of Dugdale, who at the ſame page, while correctly ſhewing in his pedigree two Walters, one the ſon of Richard de Bienfaite, and the other the ſon of Gilbert of Tonbridge, attributes the foundation of Tintern to the latter.

We ſhall preſently ſee grounds for forming an opinion whether the mention of the elder Gilbert as Earl of Strygill by Caradoc, or his tranſlator Llancarvan, ought to be paſſed over as a miſtake ariſing from a confuſion between two individuals, or treated as evidence of a fact hitherto unnoticed: but we may obſerve at the outſet that there is at leaſt a poſſibility that there is here no miſtake, ſo far as Caradoc's ſtatement goes, and in the face of the confirmatory evidence afforded by Badaron's Charter, we need not go out of our way to impute one. It may be that Gilbert of Tonbridge, the father, as well as Gilbert Strongbow,[1] the ſon, was recognized among his contemporaries as

[1] It will be obſerved from what is above written, and paſſages to be hereafter quoted, that there are grounds for aſſigning the name of Strongbow to both father and ſon: but to avoid confuſion it may be well to mention that wherever we ſpeak of Gilbert Strongbow, Gilbert, Earl of Pembroke, is intended.

as an earl, though the fact has been loſt ſight of by ſubſequent writers. The title given to him in Badaron's Charter—"Gilbert the Conſul," as Mr. Wakeman, inſtead of the uſual rendering, gives it in Engliſh, is worth notice. *Conſul* and *Conſulatus* are ſaid to be equivalent to *Earl* and *County* (ſee Kelham's Domeſday, Explanation of Terms, § v); and Bracton (lib. 1, ch. 8, § 2), after giving a derivation of the word "comites," adds "qui etiam dici poſſunt conſules, a conſulendo; reges enim tales ſibi aſſociant ad conſulendum et regendum populum, &c." If the word, when it firſt came into uſe (as to the later uſe of it there can be no queſtion) was a preciſe ſynonym for "comes," ſo much the better for the argument in favour of Gilbert's title of Earl of Striguil; if not, may it not have been at all events a title of dignity equivalent to "comes" minus his "comitatus," or adminiſtration of a county? Richard de Bienfaite's Norman title of Count may have been conſidered as having paſſed with his Norman poſſeſſions to his ſon Roger; and though Gilbert inherited the vaſt poſſeſſions of the family in England, there was not among them an Engliſh earldom, if the adminiſtration of a county, or a revenue derived from its pleas, was a neceſſary incident to one. That it was ſo is, however, denied in the "Report of the Lord's Committee on the Dignity of a Peer" (3rd Rep., p. 256); and if, by virtue of his father's rank, Gilbert was, by courteſy or otherwiſe, reputed as an earl, under the novel circumſtances attending the ſeparation of Norman and Engliſh eſtates and honours, he would at this period be called indiſcriminately Earl of Tonbridge, of Clare, or of Striguil, if he had reſidences or poſſeſſions in all thoſe places. Among the Normans, previous to the Conqueſt, the ordinary title of nobility was that of Count. Their ſyſtem of ſurnames was to connect the chriſtian name of the ſon with that of the father by the word "filz" or "fitz," as the Welſh did by "ap" or "ab," the name of the reſidence, or principal poſſeſſion, being frequently added to the name of the individual for the purpoſe of diſtinction. Nobles were uſually ſpoken of by their chriſtian names, with the addition of "Comte," in Latin "Comes," and in Engliſh tranſlated indifferently "Count" or "Earl." The Saxon Earls were men of official rank, charged with the adminiſtration of the ſhires into which England had from an early period been divided. In a very few inſtances, ſuch as that of Waltheof, Earl of Northampton, whom we had occaſion to mention in connection with the Norfolk Rebellion, they were continued in their office by the Conqueror: but generally ſpeaking they were replaced by Normans, and the title, whether belonging to Saxon or Norman, was treated as equivalent to that of the Norman Count, and was

tranſlated

tranſlated into the ſame word *comes*. His ſhire became a county, *comitatus*, and his ſubordinate officer, the Shire-reeve or Sheriff, was *vice-comes*. The grant of the adminiſtration or nominal adminiſtration of a county, with its incident revenue, which uſually conſiſted of the third penny of the pleas ariſing therein, conferred the dignity, which was ſometimes paſſed *sub silentio* as a matter of courſe, ſometimes expreſſly mentioned, and ſometimes ſtated as a neceſſary conſequence of the grant by ſome ſuch words as "unde comes est." Hence the word "*comitatus*," which is too often looſely tranſlated "county," bears, according to its context, various ſignifications. It may mean (1) the local limit of juriſdiction, in the ſenſe of our modern county, or (2) the juriſdiction itſelf, that is to ſay the office of the comes, or (3) the perſonal ſtatus and dignity of a Norman Count, or Engliſh Earl—in other words an earldom in its modern acceptation—in addition to which it has ſometimes a fourth meaning, namely lands and lordſhips granted to maintain the dignity of the earldom, to be held *sub honore comitali* and inſeparable from the dignity. Among the Normans the number of counts was unlimited: and while Normandy and England acknowledged the ſame ſovereign, and the rank held in one country paſſed current in the other, it mattered little whether the holder was conſidered as deriving it from a Norman or Engliſh ſource. But when this unity of the ſovereign title ceaſed, it would have been a prepoſterous reſtriction of the rights of the Engliſh King, as the fountain of honour, to limit the number of his earls to that of the Engliſh counties, the adminiſtration of which, except as regards counties palatine, had become nominal: and hence, as early at leaſt as the reign of King Stephen (and poſſibly much earlier, if the caſes of Arnulph de Montgomery and Roger de Poictou were really creations of Engliſh dignities), there aroſe the practice of creating titular earls, or pſeudo-comites as they were called by the chroniclers of the time, that is to ſay, nobles holding the ſtatus, rank, and privileges of Norman Counts or Engliſh Earls, but unconnected, even in form or title, with the adminiſtration or revenues of Engliſh counties. Let us ſee now how theſe various claſſes would be deſcribed. "Earl William," with whom we began the hiſtory of the Lords of Striguil, was alſo frequently diſtinguiſhed by his patronymic of "William Fitz-Oſbern," or, by the name of his principal Norman poſſeſſion, as "William de Breteuil." He was alſo "William, Earl of Hereford;" and in this caſe, the earldom being derived from the adminiſtration of an Engliſh county, it is difficult to accept the title in any other ſenſe than that which attaches to it in modern times, that is to ſay, that the prepoſition connects

"Hereford"

"Hereford" with "Earl" rather than with "William." But compare the caſe of the firſt Richard Fitz-Gilbert; he was Count of Brionne, and was alſo known as Richard de Bienfaite, from one of his Norman poſſeſſions. In England he was known as "Earl Richard," or "Earl Richard Fitz-Gilbert," or "Earl Richard of Tonbridge," or "of Clare," which latter deſignation he adopted ſo completely that it ripened into a ſurname for his poſterity. But he was not "Earl of Clare" in the modern ſenſe of the title. In Engliſh we can make the diſtinction by ſaying "William, Earl of Hereford," and "Earl Richard, of Clare:" but it muſt be remembered that almoſt all the mention we have of theſe titles is in Latin records and chronicles, in which "Gulielmus Comes de Hereford" and "Ricardus Comes de Clare" would be the form in each caſe, or if the words were tranſpoſed it would not alter the ſenſe. It is conſidered by the beſt antiquaries, and in fact may be treated as having been authoritatively decided by the reports of the Lords' Committee on the Dignity of a Peer, that theſe local additions to the title of an earl were matters of perſonal deſcription only, and not the names of a dignity: and according to this view the ſtyle uſed by Caradoc of Llancarvan, and thoſe of "Comes de Striguil," "Comes Gilbertus de Strigiell," and "Gilbert Counte de Strogoil," which we ſhall meet with in future pages, though important as indicating Striguil as the reſidence of the earl and the head of his lordſhip, are not evidence of an earldom of Striguil as a territorial title.

We have gone into the queſtion of theſe titular earldoms at greater length than may ſeem material to our immediate purpoſe, becauſe the ſubject will again croſs our path in the courſe of our memoir, in relation to the indiſcriminate uſe of the title of Earl of Pembroke or of Striguil: but we have only to obſerve in relation to Gilbert of Tonbridge, that the attribution of the title to a perſon, of whom, except from the evidence here ſtated and ſome incidental alluſions to be noticed as occaſion may ariſe, we have no record as an earl, even of the pſeudo-earldom of Striguil, and the facts of his acquiring ſome of the poſſeſſions, and completing the work of Roger de Montgomery, and of his leading the van, as ſtated by Dugdale on the authority of Caradoc of Llancarvan, in the King's Welſh campaign—a poſition which, both before and after this date, we find aſſociated with the office of Marſhal —are ſignificant in relation to the ſpeculation ventured on above with regard to that office. The remarks on that ſubject at the concluſion of our laſt chapter, though they would point to an improbable reſult if applied to Walter de

de Clare, would be quite applicable to his elder brother Gilbert, who, both from his poſition as repreſentative of his powerful family, and from what we know of his perſonal hiſtory, ſeems to have been in all reſpects a perſon of immeaſurably greater mark and military eminence, and as likely as any of the other perſons conjecturally named to have been ſelected from the Engliſh nobility to fill the office of Marſhal. As early as 1088 we read of him in the Annals of Henry of Huntingdon and Florence of Worceſter, taking part in the revolt in favour of Robert Curthoſe, and defending the Caſtle of Tonbridge againſt William Rufus, but wounded and forced to ſurrender it, and making his peace with the King. The latter author ſpeaks of Tonbridge as Gilbert's own caſtle: but his father was living, and probably at that time in Normandy, as we hear of him a couple of years later taking part in the affairs of that Duchy, impriſoned by Robert de Beleſme, and probably dying there, unleſs there be more warrant for Mr. Planché's ſtatement to the contrary than we have given him credit for. We alſo meet with Gilbert as implicated in the Mowbray Conſpiracy of 1095, but repenting juſt in time to warn the King of an ambuſcade, and falling on his knees to claim a pardon, which he accordingly obtained, and remained faithful to William Rufus during the remainder of his reign. If he ſucceeded to the poſition of Arnulph de Montgomery, whoſe forfeiture, it will be remembered, was in 1102, the queſtion mooted in the preceding chapter whether he and Roger de Poictou were or were not earls has a direct bearing on our ſubject, and ſuggeſts an additional poſſible reaſon for Gilbert being reputed as one.

We have then ſome notice of Gilbert de Clare of Tonbridge, in the capacity of Lord of Striguil, at about the ſame time as we have the firſt notice of his brother Walter, as Lord of Caerwent—a deſcription which inferentially contradicts the fact of his holding the higher poſition of Lord Marcher of Striguil. What can be more probable than that the younger brother was one of the elder brother's feudatories, or meſne lords, and held Caerwent by way of ſub-infeudation from the Lord of Striguil, wielding his brother's military power in this neighbourhood, while the latter led the forces raiſed in his more important poſſeſſions in the eaſtern counties? A feudal lord, how vaſt ſoever his poſſeſſions, could advantageouſly retain only a ſmall portion of them in his own demeſne. The reſt was granted, in larger or ſmaller eſtates, to meſne lords, who were bound to bring a ſtipulated force to fight under his banner, and in their turn ſublet their lands in ſmaller portions

portions in conſideration of ſimilar ſervices rendered to enable them to perform their own. This was the natural and uſual mode of providing for the younger branches of noble families; and who was ſo likely to ſtand in this relation to the head of the houſe of Clare as his brother Walter? It may be that the ſtatement of Henry I having granted to Gilbert permiſſion to make conqueſt of the territory of Cadogan ap Blethyn was only the Welſh Chronicler's mode of expreſſing the grant of a Lordſhip Marcher, to which a licence to conquer lands in Wales would be an ordinary incident, and that this is in fact the very grant of the Lordſhip Marcher of Striguil of which we have been in ſearch. But apart from this conſtruction the ſtatement by no means implies that Gilbert's conqueſts in Cardigan were his firſt Welſh poſſeſſions; on the contrary, a private enterprize of that nature would ſcarcely have been undertaken without ſome ſuch baſe of operations as territory in the Marches would afford.

We have arrived then at this ſingular reſult, that our refutation of the evidence on which Richard de Bienfaite has been treated as Lord of Striguil has enabled us, by an entirely different route, to trace back the ownerſhip of it to his eldeſt ſon, with ſo much doubt as to the period and mode of his acquiſition of it as to admit the poſſibility that he may have inherited it along with his father's Engliſh eſtates. That Richard de Bienfaite ſhould have been Lord of Striguil, and even Marſhal of England, and tranſmitted the eſtate and office along with his Engliſh poſſeſſions to his heir, is quite conſiſtent with all that is above written—but it reſts on conjecture and not on evidence. The obſervations in the early part of this chapter are not to be underſtood as an attempt to refute his claim, except as a deduction from the evidence of the confirmation charter to the Abbey of Cormeilles. A poſſible argument in favour of his ownerſhip, as an inference from his connection by property with the immediate neighbourhood, may be founded on the fact (if it be one, as alleged in Mr. Wakeman's paper on the Town, Caſtle, and Priory of Uſk[1]) of his having been the grantee of the Lordſhip of Uſk after the death of Turſtin Fitz-Rolf, named in the paſſage we have quoted from Domeſday, as the holder of lands between Uſk and Wye, and beyond Uſk, which were no doubt part of the forfeited eſtates of Roger de Breteuil. It is far from clear, however, that Richard de Bienfaite was ſuch grantee; the fact ſeems to reſt on an inſpeximus charter of Elizabeth de Burgh, confirming a previous one of "Comes

[1] Journal of the Archæological Aſſociation, vol. x, p. 258.

"Comes Ricardus filius comitis Gilberti" (whom Mr. Wakeman identifies with Richard Strongbow), coupled with a rather looſe ſtatement in Dugdale and Tanner, that the nuns "accounted Sir Richard de Clare and Sir Gilbert, his ſon, Earls of the Marſhes, for their founders, and prayed for them as ſuch." Certainly if there be no miſtake as to the relationſhip of theſe reputed founders to each other, and unleſs we ſhall ſee reaſon for attributing the charter to a later period than any contemplated by Mr. Wakeman, they muſt have been Richard de Bienfaite and Gilbert of Tonbridge: for their deſcendant, Richard Strongbow, the alleged grantor of the charter, was the ſon, but not the father, of a Gilbert; and though Richard of Tonbridge was both the ſon and father of a Gilbert, his ſon, as we ſhall ſee preſently, did not ſucceed to his eſtates in Gwent, and is not likely to have been a founder of Uſk Priory. But there is room for ſuſpecting that in naming the reputed founders in the order in which they may have appeared in the obituary calendar of the Priory, the miſtake may have been made of tranſpoſing the names of father and ſon: for if Richard Strongbow was the grantor of the charter, his ample grant, which, though it refers to gifts of his anceſtors, bears no trace of being merely a confirmation charter, ſhews that if he was not prayed for as a founder, he ought to have been; and that the nuns knew ſo little of their benefactors that their information is of little value. We may obſerve in paſſing that if the founders of Uſk Priory are correctly identified with Richard de Bienfaite and Gilbert of Tonbridge, here is again evidence of the latter being known as an earl. All this however reſts on the aſſumption that the grantor of the charter has been ſatiſfactorily identified with Richard Strongbow: but the ſole evidence of it is the name of one of the witneſſes, his brother-in-law Raymond Fitz-William Fitz-Gerald, whom we ſhall have to mention again in our next chapter under the name of Raymond le Gros. He is one of thirteen witneſſes. Two others, Ralph and Walter Bloet, bear a ſurname, which, if Dugdale be correct in ſtating (Bar. i, 361) that Walter Bloet had a grant of Raglan from Earl Richard, ſon to Earl Gilbert, temp. Henry II, (but the date and conſequent identity of this Richard alſo are ſubject to verification[1]), might

[1] This charter to Walter Bloet is mentioned by Mr. Clark in one of his papers on the Land of Morgan, printed ſince the above was written (Arch. Jour. xxxv, 330) and he aſſumes the grantor to have been Richard de Clare, firſt Earl of Hertford, the anceſtor of the Earls of Glouceſter. I have great confidence in the general accuracy of Mr. Clark, but like Homer, he occaſionally indulges in the proverbial nap, and and in the ſame page as that above cited, he makes Iſabel, who married William Marſhal, Earl of Pembroke, the daughter of Richard, fourth Earl of Hertford, whereas if there be a point, which, beyond all others in the hiſtory of the family is free from doubt, it is that ſhe was the daughter of Richard Strongbow.

might naturally occur among the witneſſes to a charter from him or any lord of Uſk of later date. The reſt, with two notable exceptions, are either undiſtinguiſhed and undiſtinguiſhable perſons, ſuch as Geffrard the chaplain, and Nicholas the clerk, or bear names which, though unknown to the writer, may enable future enquirers, better acquainted with the genealogy of the neighbourhood, to compare Mr. Wakeman's theory with that now propoſed. The two exceptions alluded to are the Counteſs Iſabel, and Iſabel, her daughter. Who were they? They were no connections of Richard Strongbow. The ſuggeſtion here offered, though admitted to be not free from difficulties, is that the grantor of the charter was Richard de Clare, ſixth Earl of Hertford and ſecond Earl of Glouceſter of his family, who ſucceeded his father, Gilbert de Clare, in 1230, but did not attain his majority till at leaſt ſeven years later[1]—that the Counteſs Iſabel was the grantor's mother, Iſabel, third daughter of William Marſhal, Earl of Pembroke, and grand-daughter of Richard Strongbow—that the other witneſs was his ſiſter, Iſabel, who married Robert Bruce, the competitor with Baliol for the Scottiſh crown—and that Earl Gilbert, his ſon, correctly deſcribed as regards his relationſhip by the nuns of Uſk, was Gilbert, ſeventh Earl of Hertford and third of Glouceſter, father of Elizabeth de Burgh, the grantor of the confirmation charter. At the period of this Richard's poſſeſſion of his eſtates it is poſſible that Raymond le Gros was ſtill living. All we know of his age is that, according to Giraldus Cambrenſis, he was a young man of Richard Strongbow's houſehold when firſt ſent to Ireland with ten men at arms and ſeventy archers in 1170—a command which might have been entruſted to a boy—and that he was firſt couſin to Giraldus himſelf, who is believed to have died in 1223. That there was another Raymond, whoſe father and grandfather bore the ſame Chriſtian names with thoſe of Raymond le Gros would indeed be a violent preſumption: but even that (if his death were ſhewn at an earlier period than is conſiſtent with our theory) would be worth weighing againſt the rejection of all the links which ſeem to connect the Uſk charter with the Earl of Hertford and Glouceſter. All the information given by Dugdale and Tanner as to the date of the foundation of Uſk Priory is that it exiſted previous to 1236. If founded or further endowed by Richard Earl of Hertford and Glouceſter while his mother was living, as is evidenced by her being a witneſs of the charter, it follows that

[1] According to Mr. Clark (The Land of Morgan, Archæol. Journal, vol. xxxvi, p. 117) he was born, 4 Auguſt, 1222, and therefore a little over eight years old at his father's death, 25 Oct., 1230, and conſequently did not attain his majority until after his mother's death.—Ed.

that his lordſhip of Uſk was not derived from her, and through her from Richard Strongbow[1] and the Marſhals, but was part of the grantor's paternal eſtates. In fact his mother died in 1240, long before the Marſhal eſtates became diviſible among the coheirs on failure of the male line. Some evidence might be adduced tending to the concluſion that he derived it from his paternal grandmother, Amicia, daughter of William, Earl of Glouceſter, by whoſe marriage that earldom and the lordſhip of Glamorgan paſſed into the Clare family: but the diſcuſſion of this would lead us too far away from our immediate ſubject. A difficulty in the way of our attribution of the charter appeared at firſt to preſent itſelf in the general words of the grant, which compriſe "all franchiſes and tolls (cum omnibus libertatibus et conſuetudinibus) throughout my burgh of Uſk, *or in Strugull*:" but it appears from Dugdale (Bar. i, 536) that William Earl of Glouceſter granted to the monks of Goldcliff an exemption from toll throughout all his lands in England and Wales, namely Briſtol, Cardiff, Newport, Caerleon, and Chepſtow. The alluſion may therefore be to the paſſing toll mentioned in Domeſday Book as belonging to William de Ow, which may poſſibly have been acquired by this earl by a title quite diſtinct from any connection with that of the Lordſhip Marcher. It is ſubmitted that theſe conſiderations furniſh ſerious grounds for doubting the fact of Uſk having been a poſſeſſion of Richard Strongbow, whether it had or had not at any time previouſly been the property of any of his anceſtors. Whether it is neceſſarily comprized in the deſcription of ſeventeen carucates of land between Uſk and Wye, and ſix carucates beyond Uſk, is a point on which I muſt defer to the local knowledge of Mr. Wakeman. He gives no other authority than that above quoted for his ſtatement as to the grant of the lordſhip of Uſk, though he builds upon that fact, and the ſuppoſed identity of Richard Strongbow with the grantor of the charter, the whole hiſtory of the foundation of the Priory, and the deſcent of the lordſhip down to the middle of the thirteenth century: and he has fallen into the two miſtakes already corrected of poſt-dating the death of Richard de Bienfaite by twenty-three years, and ſpeaking of "Gilbert Strongbow, alias de Tonbridge, who died in 1142," as his ſon. If he means the Gilbert whom we have called Gilbert de Clare of Tonbridge, the date of

[1] According to Giraldus, cited in Lee's Iſca Silurum, p. 141, Howel ap Jorwerth of Caerleon was wounded in an attack made by the Normans on his Caſtle of Uſk and died in conſequence ſoon after, probably about 1178. This was two years after the death of Richard Strongbow and furniſhes a ſtrong argument againſt Uſk having been one of his poſſeſſions.

of his death was 1114, or poſſibly 1116: if he means Gilbert Strongbow, Earl of Pembroke, he died in 1148, and was not the ſon of Richard de Bienfaite. The connection however between the hiſtory of Uſk and that of Striguil is ſo ſlight and incidental that, beyond the expreſſion of a grave doubt as to the grant to the firſt Richard of the lordſhip of Uſk on the death of Turſtin Fitz-Rolf, we will not raiſe a collateral iſſue by diſputing it, provided only that that event be not ſhewn to have taken place later than 1091. But apart from the evidence, ſuch as it is, the antecedent probability of Richard de Bienfaite's ownerſhip is not ſtrong. Nothing occurred between the date of Domeſday and the death of Roger de Montgomery, who ſurvived him for ſeveral years, to furniſh an occaſion for a change in reſpect of the marſhalſhip and the ownerſhip of Striguil. In September, 1087, the Conqueror died, and about ſix months afterwards Richard de Bienfaite's eldeſt ſon was in rebellion againſt William Rufus.

By grant or by inheritance then, we have evidence that Gilbert of Tonbridge was Lord of Striguil. He had by his wife, Eliza., daughter of the Count de Clermont, five children—Richard and Gilbert, of both of whom we ſhall have a good deal more to ſay; Walter,[1] confounded by Dugdale with the founder of Tintern; Baldwin, one of the foremoſt knights in the ſervice of King Stephen; and Rohais, omitted by Dugdale altogether, but whoſe marriage with Baderon, Lord of Monmouth, has already furniſhed us with ſuch valuable evidence of Gilbert's ownerſhip.

On his death his eſtates paſſed, in the lifetime of his brother Walter de Clare, and in the ordinary course of deſcent, to Richard, his eldeſt ſon. He was the founder of Tonbridge Priory, from which circumſtance, and to diſtinguiſh him from Richard Fitz-Gilbert of Bienfaite, his grandfather, and from Richard Strongbow, his nephew, it will be convenient to deſignate him, as his contemporaries did, as Richard Fitz-Gilbert or de Clare of Tonbridge. He ſucceeded to all the power and influence of his father, and obtained, at a date not aſcertained, but no doubt in the reign of Henry I, the earldom of Hertford. By whatever means he acquired them, it is certain, as evidenced by the confirmation charter to the Abbey of Cormeilles, that this Richard in the reign of

[1] Probably this is the Walter de Clare mentioned by Ordericus Vitalis (B. xiii, c. 26) as taking part in the defence of the church tower of Sap for King Stephen in 1136: but the date is conſiſtent with the founder of Tintern being the perſon referred to.

of Henry I held lands between Uſk and Wye, named in immediate connection with the church and tithes of Striguil: and from the terms in which he is ſpoken of by the chroniclers he was evidently a perſon of great territorial power and influence in Wales. The mention of the tithes of Striguil ſuggeſts another argument in favour of our poſition. "Though every man," ſays Blackſtone (Com: B. ii, ch. 3), "was obliged to pay tithes in general, yet he might give them to what prieſts he pleaſed . . . . . and a layman, who was obliged to pay his tithes ſomewhere, might think it good policy to erect an abbey, and there pay them to his own monks, or grant them to ſome abbey already erected; ſince for this dotation, which really coſt the patron little or nothing, he might, according to the ſuperſtition of the times, have maſſes for ever ſung for his ſoul." If Richard de Clare of Tonbridge had derived his eſtates in Gwent from his uncle Walter, he would ſurely have paid his tithes to his uncle's abbey of Tintern, and found there a place of ſepulture for himſelf, on the principle that "Ubi quis decimas perſolvebat vivus, ibi ſepeliatur et mortuus": inſtead of which we find him buried in Glouceſter, as related by the continuator of Florence of Worceſter, and appropriating his tithes to William Fitz-Oſbern's abbey of Cormeilles. This is a fact of ſome importance in confirmation of the view of his ownerſhip of Striguil by an independent title in the lifetime of Walter de Clare, who, according to the dates we have adopted, ſurvived him about two years. The continuator of Florence of Worceſter (ed. Franc. 1601, p. 666) gives the date of Richard's deceaſe very preciſely as 17 cal. Maii (15 April) 1136, ſpeaking of him as "the noble and amiable Richard Fitz-Gilbert," and relating how he fell into an ambuſh and was ſlain in a "vaſt inroad by the Welſh, in which there was grievous deſtruction far and wide of churches, towns, crops, and cattle, the burning of caſtles, and the ſlaughter, diſperſion, and ſale into foreign lands of numberleſs perſons, rich and poor." The hiſtory of this riſing, given under the date of 1135 by Caradoc of Llancarvan (p. 157, ed. 1774), has a noteworthy paſſage that the Welſh conquerors "reſtored all the former inhabitants to their proper inheritances, diſcarding all ſuch ſtrangers as the *late Earl of Strygil* had placed in the country." This notice of him and the mention in ſeveral places at p. 147 of "Earl Gilbert," ſhew that the attribution of the title to Gilbert of Tonbridge by this author, in a paſſage already cited, was not an accidental confuſion of two perſons, but a deliberate ſtatement entitled to its due weight of authority. Two other accounts of Richard's death deſerve to be cited, one for the geographical information afforded, and the other for its circumſtantial

circumſtantial relation of the facts. The Itinerary of Giraldus Cambrenſis, here quoted from Sir R. C. Hoare's tranſlation, chap. iv (p. 365 Wright's edn. 1863), after deſcribing a mountain route between Brecknock and Abergavenny, ſays "it happened, a ſhort time after the death of King Henry I, that Richard de Clare, a nobleman of high birth, and Lord of Cardiganſhire, paſſed this way on his journey from England into Wales, accompanied by Brian de Wallingford, Lord of this province, and many men at arms. At the paſſage of Coed Grono, and at the entrance into the wood, he diſmiſſed him and his attendants, though much againſt their will, and proceeded on his journey unarmed from too great a preſumption of ſecurity, preceded only by a minſtrel and a ſinger, one accompanying the other on the fiddle. The Welſh, awaiting his arrival, with Jorwerth, brother of Morgan of Caerleon, at their head, and others of his family, ruſhed upon him unawares from the thickets, and killed him and many of his followers." The anonymous but contemporary author of the Chronicle of which a fragment has reached us under the title of Geſta Stephani Regis Anglorum, &c., and here quoted from Mr. Foreſter's tranſlation, appended to his edition of Henry of Huntingdon (p. 330), ſays "there lived at that time in Wales one Richard Fitz-Gilbert, a man of diſtinguiſhed gallantry, ſurrounded by wealthy kinſmen and vaſſals, poſſeſſed himſelf of vaſt domains and numerous caſtles, who kept all his neighbours in check by leagues to which they were bound by hoſtages, ſo that the country became ſo peaceable and affluent that it might have been eaſily taken for a ſecond England. This man, having demanded of the King ſome great favour which was refuſed him, departed, it is ſaid, with the intention of commencing hoſtilities. On his entering Wales with a large retinue he was waylaid and ſlain by the Welſh, his eſcort eſcaping. It becoming bruited abroad that the greateſt man in Wales had fallen, the people of ſeveral diſtricts, aſſembling in great numbers, entered his territories, and being divided into three bodies in military order, theſe foot ſoldiers attacked Richard's horſemen, who, joined by others who came to their aid from the neighbouring towns and caſtles, made a force of 3000 men. The attack being made in three quarters, they were defeated by the inſurgents, who purſued them, ſhouting, and pouring in flights of arrows. Many were miſerably ſlain, ſome were driven into a river and drowned, and others were burnt in churches and houſes. The whole diſtrict thirty-ſix miles in extent was overrun and plundered till nothing was left. The old were expoſed to death or deriſion: the young of both ſexes were bound and dragged into ſlavery. They ſtormed the caſtles of ſome barons

barons, and cloſely beleaguered others, under whoſe yoke they had hitherto bowed, but over whom they now lorded in turn. One of Richard's caſtles, which was impregnably fortified, and in which his wife, the Earl of Cheſter's ſiſter, had ſought ſhelter, was cloſely inveſted. She, deprived of her huſband's protection, with the deſpondency of her ſex, was tortured with anxiety. Thus ſtrictly encloſed and ſhort of proviſions, for numerous bands of the enemy patrolled the country, and without hope of relief ſhe was worn out with grief and care. But ſtill holding out, when her immediate neighbours were unable to offer her any aſſiſtance, Milo, who was Lord of Glouceſter, and afterwards obtained an earldom rather by his crafty genius, than his right of inheritance, devoted himſelf and his followers to the peril of effecting her releaſe. He was impelled to undertake it as much by compaſſion and his natural feeling for the diſtreſſed lady as by the King's command, who had written to enforce the enterprize. Tracking his way therefore through the enemy's poſts, among the gloomy receſſes of the woods and over the mountain tops, he reſolutely approached the beſieged caſtle, and withdrawing the lady and her people in ſafety, returned triumphantly to his own territories."

THE lady juſt referred to was Adeliza, daughter of Ranulph de Meſchines, Earl of Cheſter, by whom Richard Fitz-Gilbert of Tonbridge was the father of an illuſtrious line, Earls of Hertford, and eventually of Glouceſter: but they did not ſucceed him in the inheritance of his lands in Netherwent, or elſewhere in Wales. By what means they paſſed out of the direct line of deſcent to Gilbert Strongbow, the brother of the laſt poſſeſſor, muſt remain an open queſtion. Of the fact there is no doubt; and with this fact we emerge from the uncertainties in the hiſtory of the early Clares as Lords of Striguil.

CHAPTER III.

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The Younger Branch of the Clare Family, Earls of Pembroke.

It will ſcarcely have eſcaped notice that ſo far our hiſtory of the Clares, as lords of Striguil, has been to ſome extent traced backwards. It has been done adviſedly, in order to obtain a hearing by approaching the difficulties of the ſubject from the ſame point of view with thoſe who, being familiar with the hitherto accepted account of the early Clares, might have attributed to ignorance of well known facts any hiſtory of the devolution of the Lordſhip Marcher which ignored the title of Walter de Clare or even of Richard de Bienfaite. But here, having arrived at a period when all hiſtorical claims of the Clares had centred in one individual, unqueſtionably Earl of Pembroke, Marſhal of England, Lord Marcher of Striguil, and head of the younger branch of the Clare family, it will be convenient to recapitulate the concluſions to which the enquiry ſeems to tend, without diſtinguiſhing in this ſhort epitome which of them are offered as proved, which as probable, and which only as conjectural. Our poſition then is :—

1. That the Lordſhip Marcher of Striguil was held ſucceſſively by William Fitz-Oſbern and his ſon Roger, until the forfeiture of the latter, by grand ſerjeanty, by performance of the office of Joint Marſhal of England.

2. That from the forfeiture of Roger Earl of Hereford to at leaſt the date of Domeſday, and long after grants had been made to various perſons of other parts of the forfeited eſtates, Striguil Caſtle, as the Caput Baroniæ, remained in the King's hands, the office of Marſhal being held by Roger de Montgomery, who had become ſole Marſhal by Roger de Breteuil's forfeiture.

3. That at a date probably between the treaſon and forfeiture of Roger de Montgomery's ſons, in 1102, and Biſhop Urban's epiſcopacy, in 1107, the

the Caſtle and Lordſhip Marcher of Striguil were granted to one of the Clares, in grand ſerjeanty, with the office of Marſhal of England.

4. THAT it is poſſible—and if Richard de Bienfaite, who died about 1091, had a grant of the Lordſhip of Uſk after the death of Turſtin Fitz-Rolf (on which no opinion is offered), it is rendered more probable—that he, and not his ſon, was the firſt grantee of the Clare family; but that, according to the evidence at preſent forthcoming, the probability is in favour of the latter.

5. THAT Richard's eldeſt ſon, Gilbert of Tonbridge, either inherited the Lordſhip Marcher of Striguil with the accompanying marſhalſhip from his father, or obtained them by grant to himſelf—was engaged in Welſh Conqueſts at leaſt as early as 1107—led the van of the King's army in 1111, or 1113—and died in 1114 or 1116.

6. THAT, like his ſecond ſon and grandſon, he was known to his contemporaries, though not generally to poſterity, by the ſurname of Strongbow, and either in right of his father's rank as a Norman Count, or otherwiſe, was reputed as an earl, taking his title from his Lordſhip of Striguil.

7. THAT he granted the Lordſhip of Caerwent, by way of ſubinfeudation, to his younger brother Walter, who extended his poſſeſſions by encroachment on church lands previous to the acceſſion of Biſhop Urban in 1107, founded Tintern Abbey on part of them in 1113, and died without iſſue in or about 1138, but was never Lord of Striguil.

8. THAT Gilbert of Tonbridge was ſucceeded, as Lord of Striguil and Marſhal, by his eldeſt ſon, Richard, founder of Tonbridge Priory, and eventually Earl of Hertford, who granted the tithes of Striguil to the Abbey of Cormeilles, and was ſlain by the Welſh, in 1136, in an inſurrection by which he and his family were temporarily diſpoſſeſſed of the bulk of their Welſh poſſeſſions, and that either under his will, or by arrangement with his heirs, or by other means unaſcertained, Striguil was relinquiſhed or loſt by them, and became the property of his brother, Gilbert Strongbow.

9. THAT

9. That two years afterwards, on the death without iſſue of Walter de Clare, his poſſeſſions in Netherwent eſcheated to the Lordſhip of Striguil, of which they were held: and that Gilbert Strongbow, as a younger ſon, being the firſt Lord of Striguil who had not, by right or by courteſy, the title of earl, was created Earl of Pembroke, being, according to the uſage of the period, known indifferently by that title or that of Earl of Striguil.

The uncertainty admitted in the 8th Propoſition will appear the weak point in the theory: but it muſt be remembered that ſo far from its being a difficulty peculiar to the view now for the firſt time ſet forth, it applies with double force to the deduction of title hitherto accepted, which leaves unaccounted for the mode in which Walter's lands, as well as Richard's, were acquired by Gilbert Strongbow, who was not the heir-at-law of either. By what means the lands of Richard de Clare of Tonbridge paſſed, to the excluſion of his own iſſue, to his brother Gilbert, whom we will diſtinguiſh as Gilbert Strongbow, Earl of Pembroke, is not known; nor is it known, except from the facts to which attention is now called, whether Striguil Caſtle and Lordſhip Marcher were part of them, or paſſed direct to him, as has been aſſumed by all previous writers, from his uncle Walter. The deſperate condition in which Richard Fitz-Gilbert's Welſh poſſeſſions (if poſſeſſions they can be called at this period) were left at his death, required nothing leſs than a reconqueſt. His ſon and heir, alſo named Gilbert, was Earl of Hertford, and had vaſt poſſeſſions in the eaſtern counties, but none in the weſt, except the lands in queſtion in Wales and the Marches: for it muſt be remembered that it was not until a generation later that the Earldom of Glouceſter, with the Lordſhip of Glamorgan, paſſed by marriage to this, the elder branch of the Clares; and their ſtill later acquiſition of Caerleon and other lands in Gwent and Gower, by means which we may have to notice in the courſe of our memoir, was an accident unconnected with the tranſaction we are now endeavouring to trace. Under theſe circumſtances it may be that on the death of Richard Fitz-Gilbert, his ſon and repreſentative, Gilbert, ſecond Earl of Hertford, was induced to abandon the damnoſa hæreditas to his uncle, Gilbert Strongbow. Nothing is known of the age of the former at his father's death, and he may have been in ward to the King, who ſeems to have interpoſed in the matter: for we read in the Geſta Stephani Regis that on the death of Richard Fitz-Gilbert Stephen not only ſent

ſent Milo of Glouceſter to ſuccour the widow, as related in the preceding chapter, but ſent Baldwin Fitz-Gilbert to carry relief to his brother's territories, who advanced as far as Brecknock, but abandoning himſelf to gluttony and ſloth, eventually withdrew in diſgrace. After this failure it ſeems a reaſonable conjecture, though we have no record of the fact, that the King may have entruſted a ſimilar commiſſion to Gilbert Strongbow: and if, after reconquering his brother's territories, he retained poſſeſſion on his own account, and procured the royal confirmation even adverſely to his nephew, the tranſaction, at this unſettled period, would not much ſhock public opinion. It might have been conjectured that Gilbert the ſon was deprived of his inheritance in conſequence of his having, under the influence of his maternal uncle, Ranulph Gernouns, Earl of Cheſter, eſpouſed the cauſe of the Empreſs Maud; but this ſuppoſition is met by the fact of his having clearly been in poſſeſſion of his caſtles and eſtates in the eaſtern counties. Another poſſible explanation of Gilbert Strongbow's ſucceſſion to the eſtates in Netherwent is that the arrangement may have originated with Richard of Tonbridge himſelf. The deviſe of real eſtate, as we have already had occaſion to obſerve, was not one of the rights incident to feudal tenure at this period: but ſomething very like it may have exiſted in practice, perhaps enabling the feudal lord to grant livery at his option to the heir-at-law or the heir deſignated by will, if indeed public opinion did not compel ſome regard to the wiſhes of a teſtator. The arrangement, ſo common among the Conqueror's contemporaries, of dividing their Norman and Engliſh poſſeſſions ſo as to found ſeparate families in the two countries (of which practice William Fitz-Oſbern's diviſion of his Norman and Engliſh lands between his ſons William and Roger, that of Roger de Montgomery between his ſons Hugh and Robert, and that of Richard de Bienfaite between his ſons Gilbert and Roger, were three inſtances which we have already had occaſion to notice) is difficult to account for except on the ſuppoſition of ſome ſuch rule or uſage, unleſs it be that at this period the admiſſion of the heir of a tenant in capite to homage was leſs a matter of courſe, and more in the diſcretion of the ſovereign, than is generally ſuppoſed. It is poſſible therefore that Gilbert Strongbow may have derived his title from ſome ſuch quaſi-teſtamentary diſpoſition as to lands acquired either from his brother Richard or his uncle Walter, or both. But if the poſition be well founded that Gilbert of Tonbridge and his ſon Richard were ſucceſſively lords of Striguil, and that Walter de Clare held his lands of that lordſhip by way of ſubinfeudation, the

the double queſtion of Gilbert Strongbow's titles is narrowed to the ſingle one of how he acquired Striguil: for Walter's lands, on his death without iſſue, would, on this ſuppoſition, as is ſuggeſted in the propoſitions at the commencement of the preſent chapter, devolve on the Lord of Striguil by eſcheat.

NECESSARILY leaving this queſtion unſolved, we have the evidence of the Tintern Chronicle that Gilbert Strongbow was the owner of theſe lands for ten years from about the year 1138, to which date, in the early years of Stephen's reign, is aſſigned by all writers Gilbert's creation as Earl of Pembroke, and in his hands at all events Striguil and the poſſeſſions which ſubſequently devolved with that title, whether derived from his uncle Walter or his brother Richard, or acquired by grant to himſelf, became united, and with them, whether by tenure of Striguil or otherwiſe, he held the office of Marſhal of England.

A SINGULAR record of the duties and privileges attached to the office of Marſhal is preſerved in a document which has always hitherto been ſuppoſed to relate to Gilbert Strongbow, and which we muſt therefore mention in this place. It is entitled "Les Uſages que Gilbert Counte de Strigiul clamoit a uſer par l'office Mareſchalſie." Several copies are found among the Cotton and Harleian Collections, and it is printed in Edmondſon's Heraldry (i, 76). Extraordinary as are the uſages aſſerted, the authenticity of the document has never been queſtioned, and it has been referred to as a precedent for claims by ſubſequent holders of the office. On the face of it, it bears the appearance of a coronation claim, as it deſcribes very minutely the duties and privileges of the Marſhal on ſuch occaſions. In the reign of Richard II, a coronation claim was made by Margaret, daughter of Thomas de Brotherton, as we ſhall have to notice in its proper place, "L'eſtre acceptee al office de Mareſcalcie ..... feſant l'office per ſon depute, come Gilbert Mareſchall, counte de Strogoile, fiſt al coronement le roy Henry II." This is clearly a miſtake of the noble claimant, in which ſhe has been blindly followed by Mr. Edmondſon and others. There was no Gilbert, Counte de Strogoile, and no Gilbert bearing either the ſurname or office of Marſhal, at the date of the coronation of Henry II. Gilbert Strongbow died ſeveral years before the acceſſion of that ſovereign, and as he ſucceeded to his brother's eſtates ſome months after the acceſſion of Stephen, there was no coronation during his tenure of

of Striguil. There was a nearly contemporary Gilbert Marſhal, the anceſtor of a family of which we ſhall have much to ſay in the courſe of our memoir, holding the office of Marſhal of the King's Houſe, by grand ſerjeanty, with the manor of Hempſtead-Marſhal, in Berks, but he was probably ſucceeded by his ſon John, before the acceſſion of Henry II, and was never in any way connected with the Earldom of Striguil. It is propoſed to ſhew that the document under notice has been incorrectly aſſigned to Gilbert Strongbow, and that it was really a claim of his deſcendant in the female line, and of a date later by a century, Gilbert, third ſon of William Marſhal, Earl of Pembroke, whoſe tenure of Striguil from 1234 to 1241 embraced the period of the coronation of Eleanor, Queen of Henry III. But it will be convenient to defer the proof of this to a ſubſequent chapter. The only other name on which the wildeſt conjecture could alight is that of Gilbert of Tonbridge. If the claim could have been ſuppoſed to relate to him, it might have been adduced as further evidence in ſupport of our poſition of his having held the office of Marſhal and been known as Earl of Striguil: but the conſequences to be deduced from this view of it, involving his tenure of the lordſhip marcher and office at a date previous to the acceſſion of Henry I, are too weighty to reſt on ſo ſlender a foundation; and the idea cannot be for a moment entertained. Another reaſon for aſſigning to the document the lateſt poſſible date is that the claims are ſuch as could never have been made until precedent had had time to ripen into uſage, which certainly was not the caſe during the tenure of either Gilbert of Tonbridge or Gilbert Strongbow: but we ſhall ſee further grounds in the internal evidence of the document itſelf, when we come to ſpeak of it again, for aſſigning it to Gilbert Marſhal. In fact the perſon referred to is ſo named in the reference to it by Margaret de Brotherton: and as her claim is in French, there is not the ſame ambiguity between the ſurname and the office as there would have been if it had been in Latin.

The Earldom of Pembroke was conferred upon Gilbert Strongbow by King Stephen on the occaſion of the revolt of many influential Engliſh nobles, in the year 1138, and for the purpoſe, as hinted by Ordericus Vitalis (B. xiii, c. 37) of gaining over ſome of his friends and connections. He loſt no time in meriting the royal favour by ſucceſſfully beſieging Leeds Caſtle, in Kent, of which Robert, Earl of Glouceſter, the illegitimate brother of the Empreſs Maud, had poſſeſſed himſelf. He gained leſs credit from his ſhare in

in the Battle of Lincoln, 1141, at which Stephen was defeated and taken priſoner. The firſt rank of the King's army, conſiſting of Flemings and Bretons, having given way, Gilbert, with his brothers-in-law Count Waleran and William de Warrenne, and other knights of high renown, turned their backs and fled. There is good reaſon for ſuſpecting that this was an act of treachery. Ordericus ſays that the battle was diſtinguiſhed by the moſt ſhameful treaſon, ſome of the great barons accompanying the King while they ſent their vaſſals to aid his enemies (B. xiii, c. 43). For the credit of the family we may mention that his brother Baldwin, who took a conſpicuous part in the battle, remained faithful to the laſt, and retrieved the reputation he had loſt in his Welſh expedition.

Subsequent to this period we find Gilbert Strongbow in altered relations towards King Stephen. About 1146 the Earl of Cheſter, having for a time come over to his cauſe, attended court unſuſpicious of danger, but was arreſted and kept priſoner until he gave up his Caſtle of Lincoln, and gave as a hoſtage his nephew, Gilbert Fitz-Richard, Earl of Hertford. (Compare Ralph de Diceto, Twys. Scrip., 508—Henry of Huntingdon, Sav. Scrip., 225 v.—and Acta Stephani Regis, Eng. Hiſt. Soc., 125). The laſt-named authority ſays that this Gilbert Fitz-Richard [erroneouſly referred to in the margin as Richard Fitz-Gislebert—a miſtake which the tranſlator, Mr. Foreſter, as a final contribution to the myſtification of the Clare pedigree, has followed by ſo naming him in his text, p. 422] had become a hoſtage, and had pledged his caſtles for the Earl [of Cheſter], being his nephew, and was cloſely kept, until, ſurrendering into the King's hands all his caſtles as his only way of eſcape, he joined his uncle, and diſturbed the peace of the kingdom to the utmoſt of his power. Earl Gilbert, his uncle [that is his paternal uncle Gilbert Strongbow, Earl of Pembroke, the Earl of Cheſter being his maternal uncle], required theſe caſtles to be given up to him by the King, claiming them as his own inheritance: but the King not being minded to grant his requeſt, he withdrew ſecretly from court, intending to ſeparate himſelf wholly from the King, and, ſtrengthening his numerous caſtles in that part of the kingdom, to raiſe an inſurrection in concert with the Earl of Cheſter and the reſt of the King's enemies, that he might obtain by arms what, according to his view, he could not obtain by juſtice. But the King, hearing that Earl Gilbert had privately withdrawn from court, and his hoſtility being manifeſt, readily perſuaded, and the more becauſe he had before ſuſpected him, inſtantly muſtered

muſtered his whole force, and purſued him with all ſpeed. "How wrongful," he ſaid, "it is for this man, on whom I have conferred ſuch wealth, whom I have raiſed from the condition of a poor knight and promoted to the higheſt dignity of an earldom [ad conſulatus apicem honorifice provexi—an illuſtration worth notice of what has been ſaid as to the word *consul*], on whom I have over and over again beſtowed poſſeſſions as vaſt as his mind could imagine, to have now ſuddenly and haſtily taken part with my enemies." We have noticed this incident at length in conſequence of the light the narrative throws on the relations of Gilbert Strongbow with his nephew, and the claim ſet up by the former to even the caſtles, of which the latter had been in undiſturbed poſſeſſion. Perhaps ſuch a claim, preferred at ſuch a period, was only an illuſtration of the unſettled ſtate of the law of inheritance, while Stephen himſelf was holding his throne in defiance of the hereditary right of his uncle's heir. The chronicler relates how the King took ſeveral of Gilbert Strongbow's caſtles, and how the latter eſcaped in diſguiſe: but abruptly breaks off the narrative to relate the proceedings of Henry of Anjou, and we hear no more of Gilbert Strongbow until his death, which occurred, as has been already ſtated, in 1148. He was buried at Tintern.

He married Elizabeth, daughter of Robert de Beaumont, Earl of Leiceſter and Mellent, another deſcendant of Weva, the ſiſter of the Ducheſs Gunnor (W. Gemet., B. viii, c. 37—Dug. Bar., i, 84). Mr. Planché (Brit. Arch. Aſſociation Jour., x, 268), without citing any authority, ſays ſhe was a natural daughter of King Henry I: but this is a miſtake; ſhe had been his concubine, unleſs the word "amaſia" be capable, as we fear it is not, of a more innocent meaning. It certainly does not mean a daughter, either natural or legitimate. By her, Gilbert had ſeveral children, of whom it is only neceſſary to mention his eldeſt ſon and ſucceſſor in his earldom and marſhalſhip, Richard, the famous conqueror of Ireland, and a daughter, Baſilea.

Richard, like his father, took the ſurname of Strongbow—an early inſtance of a purely perſonal, as diſtinguiſhed from a local name, becoming hereditary, even if this was the firſt generation in which the name deſcended from father to ſon. Mr. Wakeman, in a paper on the Town and Caſtle of Chepſtow, printed in the Journal of the Brit. Arch. Aſſociation, x, 252, obſerves, certainly in too general terms, that Strongbow was a family deſignation common to "all the Early Clares": and we have already ſeen that Caradoc of Llancarvan aſſigns that

that ſurname, as well as the title of Earl of Strygill, to Gilbert of Tonbridge in 1107. On the other hand Trivet (Annales, p. 67, ed. of Eng. Hiſt. Society) attributes the name of Strangebowe to Richard, ſecond Earl of Pembroke, whom he calls "Comes de Strogoil, Mareſcallus Angliæ," as a perſonal appellative derived from his remarkable ſtrength, ſtating that his arms were ſaid to have been ſo long that when ſtanding erect he could touch his knees with the palms of his hands. Whether ſuch a deformity would conduce to ſtrength of arm is a queſtion for anatomiſts. It is not mentioned by chroniclers nearer to his own age. Giraldus Cambrenſis, in his Hiſtory of the Conqueſt of Ireland, Bk. i, ch. 27, gives a perſonal deſcription of him, here quoted from the quaint tranſlation incorporated in Holinſhed's Chronicle (Ireland, p. 36, ed. 1577) modernized only in the ſpelling:—"This earl was of colour ruddy and freckled, with great eyes, of a feminine viſage, ſmall voice, ſhort neck, of ſtature tall, and a goodly perſonage, liberal and courteous, and where ſubſtance wanted to ſhow his frank heart, he ſupplied it with gentle words, more ready to obey than to command—at home more like a ſoldier than a captain—but abroad in the wars he ſhewed himſelf a captain and not a ſoldier. Although he never would enterprize any exploit of himſelf without the advice of other, being once joined in fight with his enemies, he ſtood as an aſſured ſtandard for his people to have recourſe to for their ſafety: and howſoever the chance of battle turned, he was ever conſtant and ſtable, neither drooping as one in deſpair when fortune ſeemed to frown, nor too joyful when ſhe was diſpoſed to fawn."

He was one of the witneſſes to the treaty of 7 November, 1153, by which Stephen recognized Henry of Anjou as his ſucceſſor, and is therein deſcribed as Richard, Earl of Pembroke. His title was unqueſtioned by Henry II, one of the firſt acts of whoſe reign was to cancel many of Stephen's creations of the pſeudo-comites above referred to: and the Earldom of Pembroke has always been recogniſed as a legitimate dignity. The anomalous poſition of Pembroke, as an Engliſh county and the ſeat of an earldom at this early date, might have been cited as an additional argument in ſupport of the poſition maintained by Mr. Floyd, as noticed in a previous page, that the conqueſt of Cardigan and Dyved in 1093 was effected in a national war. On the death of Walter Giffard, Earl of Buckingham, in 1164, Richard Strongbow, by virtue of his deſcent from his great-grandmother Rohais, through whom he was one of the coheirs, acquired or aſſumed the title of that earldom—probably another inſtance

inſtance of the arbitrary aſſumption by an earl of what we now regard as a name of dignity, but then, conſidered as entirely optional, and intended only to indicate his acquiſition or aſſertion of claims to lands devolving on him by ſuch deſcent. He is not, however, generally known by it, nor does it appear that he was ever in actual poſſeſſion of the lands, which, as we ſhall ſee, were in the following reign confirmed in equal moieties to his ſon-in-law, and to the repreſentative of the elder branch of the Clare family.

It was not until about twenty years after his father's death that Richard Strongbow entered upon the career by which he made his mark in hiſtory. At this period his fortunes were at a very low ebb. By his profuſe liberality and reckleſs expenditure, he had almoſt exhauſted his patrimony, and had not the means of ſatiſfying his creditors: and, to crown all, he was in diſgrace at court. For ſome offence his lands had been ſeized into the King's hands, and according to Trivet, he was living in baniſhment in Ireland. Henry had for ſome time been meditating the conqueſt of that country, having as early as 1155 procured a papal bull ſanctioning the undertaking. At this juncture, in the year 1168, Dermot McMurrough, King of Leinſter, attacked by the Kings of Connaught and Meath, and expelled by his own ſubjects, fled to Henry II, then in Aquitaine, imploring his aſſiſtance, and offering to hold of him as Lord paramount. This was exactly what ſuited Henry's views, except that his hands were much too full of other buſineſs to enable him to embark in his enterprize at that time. He therefore received Dermot's allegiance and oath of fealty, and granted him letters patent addreſſed to all the King's liegemen, Engliſh, Normans, Welſh, and Scots, and all others ſubject to his dominion, aſſuring his favour and licence to all who would aid Dermot in recovering his territories. Furniſhed with theſe credentials, he addreſſed himſelf to Richard Strongbow, whom, according to Giraldus Cambrenſis, he met at Briſtol, but whoſe acquaintance, if Trivet's account of his exile be correct, he may have made in Ireland, and after much negociation it was agreed that the earl ſhould bring a force to his aſſiſtance in the enſuing ſpring, Dermot promiſing on his part to give him in marriage his daughter Eva (which ſeems to be the latinized form of a name which the Iriſh hiſtorians give as Aoife) with the ſucceſſion to his kingdom. Robert Fitz-Stephen, one of Strongbow's feudatories, and Caſtellan or Conſtable of Abertivy, one of the caſtles commenced by Roger de Montgomery and completed by Gilbert de Clare of Tonbridge, was ſent forward with his half brother, Maurice Fitz-Gerald, and a body of Norman horſe and Welſh foot

foot. They eſtabliſhed themſelves in Wexford and Oſſory, and carried on the war with general, but not unvaried, ſucceſs. Giraldus Cambrenſis, who was a a nephew of both Robert Fitz-Stephen and Maurice Fitz-Gerald,[1] and diſpoſed to make the moſt of their achievements and enhance their perſonal importance, attributes to the former an independent enterprize, ignoring his connection with Strongbow. In the meantime the earl delayed the performance of his promiſe of perſonal aſſiſtance either from want of pecuniary means or unwilling, in his critical relations towards his own ſovereign, to commit himſelf without an expreſs aſſurance of his ſanction. "Knowing himſelf," as Giraldus ſays, "neither brooked in ſight nor truſted in abſence, he kept ſtill one rate in all his doings, bare a low ſail, fed no quarrels, and ſhunned all ſuſpicious conference." His perſonal aſſiſtance with his promiſed forces was ſtrongly but courteouſly urged by Dermot, who had now all Ireland oppoſed to him, and in a letter, quoted at length by Giraldus, and addreſſed to him as "Earl of Striguil," plaintively ſays:—"We have watched the ſtorks and ſwallows—the ſummer birds have come and are gone again with the ſoutherly wind—but neither winds from the eaſt nor from the weſt have brought your much deſired and long expected preſence." Thus ſtrongly urged the earl "paſſed over to the King, beſeeching him either to reſtore him to ſuch lands as he withheld of his or elſe licenſe him in foreign parts to ſeek his fortune. The King, as one that ſpake in ſcorn, bade him go forward in the name of God *so far as his feet would bear him.*" It would ſeem from ſubſequent events that this doubtful phraſe was intended to entrap the earl, who, reaſonably regarding it as the deſired permiſſion, raiſed all the forces in his power and ſent forward Raymond le Gros with ten knights and ſeventy archers, and himſelf followed, collecting his forces along the coaſt of South Wales and embarking at Milford Haven with two hundred knights and a thouſand men at arms, notwithſtanding a meſſage which indicated that the King's ſanction, if ever given, was withdrawn. He arrived on the Iriſh coaſt on the 23rd of Auguſt, 1170; and on the 25th Waterford was taken and ſacked; and if we are to truſt the imagination of the artiſt to expand the ſlighter ſketch of the

[1] The former was the ſon of Neſt, daughter of Rhys ap Tudor, by her ſecond huſband Stephen Conſtable of Aberteivi Caſtle. Maurice Fitz-Gerald and Augharad, wife of William de Barri and mother of Giraldus Cambrenſis, were her children by her firſt marriage with Gerald de Windſor. By the ſame marriage ſhe had a ſon David, Biſhop of St. David's, and another, William, the father of Raymond le Gros, to be preſently mentioned, who, it may be added, married Baſilea, the ſiſter of Strongbow. Poſſibly the order of Neſt's marriages may be miſ-ſtated, as authorities differ, but the point is not material.

the hiſtorian, it was by the light of the blazing city and in the preſence of the unburied dead that the earl received his bride. Certainly the marriage was celebrated with the utmoſt haſte, rendered neceſſary by the news that Dublin was in revolt. Dermot and his new ally marched againſt it. The city was taken and garriſoned—Meath was plundered and laid waſte with fire and ſword—and Dermot, reinſtated in his power, defied Roderick, King of Connaught, and proclaimed his intention of making himſelf maſter of the whole iſland. King Henry, like a deſigning monarch in our own time, found events marching too faſt for his purpoſe. "Although he was well contented to forbear the preſence of the Earl of Pembroke, yet he liked nothing at all to ſee him thus advanced in Ireland ſith he might in time attain to ſuch power there, that the ſame being adjoined to his faction in Wales, he ſhould be able to countenance the crown of England." A proclamation therefore was iſſued charging all ſubjects to return home into England before the following Eaſter, upon pain to forfeit lands and goods, and to be baniſhed the realm for ever: alſo that none ſhould preſume to paſs into Ireland from any of the King's dominions by ſhip, to convey any wares or proviſions thither.

Dermot McMurrough died on the 1ſt May, 1171, and Strongbow was crowned King of Leinſter. His new ſubjects ſeem to have adhered to him; but his enemy, the King of Connaught, having procured the aſſiſtance of the King of Norway, beſieged Dublin: and Strongbow, hampered by the reſtriction of ſupplies from England, was in ſerious ſtraights. In this emergency he deſpatched Raymond le Gros as an envoy to Henry to open negociations, which reſulted only in a demand that the earl ſhould come over to England and confer with the King in perſon. In the meantime the ſiege of Dublin was raiſed by a gallant ſortie, and Strongbow, on his march to Waterford, being met by his envoy, ſailed without delay to England, and met the King at Newnham, where he was making preparations to paſs over to Ireland with a large army. An angry meeting reſulted at length in an arrangement by which Strongbow reſigned his Iriſh ſovereignty, the city of Dublin, and the adjacent cantreds, with the towns and fortreſſes on the ſea coaſt, to the King of England, holding all the reſt of his conqueſts under him as ſuperior lord, and the King on his part pardoned all paſt offences, reſtored to the earl his lands, and appointed him Lieutenant or Governor of Ireland. The King was thus in a poſition to proſecute his original deſign of the conqueſt of Ireland on his own account, with the valuable aid of Strongbow. How he accompliſhed this

this object is matter of general history. The earl never ceased to be an object of suspicion to his sovereign, but he retained till his death his position of Lieutenant of Ireland, and mesne lord or feudatory sovereign of the extensive territories which remained to him as the result of his treaty, and which passed in due course to his descendants. As a ruler his name has always been specially obnoxious to the patriotic feelings of the Irish, who are ready to visit on the ministers of Queen Victoria every wrong done by Strongbow. In 1174 he founded a priory for the Knights Templars and a hospital for the sick at Kilmainham. Meanwhile his affairs in Gwent were not prospering in his absence. Jorwerth ap Owen, whose acquaintance in early life we made at the pass of Coed Grono, the grandson of Caradoc ap Griffith, who, it will be remembered, was an ally of William Fitz-Osbern, and had been allowed to retain his possessions and transmit them to his descendants, had been dispossessed of Caerleon by William, Earl of Gloucester and Lord of Glamorgan, and after retaking it was again driven out in 1171 by Henry II while on his way to Ireland. Various hostilities ensued, and eventually during the struggle between King Henry and his son in 1173 Jorwerth availed himself of the opportunity and attacked Caerleon, which was surrendered to him on terms, and eventually confirmed to him by charter from the King. The facts are given in detail, by the continuator of Caradoc of Llancarvan, who adds that "at the same time Jorwerth's son Howel was busy in Gwent-iscoed, and having reduced all that country excepting the castle to subjection he took pledges of the inhabitants to be true and faithful to him and to withdraw their allegiance from the King of England" (p. 201, Ed. 1774). The castle alluded to was of course Cas Gwent, the Welsh name of Striguil. While this remained unconquered it would be a matter of no great difficulty to bring the neighbouring country again into subjection to its Norman lord, and Caerleon itself was retaken by the Normans in the following year: but there is no record of Strongbow himself having been personally engaged in the reconquest of his territory.

He died on the 5th April, 1176, according to Ralph de Diceto (Twys. Scrip., 570), or on the 1st June according to Giraldus Cambrensis, leaving his widow Eva surviving, who was living as late as the reign of Richard I, when, according to a correspondent of N. and Q., 1st ser. i, 163, she made a grant to John Comyn, Archbishop of Dublin, for the health of her soul and that of her lord Earl Richard. By her he is stated by Ralph de Diceto to have

have left an only ſon then ſcarcely three years old. This is a palpable miſtake of "filium" for "filiam"; as there is no doubt that if he had only one child by this marriage it was a daughter named Iſabel. Whether he had any other iſſue has been, like everything elſe connected with the Clare pedigree, a ſubject of doubt and controverſy. An improbable ſtory has been told, for which Stanihurſt ſeems to be the earlieſt authority, of his having had a ſon who, at the age of ſeventeen, having been reluctantly entruſted by the Earl with a command in an engagement with the Iriſh, fled in terror at their unaccuſtomed yells, but returned to congratulate him when the battle was won; but the Earl, in rage at his cowardice, cut him in two with his ſword: and it is added that father and ſon were interred in Chriſtchurch, Dublin, in a tomb on which was engraved the epitaph :—

"Nate ingrate, mihi pugnanti terga dediſti:
Non mihi, ſed genti, regno quoque terga dediſti."

Not only has the ſtory been diſcredited, but the very exiſtence of a ſon of whom it could have been told has been denied. No mention is found among the Engliſh chroniclers of the earl having contracted any earlier marriage than that with Eva, the daughter of Dermot McMurrough, or having had any illegitimate iſſue. Mr. Planché however, in his paper on the Earls of Striguil and Lords of Chepſtow (Brit. Arch. Aſſo. Jour., x, 272), mentions that a Roger de Quincy is ſpoken of as his ſon-in-law, which would indicate his having had other iſſue: and Sir R. C. Hoare (Tour in Ireland, lxxx) quotes Maurice Regan for the ſtatement that "A.D. 1173, the King being departed, the Earl Richard returned into Fernes, and there he gave his daughter in marriage to Robert de Quincy, and with her the inheritance of the Duffren and the Conſtableſhip of Leinſter, with the banner and the enſign of the ſame:" but O'Halloran, in his introduction to the Hiſtory and Antiquities of Ireland, p. 250, ſays that Strongbow in 1173 "gave his *sister* to Sir Robert de Quincy, and made him Conſtable of Leinſter, and inveſted him with the banner of the ſame, which Robert was killed in battle by O'Dempſy, and Raymond le Gros afterwards requeſted her in marriage with the conſtableſhip and banner of Leinſter, during the minority, or till marriage of her daughter Quincy"—thus identifying the wife of Robert de Quincy, if O'Halloran's authority be accepted, with Baſilea, the wife of Raymond le Gros, and ſiſter of Richard Strongbow. Mr. Planché need ſcarcely have argued the abſurdity of the ſuppoſition of a military command having been entruſted to a ſon by Eva, even if his date of 1168 inſtead of 1170 for her marriage had been correct.

Sir

Sir R. C. Hoare says that the Irish historians mention a former wife, and a son and daughter by her without giving her name: and Mr. Ormerod (Strig. 63) has pointed out that Richard Strongbow really had a son Walter, who is referred to as such in a confirmation charter of William Marshal the younger, to Tintern Abbey. Whether the son so referred to was by Eva or a former marriage, and whether he survived his father or not, is not very important as regards the history of the lords of Striguil. If Isabel was not her father's heir at the time of his decease, she must have become so by the death of her brother very shortly afterwards.

The burial place of Richard Strongbow is also a point of controversy. It is uncertain whether he was buried at Kilkenny, at Christ Church in Dublin, or at the cathedral of Gloucester, or whether his remains were removed from one to another of those places. The most inexplicable part of the affair is, that a tomb in Christ Church, Dublin, reputed to be that of Strongbow, having been injured or destroyed by the falling in of the roof, was "restored," in what has unhappily become the modern meaning of the term, by Sir Henry Sidney, Lord Deputy of Ireland, in 1570. In its present condition, represented in a plate to Mr. Planché's paper, and elsewhere repeatedly engraved, it consists of a cross-legged effigy of a knight, and on the left side of it, the upper half (cut vertically through the effigy, and the plinth on which it lies) of another figure, of which not even the sex is satisfactorily made out, though the probability is that it is a female. No one seems to have suggested that the mutilated condition of the second figure, evidently cut in two to meet some architectural exigency (unless the substitution of a clean cut for the fractured surface—the lower half of the figure being lost—was one of Sir Henry Sidney's "restorations") may have originated the popular story of the son cut in two by his father, just in like manner as many a village tale of blood has been founded on the red hand of Ulster in an escutcheon of a neigbouring baronet. Stanihurst, who wrote in 1584, fourteen years after Sir Henry Sidney's operations, appeals to the evidence of the monument as then existing, and to common repute in opposition to the silence of Giraldus Cambrensis. After mentioning the effigy of Strongbow, he says "cui in siniſtro latere adhæresçit *secti filii tumulus*," &c. (Hoare's Tour, p. lxxviii).

The effigy of the knight bears a shield, the arms on which are described as Argent, on a chief azure three crosslets patee fitche of the field, on the strength

ſtrength of which thoſe arms have been attributed to Strongbow. Mr. Planché in the paper above quoted has fully diſcuſſed the ſubject, and apart from the hiſtorical evidence of the arms of the Clares he juſtly obſerves that the ſhield of the Dublin effigy diſplays a greater advance in heraldic inſignia than he is inclined to believe exiſted in the twelfth century. The earlieſt arms of the Clares were cheveronné Or and Gules, that is, as I underſtand him, with the cheverons, whether three or more in number, extended from the top to the bottom of the ſhield at diſtances equal to their breadth, ſo as to give it the appearance of alternate bands in cheveron form, but at a later date they were borne as Or, three cheverons Gules. Heralds have accordingly aſſigned theſe arms, with a label of five points Azure for a difference, to Gilbert and Richard Strongbow as the younger branch of the Clare family: but this differencing alſo is a refinement of heraldry attributable to a later age. Mr. Planché engraves with the paper referred to an alleged ſeal of Richard Fitz-Gilbert Earl of Pembroke, repreſenting an equeſtrian figure bearing the cheveronée ſhield of three cheverons only, from a pen and ink ſketch by Mr. Brooke, Somerſet Herald; but it muſt be confeſſed that confidence in the accuracy of our informant is rudely ſhaken by the fact that on the ſame plate he gives us as the "ſeal of Gilbert de Clare Earl of *Pembroke*," and with half a page of diſſertation in the text ſhewing that it is not a mere miſtake in the lettering of the plate, a ſeal from Byſſhe's notes on Upton bearing in the plaineſt poſſible letters the legend of "Sigillum Gileberti de Clare comitis *Gloverniæ*," the firſt Gilbert who filled that deſcription being the great-grand-nephew of Gilbert Earl of Pembroke! The fact is that he has copied by miſtake a ſeal on p. 88 of Byſſhe on Upton, that to which his obſervations apply being on p. 89. The ſame coat with three cheverons is however found on ſome flooring tiles preſerved at Tintern Abbey; and we may ſafely attribute theſe arms to ſuch of the Clare family as come within the ſcope of our memoir. In the Caerleon Muſeum there is an ivory ſhield ſuppoſed to have belonged to a bronze ſtatuette, figured in plate xlvii to Mr. Lee's Iſca Silurum, and diſcuſſed at p. 116 of that work, with references to Mr. Planché's Purſuivant of Arms (in which the above noticed miſtake is not repeated) and to the ſeal from Byſſhe on Upton. The Caerleon ivory is cheveronné of five cheverons, and is no doubt the ſhield of a Clare, but neither the date nor the individual repreſented is clearly aſcertained.

Isabella, the daughter, and either immediately or eventually the heireſs of

of Richard Strongbow, was at her father's death, if the ſtatement of Ralph de Diceto is intended to apply to her, barely three years old (vix plene triennem), and ſhe of courſe became in ward to the King. Mr. Wakeman, in his paper on The Town and Caſtle of Chepſtow, ſays that her wardſhip was granted to Patrick de Cadourcis, who held Chepſtow as her guardian in 33 Hen. II and 6 Richard I. He quotes no authority, but has evidently derived his information from Dugdale's Baronage (i, 517), where it is ſtated that in 33 Hen. II this Patrick de Cadurcis (Chaworth) upon collection of the ſcutage of Galwey accounted for £6 for the knight's fees belonging to the Honour of Striguill, and in 6 Richard I paid the like ſum upon levying the ſcutage for the King's redemption. That the latter payment was made by him as owner, or guardian of the infant owner of Striguil, is irreconcilable with all other known facts. Perhaps an examination of the Glouceſterſhire Pipe Rolls for the years named, which are referred to by Dugdale as his authority, would furniſh ſome explanation of the character in which the payment was made.[1] It may turn out that it was as receiver for the owner, or as collector of the ſcutage. Failing this explanation, it is eaſier to ſuppoſe that the collector of the ſecond ſcutage may have copied in error from the roll of the firſt than to ignore all the evidence of the date of Iſabel's marriage. In Fenton's Pembrokeſhire (p. 379) it is ſtated that "Iſabel, being left an infant in ward to the King, the earldom of Pembroke for the ſpace of fourteen years was moſt ſhamefully ravaged by her guardians, of whoſe improvidence

[1] PIPE ROLL, 33 HENRY II, Glouc.

De scutagiis militum Honoris de Striguil.

Patricius de Chaurcis reddit compotum de vi*li* de ſcutagiis militum quos recognovit per ſervientes ſuos in carta. In theſauro lx*s*. Et debet lx*s*. Idem reddit compotum de eodem debito. In theſauro xx*s*. Et debet xl*s*.

There is alſo in the ſame roll the following record:

Et in donis per breve Regis Eve Comitiſſe de Striguil x*li*.

PIPE ROLL, 6 RICHARD I, Glouc.

De scutagiis militum ad redempcionem Domini Regis.

[Others]

Patricius de Chaurcis debet xii*li*. et x*s* de ſcutagio ſuo.

Theſe extracts ſhew that the references given by Dugdale are accurate, and from the firſt record it is clear that Patrick Chaurcis at that date paid his ſcutage for the Honour of Striguil, but it does not appear by what tenure he held poſſeſſion of the Honour.

In the Roll of 6 Richard I there is nothing to ſhew any connection with Striguil, but inaſmuch as the ſcutages were within the levy for Glouceſterſhire, there can be little doubt that theſe were alſo for the fees of Striguil.

The gift to the Counteſs Eva is intereſting.—ED.

improvidence and neglect the Welſh taking advantage, under Marlgwn and Howel, ſons of Lord Rhys, laid regular ſiege to Tenby, then the principal garriſon of the Engliſh forces, and taking it by ſtorm, burnt the town and put the inhabitants to the ſword. Complaint being made of this to the King Richard I, he gave Iſabella in marriage, &c." The law at this period gave to the feudal lord the wardſhip of an heireſs, while within the age of fourteen years: and it was not until the ſtatute of Weſtminſter, in the reign of Edward I, that the right of the lord was extended ſo as to enable him to tender a ſuitable marriage within a further period of two years. Conſequently if Iſabella was given in marriage by Richard I, even in the firſt few days of his reign, as all authorities, except that above quoted, concur in ſtating to have been the caſe, either it muſt have been an act in exceſs of his rights—or ſhe muſt have been born within a few months before her father's death —or the marriage muſt have been brought about by the perſonal influence, rather than in exerciſe of the feudal right, of King Richard.

CHAPTER IV.

Family of Marshal.

THE husband found by the King for the heiresses of Strongbow was William Marshal, a younger son, of a noble but not very influential family, deriving their name from their office of Marshal of the King's House,[1] held in grand serjeanty by tenure of the manor of Hempsted-Marshal, in Berks. The office and family estates were then enjoyed by his elder brother, John Marshal, by whose death without issue, ten years later, they devolved upon the younger brother. It is important to bear in mind these

[1] According to Anstis, quoted in Edmondson's Heraldry, i, 37, Marshal of the Curia Regis or Exchequer; but John Marshal, as a witness to his brother's charter to Cartmel Priory, is described by the title given in the text.

The frequency with which the name of John Marshall, and subsequently that of his brother William, throughout the reign of Henry II, appear as witnesses to the King's charters, would lead to the conclusion that they were members of the Royal Household. As early as 1155 John Mareschal is a witness, together with Philip, Bishop of Baieux; Ernulf, Bishop of Lisieux; Thomas (Becket), the Chancellor; Reginald, Earl of Cornwall; and Richard de Humez, Constable, to a charter granting to Robert Fitz-Herbert the Chamberlainship of his father and grandfather; and in March of the same year, with others of high rank, he was witness to a charter to the Norman Abbey of St. Sauveur le Vicomte, confirming the donation which Queen Adeliza and William, Earl of Chichester, her second husband, had made thereto. In 1156 we find him witness to a charter in favour Christ Church, Canterbury. In 1164 he was present at the Council of Clarendon. It was John, the King's Marshall, whose complaints against Becket afterwards led to the archbishop's attaint at Northampton. On 14th September in this year Becket was under summons to appear in the King's Court at Westminster to answer the complaint of John, the King's Marshall, but he not appear. His biographer states

theſe facts, as the ſurname of Marſhal and the ſimilarity in the title of the two offices have occaſionally led to the miſtake of ſuppoſing that the office of Marſhal of England, held by the iſſue of this marriage, was derived through William Marſhal's anceſtors, inſtead of through the heireſs of the Strongbows.

William Marſhal had been a gentleman of the houſehold of Prince Henry, the eldeſt ſon of Henry II, and in his ſpecial favour: for on his deathbed, in 1183, his cruſader's vow being unfulfilled, he entruſted his croſs to William Marſhal, to be carried to the Holy Land (Rog. Hoveden, Savile's Scrip., 354). He had probably taken the croſs along with his prince, as is indicated by his burial in the Temple Church and his benefactions to the Templars; but there is no trace of his having viſited the Holy Land, either during the reign of Henry II, or at any other period of his buſy life.[1] He attached himſelf to the ſervice of Richard Cœur de Lion, and was in his fulleſt confidence, as well as that of his brother John. He appears alſo to have been truſted by their father; for we find him, in 1188, along with Walter, Archbiſhop of Rouen, and John, Biſhop of Evreux, ſent on an embaſſy from Henry II to the French King (Rog. Hoveden, Sav. Scrip., 367 v).

Henry II died on the 6th July, 1189, and on the 20th of the ſame month Richard received the ſword of the Duchy of Normandy from the altar of St. Mary's at Rouen. Between that day and the feaſt of St. Mary Magdalene, on

he was ill at the time [Sancti Thomæ Cantuarienſis Vita et Epiſtolæ. (Giles).] He was again ſummoned to appear at Northampton, on which occaſion he was more punctual than the King, who came late. John Marſhall did not appear. According to Giles *he was at the Exchequer in London.* On the 30th of the ſame month the King gave ſentence againſt the archbiſhop. John Marſhall was again witneſs to a Royal Charter between 1 and 13 March, 1166, and in 1169 he was excommunicated for having poſſeſſion of land of Mundeham (parcel) of the Manor of Pagnham, which land the King took from the church of Canterbury. This is the laſt occaſion on which we find his name mentioned.

Our firſt introduction to William Marſhall is on 13th April, 1173, which is the date given for the outbreak of the rebellion of Prince Henry, in which he was one of the Prince's adherents. He was a witneſs to Royal Charters in 1175 and 1181, and is mentioned as being in attendance on Prince Henry, on his death at Martel, on 11th June, 1183, as ſtated in the text. He is named as a witneſs to two Royal Charters in 1188, and in the ſame year he was ſent with Walter, Archbiſhop of Rouen, and John, Biſhop of Evereux, with demands and threats to Philip, King of France. The meſſengers brought back a meſſage of defiance, whereupon Henry invades the French territory. [See Itinerary King Henry II.]—Ed.

[1] The Brut y Twyſogion mentions him among thoſe who went to Jeruſalem in 1218: but, as we ſhall ſee, the nature of his duties at home at that period makes the ſtatement incredible.

on the third day after, "he gave to William Mareſchall the daughter of Richard, Earl of Strugoill, with that honour" (Joh. Brompton, Twys. Scrip., 1155). The coronation in London took place on the 3rd September, the particulars of which are given, almoſt in the ſame words, by the chronicler laſt cited and by Roger Hoveden (Sav. Scrip., 374). After naming various high officers and their place in the proceſſion, they ſay that "next came John Mareſchal, carrying two large and heavy golden ſpurs. Then came William Mareſchal, Earl of Striguil, carrying the royal ſcepter of gold, on the top of which is a golden croſs, and by him William, Earl of Saliſbury, carrying the golden rod, having at the top a golden dove;" and Hardyng, in his rhyming chronicle, tells us how

"William Marſhal bolde,
Earle of Strigeyll, the ſcepter bare of golde."

On the 18th of September, as William Marſhal, Lord of Striguil, he witneſſed a charter to Hugh, Biſhop of Durham, printed in Roger Hoveden's Annals. In the following month, the King entered into engagements with the King of France for their joint expedition to the Holy Land. Roger of Wendover mentions that, having received through ambaſſadors the oath of Philip Auguſtus, that he would haſten his departure without fail, Richard cauſed Earl William, his Marſhal, to make oath on his own ſoul that the Engliſh monarch would be punctual to his appointment—a ſingular indication of confidence in the royal word. The King ſet out accordingly in December, leaving, as Lords Juſticiaries, Hugh Pudſey, Biſhop of Durham, and William Longchamp, Biſhop of Ely, the Chancellor and Papal Legate, with whom he aſſociated William Bardulph and William Briwere, according to Roger of Wendover and John Brompton, and alſo William Marſhal and Geoffry Fitz-Peter, according to Roger Hoveden. The probability is that the account of the two former chroniclers is correct, and that William Marſhal accompanied Richard as far as Meſſina, in part performance of his cruſader's vow: for all the chroniclers relate how, the conduct of the Biſhop of Ely having become unendurable, repreſentations of his evil practices were ſent to the King, in 1191, while wintering at that place, from which he iſſued letters, printed in Roger of Wendover's Chronicle, addreſſed to William, his Marſhal, Geoffry Fitz-Peter, Hugh Bardolph, and William Briwere, directing them, if his Chancellor ſhould not have faithfully performed his duties, to take meaſures for managing the affairs of the kingdom at their own diſcretion: and

and Roger de Hoveden and John Brompton both ſay that theſe orders were conveyed to England by Walter, Archbiſhop of Rouen, and William Marſhal, Earl of Striguil; but Roger of Wendover, on the other hand, quotes a further letter from the King, addreſſed to William Marſhal and others, his council, aſſociating with them for advice and aſſiſtance the Archbiſhop of Rouen, who is ſtated to have been the bearer of the letters. If William Marſhal ever ſet out on his pilgrimage, we thus ſee how he was diverted from his purpoſe by the neceſſities of ſtate. The commiſſioners did not think it prudent to act upon the royal warrant, the Chancellor being prepared to ſet them at defiance, and having engroſſed all the power of the ſtate into his own hands. It is deſirable to touch as lightly as poſſible events not directly concerning the ſubject of our memoir, and it may be ſhortly ſtated that both the King's brother John, and the Chancellor, were ſpeculating on Richard's never returning alive from his enterprize, and each was purſuing his own ambitious deſigns, the Chancellor, for the purpoſe of prolonging his own authority, ſupporting the claims of the King's infant nephew, Arthur, as heir preſumptive to the crown, while John was intriguing for his own ſucceſſion. Eventually open war broke out between them; the Chancellor beſieged Lincoln Caſtle, and John ſeized the caſtles of Nottingham and Tickhill. The death of Pope Clement having abridged the Chancellor's power, by the temporary ceſſation of his legatine authority, negociations were opened, and terms agreed upon, by which the caſtles of Nottingham and Tickhill were to be delivered up, and various other caſtles, which had been aſſigned to Earl John by his brother, were to be placed in the hands of perſons of truſt and loyalty on behalf of the King, with a ſtipulation that in the event of his death without iſſue, the title of John was to be recognized in preference to that of his nephew, Arthur. Nottingham Caſtle was accordingly placed in the hands of William Marſhal. A few months later the Chancellor's power collapſed in a trial of ſtrength with the King's illegitimate brother, Geoffry, Archbiſhop of York. A meeting was held between Earl John, the Biſhops, Earls, and Barons, and the Citizens of London, at which the Archbiſhop of Rouen and William Marſhal, Earl of Striguil (as Hoveden relates), for the firſt time produced before the people the ſealed letters from the King, and the Biſhop of Ely was formally depoſed from all authority. He ſought and obtained the protection of the Pope, under whoſe ſanction he denounced and excommunicated all his enemies, and, among the reſt, William Marſhal and his colleagues by name. For ſome time after this period we find the King's Juſticiaries mentioned in general terms without

without naming them, and when, at a little later period, we find their names mentioned in any public tranſactions, that of William Marſhal is not among them. In fact he drops out of ſight during almoſt all the reſt of Richard's reign, except that he is mentioned as holding ſucceſſively the offices of Sheriff of Lincolnſhire and Suſſex, and attending Richard, as the duties of his marſhalſhip required, in his Norman campaign of 1194. He was not cruſading, or he would certainly have been with the Lion-hearted King. He may have been conſolidating his power in Ireland, where the protection of Strongbow's large poſſeſſions would require a watchful eye and a ſtrong hand. We catch an occaſional glimpſe of his wars in that country in a diſpute we ſhall have to notice with the Biſhop of Ferns as to ſome church lands claimed by right of conqueſt. It is true that no expreſs mention is found of his viſiting Ireland until the year 1200, when he had an eſcape from ſhipwreck in Bannow Bay, but after that period his conſtant attendance on King John muſt have prevented his paſſing much time out of England. At all events, with the exception above noticed, we find no trace of him in attendance on Cœur de Lion after leaving him at Meſſina, nor does he witneſs any treaty, or appear in any of the negociations with the King of France or others; nor, on Richard's return to England, does he find a place among the great officers at the ſecond coronation, at which the King is ſtated to have himſelf carried the ſceptre with the golden croſs. From theſe facts, and that of the Biſhop of Ely having been fully reinſtated in Richard's favour, and from his ſucceſſor, as the very firſt act of his reign, ſending over William Marſhal, as his agent, to England, it is to be inferred that Richard withdrew his confidence from him, ſuſpecting (and probably not without reaſon) his leaning towards Earl John, of whoſe treaſonable practices the King was well aware, though too generous, or too careleſs, to take active meaſures for reſtraining them.

On the death of Richard, Hoveden relates that John, Earl of Mortaigne, his brother, tarrying in Normandy, at once ſent to England, Hubert, Archbiſhop of Canterbury, and William Marſhal, Earl of Strigoil, to preſerve the peace of England, together with Geoffry Fitz-Peter, Juſticiary of England, and other barons of the realm. Hubert appears to have been with King Richard in Normandy very ſhortly before, and probably at the time of, his death. Geoffry Fitz-Peter was his Juſticiary in England, and William Marſhal was probably one of John's own immediate followers, and with him in Normandy at the time. The ſteps taken by the three emiſſaries for ſecuring John's peaceable acceſſion to the

the throne are related in detail by Hoveden, and on the 27th May, 1199, in the preſence of a number of Earls, among whom Earl William of Striguil is mentioned, the coronation took place, and among the incidents of the day is related one ſo important to our purpoſe that it is beſt to give it in the original Latin:— "Eodem die coronationis ſuæ Johannes Rex accinxit Willielmum Mareſcallum gladio comitatus de Striguil, et Gaufridum Filium-Petri gladio comitatus de Eſſex; qui, licet antea vocati eſſent comites, et adminiſtrationem ſuorum comitatuum habuiſſent, tamen non erant accincti gladio comitatus; et ipſi illa die ſervierunt ad menſam regis accincti gladiis." We may tranſlate "comitatus de Striguil" and "gladio comitatus" as "the *Earldom* of Striguil" and "the ſword of their *Earldoms*," and ſo reconcile the paſſage with the poſition of the Lords' Committee that it was immaterial whether the earldom was called that of Striguil or Pembroke: but what poſſible tranſlation can we give of the phraſe "adminiſtrationem ſuorum comitatuum," except "adminiſtration of their *Counties?*" If the queſtion had been ſtill open, we might have been diſpoſed to argue that the Earldom of Striguil reſted on much the ſame evidence as that of any other earldom of this early period: but it would be a profitleſs diſcuſſion in the face of a deciſion by the Lords' Committee that the title of Earl of Striguil was aſſumptive and imaginary only. For the inveſtiture of both William Marſhal and Geoffry Fitz-Peter on this occaſion a ſatiſfactory reaſon may be found in the fact that both of them held their earldoms in right of their wives, according to the uſage of that period and ſome centuries later, William Marſhal having married the heireſs of Richard Strongbow, and Geoffry Fitz-Peter the heireſs of William Mandeville, Earl of Eſſex. Their inveſtiture may have been intended to create them Earls in their own right. In our own day, the huſband deriving no rank from his wife's peerage, the caſe could not ariſe. At an intermediate period of our hiſtory it might have given riſe to the queſtion whether there was a ſingle peerage (named indiſcriminately Pembroke or Striguil) or two ſeparate peerages, which in certain events might deſcend to different heirs; but probably the queſtion was not contemplated at this early ſtage of our law.

By whatever title he or his wife's anceſtors were recogniſed by their contemporaries, it is as William Marſhal, Earl of Pembroke, that the great Protector is now known to hiſtory. It is under that title that we are introduced to him by Shakeſpeare: but thoſe readers, who derive their notions of Engliſh hiſtory (as more perſons do than chooſe to acknowledge it) from

from the hiſtorical plays of our great dramatiſt, ſhould be reminded that Shakeſpeare's ſyſtem was not only to exerciſe the privilege he claimed for himſelf of

> "Jumping o'er times—
> Turning the accompliſhment of many years
> Into an hourglaſs,"

but to uſe hiſtorical materials for dramatic purpoſes, connecting them together, not only in reſpect of time and place but in reſpect of cauſe and effect, according to the exigencies of his art: and that (to uſe the words of Mr. Halliwell-Phillipps) "the play of King John partakes, more than any of the other hiſtories, of the character of the romantic drama, both in the want of attention paid to the truth, and the ſucceſſion of hiſtorical events, and in the manner in which they are made ſubſervient to the purpoſes of dramatic deſign." He omits all mention of the political cauſe for which the barons took up arms, and makes their defection from the King, and the tranſfer of their allegiance to the Dauphin Lewis, ſimultaneous, and the immediate conſequence of John's diſcovered complicity in the murder of Prince Arthur. The treatment of the character of the great Earl of Pembroke, in particular, has been peculiarly unfortunate. His name might have been taken at random from the Engliſh peerage. He and Roger Bigod, Earl of Norfolk, are little more than walking gentlemen, echoing the ſentiments of Saliſbury, and forming with him a trio of ſtage repreſentatives of the revolted barons. The part he played in the real drama of hiſtory is exactly reverſed. Inſtead of being, as repreſented in the play, one of the leaders in the revolt, and brought back to his allegiance only by Count Melun's dying diſcloſures of the Dauphin's deſigns, Pembroke was from firſt to laſt a firm and unſwerving adherent to the royal cauſe.

During the entire reign of King John his Marſhal ſeems to have been in cloſe attendance on the King: for his name is, with few exceptions, found in the atteſtations of all the royal charters of that reign. In the treaty between the Kings of England and France, in May 1200, by which the claims of Prince Arthur were ſet aſide, and a marriage concluded between the Dauphin and the Princeſs Blanche of Caſtile, William, Earl of Pembroke, is one of the eight ſureties who made oath, and pledged their fiefs, for John's obſervance of the terms of the treaty. Juſt twelve months afterwards, the French King having attacked Normandy, in breach of the treaty, William Marſhal

Marſhal, Earl of Striguil, with a hundred knights, and Roger Lacy, Conſtable of Cheſter, with a ſimilar number, were ſent to the defence of that Duchy. Both theſe commanders were in Normandy in 1204. The latter being cloſely beſieged in Chateau Gaillard, the Earl of Pembroke formed a plan for its relief by a combined attack on the beſiegers by ſea and land. He led a force of 4000 infantry and 3000 cavalry, which was at firſt ſucceſſful, but the non-arrival of the fleet of flat bottomed veſſels at the calculated time rendered the attack abortive. The Earl was repulſed with loſs, and his army ſeems to have returned home; for in the ſame year he was ſent, with the Archbiſhop of Canterbury, the Biſhops of Norwich and Ely, and the Earl of Leiceſter, on an unſucceſſful embaſſy to treat for peace with the King of France. In May or June 1205 we find him, with the Archbiſhop, ſtrongly diſſuading the King againſt the expedition to France, for which his forces were then aſſembled at Porcheſter.

In the following month, Hubert, Archbiſhop of Canterbury, died—the commencement of all the King's troubles. It is unneceſſary to follow the courſe of general hiſtory during the weary years which followed, in which the hoſtile relations of the Engliſh and French ſovereigns afforded an opportunity for the papal aggreſſions, the ſucceſſful reſiſtance to which might have made the reign of King John the brighteſt inſtead of the blackeſt page of Engliſh hiſtory. But he had entered upon a double or rather a treble conteſt. While engaged in a foreign war, in which he required the loyal co-operation of his ſubjects, and a conteſt with the papal court for that eccleſiaſtical ſupremacy for which his father had contended in vain, he was alſo involved in a domeſtic controverſy, which may be conſidered as the principal cauſe of his diſgrace. The quarrel of the Kings of England and France had been the opportunity of the Pope, and in its turn the quarrel between Pope and King became the opportunity of the Barons: and when, deprived of the ſympathy of his ſubjects, John was driven to his diſgraceful ſubmiſſion to the Roman Pontiff (to which the Earl of Pembroke, we are ſorry to ſay, was one of the witneſſes), and thought, by means of the papal protection, to ſtrengthen his poſition in his foreign war, his barons refuſed to follow him. But at a ſomewhat earlier period than this, and while under the papal ſentence of excommunication, John had been warned of intended treachery on the part of his Barons, and, as is related by Roger of Wendover (ed. Eng. Hiſt. Society, iii, 239), ſent meſſengers to all his nobles whoſe fidelity he ſuſpected, requiring hoſtages

hoſtages, to teſt who would and who would not comply: and, not daring, with ſome notable exceptions, to reſiſt the royal commands, they ſent their ſons, nephews, and relations at the King's pleaſure. We find in the Cloſe Rolls, under the date of 4th June, 14 John, a warrant addreſſed to William Marſhal, commanding him to ſend his ſon Richard, by Thomas de Samford, to whoſe charge, our lord the King has, in good faith, committed him. In fact the King knew not on whom to rely, and a leſs ſuſpicious ſovereign might have felt ſome diſtruſt, when he found the Earl of Pembroke's eldeſt ſon, William Marſhal the younger, arrayed in the ranks of his enemies, of which, even at this period, ſome indications may have been given. The King, having obtained abſolution, had to negociate with the Pope as to terms of compenſation to be made to the biſhops, as the price for taking off the interdict; and on ſetting out for France, early in 1214, he left the buſineſs to be arranged by the Legate and the Earl of Pembroke by whom it was ſettled accordingly, and the Earls of Pembroke, Cheſter, and Wincheſter, with the Biſhops of Wincheſter and Norwich, became ſureties for the King to the amount of 13,000 marks, the unpaid balance of the compenſation agreed upon.

The Pope had thoroughly ſucceeded in the object of his intervention, and the Archbiſhop loſt no time in ſecretly allying himſelf with the Barons, in their domeſtic quarrel with the King. On the 25th Auguſt, 1214, at a conference with the prelates, barons, and others, with reference to the removal of the interdict, he reminded them that the King had bound himſelf by oath to reſtore the ancient laws of the realm, and produced an alleged charter of King Henry I, the confirmation of which would ſecure them all the liberties for which they had been contending. Shortly afterwards a large number of earls and barons, being aſſembled at St. Edmundſbury under pretence of a pilgrimage, entered into a ſolemn league, and pledged themſelves on oath, to enforce this charter on the King. On the 6th January, 1215, they preſented their demands, appearing before him at the New Temple in military array. His anſwer was deferred to Eaſter, the barons returning to their homes on the King's promiſe, with the Archbiſhop of Canterbury, the Biſhop of Ely, and the Earl of Pembroke as his ſureties, that he would in all reaſon ſatiſfy them. In Eaſter week they accordingly aſſembled at Stamford in overwhelming force, conſiſting, as it was computed, of 2000 knights, with the uſual complement of men at arms and foot ſoldiers, and comprizing nearly all the nobility of the kingdom, among whom was William Marſhal the younger, the eldeſt ſon of the Earl of Pembroke

Pembroke. Thence they marched to Brackley, where they were met by the Archbiſhop and the Earl of Pembroke, ſent by the King for an explanation of their ſo aſſembling; through whom they delivered a written ſtatement of their demands. Both the Archbiſhop and Earl urged compliance, but the King peremptorily refuſed; and the barons thereupon marched to London, which the citizens willingly yielded to them. From London they ſent letters to all the earls and barons who ſtill adhered to the King, requiring them to join in the revolt on pain of being treated as open enemies. Roger of Wendover enumerates twenty-two nobles only, of whom the Earl of Pembroke is firſt on the liſt, as thoſe who had not joined the confederacy, the greater part of whom at once abandoned the King, and when, on the memorable 15th of June, the famous conference took place at Runnymede, the Earl had only twelve laymen aſſociated with him as adherents to the royal cauſe. The great charter then granted, or rather the articles accompanying it, virtually placed the King's authority under the control of a committee of twenty-five elected barons, empowered to enforce, by the moſt ſtringent and humiliating meaſures, the obſervance of the charter. In the troubled ſpace of ſixteen months which intervened between theſe events and the death of King John, during which period, aided by the Pope's bulls of excommunication, and with the aſſiſtance of foreign mercenaries, he ſtruggled to reſume the conceſſions extorted from him by ſuperior force, and on the other hand the barons, diſpoſſeſſed of all their ſtrongholds except London, as a laſt reſource invited over the Dauphin Lewis, and ſwore allegiance to him as their King, we find mention of the Earl of Pembroke, ſent on an unſucceſſful miſſion from King John to the King of France, to induce him to diſcourage his ſon's enterprize: and again in July, 1216, we find him, with the Earl of Cheſter and Fulke de Breante, recovering for the King, the city of Worceſter, which had ſhortly before been induced by William Marſhal the younger to declare for the cauſe of Lewis.

On the death of King John London and the whole of the ſouth eaſtern part of England, with the exception of the caſtles of Dover and Windſor, were in the poſſeſſion of Lewis. The diſcloſure by the Count de Melun of the ultimate deſigns of the French Pretender to diſpoſſeſs the barons, when they had ſerved his purpoſe, and replace them with his own countrymen (as related by Shakeſpeare, who in this inſtance followed cloſely the records of real hiſtory) had detached many of the barons, who had thereupon ſought to make their peace with King John, but found him on his deathbed. He died

died at Newark on the 19th October, 1216. At this critical period the Earl of Pembroke, who, as Marſhal, was at the head of the King's army, was found equal to the emergency. He conveyed the corpſe of his royal maſter to Worceſter, and there buried it with ſuch ſtate as circumſtances permitted, and on the 27th of October convened a meeting at Glouceſter of as many of the earls, barons, abbots, and priors, as he could induce to join him, with Gualo the papal legate, and the Biſhops of Wincheſter and Worceſter. A graphic account of what then took place is given in almoſt the ſame words by Walter de Hemingburgh and Henry Knyghton. "The Earl Marſhal, a man of great influence and ſound judgment, called together in a friendly manner many earls and ſome barons, and having taken young Henry, the ſon of King John, who had not yet completed his ninth year of age, placed him in their midſt, and ſaid "Behold our King," and added, "My dear friends, although we have, and that juſtly, conſtrained his father for his evil deeds, yet this young and innocent child is guiltleſs of his father's acts, and becauſe miſconduct and faults ſhould only bind their authors, and, in the words of the Lord, the ſon ſhall not bear the iniquity of the father, we ſhould exonerate this young child, and have compaſſion on his tender age. And now foraſmuch as he is the King's ſon, and our future lord and ſucceſſor in the realm, come and let us make him our King, and expel from our land Lewis, the French King's ſon, and all his nation, and let us take away the reproach of our land, and break aſunder the yoke of a wicked bondage." "How," ſaid the Earl of Glouceſter, "ſhall we be able to do this? for we have invited him, and given him our allegiance." "We can and we ought," he ſaid, "becauſe he has abuſed our allegiance: for we invited him, and were willing to have ſet him over us; but now, being puffed up with pride, he has ſcorned and deſpiſed us, and if we forgive him he will ſo ſubvert us and our land that we ſhall be a reproach to all men and the ſcorn of his commonalty." On this, as if by divine inſpiration, they all exclaimed "So be it—Let him be King—Let him be King," and they appointed the day of his coronation. The paſſages in the earl's ſpeech, in which he identified himſelf with the action of the barons, were merely a rhetorical artifice. There was, as we have ſhown, no foundation in fact for the aſſertion that he was one of thoſe who had acted in oppoſition to King John, and leſs, if poſſible, for that of his having been a party to the invitation to the Dauphin. The child was crowned accordingly on the following day, and a meeting of prelates, earls, barons, and knights, having been convened by the Legate at Briſtol

Briſtol on the 11th of November, the Earl of Pembroke was choſen Protector, under the ſtyle of "Rector regis et regni."

The firſt act of the new government was to confirm, with conſiderable variations, the charter of King John, which was done by a charter in the name of the new ſovereign, dated the 12th November, and printed in Blackſtone's Law Tracts (App. p. xxvi). It purports to be made in the preſence of God, for the health of his ſoul and the ſouls of all his anceſtors and ſucceſſors, to the honour of God, and the exaltation of Holy Church and the amendment of his kingdom, and by the advice of the legate, and the biſhops, earls, and barons therein named, and is teſted in the following curious terms:—"And becauſe we have not yet a ſeal, we have cauſed theſe preſents to be ſealed with the ſeals of the venerable father, our lord Gualo, &c., and of William Marſhal, Earl of Pembroke, the Governour of ourſelf and our kingdom." Having thus declared his policy, the Protector iſſued letters in the King's name to the abſent nobles, repeating the arguments uſed at Glouceſter, and inviting them to return to their allegiance. A large proportion did ſo, and the earl was ſoon at the head of a force with which he at once compelled a truce, and on the reſumption of hoſtilities, fought the ſucceſſful battle of Lincoln, and eventually drove Lewis to a treaty, on the 11th September, 1217, by which he abandoned all pretence to the throne, and a general amneſty was guaranteed to his followers. He was honourably eſcorted to the coaſt, and the young King made his ſolemn entry into London. On the 23rd of the ſame month, in the preſence of nearly all the nobility of the kingdom, a new charter was executed, teſted and ſealed like the former one, confirming the great charter, with various additions. This charter is preſerved in the Bodleian, and printed in Blackſtone's Law Tracts (App. p. xxxvi). The ſeal of William Marſhal, which is wanting to the earlier charter, is preſerved with this, and is figured in Blackſtone's work; but whether from its actual condition, or the wretched repreſentation of the engraver, nothing can be made of it, beyond the fact that it repreſents an equeſtrian figure, armed with a ſword, and in the uſual attitude, and a legend, of which the only lettering extant is S, for Sigillum, near the head, and ESCA, no doubt part of the word Mareſcalli, at the bottom. The coſtume might be anything, and no ſhield is ſhewn: but we may take this opportunity of noticing that the arms of William Marſhal were: Party per pale, Or and Vert, a lion rampant Gules, armed and langued Azure; which he ſubſtituted for the earlier arms of his family, Gules, a bend lozengée Or.

His

His poſſeſſions were on a ſcale commenſurate with his political importance. To the eſtates of Richard Strongbow, augmented as we have ſeen by his acquiſitions in Ireland, were added his own paternal eſtates on the death of his elder brother, and a moiety of the Norman and Engliſh poſſeſſions of William Giffard, Earl of Buckingham, of which a confirmation was granted, in the ſecond year of King Richard, to William Marſhal, as repreſenting one branch of the Clare family, while the remaining moiety was granted to Richard, fourth Earl of Hertford, as repreſenting the other branch. He had alſo had, at various periods of King John's reign, grants of Goderich Caſtle, of lands in Somerſet, and of the whole province of Leinſter. In his capacity of Lord Marcher he had extended his poſſeſſions in Wales, and having, according to the chronicle of Caradoc of Llancarvan, as continued by Powel, attacked and taken Caerleon, in the year 1217, procured a confirmation by charter from its owner, Morgan ap Howel ap Jorwerth, who held it not only by the title derived from his anceſtors but under a charter from the Engliſh King. The confirmation charter is printed in Mr. Lee's Iſca Silurum, p. 141.

The great Protector lived to ſee the thorough pacification of the realm, ſo that when the King was again ſolemnly crowned at Weſtminſter, the oldeſt peers declared they had never known ſuch concord and tranquillity in the land; and, his work accompliſhed, he died in the month of May, 1219, happily unconſcious how worthleſs a ſovereign he had been the means of placing on the throne. He was buried on the 17th of that month, in the Temple Church, where his ſuppoſed monument ſtill remains, on which was inſcribed an epitaph, attributed by Matthew Paris (p. 463, ed. 1644) to one Gervaſe de Melkeleia :—

> "Sum quem Saturnum ſibi senſit Hibernia, Solem
> Anglia, Mercurium Normannia, Gallia Martem"

cloſely rendered by Weever (Fun. Mon., p. 442, ed. 1631) :—

> "Whom Ireland once a Saturne found, England a Sunne to be,
> Whom Normandy a Mercury, and France Mars, I am he."

He left five ſons, all of whom in turn were Earls of Pembroke and Marſhals of England, and all died without iſſue, when the family eſtates became deviſable, as we ſhall have to notice in due time, among five daughters and their deſcendants. In this ſtrange concurrence of events the ſuperſtition of the age ſaw a judgment of the Almighty, confirming a ſentence of

of excommunication pronounced by the Biſhop of Ferns in the Earl's lifetime, and repeated over his grave with the ſentence that, bound in the chain of his ſins, he ſhould remain for ever in hell, unleſs his heirs would reſtore ſome church lands alleged to have been ſeized by him while carrying on war in Ireland, and added to his large poſſeſſions. The ſtory is told at length by Matthew Paris at the page laſt cited. His wife ſurvived him, for ſhe and his ſteward, Geoffry Fitz-Robert, in purſuance of the directions of his will, founded a Ciſtercian Abbey in the ſouth of Wexford, as a cell to Tintern, at a ſpot now bearing the ſame name. It was called indifferently the Abbey of Tintern or De Voto, the latter name being derived from its having been founded in purſuance of a vow of William Marſhal, when, in the year 1200, after imminent danger of ſhipwreck, he landed in ſafety in Bannow Bay, near this ſpot. This is the explanation of a tombſtone in the Abbey on the Wye, which has occaſionally puzzled viſitors and their guides, inſcribed with the name of "Henricus de Lancaut Abbas de Voto." This was only one of the earl's many works of piety. He founded the priories of Cartmel, in Lancaſhire, and Kilkenny, Kilruſh, and Logh Garmon, in Ireland, and gave various benefactions to the Knights Templars, the monks of Glouceſter, Pembroke, and Stanley, in Wilts, and the canons of Bradenſtoke, in the ſame county. His repreſentatives ſeem to have felt confident that theſe good works would ſecure the repoſe of his ſoul in ſpite of the Biſhop of Ferns. In reliance either on them or on the juſtice of his father's cauſe in relation to the diſputed claim, the Protector's heir, with the approval of his brothers, reſiſted all the preſſure put upon him, and even the private entreaty of the young King, who, though ſhocked at the biſhop's malignity, had no doubt as to his powers, and urged the ſon to do what was aſked of him in pity for his father's ſoul. "If that old raving biſhop," he anſwered, "has pronounced ſentence unjuſtly, let the curſe recoil on his own head. I will not leſſen my eſtate. My father died ſeized of it, and I enter rightfully on what I find."

William Marſhal the younger ſucceeded on the death of the great Earl of Pembroke to his father's eſtates, earldom, and office of marſhal: but, irreſpective of theſe, his fortunes were already made. We have ſeen him taking his own line, and that in oppoſition to his father, in the ſtormy politics of the period. He not only took his place in the ranks of the confederate barons, but he was one of the committee of twenty-five named in the convention ſigned

ſigned by King John at Runnymede, in which William Marſhal the younger is deſcribed as a baron. It will naturally be aſked how he came to be ſo deſcribed in his father's lifetime, and what means he had of raiſing a military force on his own account. The explanation is that he was in the actual enjoyment of lands in ſix counties, acquired by his marriage with Alicia, daughter of Baldwin de Bethune, Earl of Albemarle, to whom he had been betrothed, as early as the year 1203, at an age which may be approximately inferred from the date of his parents' marriage, which took place on or about the 21ſt July, 1189. To gratify the reaſonable curioſity of the ladies as to the mode in which theſe intereſting matters were arranged in "the troubleſome reigne of King John," the marriage ſettlement is here tranſlated from the Charter Roll: and as the fact of the marriage has been doubted, though, as we propoſe to ſhew, on inſufficient grounds, it may alſo be of intereſt to antiquarian readers. No doubt the marriage contract had been negociated and ſettled by the parents of the young couple: but inaſmuch as the lands held in capite could not ſafely be alienated without the royal licence, the King was a neceſſary party to the tranſaction, and the arrangement took the form of a charter as follows:—"John, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou, to his Archbiſhops, Biſhops, Abbots, Earls, Barons, Juſticiaries, Sheriffs, Governors, and all his bailiffs and faithful ſubjects, greeting. Know ye that we have cauſed a marriage[1] between William, ſon of William Marſhal, Earl of Pembroke, and Alice, daughter of B[aldwin] de Bettune, Earl of Albemarle, and that the ſaid Earl B[aldwin] has given to him with her, after his own lifetime, all his land in England, for a marriage portion, to wit Braborn, Sutton, and Kemeſing, in Kent; Luyton, in Bedfordſhire; Foleſham, in Norfolk; Wanting, in Berks; Savernſtoke, in Worceſterſhire; and Norton in Northamptonſhire. To have and to hold to him and his heirs in hereditary right, with all their appurtenances, ſaving the dower of the Counteſs H[awiſia], the wife of the ſaid Earl B[aldwin], and if it ſhall happen that the ſaid Alice depart this life, the ſaid William, the ſon of the ſaid Earl William, ſhall have to wife, with the aforeſaid marriage portion, another daughter of the ſaid Earl B[aldwin], if God ſhall give him one, but if it ſhall happen after the manner of all men to the ſaid William, the ſon of the ſaid Earl William, Richard, his younger ſon, ſhall have the ſaid daughter

[1] Maritagium—not matrimonium. The word has a double meaning—in this place the eſpouſal or civil marriage, and in ſubſequent parts of the document, the eſtates ſettled as a marriage portion. It alſo means the right of diſpoſing of a ward in marriage.

daughter, with the ſaid marriage portion, and if the ſaid Earl B[aldwin] ſhall die, the ſaid Earl William Marſhal ſhall have all the ſaid lands in ward for the uſe of his ſon and the daughter of the ſaid Earl B[aldwin], if ſhe ſhall be within age, but if the ſaid earl ſhall make any other acquiſition in England, the whole of it ſhall remain to the ſaid William, the ſon of the ſaid Earl William, or to Richard, his ſon, and the ſaid Alice, or her ſiſter, as is aforeſaid. Moreover this marriage portion we have granted, and by this our charter have confirmed to the ſaid William, the ſon of the ſaid Earl William, to have and to hold in hereditary right to him and his heirs in all the ſaid lands, with all their appurtenances, in covert and open, in highways and byeways, in paſtures, waters, and mills, in fiſhponds and fiſheries, and in all places and things. Wherefore we will and firmly command that the ſaid William, the ſon of the ſaid Earl William, do have and hold of us and our heirs the aforeſaid tenements, with the appurtenances, as well and freely as ever the ſaid Earl Baldwin held them. Witneſs, John, Biſhop of Norwich, William, Earl of Arundel, William, Earl of Saliſbury, Ranulph, Earl of Cheſter, Hugh Bigot, Gilbert de Clare, G. Fitz-German, Thomas Baſſet, Peter de Stoke. Given under the hand of Symon, Prior of Beverley and Archdeacon of Wells, at Trianon, the ſixth day of November, in the fifth year of our reign."

Dugdale makes the miſtake in two places (Bar. i, 63, 601) of alleging that William Marſhal, *the father*, married Alice, daughter of Baldwin de Bethune, and cites this very charter as his authority, though within a page of one of the paſſages he ſpeaks of Alice as the wife of William Marſhal the younger and ſiſter of William de Fortibus the younger, and within a page of the other mentions the elder William Marſhal's wife, Iſabel, as having ſurvived him. But the marriage of the ſon has been queſtioned, or at leaſt ſpoken of by Ducheſne, in his hiſtory of the Houſe of Bethune, in doubtful terms, as if it were a notion peculiar to Engliſh genealogiſts, on the ground of the French family muniments making no mention of it. Mr. Planché, in the paper already quoted, comes to the concluſion that ſo far as the queſtion depends on the age of the lady, the marriage was juſt poſſible, as her mother's firſt huſband, William de Fortibus, died in 1195 (6 Richard I), and ſuppoſing ſhe remarried with Baldwin de Bethune the ſame year, their daughter might have been born in 1196—that the above ſettlement was in the 5th John, 1204—and that ſhe would therefore at that period have been in her ſixteenth year, a marriageable age, and, if dead in 1219, might have attained

attained that of twenty-three. Mr. Planché's dates are not quite accurate, nor are the calculations from them in accordance with the generally received laws of arithmetic. Roger Hoveden, under the date of 1195 (p. 432, Sav. Scrip.), says, "in this year also died William de Forz, Earl of Albemarle whom Baldwin de Bethune succeeded in that earldom, by gift of Richard, King of England, and took to wife the Countess of Albemarle "—so that the marriage, as was often the case when the feudal lord claimed a voice in the disposal of a widow, may be supposed to have taken place very shortly after the first husband's death, which, adopting Mr. Planché's statement of the regnal year, was not later than July, 1195, and Alice may have been born in the first half of the following year, and at the date of the charter, 6 November, 1203, may have been some months more than seven years old. This was the age of consent to the actual marriage ceremony in the face of the church, constituting a valid marriage unless repudiated on the husband attaining fourteen or the wife twelve years of age : but the espousal, which so far constituted a marriage as to be a bar to any other without a papal dispensation, very frequently took place at a still earlier age. In fact the abuse, which had crept into the feudal system, of making the marriage of a ward a matter of pecuniary profit to the lord, openly bought and sold, and treated as the subject of valuation by a jury, made it the first object of parents to dispose of their infant children in marriage, in order to oust the lord's right. The cementing of foreign alliances was an equally powerful motive for these early marriages among princes, and the example of the highest classes led the fashion in cases where no such motives existed. King John himself was not seven years old when he was betrothed to Alice, the daughter of Hubert, Count of Maurienne, a lady of just his own age. Baldwin was only Earl of Albemarle, in right of his wife. He died in October, 1212, and on the 3rd November in that year his widow made fine for her dower, and paid an enormous price for a general licence to marry, or—what comes to the same thing—an exemption from the oppressive law by which she might have been again given in marriage against her will. She must have died within two years afterwards : for by a charter, undated, but printed in the Rotuli Chartarum between charters of 30 September and 28 October, 1214, the King granted to William de Alba Mara, her son by her first marriage, already spoken of as William de Fortibus the younger, livery of his mother's lands, on condition of his marrying Aveline, daughter of Richard Munfichet, and "saving the right of the daughter of Earl Baldwin, whom the said Earl had by the mother of the said William." Their daughter had therefore survived

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to this date, when she may have been eighteen years old: and even if there were no further evidence of the marriage, there would be a strong presumption that she had long previously become the wedded as well as the espoused wife of William Marshal the younger, whom we find occupying a position in the army of the barons only to be accounted for by his being in possession of the estates acquired by his marriage. But the evidence is far from ending here: for in the following regnal year (17 John) Dugdale relates (Bar. i, 64), citing the Close Roll of that year, that William de Fortibus "fell off from the Barons' party, and adhered to the King, being with him in his expedition that very year when he made such spoil and rapine in the northern parts, and increased so much in his favour that he obtained a grant of all the lands which belonged to Alice, his sister, then wife to William Marshal the younger." Though William Marshal the younger was then in rebellion, there was no actual forfeiture of his estates; and this grant was of course nugatory, but not the less important as evidence of the marriage. Mr. Planché speaks of the settlement as a gift "in frank almaine." This is a slip of the pen. There is no such term known to the law, and that bearing the nearest resemblance to it, frank almoign (libera eleemosyna—free alms, or a gift to pious uses), had no possible connection with the transaction under notice. What he meant to write was "frank-marriage;" but even with this correction the transaction is not quite accurately described. The terms of the charter went beyond those incident to frank-marriage, and vested the estates in the intended husband in fee, in remainder expectant on the decease of Baldwin de Bethune. That this was so, and that the marriage actually took place, are conclusively shewn by a charter, 14 Hen. III, p. 1, m. 1, cited in Dug. Bar. i, 603, granted to William Marshal the younger, after his first wife's death and his subsequent marriage to the Princess Eleanor, confirming to him, among others, the very lands described in King John's charter as the lands of Baldwin de Bethune, to hold by the service of five knight's fees, provided that in case Eleanor his wife, sister to the King, should survive him, she should enjoy them during her natural life. An error once propagated is never thoroughly uprooted, and a doubt once raised is almost as difficult to dispel. To treat a question of this sort as still open has an appearance of candour, and saves trouble: but it is submitted that the evidence now collected ought to set at rest the question of this marriage.

When, shortly after the accession of Henry III, Lewis was forced into a truce, the younger William Marshal was one of those who were induced to abandon

abandon the cauſe of the foreigners, and he had a principal command in his father's army in the victorious campaign which ended in the battle of Lincoln. His defection from the Dauphin was never forgotten or forgiven: for when, ſome years later, Lewis had aſcended the throne of France, and William Marſhal was ſent, with the Archbiſhop of Canterbury, on an embaſſy to him, the French King refuſed him an audience, as a perjuror and breaker of his fealty. He not only made his peace with the young King's government, but obtained grants of the lands of ſome who had been more tardy in returning to their allegiance, including thoſe of Saier de Quincy, Earl of Wincheſter; David, Earl of Huntingdon; William de Mowbray, and Gilbert de Gant: and Dugdale mentions incidentally twenty Engliſh counties in which he had poſſeſſions, excluſive of thoſe derived from his father-in-law, Baldwin de Bethune. During the life of his father he could ſcarcely want a friend at court: but even after the death of the Protector he remained in favour, and did good ſervice to the ſtate. On that event the government fell into the hands of Hubert de Burgh, afterwards Earl of Kent, and Peter des Roches, Biſhop of Wincheſter, the former as Chief Juſticiary, and the latter as perſonal guardian of the King, then in his twelfth year. In 4 Henry III there is a warrant in the Cloſe Rolls for a payment of 18d. for a meſſenger to Striguill, to Earl William, the Marſhal, and in 6 Hen. III a ſimilar warrant for 21d. for a meſſenger to Northampton, Glouceſter, Hereford, and Striguill. In the latter year the Marſhal was in active ſervice. Diviſions had ariſen among the nobles, by reaſon of jealouſy of the power of Hubert de Burgh. Llewellyn, Prince of Wales, availing himſelf of theſe cauſes of national weakneſs, and allying himſelf with Hugh de Lacy, Conſtable of Ireland, attacked the poſſeſſions of the Barons friendly to the royal cauſe, and eſpecially the Earl Marſhal, who to other cauſes of enmity added his retention of Caerleon, acquired by his father from Morgan ap Howel. The latter, having failed to recover it from the ſon by proceſs of law, ſought the alliance of the Welſh prince, who, while the earl was carrying on active operations againſt De Lacy in Ireland, avenged the cauſe of Morgan, took and burned Caerleon Caſtle, ſeized the caſtles of Aberteivi and Caermarthen, and put the garriſons of all of them to the ſword. With all haſte the earl returned to England, collected a large force, beſieged and retook his caſtles, retaliating on the barbarities of the Welſh with equal ferocity, and eventually, being victorious in an engagement in which 9000 Welſhmen were computed to have been ſlain or taken priſoners, he reduced Llewellyn to complete ſubjection, and compelled

compelled him to do homage to the King for all his lands, and to execute a grant and quit-claim in perpetuity to the Marſhal himſelf of all the caſtles, lands, and appurtenances, which he had gained by conqueſt from the Welſh prince and then held by force. The retention by the Marſhal of the lands actually conquered, while Llewellyn was to hold thoſe remaining in his poſſeſſion of the King himſelf, is an illuſtration worth notice of the rights of a Lord Marcher to make Welſh conqueſts on his own account.

On the 22nd March, 7 Hen. III (1223), which was probably a little earlier than theſe events, is dated, at Strugulle, the confirmation charter from William Marſhal to the Abbey of Tintern, by which, for the health of his own ſoul and the ſouls of happy memory of Walter, ſon of Richard, ſon of Gilbert Strongbowe, his anceſtor, and of William Marſhal, his father, and Iſabella, his mother, and the ſouls of his anceſtors, heirs, and ſucceſſors, he granted lands of very conſiderable extent, which, as the charter ſtates, the Abbey held of the donations of his anceſtors or other founders or benefactors or of his own gift. His firſt wife had been dead ſeveral years: for it appears from a ſtatement in Ducheſne's Hiſtory of the Houſe of Bethune, quoted in Mr. Planché's paper, that property in Normandy devolved on John de Bethune, Biſhop of Cambray, as neareſt heir of his brother, Baldwin de Bethune, previous to 1219: but it is remarkable that among all the relatives paſt and future, whoſe ſouls were to have the benefit of the confirmation, ſhe ſhould not have received the compliment of being mentioned by name, or even comprized in the ſweeping effect of its general terms, which, if the repoſe of her ſoul could have been effected for the ſame price, ſeems rather hard, conſidering the ample fortune ſhe had brought her huſband. He had no iſſue by her, and in the 10th Henry III (1225-6) he married the Princeſs Eleanor, the King's ſiſter. The circumſtances which led to this event are detailed in a letter written in the name of Henry III to his proctors at Rome, printed in Notes and Queries, 4th Ser., vii, 203, in which the King juſtifies a marriage which was evidently calculated to excite ſome jealouſies among his own ſubjects and ſurprize among foreign powers. He ſays:—"When the Biſhop of Norwich was Legate in England" (alluding to Pandulph, who died in Auguſt, 1226) "the Earl Marſhal was ſtill in poſſeſſion of the royal caſtles of Marlborough and Ludgerſhall, and was propoſing to take to wife the ſiſter of Earl Robert de Brus, and there were alſo other magnates in England who were trying to draw him aſtray from us by alliances to our wrong..... It was feared this foreign alliance would give too free

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an ingreſs into England to foreigners, eſpecially when Richard Marſhal, the Earl's brother, held all his caſtles and honours in Normandy . . . . . whereas, if we gave him one of our ſiſters, the ſaid caſtles would be reſtored to us . . . . . and other magnates would be induced by his example to give up the caſtles which they held. Conſidering then the premiſes, and our tender age, and the ſtate of the realm, one of our ſiſters was, by the authority of the Legate and the counſel of the magnates, granted to the Earl Marſhal, on the terms that he gave his pledge to marry her, if it ſo pleaſed us and the magnates of the realm. Our Juſticiary pledged himſelf to this conceſſion to the Marſhal, if the magnates conſented: and the Legate and Juſticiary and the others who were preſent faithfully promiſed to uſe all diligence to get ſuch conſent. The ſaid caſtles were then reſtored into the hands of the Legate on condition that if the contract was not fulfilled within a certain period, which has long paſſed, they ſhould be reſtored to the Marſhal without difficulty. . . . . Afterwards, when certain quarrels had grown up, there were ſome who diſapproved, aſſerting, as will perhaps be ſaid in their behalf in the court at Rome, that we had no treaſure of more value than the marriage of ourſelf and our ſiſters, and that therefore our ſiſters ſhould be ſo placed in marriage as to give us a great alliance in foreign parts. Thus the buſineſs remained long uncompleted. But when the Earl Marſhal had lately obtained an apoſtolic mandate, addreſſed to my lords of Canterbury and Saliſbury, that they ſhould either abſolve him from his obligation to marry our ſiſter or ſhould ſee the contract fulfilled, the Marſhal inſiſted that one of the two courſes ſhould be taken forthwith, as he refuſed to wait any longer for a wife. It was now feared that the Marſhal, who was a man of great power both in England and Ireland, ſhould take to wife the ſiſter of the Earl de Brus, or the daughter of the Duke of Brabant, who had alſo been offered to him . . . . , or leſt he ſhould marry the ſiſter of the King of Scotland, which would be ſtill more dangerous for us. . . . . Conſidering therefore the valour and power of the Marſhal, and the faithful ſervice he has wrought in Wales, where he wreſted from the hands of Llewellyn, Prince of North Wales, our caſtles, which but for him had been loſt to us . . . . . and the great things which are expected from the Marſhal, it occurred to us and our council, after weighing all the circumſtances, that we could not marry our ſiſter in any other quarter ſo much to our profit and honour."

This marriage, inſtead of binding the Marſhal more cloſely to the royal cauſe, had a directly contrary effect: for in the diſſentions which in a year or

or two afterwards arose between the King and his brother Richard, Earl of Cornwall, the Marshal, driven to choose between the interests of his two brothers-in-law, took very decidedly the part of the latter. But previous to these events circumstances had arisen to weaken his attachment to the King. Magna Charta, the cause for which he had taken up arms in his earliest manhood, was again in question. In 1224 the King, then sixteen years old, had procured a bull from the Pope, declaring him of full age, with the view to the strengthening of his hands against the Barons, who, during his minority, as alluded to in his letter to Rome, had refused to give up possession of the castles entrusted to them by his father. But for several years after this no practical change was made in the government, which was still carried on by Peter des Roches and Hubert de Burgh. In February, 1225, the King, making urgent request to his parliament for money, for the object, real or avowed, of an expedition for the recovery of the continental possessions lost by his father, was met by a demand that, being now declared of full age by authority of the Pope, he should confirm in his majority the liberties which he had granted in infancy. The request was acceded to, and new charters were issued under the great seal, dated the 17th February, 9 Henry III, and a fifteenth was granted by parliament. The expedition came to nothing, and it was sometime before the fifteenth was fully collected; but when this was accomplished, the young King under the advice, as it was believed, of Hubert de Burgh, determined to set at defiance all the charters granted by his father and himself. At a council held at Oxford, in February, 1227, he declared himself of full age to be released from all control of tutors, dismissed Peter des Roches from his court and from all public employment, revoked the forest rights granted during the two years previous under the Charter of the Forests, and declared that the liberties granted by that and the Great Charter had been granted while he was under the care of a guardian, and had no power over his own person or seal, and that he held himself at liberty, whensoever and wheresoever, and as often as it might be his pleasure to interpret, enlarge, or diminish those statutes by his free will, as should seem expedient for the security of himself and his land. No wonder if the principal barons took counsel together for the protection of the public liberties, and if their hostility was concentrated on Hubert de Burgh, who, while he had always been looked upon with jealousy by the English nobility, was now regarded as the responsible author of whatever evil acts were done in the King's name. Within a very few months an occasion for an open rupture arose in a dispute between Richard, Earl of Cornwall, and one Walleran, with reference

reference to a claim to the manor of Berkhampſtead, in the diſcuſſion of which the King, taking fire at a phraſe uſed by his brother, who expreſſed his willingneſs to abide by the deciſion of the King's court "and the magnates of the realm," ordered him to give up the manor or leave the kingdom never to return. The Earl peremptorily refuſed both alternatives—eſcaped from an intended arreſt by the Juſticiary—fled to William Marſhal, whom Roger of Wendover calls his friend and ſworn ally—and they, and Ranulph Blundeville, Earl of Cheſter, having taken mutual oaths of fidelity, iſſued letters to other nobles, the reſult of which was a large army aſſembled at Stamford in July, 1227, led by many earls and barons. They thereupon ſent a demand to the King to repair the wrong done to his brother, which they imputed ſolely to the Juſticiary, and moreover demanding in arrogant terms, and with the threat of compulſion by force of arms, that the Foreſt Charters, cancelled at Oxford, ſhould be renewed under his ſeal. The King met them at Northampton, when an arrangement was made, which did ample juſtice to the Earl of Cornwall. Nothing is recorded of any mention of the charters, nor does any confirmation of them appear at this date; but verbally at leaſt the King muſt have given ſatiſfactory aſſurances, for the chronicler adds that thus peaceably all returned to their homes.

We find no direct mention of any further differences between the King and his Marſhal; but in a comparatively trifling matter we have an indication that he was for ſometime looked upon not without ſuſpicion. In the Cloſe Roll, 11 Henry III (9 and 15 October, 1227) there are warrants to the Sheriff of Kent to deliver ſeizing to Reimund de Burgh, and account to him for profits, of the manor of Derteford, which had been ſeized into the King's hands in conſequence of his having taken part in a tournament held at Strigoll contrary to the prohibition of our lord the King. It is intereſting to call up in imagination an occaſion when Chepſtow was the ſcene where ancient chivalry diſplayed the pomp of her heroic games, which, as we ſhall ſee, exerciſed their full ſhare of influence on the courſe of deſcent of Striguil Caſtle, no leſs than three of its lords having loſt their lives either at tournaments or from accidents in jouſting. They were introduced into England in the reign of Stephen, and expreſſly ſanctioned by Richard I, by a charter dated 22 Auguſt, 1194, licenſing them in five places deſignated, on payment of certain fees, namely from earls twenty marks, barons ten marks, landed knights four marks, and landleſs ones two marks. They were at all times conſiſtently oppoſed by the church, whoſe duty agreed with its intereſt. They were contrary to God's law—they diverted the martial

martial ſpirit of the age from the proſecution of the more pious homicide of the cruſades—and they brought no griſt to the eccleſiaſtical mill. With our monarchs duty and intereſt were more divided. True theſe tournaments were morally wrong, and forbidden by Holy Church: but they promoted martial ſkill—kept the military force at home, or within call, for the defence of the realm—and, above all, they furniſhed the means of raiſing money. The reſult was a compromiſe. They were ſtrictly prohibited unleſs held by royal licence, and the repeated remonſtrances of the Church againſt the grant of ſuch licences had little effect beyond that of enhancing their price, and the fines levied for holding tournaments without due authority. Moreover the ſovereign had good reaſon for maintaining a control over theſe aſſemblages, as they were often made a pretext for bringing together an armed force, to the diſturbance of the public peace, or for the proſecution of treaſonable deſigns. After the events of the ſummer of 1227, the King was not unreaſonable in refuſing his authority for a tournament at Striguil in the following autumn. The offence of Reimund de Burgh was not that of individually taking part in a tournament without licence; for the writ ſpeaks of its being held contrary to the King's prohibition: but we hear nothing of proceedings againſt any of the other combatants, or againſt their hoſt; ſo that we may aſſume he loſt no time in making his peace, and obtained forgiveneſs before any meaſures were taken againſt him. In fact he ſeems to have been taken again into favour. He accompanied the King in his military expedition into Brittany in April, 1230: for Roger of Wendover mentions an inſurrection by the King of Connaught as having taken place on his hearing that the King of England and William Marſhal were engaged in war upon the continent. When the King returned home, in October of the ſame year, he left the Marſhal, along with the Earls of Cheſter and Albemarle, in charge of the forces which remained in Brittany. Gilbert, Earl of Glouceſter, who had married the Marſhal's ſiſter Iſabella, accompanied the King on his return, and died on the way home: and at Eaſter following his widow was married to the Earl of Cornwall, who thus became doubly related to the Marſhal family.

The nuptial feſtivities were ſcarcely over when William Marſhal cloſes his days (according to Wikes on the 6th April), amid general regret, and Matthew Paris ſays that the King, who had an indiſſoluble affection for him, when he ſaw the corpſe covered with a pall, exclaimed with a deep ſigh, "Woe, woe is me. Is not the blood of the bleſſed martyr, Thomas, yet wholly avenged

avenged?" He was buried in the Temple Church, by the ſide of his father, on the 15th April, 1231, with a monument, ſtill extant, and deſcribed among the other Temple monuments by Mr. Richardſon, on which was inſcribed, according to the Annales Waverleienſes (Gale's Scrip. quinque, 193), the following epitaph :—

"Militis iſtius mortem dolet Anglia, ridet
Wallia, viventis bella minaſque timens."

rendered by Weever :—

"England laments the death of this brave knight—
Wales laughs, he living did her ſo affright."

Againſt the authority of this author, and Roger of Wendover, Stanihurſt, and after him Gough, in his additions to Camden, ſtate that William Marſhal, as well as his brother Richard, was buried in the Church of Kilkenny; but there is no ground of probability for this, unleſs it be the fact of his having founded the Dominican Abbey there, in 1225. He had no iſſue by either of his marriages. Eleanor, the King's ſiſter, ſurvived him. Her ſubſequent marriage with Simon de Montfort, notwithſtanding her vow of widowhood, ſcarcely comes within the ſcope of the hiſtory of Striguil, except ſo far as concerns her claim of dower, in relation to the partition of the Marſhal eſtates, which we may have occaſion to mention in a future page. She does not appear to have held Striguil in dower, or we ſhould have had to number Simon de Montfort among its lords.

We find no mention when or why William Marſhal left the army in Brittany, but from his death, within ſo ſhort a period after the King's return, it may be inferred that the ſtate of his health was the cauſe of his abandoning his command. There is ſome reaſon for ſuppoſing that his brother Richard, who ſucceeded him as Earl of Pembroke and Marſhal, was alſo with the royal army, and in his capacity of hereditary marſhal aſſumed a command: for in the ſame year, a truce having been arranged with the King of France, Roger of Wendover relates that the Earl of Brittany and the Earl of Cheſter, with Richard Marſhal, returned to England from the continent, and were honourably received, and Richard Marſhal, preſenting himſelf to the King as the heir of his brother, William Marſhal, offered homage for his inheritance, and to do whatever he was bound of right to do; to whom the King, by the advice of Hubert, his counſellor and Juſticiary, anſwered that he underſtood the deceaſed's widow was pregnant, and that he could not liſten

liſten to him until the truth was known. He alſo accuſed the ſaid Richard of having had conference with his public enemies in the parts of France, and therefore the King commanded him to leave the kingdom forthwith, never to return again, declaring that if after fifteen days he was found in the realm, he ſhould be conſigned to perpetual impriſonment. Richard then, when he could obtain no other anſwer, ſailed to Ireland, where all his knights and his brothers, receiving him with joy, yielded to him all the caſtles which had been his brother's, and did homage and fealty to him. Having alſo received poſſeſſion of his caſtle of Pembroke, with all the honour thereto appertaining, he collected a conſiderable military force, preparing to win his inheritance in defiance of the King, if neceſſity ſhould require. In the meantime the cuſtody of Striguil Caſtle had been committed to John De Monmouth (Dugdale's Baronage, i, 442). At length the King, changing his counſel and fearing a rupture of the peace of the realm, received Richard Marſhal's homage and fealty, and granted him all his rights, ſaving the accuſtomed relief due to himſelf. For a ſhort period he ſeems to have enjoyed all the influence due to his high poſition: for, in relating the events of the ſame year, Matthew Paris in one of his interpolations in the Chronicle of Roger of Wendover (Matt. Par. 254, Ed. 1644), attributes to his perſuaſion, together with that of the Count of Bretagne, the abandonment of the King's projected marriage with the ſiſter of the King of Scotland.

About the ſame period as theſe events Peter des Roches, who on his fall from power, in 1227, had gone on a pilgrimage to the Holy Land, returned to England, and was received into the royal favour. The reſult of his ſtruggle with Hubert de Burgh was that the latter, deprived of all his offices, called to pecuniary account for his dealings from the death of William Marſhal the Protector, and accuſed of all ſorts of crimes, real or imaginary, was compelled to take ſanctuary at Merton, while his rival committed all the Great Offices of State and the cuſtody of the King's caſtles to Poictevin adventurers, to the diſguſt and alarm of the great body of the Engliſh nobility. But as good is ſo often ſeen to take its riſe out of evil, this ſtate of affairs became the occaſion of haſtening a change, which from the acceſſion of Henry II had been ſlowly in progreſs, but which it might have taken ages to complete. When Norman and Saxon forgot their differences, and united in the common cauſe of reſiſtance to foreign influence, they had at length become an Engliſh nation. The Anglo-Norman nobles were no longer foreigners, and a great national party

party was formed, the acknowledged heads of which were Richard, Earl of Cornwall, Earl Richard the Marſhal, William, Earl of Warrenne, William Ferrers, Earl of Derby, and John Lacy, Earl of Lincoln. The Earls of Cornwall, Warrenne and Derby, were brothers-in-law of the Marſhal. The change in the poſition of Hubert de Burgh was very remarkable—not ſo much as regards the fall from power and wealth, of which hiſtory affords too many examples to call for extraordinary remark, as in the fact that, from having been an object of jealouſy and diſlike to the Engliſh nobles, his cauſe had become to ſome extent the cauſe of the national party. After a ſeries of adventures in priſon and ſanctuary, he purchaſed a certain amount of indulgence by ſurrendering to the King a large ſum of money, which had been depoſited for ſafe cuſtody with the Maſter of the Temple. The proceedings againſt him were ſtayed, and he was committed to the Caſtle of Devizes, under the nominal cuſtody of four of the earls above named, who made themſelves reſponſible for his ſafe keeping. The account of the affair given in the nearly obſolete diction of Robert of Glouceſter (p. 523, Hearne's ed.) is more curious than accurate :—

"He was in priſon in the caſtel of the Viſe,
And was bitake four erles to witie[1] withoute faile,
The erl of Warenne and Richard erl of Cornwaile
And Richard the Marſchal and the erl of Cheſtre Jon,
So that hii founde kniztes, ech of hom on,
To witie[1] him in priſon, and zut vor ech on
He of ſcapede to churche as him thozte beſt won.
With ſtrengthe he was out idrawe, and ſuthe to the caſtel
Of Storgoil he was ilad, and iwuſt[1] there wel."

But events had happened in the meanwhile, the reſult of which was that De Burgh ran little riſk of being "iwuſt well," or treated otherwiſe than as a welcome gueſt, in "the caſtel of Storgoil." By the beginning of 1233 the oppreſſions of the King's Poictevin favourites had become paſt endurance. Roger of Wendover, after giving a vivid picture of the ſtate of the kingdom under their rule, relates that Earl Richard, the Marſhal of the Kingdom, ſeeing how the people, gentle and ſimple, were oppreſſed, and the laws of the realm being deſtroyed, incited by zeal for juſtice, boldly approached the King at the head of ſeveral of the great nobles, and loudly and publicly reproached him with having by evil counſel patroniſed theſe Poictevin ſtrangers, to the oppreſſion of the realm and of his natural ſubjects and their laws and liberties, humbly praying him that he would haſten to correct ſuch exceſſes

[1] *Witie*, to keep, of which *iwust*, in the laſt line, is the paſt participle.

exceſſes, by which the ſubverſion of his crown and kingdom was threatened, in default of which he declared that he and the other nobles of the realm would withdraw themſelves from his counſels ſo long as he held communication with the foreigners. They were met with a haughty anſwer, through the Biſhop of Wincheſter: and Earl Richard Marſhal and the other nobles, retiring from the court in excitement, entered into firm engagements with each other that for this cauſe, which touched them all, they would manfully fight to the diſſolution of ſoul and body. The King ſummoned a conference, but the nobles peremptorily refuſed to attend it, demanding the immediate diſmiſſal of Peter des Roches and the other Poictevins, under threat of driving himſelf and his counſellors from the kingdom. A further conference was ſummoned for the 1ſt of Auguſt, which the nobles prepared to attend in ſtrong military array, and the Marſhal among the number; but being warned by his ſiſter, the Counteſs of Cornwall, who had obtained intelligence of an intention to arreſt him, he fled into Wales. Her being poſſeſſed of this intelligence indicates that her huſband had already withdrawn from the confederacy. If not, he very ſhortly afterwards gave his adheſion to his brother's party; and the Earls of Cheſter and Lincoln were alſo gained over, as it was ſaid, by bribes. The conference of the 1ſt Auguſt came to nothing in conſequence of the abſence of the Marſhal and others: and ſummonſes were iſſued to all who owed knight ſervice to meet at Glouceſter on the 21ſt of the ſame month. The object was to furniſh grounds for hoſtile meaſures againſt the defaulters, and on their non-attendance the King, without any form of law, declared them traitors, and their eſtates forfeited, and proceeded to beſiege their caſtles, burn their villages, and deſtroy their parks and warrens. The Marſhal, on hearing of this, entered into alliance with Llewellyn, Prince of Wales. The King ſent to the Marſhal a formal defiance, by the Biſhop of St. David's, and without delay entered upon his territories, and laid ſiege to one of his caſtles, the name of which the chronicler profeſſes not to remember. Is it poſſible that he ſhrank from encountering the ſpelling of Striguil? The geographical poſition with reference to Glouceſter, which was the King's baſe of operations, renders it not improbable that this or Goderich was the caſtle referred to.[1] After aſſailing it for many days with little

[1] Since the above was written Mr. Clark's papers on the Land of Morgan have appeared in the Archæological Journal. At vol. xxxvi, p. 121, he ſtates the caſtle to have been Uſk. He does not give the authority for the ſtatement, but I ſhould have been ready to accept it on his own had it not been that for reaſons given in our third chapter. I am not ſatiſfied that Uſk was even a poſſeſſion of the Marſhal family.

little or no progreſs, and the proviſions of the beſiegers beginning to fail, the King ſought means of putting an end to the ſiege without loſs of credit, and through the mediation of certain biſhops it was arranged that, to ſave the King's honour, the caſtle ſhould be given up to him, but reſtored in fifteen days, and all the grievances of the kingdom remedied, for which terms Peter des Roches and Stephen Segrave, the Juſticiary, became ſureties for the King, and pledged their oaths; and an appointment was made for the Marſhal and his aſſociates to meet the King at Weſtminſter for that purpoſe at Michaelmas following. The fifteen days elapſed, but the King and his adviſers laughed at the demand to reſtore the caſtle, and threatened to reduce all the reſt of the earl's caſtles, whereupon he laid ſiege to his own caſtle, and ſucceeded in retaking it. The King wiſhed to have him excommunicated, but it was found that the eccleſiaſtical law preſented difficulties in excommunicating a man for entering into poſſeſſion of his own houſe.

At this point we muſt return to the affairs of Hubert de Burgh. Truſtworthy intelligence reached him of a ſcheme of Peter des Roches to obtain charge of the Caſtle of Devizes and put him to death. Two of the garriſon, eluding the vigilance of the reſt, carried him by night, fettered as he was, out of the caſtle to the pariſh church, and ſet him before the great altar, from which he was forcibly taken next day and lodged in the caſtle, with his liberators, in ſtricter confinement than before: but on the Biſhop of Saliſbury excommunicating all who upheld this breach of ſanctuary, he was reſtored to the church, which was however ſtrictly blockaded, in order to ſtarve him out. So far we have followed Roger of Wendover: but here the Chronicle of Thomas Wikes (Gale's Scrip. quinque, 42) more circumſtantially takes up the ſtory:—"Early one morning Gilbert Baſſet and Richard Siward, with an ample force of armed men, ſent by Richard Marſhal, in ſpite of the guards, who were neither ſtrong enough to hinder them nor dared to murmur, armed Hubert in the church, made him mount a war-horſe, and with ſtrong hand brought him againſt his will,[1] to Auſticlive (Auſt Cliff), where, veſſels being in readineſs, they croſſed the arm of the ſea there ſituate, and lodged Hubert ſafely in the Caſtle of Strugoyl, ſtanding on the oppoſite ſide of the water, while his guards, who had followed

[1] Unleſs he was more ignorant of what had been going on in the outer world than we ſuppoſe him to have been, it is not very evident why the proceeding ſhould have been againſt his will. Poſſibly "eo *n*olente" is a miſreading of *u*olente, i.e., *v*olente, the n and u in ancient manuſcripts being abſolutely undiſtinguiſhable.

followed them with the power of the county and great outcry, returned in diſgrace and confuſion. If any further argument or evidence had been needed of Chepſtow Caſtle, and not the Wentwood fortreſs, being that to which the ancient name relates, this paſſage (of the book or the ferry as the reader may pleaſe) might have been added to the proofs adduced by Mr. Ormerod. Roger of Wendover merely ſtates that the ex-Juſticiary, being ſnatched from the Church of Devizes by a friendly force of armed men, and properly clad in military apparel, was brought to Wales, and joined the King's enemies about the firſt hour of the day, on the 30th October, 1233.

From this period we hear little of the Marſhal's allies among the Engliſh nobles, and the conteſt became more and more one between the King and his foreign favourites on the one ſide and Richard Marſhal and his Welſh allies on the other, each party attacking and ravaging the caſtles and poſſeſſions of their enemies, but the balance of ſucceſs remaining very much in favour of the Marſhal. Many pages of Roger of Wendover might be extracted relating to theſe events, but we muſt have ſome regard to the proportion of ſpace to be devoted even to a hero like Richard Marſhal, the relation of whoſe exploits reads more like a chapter from the Seven Champions of Chriſtendom, than an epiſode in Engliſh hiſtory. We can therefore only notice, by way of ſummary, how, while the King lodged in the Caſtle of Groſmont, the forces of Llewellyn and the Marſhal (the latter abſtaining from any attack on the King's perſon) ſurprized the royal camp outſide, ſeized their horses and baggage, and diſperſed the army almoſt naked—how he defeated the royal troops at Monmouth—how he met an intended ſurprize by John of Monmouth by ſurprizing the ſurprizers, and ravaged his territory till he was reduced from affluence to beggary; how the poſſeſſions of the Earl of Cornwall, Stephen Segrave the Juſticiary, and the Biſhop of Wincheſter were ſimilarly deſpoiled, Shrewſbury burned, and the whole region between that town and the borders of Wales laid waſte, until the chronicler ſays that ſuch a multitude of the foreigners lay ſlain in the roads and other places as to taint the air of the whole diſtrict, ſo that the dead killed the living. We will give, at all events, a ſpecimen of the exploits of this Engliſh paladin. While reconnoitering with a hundred men in the neighbourhood of Monmouth Caſtle, which was held by a diſtinguiſhed Flemiſh knight, named Baldwin de Gyſnes, the latter ſallied out, with a thouſand well-armed men, thinking to make priſoners of the whole party. The Marſhal's companions urged him to fly, very reaſonably repreſenting that to contend with ſuch numbers

numbers was raſh and illadviſed. He anſwered that he had never yet turned his back on his enemies in fight, and he was not going to begin now, and exhorted them manfully to attack the enemy. A vigorous conflict with ſword and lance enſued, and in ſpite of the difference of numbers, the earl's little band ſuſtained the unequal conteſt for the beſt part of a day, until Baldwin de Gyſnes, with twelve of his ſtouteſt warriors, aſſailed him individually, hoping to end the affair by carrying him off into the caſtle; but he kept them at a diſtance, ſweeping right and left with his ſword, and making frequent draughts of enemies' blood. Thus, one againſt twelve and twelve againſt one, the conteſt continued. At length, not daring to approach him at cloſe quarters, they killed his horſe with their lances; but he, well ſkilled and experienced in Gallic warfare, ſeized one of the hoſtile knights by the foot, and vigorouſly threw him from his horſe, and then, vaulting into the vacant ſaddle, defended himſelf more actively than ever. Then Baldwin, being a puiſſant knight, and aſhamed to ſee the earl defend himſelf againſt ſuch odds, violently cloſed with him, and, ſeizing his helmet, twiſted it with ſuch force that blood iſſued from his mouth and noſtrils, and ſnatching the horſe's bridle, began to drag him towards the caſtle, while the others forced him on from behind: but although in ſuch a ſtrait, ſweeping round with his ſword he laid two of his enemies ſtunned on the ground, but was unable to diſentangle himſelf from them. One of his croſs-bowmen, ſeeing the perilous poſition of his lord, diſcharged an arrow at Baldwin, which pierced his breaſt notwithſtanding his armour, and his companions, ſuppoſing him to be mortally wounded, left the Marſhal to go to his aſſiſtance.

The King, finding himſelf the loſer rather than the gainer by theſe hoſtilities, and having failed in all attempts to induce the Marſhal to ſubmit himſelf to the royal clemency, retired with ſhame from Glouceſter about January, 1234, when a villainous ſcheme was deviſed by Peter des Roches and his confederates for accompliſhing by treachery what they could not effect by force. They wrote letters in the King's name, to which, if his ſubſequent denial of complicity is to be believed, he was induced to affix his ſeal in ignorance of their contents, addreſſed to Maurice Fitz-Gerald, the King's Juſticiary in Ireland, and grandſon of Strongbow's feudatory, and other noblemen there, the pretended but treacherous friends of the Marſhal, promiſing all his Iriſh eſtates, to be divided among them, if they would take him dead or alive in the event of his landing in Ireland. They at once invaded his territories, rightly calculating that

that he would not be long in coming to defend his own poſſeſſions, which he did without delay, leaving his Engliſh affairs, which had become leſs preſſing in conſequence of the King's abandonment of operations in the weſt of England, in charge of Hubert de Burgh, with Richard Siward and Gilbert Baſſet. He beſieged and took Limerick, regained ſome of his own caſtles, and took others belonging to the King, and was purſuing a ſucceſſful career, when the Iriſh nobles propoſed a truce until they could learn whether the King meant to defend Ireland or not. Under the treacherous advice of Geoffrey de Mariſco and others, he firſt refuſed the truce, and afterwards agreed to meet the hoſtile nobles in conference. He attended the conference with a retinue of fifteen faithful adherents and about eighty of his own knights holding lands under him in Ireland, who, along with Geoffrey de Mariſco, had planned his deſtruction, and were in confederacy with his enemies, who attended with a hundred and forty picked knights. The propoſal of a truce was a mere blind. When the Marſhal had inclined to grant it, the traitor, Geoffrey, had urged him, almoſt with reproaches for cowardice, to refuſe, telling him that if he aſſented he was not like the unconquered William Marſhal, his father, who, wiſe and prudent in peace and peerleſs in war, ſurpaſſed in proweſs all the ſoldiers of the weſt. But now, when his victim was completely ſurrounded by his foes, the traitor as ſtrongly urged compliance with the demands of the enemy, declaring that his own relationſhip to ſome of the nobles would prevent his fighting againſt them. The Marſhal ſaw too late that he was betrayed. "Wicked traitor," he exclaimed, "have I not juſt refuſed the truce on your advice, contrary to my own deſire? It would be the part of a vacillator to grant now what I have juſt denied, and I ſhould appear to be acting from fear rather than good will. I know, I know that I am to-day betrayed to my death; but it is better to die with honour in a juſt cauſe than to fly from the field, and be for ever a diſgrace to knighthood." Then, ſeeing his brother Walter, a very handſome youth, he ſaid to ſome of his ſervants, "Take my brother to my caſtle cloſe by, that almoſt all my race may not be extinguiſhed in this fight: for I truſt that if he ſhall attain to a due age, he will become a gallant knight." Thoſe who are not deterred by the uncouth diction of Robert of Glouceſter may like to compare his ſpirited deſcription of the ſame ſcene (p. 525, Hearne's ed.) with the narrative we have condenſed from the accounts of the proſe chroniclers:—

"'Wat ſeiſte,' quath this gode erl, 'wan Richard the Marſchal
Upe is ſtede iarmed is, and atiled thoru out al,
And toward is ſon in the ſeld hath his womb iwent
Sſold he turne hom is rugh? he nas nevere ſo iſſent.
Vor he ne dude it nevere, ne nevere iwis ne ſſal.
Fram ſuch ſſendneſſe Criſt ſſulde Richard the Marſſal.'"

The fight which enſued might ſerve as a companion picture to that before the walls of Monmouth. With his fifteen faithful knights—all the others having, in modern phraſe, fraterniſed with the enemy—he mowed his way through the hoſtile ranks. After ſlaying ſeveral with his own hand (Roger of Wendover ſays ſix but Matthew Paris altered "ſex milites ex eis" to "aliquot ex eiſdem" —an inſtance of care which entitles the reſt of his narration to the more credit) he was encountered by an Iriſh knight of great proweſs, fighting in the borrowed armour of Richard de Burgh: but the Marſhal nearly ſevered both of his mailed hands with a blow of his ſword. Another, ſeeing his companion thus maimed, ſtruck the Marſhall with all his might on the head, but his helmet ſaved him, and he ſevered his aſſailant's body down to the waiſt, or, as Matthew Paris has it, cut him wholly aſunder with three blows. After this none dared to cloſe with him for a good part of the day, but at length a hoſt of his enemies, ſurrounding him with lances, pitchforks, hatchets, and battle-axes, cut off his horſe's feet, and brought him to the ground after he had fought for ten hours. While thus overpowered, one of the enemy, raiſing his mail ſhirt behind, plunged in his perſon to the hilt a weapon which Matthew Paris, again ſupplying details omitted by his author, calls an "anelace," but which was no doubt the "ſkean," which to much later times has been a national weapon of the Iriſh. Mortally wounded, he was conveyed a priſoner to one of his own caſtles, where he lingered for ſixteen days, under treatment ſo horrible as to ſuggeſt, even to a medieval chronicler, a doubt whether it was to be attributed to the barbarous ſurgery of the period or a deliberate deſign to murder. He died on the 16th of April, 1234, and was buried in Kilkenny, in an oratory of the Minorite brethren. There is ſome mention of his having a wife, Gervaſia (Lib. de Antiq. leg. xviii), but he left no iſſue. His character is thus ſummed up in the Annals of Waverley:—"A man conſpicuous for all virtues, illuſtrious for noble blood, remarkably learned in the liberal arts, of great proweſs in the exerciſe of arms, in all his works having God before his eyes—foreſeeing and fearing the deſtruction of the King and realm, but expoſing himſelf to hazard that he might reſtore peace and concord, he oppoſed himſelf

himſelf, as a wall, between the King and his counſellors." The ſame chronicler preſerves an elegy on his death, which, as a ſpecimen of the leonine verſe of the period, may be worth quoting, though ſcarcely worth tranſlating, as the peculiarity is rather of rhyme than reaſon :—

"Livor edax, morum ſubverſio, ſax vitiorum,
Vitricus Anglorum, rapuit ſolamen eorum.
Principis abſque pare, gens livida mentis avaræ
Præſumpſit, claræ decus indolis anticipare.
Anglia plange, Mareſcallum plangens lachrymare
Cauſa ſubeſt, quare, quia pro te planxit amare.
Virtus militiæ, patriæ protectio, gentis
Fraude ruit propriæ. Miſerere Deus morientis. Amen."

His earldom, eſtates, and honours devolved on Gilbert, the third ſon of the Protector. He was a man very different from his brother, for he is deſcribed as diminutive in perſon, weak, and unfit for martial exerciſes, for which reaſon he was originally deſtined for the church ; but this intention muſt have been abandoned early in life ; for he had married one Maud de Lanvaley (Lib. de Antiq. Leg., xviii), who had probably left him a widower before his acceſſion to the earldom. Dugdale (Bar. i, 606) makes his marriage to her ſubſequent to his marriage (to be preſently noticed) to the ſiſter of the King of Scotland, and ſays it was without the King's licence, for which tranſgreſſion his lands were ſeized : but the date of the authority cited (Rot. Fin., 14 Hen. III) ſufficiently refutes this.

It was about the period of Gilbert Marſhal's acceſſion that the power of the King's evil genius, Peter des Roches, was tottering to its fall : but, among the rather confuſed ſtatements of the chroniclers, it is difficult to make out the preciſe ſequence of events. By the mediation of the Archbiſhop of Canterbury a truce was arranged with Llewellyn, by the terms of which the proſcribed lords were to be reſtored to their poſſeſſions, and a council was accordingly ſummoned to meet at Glouceſter on the 22nd of May, to which all were invited to come under the ſafe conduct of the Archbiſhop and Biſhops. But even before the return of the King's emiſſaries from their miſſion to Llewellyn news was brought to him at Woodſtock of the Marſhal's death, when, to the ſurpriſe of all preſent, he burſt into tears and lamentation, declaring that he had not left in the kingdom a knight of equal worth ; and, inſtantly ſummoning the prieſts of his chapel, ordered a ſolemn

ſolemn funeral ſervice to be chanted for his ſoul, and the following day, after maſs, beſtowed large alms on the poor, mourning, as Matthew Paris obſerves, as David did the deaths of Saul and Jonathan. At the council at Glouceſter a general reconciliation between the King and his nobles took place—the forgery of the King's letters was expoſed—Peter des Roches depoſed from office—Hubert de Burgh, Richard Siward, and Gilbert Baſſet admitted to the King's counſels—and all the proſcribed nobles reſtored to their poſſeſſions. To the ſame council came Gilbert, the brother of Earl Richard, the Marſhal, intimating the death of his brother, and petitioned to be admitted to his inheritance, offering his homage, and whatever elſe he was bound to do to the King as his liege. Then the King, with the advice of the Archbiſhop, reſtored to him all his inheritance, as well in England as in Ireland, and received his homage, and afterwards, on the day of Pentecoſt, at Worceſter, girt the ſaid Gilbert with the belt of knighthood, delivering to him the Rod of the Marſhalſea of his court, according to cuſtom, and as well and freely as his anceſtors had held it.

This is the firſt mention we find of the delivery of the rod, which was the ſymbol of the office of Marſhal of the King's houſe, held by the Marſhals of Hempſted Marſhal before their alliance with the houſe of Strongbow. It was in fact this rod (virga), which gave the name of the Verge to the juriſdiction of the Marſhal, within twelve miles from the King's court. From no mention being made of the Marſhalſhip of the King's hoſt, we may infer that at this period the diſtinction between the two offices, with titles ſo nearly ſimilar, had been loſt ſight of, and when united in the perſon of a nobleman of the political importance of the Great Protector, the various duties and powers incident to both offices were attributed, without much regard to the origin, to one great officer, known generally, and even ſpoken of in official documents, as the Earl Marſhal, though I have avoided as much as poſſible ſo deſignating him, in order not to create confuſion with the new office created by Richard II. It was in fact the union of the name of the office with the perſonal rank of its holder, juſt as Her Majeſty's Lieutenants of Counties are called Lords Lieutenants because the office is uſually held by a peer. Other cauſes contributed to the confuſion which exiſts, and which, in ſpite of all that has been written on the ſubject, renders it, if not impracticable, at leaſt beyond the writer's powers, to trace at the preſent day the very numerous offices to which the title of Marſhal was attached. Apart from the duties of marſhalling the

the forces, leading the van in the King's army, and performing the duties of the officers who in modern times are called the Provoſt-Marſhal and Quarter-maſter General, the Marſhal of the King's hoſt was aſſociated with the Conſtable, to conſtitute a court for the deciſion of all matters military, and the regulation of judicial combats. The Marſhal of the King's houſe, in like manner, was aſſociated with the Steward, to conſtitute a Court for the deciſion of all queſtions ariſing within the Verge, and he had the cuſtody of the King's priſoners, and was the executive officer of the Aula Regis. The diſcharge of theſe duties, eſpecially when the functions of the Aula Regis were divided among various courts, rendered abſolutely neceſſary the employment of deputies.[1] Independent of this neceſſity, it is the natural tendency of great offices to become ſinecures, the holder retaining the emoluments, while his deputy is paid by a ſalary. He, in his turn, employs ſubordinates, while he exacts fees, which in time ripen into uſage, and his office becomes one of profit—is made the ſubject of traffic —and is perhaps eventually abſorbed in the higher office from which it has originally ſprung. As an illuſtration of this we may take a charter, dated 20 April, 1 John, already referred to in ſpeaking of the queſtion of grand ſergeanty, whereby the King grants to William Marſhal, Earl of Pembroke, and his heirs "the Maſterſhip of the Marſhalſea of our Court (magiſtratum mareſcalciæ curiæ noſtræ), which Gilbert, the Marſhal of King Henry, my great grandfather, and John, the ſon of the ſaid Gilbert, had in litigation before the ſaid King Henry, in his court, againſt Robert de Venoiz and William de Haſtings" (Rot. Chart. 1 John, p. 46). Hence we have ſuch titles as "Marſhal of the King's houſe," "Marſhal of the King's court," "Marſhal of the Marſhalſea," "Marſhal of the Marſhalſea of the King's court," "Marſhal of the Marſhalſea of the King's houſe," and a hoſt of others, ſome of which I will not venture to tranſlate, as for inſtance "Hoſtiarius Mareſcallus," "Mareſcallus Forinſecus," &c. Others, ſuch as "Mareſcallus Avium," explain themſelves, and the officers executing the ſubordinate duties connected with the office, down to the very doorkeepers of the palace, were known as Marſhals, with or without diſtinctive additions to their title. There can be no queſtion that Gilbert Marſhal ſucceeded, as both his elder brothers had done, not only to the office of Marſhal, but to all the offices held in connection with it by their father, and that all theſe offices, from this period to the reign of Edward II, paſſed by inveſtiture with the rod.

THESE

[1] One of Richard Marſhal's perſonal grievances againſt the King was his diſmiſſal of William de Rodune, a knight who acted as deputy of the Grand Marſhal in the King's Court.

These conſiderations enable us with certainty to aſſign to Gilbert Marſhal the "Uſages que Gilbert, Counte de Striguil, clamoit a uſer par l'office Mareſchalſie," referred to in our chapter iii (p. 52): for the claims are ſuch as could only have been made after the union of the two principal offices. The document is too lengthy to be tranſcribed here, though otherwiſe very ſuitable for our purpoſe. Of the forty-ſix clauſes of which it conſiſts, the firſt thirty-two relate to duties at court—the next twelve indicate an origin in the Marſhalſhip of the King's hoſt—while the laſt three relate reſpectively to the Marſhal's duties in the King's Bench and Exchequer, and the Court of the Steward and Marſhal. But the clauſe as to the duties of the Marſhal at coronations affords a more ſtriking illuſtration of our point. He is to ſtand next to the King—to bear in his hand the royal crown—to aſſiſt in ſetting it on the King's head—and when ſo placed hold it by the flower in front, to ſuſtain the crown, *for that he is Marshal in peace and in war*—and no lay perſon, except the Marſhal, has a right to touch the crown. The words in italics are an evident alluſion to the double origin of the office.

A writ of Henry III, dated at Tewkeſbury, the 6th June, 1234, and printed in the Archaeological Journal, xx, 165, recites that Gilbert Marſhal and his brothers, Philip Baſſet, Richard Siward, and all the adherents of Richard Marſhal, in England and Wales, had entered into the King's peace, and been received into his grace and favour, giving him ſecurity that in future they would do no injury to his realm. The ſecurity given by Gilbert Marſhal was the delivery of his Caſtle of Striguil into the hands of the Archbiſhop of Canterbury, and his Caſtle of Dumas, in Ireland to the Archbiſhop of Dublin: but the King had ſo great an affiance in his loyalty that he gave them back to him again, expecting that this great inſtance of his favour ſhould thenceforth oblige him to a perfect amity with the reſt of the nobles, both of England and Ireland, betwixt whom and him there had been formerly very high animoſities (Dugdale's Baronage, i, 605, citing Pat. 18 Henry III, m. 6). He had ſhortly afterwards extenſive grants of lands in England and Wales.

In the year following his acceſſion to his earldom Gilbert Marſhal was accuſed, but ſatiſfactorily cleared himſelf, of the murder of one Henry Clement, an Iriſh clerk, who, imprudently boaſting of having been one of Richard Marſhal's aſſaſſins, was himſelf murdered in London. In the ſame year we have a notice of the Marſhal, in Meſſrs. Morgan and Wakeman's

Notes

Notes on Penhow Caſtle, entering into a formal agreement with his feudatory, Sir William St. Maur, to aſſiſt him in a predatory attack on Morgan ap Howel, the Welſh lord of Caerleon, in order to wreſt from him the manor of Undy, the terms being that the plundered territory was to be divided between the conquerors. The ſame fact is mentioned in Camden's Britannia (p. 634, ed. 1610): and the Brut y Tywyſogion records, under the date of 1236, that "Gilbert Earl of Pembroke obtained through treachery the Caſtle of Morgan ap Howel, in Mechain (Ymachen, or Ymeichein), and when he had fortified it, he reſtored it back for fear of Llewellyn ap Jorwerth."

The coronation of Queen Eleanor was celebrated on the 20th of January, 1236, with all the ſplendour and ceremonial of a royal coronation. The ſuggeſtion offered in previous pages that the claim hitherto attributed to Gilbert Strongbow is to be aſſigned to Gilbert Marſhal renders it deſirable to aſcertain what part he took in the ceremonial: but the only information found on the ſubject is that Matthew Paris ſpeaks of him as carrying his rod before the King, clearing his way both in church and hall, and arranging the banquet and gueſts at table: and there is printed in Hearne's Diſcourſes (ii, 144) a return to a writ of 18 Edw. III to the Treaſurer and Barons of the Exchequer, directing enquiries as to the fees and duties of the various offices connected with the Marſhalſea. It quotes from the Red Book of the Exchequer, in which are recorded how the officers and ſervants of the King ſerved, and what belonged to their offices on the day of the coronation of Alienor, formerly Queen of England, wife of King Henry, ſon of King John, that "de officio mareſcalciæ ſervivit Gilbertus Mariſcallus, comes de Strigul, cujus eſt officium tumultus ſedare in domo Regis, liberationes in hoſpitio facere, oſtia aulæ regis cuſtodire. Recepit autem de quolibet barone facto milite a rege et quolibet comite eo die palefridum cum ſella." There is nothing mentioned here beyond what muſt have been the ordinary duties of the Marſhal of the King's houſe.

Having ſurvived his firſt wife, he married, in the year 1235, Margaret, the ſiſter of Alexander II, King of Scotland, an alliance which ſufficiently accounts for his loſing favour with the Engliſh King, as diſſenſions very ſoon afterwards aroſe between the two ſovereigns, which in the following year threatened an open rupture. Matthew of Weſtminſter (p. 298, ed. Franc., 1601) attributes to Henry's jealouſy of the Marſhal, whom, along with Richard, Earl

Earl of Cornwall, and ſome others, he conſidered ungrateful to him, the ſtep which he took, in 1237, of requeſting the Pope to ſend a Legate to England. This ſtep was the firſt to a renewed breach between the weak and vacillating ſovereign and the Engliſh nobles, to whoſe influence it was intended as a counterpoiſe. He had again placed himſelf under the influence of foreign favourites, and when he gave his ſiſter, Eleanor, the widow of William Marſhal the younger, in marriage to Simon de Montfort, notwithſtanding her vow of widowhood, the Earl of Cornwall placed himſelf at the head of a league of nearly all the Earls and Barons, as well as the citizens and people generally, for the redreſs of grievances. In this league he was joined by the Marſhal. The Legate interpoſed, and at a council, or rather a meeting of armed nobles, with the King, in the ſpring of 1238, terms of accommodation were arranged: but in fact the league fell through in conſequence of the reconciliation of Simon de Montfort with Earl Richard, who thus a ſecond time deſerted his party, and became an object of general ſuſpicion. We do not hear of any overt act of diſloyalty on the part of the Marſhal, but in the incidents juſt noticed there is ſufficient to account for the King's diſpleaſure. The Chriſtmas of 1238 according to our reckoning (1239 according to the chroniclers who commence the year with that feſtival) was kept by the King at Wincheſter with much ſtate, and as he was about to ſit down to dinner Earl Gilbert ſought admittance at the door along with his fellow-knights: but the King's officers rudely repulſed him, and, uſing their wands as cudgels, inſolently drove away his retinue. The Earl ſaw plainly that this was done by the King's directions, but concealing his annoyance, he retired to his own quarters, and held a Chriſtmas feſtival of his own, to which he invited all comers, by ſound of trumpet. On the morrow he ſent ſome perſons of diſtinction to the King, to aſk for an explanation why, without cauſe, he had put ſuch an affront on a loyal ſubject of ſuch noble rank, and to declare his readineſs to meet his accuſers. The King, with much excitement, anſwered, "How came Earl Gilbert by his horns, and how comes he to lift his heel at me, againſt whom it is hard for him to kick? I took his brother, Richard, that bloody traitorous Earl, a rebel againſt me and my kingdom, waging deadly war againſt me in Ireland, and, juſtly deprived of his inheritance, he was kept in priſon, until by the judgment of God he ended his life: and to this Earl Gilbert, through the unfortunate requeſt of the Archbiſhop, I granted by favour, and not through his deſerts, the inheritance which I would rather have withheld." Earl Gilbert, on receiving this meſſage, loſt no time in withdrawing to the North

North. I know not how to reconcile the above incident, recorded by Matthew Paris, with the fact, alleged by the anonymous chronicler known as Matthew of Weſtminſter, that the Counteſs of Pembroke was one of the ladies who, at the chriſtening of Prince Edward, on the 17th of June following, had the honour of bearing "the greateſt of the Plantagenets' to the font. The earl himſelf had not at that time been reinſtated in the royal favour; or, if he had, he gave ſome new cauſe of offence; for at the beginning of the following year the King brought a criminal charge againſt him, the nature of which Matthew Paris thought it judicious to leave unexplained, and appointed a day for him to anſwer, in the octaves of Eaſter, previous to which he ſucceeded in making his peace, through the interceſſion of the Earl of Cornwall, purchaſed, as Matthew Paris hints, for a large ſum. About the ſame time we find the King mediating a peace between Earl Gilbert and Maurice Fitz-Gerald, accuſed of complicity in the murder of Richard Marſhal, which he ſtrenuouſly denied, but for the ſake of amity promiſed the building of a monaſtery for Earl Richard's ſoul.

If Gilbert Marſhal was in perſon ſuch as he is deſcribed, it is remarkable that we ſhould find him diſplaying a fondneſs for the tournament: but it is not unuſual for perſons to covet a reputation for accompliſhments in which they feel conſcious of a deficiency. He was one of the noblemen who were to have taken part in a tournament a l'outrance, to have been held at Northampton, on the 14th April, 1241, to which Peter of Savoy, Earl of Richmond, had challenged Roger Bigod, Earl of Norfolk—a name of which we ſhall hear more preſently. The match being one which involved the credit of the foreign and Engliſh parties, the King was weak enough not only to take ſides with the former, but to take underhand ſteps for gaining over ſome of the moſt formidable of the Engliſh to fight on the foreign ſide; which gave riſe to ſo much ill-feeling that at the laſt moment the King thought fit to countermand the tournament altogether. It was very probably this event which led the Engliſh nobles to project a tournament among their own party, free from the interference of the King and his foreign favourites, and it was held accordingly, without the royal licence, at Ware, on the 27th June, 1241, when Earl Gilbert gained much diſtinction "conſidering his ſize." He was mounted on a noble Italian charger, to which he was a ſtranger, and clad in handſome armour, and while urging his horſe to ſpeed and ſuddenly checking him, the bridle, either from

from accident, or, as ſome declared, from having been maliciouſly cut, gave way juſt at the bit, and the horſe, becoming unmanageable and toſſing his head, ſtruck his rider a violent blow on the cheſt. The Earl, ſtunned by the blow, oppreſſed by the weight of his helmet, and blinded with duſt and perſpiration (the affair, moreover, as the chronicler obſerves, taking place after dinner), became unſteady, and eventually fell fainting from his horſe, and was dragged for ſome diſtance by one foot in the ſtirrup, receiving internal injuries from which he died the ſame evening. His bowels were buried before the altar of St. Mary, in the Monaſtery at Hertford, and his body was the next day conveyed by his brother and all his family to London, and interred near his father, in the Temple Church. The monument aſſigned to him is extremely intereſting. It is figured, and minutely deſcribed, in Richardſon's work on the Temple Monuments. Earl Gilbert had himſelf taken the croſs, along with the Earl of Cornwall and others, in 1236, and was to have ſet out on his cruſade the very next month. His wife, Margaret, ſurvived him, and died on St. Hugh's Day, 1244: but he left no iſſue by either of his marriages. He appears, from a marriage contract referred to in ſome legal proceedings between him and Maelgwn ap Maelgwn ap Rhys, to have had a daughter Iſabella contracted to be married to a ſon of the latter, but ſhe muſt have died in her father's lifetime.

Walter Marſhal, the next in order of the Protector's ſons, we have already made mention of in connection with the tragical ſcene of his brother Richard's murder: and from the terms in which he is there ſpoken of there appears to have been a great difference in years between them. He muſt have had conſiderable military experience, having been entruſted with the command of the forces of his brother Gilbert in Cardigan in ſucceſſful operations againſt the Welſh princes. Walter did not without difficulty obtain poſſeſſion of the eſtates which devolved upon him by his brother's death. They were taken into the King's hands, and the writ is extant by which John de Monmouth was directed to take poſſeſſion of the caſtles of Strigoyll, Uſk, and Karelioun, and is dated 25 Henry III (Rot. Fin. i, 347). How Caerleon came into the poſſeſſion of the Marſhals we have ſeen; but the mention of the Caſtle of Uſk is one of the difficulties incident to the ſuggeſtion, in our chapter ii (p. 41), as to the charter to Uſk Priory. Gilbert Marſhal had had the guardianſhip of Richard, ſixth Earl of Hertford and ſecond of Glouceſter, or at leaſt the cuſtody of his honour of Glamorgan during

during his minority, but that must have terminated at an earlier period. It is fair to mention the difficulty, but its connection with the history of Striguil is very slight.

The scene with the King, on Walter's claiming livery, shows in its most contemptible light the character of that mean and vacillating sovereign. "Your father, William," he said, "not without indication of treason, prevented Lewis from being taken in England. Your brother Richard was taken and slain in arms against me, a public enemy and notoriously deadly foe to me. Your brother Gilbert, to whom, at the instance of the Archbishop of Canterbury, by favour rather than of right, I granted his inheritance unhappily, tourneyed at Hertford contrary to my prohibition, and came to a miserable end; and you, Walter, who, in despite and contempt of my prohibition, took part in the same tournament, with what reason and with what face can you ask for your inheritance;" To which Walter answered—"Although, my liege lord, I could give a sufficient answer to each allegation, I bow to your highness. You have hitherto nursed me in the bosom of your special kindness, and I have been reputed as one of your household, and not the last among the guests at your table. I have never done anything to deserve the loss of your favours, except that I took part, as I do not deny, at that tournament with my brother, from which I could not absent myself, but if you determine to disinherit all who were present, you will excite no small commotion in the realm. Far be it from a just prince that I alone should expiate the faults of all, and that among so great a number I should be the first to be punished." He did not succeed at that time in mollifying the angry King, but shortly afterwards the Bishop of Durham, who had great personal influence both with the King and the Queen, and was induced to exercise it by the latter and many of the nobles, succeeded in effecting a reconciliation, and on the Sunday before the feast of All Saints the King invested Walter with the Earldom and Marshal's office, and all his brother's estates, except the castles of Kairmardif and Cardigan, which were retained for military reasons, and allowed him to do homage to the King of France for [his] continental possessions of the family.

In the following year he accompanied the King into Gascony, and a dispute between the Earl Marshal and the Constable as to whether certain perquisites belonged to the former or to the two jointly, with reference to the

the providing of ſhips for the voyage, is referred to in a writ dated at Portſmouth, the 7th May, 1242 (Rot. Pat. 26 Henry III). The ſlothful conduct of the King and the diſcreditable management of the war diſguſted the Earl of Cornwall and many of the nobles, who, finding their remonſtrances of no effect, eventually left him at Bordeaux, the Earl Marſhal among the number, and ſet ſail for England on the 18th of October, the King remaining there in idle and extravagant retirement with his Queen and his Gaſcon favourites. We hear no more of Earl Walter Marſhal till the year 1244, when the King was under the neceſſity of calling his parliament together for the grant of ſupplies, but met with a ſtrong reſiſtance to his demands, and eventually a committee was appointed of twelve perſons, ſelected in equal numbers by the clergy, the laity, and the barons. The laity were represented by four earls, of whom Walter Marſhal was one, and the parliament eventually granted to the King ſomething leſs than he aſked for, their proceedings being complicated with reſiſtance to pecuniary demands of the Papacy, which it is foreign to our purpoſe to diſcuſs.

THE following year ſaw the extinction of the male line of the houſe of Marſhal. Walter died on the 4th December, or, according to ſome writers, on the 24th November, 1245 at London, and was buried, as Mathew Paris relates, at Tintern, not far from Strigoil, where many of his noble anceſtors had been interred. Other writers repreſent his death to have taken place at Goderich Caſtle, which was alſo one of the family poſſeſſions: and his interment at Tintern renders this the more probable. He had married Margaret, daughter of Robert de Quincy, and widow of John Lacy, Earl of Lincoln. She ſurvived him, but had no iſſue.

THE matrix of a ſeal, picked up about the end of the laſt century near the Keep of Goderich Caſtle, and now preſerved at Goderich Court, having been attributed to Walter Marſhal, requires notice here. It is incorrectly deſcribed in Heath's Excurſion down the Wye, and figured in a paper on Horſe-Shoes, by Mr. H. Syer Cuming, in the Brit. Arch. Aſſociation Journal, vi, 406, in conſequence of its device (a nail within a horſe-ſhoe) happening to illuſtrate his ſubject. The legend reads S GAVLTER LE MARECHAL D'MACL. It is a ſmall round ſeal, utterly unſuitable to a perſon in Walter Marſhal's poſition, except perhaps as a ſecretum, or counterſeal, in which caſe it would have had a different lettering, if any. It bears great reſemblance to a ſeal figured

figured in the Arch. Jour., iv, 149, with the legend S' RADUL' MARESCHAL' D'LEVECHIE D'DUREME, i.e., "the seal of Ralph, the Farrier of the Bishopric of Durham," and adduced as an example of the custom of adopting as devices on personal seals, the instruments of the owner's craft. The last word in the inscription on the Goderich seal is a puzzle. If it be a contraction for "Mareſcalli," the meaning may be "the seal of Walter, the Farrier to the Lord Marshal."

ANSELM, the last surviving son of the Protector, had been Dean of Salisbury, but seems to have been released from his clerical vows, and married Maud, daughter of Humphrey Bohun, Earl of Hereford. He only survived his brother a few days, and died at Striguil Castle on the 23rd December, 1245, and was buried at Tintern. He left no issue, and the believers in the efficacy of the curse of the Bishop of Ferns saw its fulfilment in the division of the vast possessions of the Marshal family among the survivors and representatives of the five daughters of William Marshal, the great Earl of Pembroke.

ABOUT the year 1756 there was found, in clearing out the rubbish from Tintern Abbey, a monumental effigy, in freestone, of a knight in chain armour, and wearing a coronet. It was then in excellent preservation, but by the deplorable neglect which allowed it to be used as a stop to the village quoiting ground, and eventually by an act of drunken vandalism, of which the perpetrator escaped the consequences by absconding from the neighbourhood, it has been reduced to a miserable state of mutilation. It has been assigned to various persons, the current of authority until recently being in favour of Gilbert Strongbow, Earl of Pembroke; but Mr. Planché pronounces it to be of about a century later date, and probably assignable to one of the Marshals. From the above particulars as to their places of burial, it would appear that the choice lies between Walter and Anselm.

CHAPTER V.

Family of Bigod.

OF the five daughters of the firſt William Marſhal, Earl of Pembroke, Maud, the eldeſt, married firſt Hugh Bigod, third Earl of Norfolk of that creation, by whom ſhe had three ſons, of whom we ſhall have more to ſay preſently, and ſecondly, William de Warren, Earl of Surrey, by whom ſhe was the mother of that John de Warren, who, when ſummoned under the famous commiſſion of Quo warranto, in the reign of Edward I, to produce his title to the franchiſes he claimed, drew from its ſcabbard a ruſty ſword, and addreſſed the court, "By this inſtrument, my lords, I hold my lands, and by the ſame I mean to maintain them. My anceſtors, coming hither with William of Normandy, conquered their lands with the ſword, and with the ſword I will defend them from all who would uſurp them; for the King did not conquer the land by himſelf, but our forefathers were participators and comrades with him."

The ſecond daughter, Joanna, married Warine de Munchenſey, by whom ſhe had a ſon, who died without iſſue, and a daughter who thus eventually became the repreſentative of her father's family, and was married by the King to his half-brother, William de Valence. Iſabella, the third daughter, we have already had occaſion to mention, as the wife, firſt of Gilbert de Clare, Earl of Hertford and Glouceſter, and ſecondly, of Richard, Earl of Cornwall and King of the Romans. The two youngeſt daughters, Sybil, wife of William Ferrers, Earl of Derby, and Eva, wife of William de Braoſe, Lord of Brecon and

and Abergavenny, were both dead, the former leaving ſeven, and the latter four daughters and coheireſſes. A notice in detail of theſe eleven ladies and their eighteen huſbands (for two of them were thrice married, three twice, and the remaining ſix once) is fortunately unneceſſary for our purpoſe. The curious will find particulars of them in the form of a pedigree, and a full account of them and of the diviſion of the inheritance of the Marſhals is contained in Mr. Stapleton's elaborate preface to the Liber de Antiquis Legibus, printed by the Camden Society (p. xviii), to which I have been indebted for a good deal of valuable information and reference to records. But it muſt be read with some corrections. He ſays that the entire inheritance was valued at £7600, and that Hugh Bigot, Earl of Norfolk, had the Earl Marſhalſhip, and William de Valence, huſband of Joan de Munchenſy, had the Earldom of Pembroke, and that Gilbert de Clare, Earl of Glouceſter, had for the ſhare of his wife £1520, while the ſeven coheirs of Sybilla de Ferrers had each £217 2s. 10¼d., and the three coheirs of Eva de Braoſe (a fourth coheir, David, ſon of Llewellyn, Prince of Wales, having been omitted by a miſtake afterwards corrected) had each £506 13s. 4d. Gilbert de Clare, as we have ſeen, had been long dead, and his widow had left her ſecond huſband a widower in 1240. There is conſequently a miſtake as to the recipient of the ſhare in her right; but, with this correction, the figures are conſiſtent. They muſt however be underſtood to mean annual and not capital value, if indeed the term "librata terræ" meant either one or other, and had not already loſt its original meaning of land of the annual value of a pound, and come to mean, according to ſome authorities, the definite quantity of four oxgangs, or half a hide. What that quantity was in acres, or whether it had any definite equivalent in acres at all, are queſtions too knotty to be unneceſſarily entered upon. Making every allowance for the altered value of money, £7600 per annum ſeems a ſmall income from the vaſt eſtates of the Earls of Pembroke, and it is clear that their real value was more than this; for Striguil alone, which formed part only of the one fifth ſhare of the Counteſs of Norfolk and Surrey, was eſtimated in the time of the firſt William Marſhal at ſeventy-five and a half knight's fees, which, at £20 per knight's fee, would amount to £1510 a year. We may preſume alſo that the amount is excluſive of the poſſeſſions in Normandy, formerly the inheritance of Walter Giffard Earl of Buckingham, and deſcended through the Clares, and poſſibly of the Iriſh eſtates, out of which the younger William Marſhal's widow, then Counteſs of Leiceſter, had aſſigned to her a dower of £400 a year, which

was

was apportioned among the eſtates of the coheireſſes. The perſonal eſtate may alſo have been conſiderable, for it is a miſtake to ſuppoſe that large accumulations of money were unuſual at this period. As an inſtance, the above-named Warine de Munchenſey is ſtated by Matthew of Weſtminſter (p. 362, ed. 1601) and Matthew Paris (p. 610, ed. 1644), the former in figures, and the latter in words at length, in the editions quoted, to have left perſonalty to the amount of upwards of 200,000 marks (ducenta millia marcarum et amplius), miſquoted by Dugdale as 2000.

It is worth notice that in all the proceedings relating to the partition, the inheritance is ſaid to have devolved on the coheirs on the deceaſe without iſſue of Walter, and not of Anſelm Marſhal. There is no miſtake in this; and the explanation is curiouſly enough to be found in an act of parliament of a ſubſequent reign, the ſtatute *De prerogativâ Regis*, 17 Edward II, c. 13, in which the caſe is cited to point the moral of the duty, incumbent on the King's tenants in capite, of doing homage for their lands, in default of which their title was not complete, "as happened," ſays the ſtatute, "in the caſe of Matilda, the daughter of the Earl of Hereford, wife of Anſelm Marſhal, who, after the death of William [it ſhould have been Walter], Earl Marſhal of England, his brother, received ſeizin of the caſtle and manor of Strogill, and died in the ſame caſtle, before entering with the King's authority and doing homage; and it was therefore held that ſhe was not entitled to dower, becauſe her huſband did not enter by the King's authority, but by intruſion." And ſo the poor lady loſt her dower by what, according to modern ideas, ſeems a mere technicality.

The Caſtle and Lordſhip of Striguil, the manor of Hempſted Marſhal, and the Lordſhip of Carlogh fell to the ſhare of the eldeſt daughter, Maud. An unfortunate miſtake of Matthew Paris, who ſays (p. 473, ed. 1644) that "the Marſhalſea, with its office and honours, were granted to Earl Roger Bigod, by reaſon of his wife being the eldeſt daughter of the great Earl William Marſhal," has been conſtantly repeated, even by authors from whom accuracy might have been expected—including Mr. Wakeman—and this from mere inadvertence; for the Bigod pedigree of this period preſents no difficulties. Archdeacon Coxe, in his Hiſtorical Tour in Monmouthſhire, and Mr. Stapleton, in his preface to the Liber de Antiquis Legibus, have not fallen into the ſame error: but they are ſcarcely more accurate, the one in ſaying that Hugh Bigod

Bigod, Earl of Norfolk, in virtue of his marriage with Maud, received the caſtle and borough of Strugoil, and the latter that Hugh Bigot, Earl of Norfolk, had the Earl Marſhalſhip. The fact is that Hugh Bigod, the huſband of Maud, had been for twenty years in his grave, and their eldeſt ſon, Roger Bigod, fourth Earl of Norfolk of that creation, was in full enjoyment of the earldom and his paternal eſtates, and his mother was at this period again a widow, and Counteſs Dowager of Norfolk and Surrey. In the year following her brother's death, ſhe was ſolemnly inveſted with the office of Marſhal of England, the King himſelf delivering the rod into her hands, which ſhe thereupon delivered to Earl Roger, her ſon and heir, whoſe homage the King received for the ſame, and the Lord Treaſurer and Barons of the Exchequer had command to cauſe her to have all rights thereto belonging, and to admit of ſuch a deputy to ſit in the exchequer for her as ſhe ſhould aſſign (Watſon's Earls of Warren and Surrey, i, 213, ed. 1782).

The Earldom of Pembroke, as we have ſeen, was conferred on William de Valence, who had married the daughter of one of the coheireſſes. That this ſhould have been valued and taken into account as a matter of partition (except ſo far as relates to eſtates belonging to the earldom) would have been as foreign to the laws and uſages of the period under notice as thoſe of the preſent day. The peerage, being in abeyance, was ſubject to the King's ſelection, and in fact does not appear to have been conferred on William de Valence till ſome years afterwards.[1] If the King had been equally free to diſpoſe of the Marſhalſhip, he would ſcarcely have ſelected a lady in her ſecond widowhood to fill that office, even by deputy. But the theory of its being an office, or rather a combination of two offices, held by grand ſergeanty explains the entire tranſaction. The lordſhip of Striguil, and the manor of Hempſted Marſhal fell to the ſhare of the Counteſs of Norfolk and Surrey (no doubt with the approval of the King, who may ſo far have had a voice in the ſelection), and the inveſtiture with the office followed as of courſe, ſubject only to an acceptable deputy being found to fulfil the duties of it.

She is ſaid by ſome writers to have married a third huſband, Walter Dunſtanville, Baron of Caſtle Combe; but this is not ſufficiently authenticated to

[1] According to Dugdale not until ſhortly before the battle of Lewes (1264), on which occaſion Matthew Paris firſt mentions him by that title: but a note in 5th Series, Notes and Queries, vi, 26, ſhews, from a document among the Iriſh Treaſury Rolls, that he was ſo ſtyled as early as 1251.

to induce us to number him among the lords of Striguil. She died on the 27th March, 1248, probably at Striguil Caſtle; for ſhe retained poſſeſſion of it till her death, and was buried at Tintern, being carried to the grave by her four ſons, Roger, Earl of Norfolk, Hugh and Ralph Bigod, and John Warren, Earl of Surrey. Some of the flooring tiles which are ſtill preſerved at Tintern, bearing the chequered coat of the Warrens, are, it is preſumed, memorials of her. Her obituary was kept among thoſe of founders and benefactors as Matilda, Counteſs Warren.

On her death the caſtle and lordſhip of Striguil, and the Marſhalſhip, which Roger Bigod, fourth Earl of Norfolk had held as her deputy, devolved on him in his own right. In illuſtrious anceſtry and extent of his patrimonial eſtate, and in perſonal qualities and diſtinction, both in the cabinet and the field, he was well fitted to maintain the dignity of his office. To ſay nothing of the apocryphal ſtory of the origin of his name in an incident connected with Rollo's invaſion of Normandy, the great great grand-father of Roger Bigod the Marſhal came over with the Conqueror, and had grants of 123 lordſhips in Eſſex and Suffolk, and on the forfeiture of Ralph de Guader, Earl of Norfolk, whom we had occaſion to mention in connection with the affairs of Roger de Breteuil, obtained ſeveral lordſhips held by him in that county. The Bigods had always been in the front rank of the Engliſh nobility; Roger Bigod, ſecond Earl of Norfolk, being one of the twenty-five barons nominated at Runnymede to enforce the fulfilment of the Great Charter. Roger, the fourth earl, was under age at his father's death, in 1225, and his guardianſhip was purchaſed for 500 marks by Alexander II, King of Scotland, to whoſe ſiſter, Iſabella, he had been married in the previous year. As he was knighted at Pentecoſt, 1233, and had livery of his caſtle of Framlingham, by the King's ſpecial precept, in the year following (Dugdale's Baronage, i, 133), we may preſume he was about twelve years of age at the date of his marriage, and about thirteen at his father's death. He had conſequently not arrived at the age at which his conſent would render his marriage indiſſoluble, and the purchaſe of his wardſhip, by an abuſe of feudal power very common in that age, was preciſely the ſtep for obtaining ſuch an influence over him as to ſecure his conſent. But as ſoon as he was his own maſter he ſeparated from his wife, and repudiated the marriage, on the ground, or perhaps the pretext, of alleged conſanguinity, and it was not until the year 1253, when he was more than forty years of age, that, in obedience to the judgment of the church, he received her back as his wife.

According to our reckoning of his age, he would be about twenty-five when he diſtinguiſhed himſelf above all his competitors at a tournament, held in 1237, at Blith, between the ſouthern and northern knights, which degenerated into a ſerious conflict. We do not read that any lives were loſt on the occaſion; but, under the date of twenty years later, Matthew Paris notices the broken health of Earl Roger, and the deaths of ſeveral others of the champions, who, at this gentle and joyous paſſage of arms, had exerted themſelves above their ſtrength, ſo as never afterwards to be reſtored to perfect health. From the diſtinction thus acquired we have already had occaſion to mention him as having been ſelected as the repreſentative of Engliſh chivalry for the challenge of Peter of Savoy to the abortive tournament which was to have been held at Northampton in 1241, and in the following year he was as brilliantly diſtinguiſhed in actual warfare at the battle near Saintonge, between the Engliſh and French forces, in which, whatever queſtion there may be as to the military reſult of the engagement, there is none as to the valour of the Earl of Norfolk. In 1245 he had been one of the Engliſh ambaſſadors to the Council of Lyons. It muſt have been on this occaſion that, in paſſing through the territory of the Count de Guiſne, his progreſs was ſtopped until payment of a toll, which ſubſequent events lead us to ſuppoſe had a foundation in right, but which the Earl regarded much as we do ſimilar claims made by the ſable potentates in the interior of Africa. He was compelled to pay: but when the Count de Guiſne, in his turn, was on a journey through England, on his way to court, the Earl directed his followers to take the Count priſoner, as a "material guarantee" for the reſtoration of the money ſo exacted. It does not appear from Matthew Paris whether the order was actually executed, or whether the Count eſcaped; but he made a formal complaint to the King, which Earl Roger was ſummoned to anſwer. He did ſo with ſome ſucceſs, ſkilfully urging that the Count's interruption to the progreſs of the King's ambaſſador, was an inſult, not ſo much to him, as to the King himſelf, adding, "This Count, in paſſing through my land, has met with juſt retaliation: for I hold my lands of you, my ſovereign lord, as freely as he holds his from his lord, the King of the French. I am an earl as he is; and whence has he this right of plunder, that he can ſell to travellers the roads and air?" The Count was ſilenced, and the French King prevented future ſcandal by buying up the objectionable toll.

Such was the nobleman to whom the fortunes of Striguil were now committed. For ſeveral years ſubſequent he ſtood well with the King, and ſeems

ſeems to have been truſted in public affairs; for on the 27th of January, 1254, he and Gilbert Segrave were ſelected to convey the King's meſſage to his parliament, and urge upon them the furniſhing of ſupplies for the war in Gaſcony. But in the following year the King quarrelled with his Marſhal, as he had done with every one with whom he came in contact, except his foreign favourites. The Earl having ſpoken frankly in parliament in favour of one Robert de Ros, accuſed of grave offences, the King heaped opprobrious terms on both, and publicly called the Earl a traitor, to which, with ſtern countenance, he anſwered, "You lie. I neither have been, nor will be a traitor." During the altercation he anſwered a threat of the King by aſking "What, according to law, can you do, or how hurt me?" "I can order your corn to be thraſhed and ſold," ſaid the King, "and thus humble you." "If you do," replied the Earl, "I will ſend you the heads of your thraſhers" (Matt. Paris, p. 616, ed. 1644). The unſeemly diſcuſſion was interrupted by the interpoſition of ſome peacemaking peers, but a good underſtanding was not reſtored, and the King and the Earl ſeparated in mutual anger and ill-feeling. The change in his perſonal relations towards the King does not ſeem to have affected his public employments; for his name continues to occur among the ſpecial witneſſes of royal charters, and in the year 1257, he was aſſociated with the Earl of Leiceſter and others in an unſucceſſful embaſſy to France, to obtain the reſtitution of Henry's right in Normandy.

Language even more abuſive had been publicly exchanged between the King and Simon de Montfort. When a ſovereign could be thus bearded in his own parliament, the end of his authority could not be far diſtant, and the diſcontent of his nobles came to a head, when, at a parliament ſummoned to meet at Weſtminſter on the 7th April, 1258, to aid him in meeting heavy pecuniary demands of the Pope, ariſing from Henry's imprudent acceptance of the crown of Sicily, they appeared before him in arms, acting under the leaderſhip of a confederacy conſiſting of Simon de Montfort (who was now about to play ſo prominent a part in Engliſh hiſtory), Roger Bigod, Humphrey Bohun, Earl of Hereford, and Richard de Clare, Earl of Glouceſter. According to the manuſcript chronicle of Theokſbury, quoted in Carte and other hiſtorians, Roger Bigod was the ſpokeſman; and, on the King aſking in alarm whether he muſt conſider himſelf a priſoner, anſwered that he was not, but they were reſolved to have all Poictevins and foreigners baniſhed out of England, and they would grant no ſupplies unleſs the King would ſwear to carry on his government

government under the advice of a council to be nominated by parliament. The King was compelled to accept theſe terms, and adjourned the parliament to Oxford, where the famous Proviſions of Oxford were enacted, which, while leaving him the ſtate and nominal dignity of a King, virtually took the government out of his hands, and placed it in thoſe of a Council of State. We need not further notice in detail the courſe of public events which enſued —the internal diſſenſions under which the authority of the Council collapſed— the civil war which broke out on the King's obtaining a papal diſpenſation from his oath, and attempting to annul the Proviſions—the temporary eſtabliſhment of the power of Simon de Montfort by the battle of Lewes—and its exſtinction at that of Eveſham. Roger Bigod and his brother Hugh were two of the four perſons ſelected out of the twenty-four named at Oxford to elect the King's Council, and of the Council ſo elected, and the latter was very ſhortly afterwards appointed by the Council of State Juſticiary, in place of John Manſell, removed from his office. The new Juſticiary acted with great vigour while he continued in office, but was ſuperſeded, in parliament, in the year 1260, in favour of Lord Hugh Deſpenſer (Matt. Weſt. p. 376, ed. 1601). When, in 1263, Prince Edward took up arms in the royal cauſe, Earl Roger was one of thoſe who joined him (Chronicle of T. Wikes, Gale's Scrip. quinque 57), and he is referred to, in a tone of remonſtrance, in a political poem, in rhyming Latin verſe, preſerved in Riſhanger's Chronicle, and alſo reprinted among the Political Songs of England, publiſhed by the Camden Society :—

"O tu, comes le Bygot, pactum ſerva ſanum.
Cum ſis miles ſtrenuus, nunc exerce manum.
Totam turbat modica terram turba canum.
Exeat aut pereat genus tam profanum."

It is to be preſumed that his brother, Hugh Bigod, at the ſame time, if not earlier, diſtruſted the intentions of De Montfort, and joined the royaliſt party; for he fought on that ſide at Lewes, and eſcaped abroad after the battle, or rather fled from it, with John de Warren, and the King's half-brother William de Valence, and Guy de Luſignan (Matt. Par., p. 670, ed. 1644). He alſo is the ſubject of a political ſong, preſerved in the ſame collection, and alſo in Percy's Reliques, and ſhewn by internal evidence to have been written between the battles of Lewes and Eveſham :—

Sire

"Sire Simond de Mountfort hath ſuore bi ys chyn,
Hevede he nou here the Erl of Waryn,
Shulde he never more come to is yn,
Ne with ſhelde, ne with ſpere, ne with other gyn,
To help of Wyndeſore.

Sire Simond de Mountfort hath ſuore bi ys cop,
Hevede he nou here Sire Hue de Bigot,
Al he ſhulde quite here twelfmoneth ſcot,
Shulde he never more with his fot pot
To helpe Wyndeſore."

Both of theſe, and others who had eſcaped with them from Lewes, landed in Wales early in the following year, and joined Prince Edward on his eſcape from his guards. We find no mention of the Earl of Norfolk, either at Lewes or Eveſham, but at the latter battle the chroniclers do not happen to mention the leading nobles engaged on the royal ſide. In the month of November following the re-eſtabliſhment of the King's authority, the Earl is mentioned in the Annals of Waverley (Gale's Scrip. quinque 221), as proteſting in parliament, along with the King of the Romans, Philip Baſſet, and others, againſt the forfeitures propoſed to be inflicted on the adherents of De Montfort.

On the 4th May, 1270, the King, on his petition, admitted his nephew, Roger Bigod, to the Marſhalſhip, as his deputy (Rot. Claus., 54 Henry III). As this was the year of the Earl's death, it might have been ſuppoſed that his retirement from the duties of the office was occaſioned by failing health: but it is ſtated in Weever's Funeral Monuments (p. 829) that he died of a bruiſe received in running at tilt. According to the ſame authority (which however antedates his death by a year) he had by his will, made as far back as 1258, the year of the Proviſions of Oxford, and of which Simon de Montfort was one of the executors, directed his burial at the Abbey of Thetford, which had been founded by his anceſtor of the period of the Conqueſt. He left no iſſue by his unfortunate marriage with Iſabel of Scotland, and I am not aware whether ſhe ſurvived him. The date of Roger's death is given by the continuator of Florence of Worceſter as 4 July, 1270.

Of his brother, Sir Hugh Bigod, I have not met with any trace ſubſequent to his rejoining Prince Edward before the battle of Eveſham. By his firſt wife, Joan, daughter of Robert Burnet, he had two ſons—Roger, juſt-named

as

as his uncle's deputy, and who ſucceeded him in his inheritance, including the Earldom of Norfolk and the Marſhalſhip; and John, an eccleſiaſtic, who is deſcribed by Walter de Hemingburgh (ii, 223, ed. of Eng. Hiſt. Society) as rector of many churches and very rich. Query, what amount of preferment would ſatiſfy this deſcription? His contemporary, John Manſel, already mentioned as Hugh Bigod's predeceſſor in the office of Juſticiary, held 700 benefices—a buſy churchman, though his time was not wholly occupied with the cure of ſouls.

Roger Bigod, fifth Earl of Norfolk, was twenty-five years old when he ſucceeded to the inheritance of his uncle, as appears by the Inquiſitions poſt mortem, the writ for which is dated 6 July, 1270. This is mentioned in an intereſting paper on Wentwood, Caſtle Troggy, and Llanvair Caſtle, by Meſſrs. Morgan and Wakeman, printed for the Monmouthſhire and Caerleon Antiquarian Aſſociation, which ſhews clearly that the Survey of Wentwood, of which it gives verſions, in Engliſh from a manuſcript belonging to the Duke of Beaufort, and in Latin from one belonging to Lord Tredegar (another from a manuſcript at St. Pierre having already appeared in Williams's Monmouthſhire), was taken on the acceſſion of the fifth Earl. It ſhews alſo that no mention was there made of Troggy Caſtle, though it ſubſequently became the official reſidence of the Ranger, and that it is firſt mentioned in the Inquiſition poſt mortem, of the fifth Earl himſelf, in 1306, as a tower then of recent conſtruction. In the pedigrees of many families ſome one individual might be ſelected as entitled, par excellence, to the deſignation of "the builder." Such was Roger Bigod, the fifth Earl of Norfolk, in the hiſtory of Striguil. If his predeceſſor had been equally under the influence of the organ of conſtructiveneſs, he might well have undertaken the erection of Cas Troggy, the occaſion for which is ſuppoſed to have been the neceſſity for protecting the new boundary on the diviſion of the inheritance of the Marſhals. This however was no great undertaking. A larger one was the erection of the principal part of Striguil Caſtle. When we ſpeak of William Fitz-Oſbern as the builder of it, all that is meant is that he built the tower, of which all Norman Caſtles conſiſted. In the reign of Edward I, the improvements in the art of attack rendered neceſſary improved means of defence, and the Edwardian Caſtle uſually conſiſted of a central keep, for which the original Norman tower, where it exiſted, was often made to ſerve, and a ſeries of concentric courts, or baileys. In the caſe of Striguil, this arrangement was modified by the nature of the ground. The precipitous

precipitous cliff, deſcending abruptly to the Wye, formed an impregnable defence on that ſide, and the intervening ſpace between the river on the north, and the natural ravine on the ſouth, was too narrow for the typical form of Edwardian Caſtle. The ſucceſſive courts, arranged in line along the available ſpace, was the neareſt practicable approach to the deſired arrangement. This converſion of Fitz-Oſbern's caſtle I preſume we may ſafely attribute to the Earl now under notice: but on the architectural queſtion I muſt be underſtood as not pretending to ſpeak with authority.

The ſtructure by which he is beſt entitled to be remembered is the Abbey Church of Tintern. Whatever eccleſiaſtical edifice may have exiſted from the date of Walter de Clare's foundation of the Abbey, or even earlier, it is to the period, and to the munificence, of the fifth Earl of Norfolk that we are to aſſign the preſent world-famous ſtructure. Of its actual date there is fortunately hiſtorical evidence: for William of Worceſter has recorded the fact that the monks entered upon their new church, to perform divine ſervice, in the year 1287, and the following year, on the 3rd of October (quinto nonas Octobris), they entered the choir, and the firſt maſs was celebrated at the high altar.

In public affairs we hear little or nothing of this Earl during the ſhort remainder of the reign of Henry III, or for many years of that of his ſucceſſor: but we have now loſt our truſty guide, Matthew Paris; and ſubſequent chroniclers, among whom we have here to rely principally on Trivet and Hemingburgh, during the reign of Edward I, ſeem to have cared leſs than their predeceſſors to record the names of individual nobles taking part in military or civil tranſactions. Still it is ſurprizing that we find no mention of a nobleman in his important poſition in the hiſtory of the ſteps taken on Edward's acceſſion for providing for the ſafety of the realm until his return from the cruſade, or at the ſplendid ceremonies of the coronation, in 1274. In 1282 he was in the Welſh expedition, and, in the abſence of any circumſtances leading to a contrary inference, it is to be preſumed that, in the diſcharge of the ordinary duty of his office, he accompanied the King in his wars in Scotland and elſewhere. However, the public events in which we firſt find him recorded as a principal actor, and by which his name is known to hiſtory, are thoſe in which, allied with his friend and colleague, and near neighbour at Caldicot Caſtle, Humphrey Bohun, ſeventh Earl of Hereford, and

and hereditary Conſtable of England, he made a ſtand againſt the deſpotic meaſures of Edward I. All Engliſh hiſtories relate the famous altercation with the King, for which Walter de Hemingburgh (ii, 121, ed. of Eng. Hiſt. Society) is the original authority, when Edward, in purſuance of his policy of an alliance with the Count of Flanders againſt the King of France, was deſirous of ſending his Conſtable and Marſhal with an army into Gaſcony. Both excuſed themſelves, and, on being preſſed, the Marſhal ſaid, "I will willingly accompany you, going before your face in the front rank, as pertains to my office by hereditary right." The King inſiſted on their leading the expedition in his ſtead. The Earl ſtood on his right to refuſe to go, unleſs accompanying the King in perſon, until the angry diſcuſſion culminated in the King burſting out in a rage :—"By God, Sir Earl, you ſhall either go or hang:" to which the Earl replied, "By the ſame oath, Sir King, I will neither go nor hang." The author of "The Greateſt of the Plantagenets," in his amuſing reluctance to admit anything leſs than angelic perfection in the character of his hero, would fain perſuade himſelf that Edward was much too pious to have uſed the Divine name lightly or irreverently, and that the chronicler muſt have erroneouſly tranſlated by the naughty words, "per Deum, comes," the very innocent addreſs, "Earl Bi-God:" but finding the Pope himſelf aſſeverating "per Deum" that he would do the King juſtice, the biographer reconciles himſelf to the admiſſion that the Greateſt of the Plantagenets may have "uſed language ſimilar to that employed by Abraham, Joab, and Nehemiah." After ſuch an illuſtration of the ſpirit in which hiſtory may be written by a hero-worſhipper we muſt be excuſed from adopting his eſtimate of the King's conduct in more important matters, though waiving any controverſy on points unconnected with our ſubject. He had reigned twenty-four years, and had hitherto ſucceſſfully reſiſted all attempts to procure a confirmation of the Great Charter and Charter of the Foreſts, which had been ſyſtematically violated. His apologiſt claims credit for the rarity of his appeals to parliament for aids: but he had raiſed the funds requiſite for his repeated coſtly wars by means of various arbitrary exactions, eſpecially forced loans of wool and leather known under the name of "priſes," and at this period had overfilled the cup of his ſubjects' patience by a tax of forty ſhillings on every ſack of wool (which had acquired the name of the "maletoult," or ill toll) in lieu of a tax of half a mark per ſack, which had been granted by his parliament. Theſe grievances are ſcarcely named by the author juſt referred to, and not at all in their proper place, where he mildly alludes to them by ſaying that Edward "began to take meaſures of

of a kind which always create a certain amount of diſcontent," and expreſſes his opinion that "there was nothing in theſe meaſures which materially differed from the practice of modern wars." The difference overlooked is that in modern wars the requiſitions are made on the enemy, Edward's were made on his own ſubjects. And now, having ſummoned a parliament, as Hemingburgh calls it, though it was rather a council of his barons without the clergy, it met at Saliſbury, on the 24th February, 1297, and ended in the angry ſcene above related; upon which the council was abruptly diſſolved, and the two earls, aſſociating with themſelves many great men of the kingdom, raiſed a force of 1500 horſe, and ſpreading themſelves over their reſpective provinces, prevented the King's officers from ſeizing wool or leather, or making any other illegal exaction.

In the meantime the King, having joined the expedition to Flanders, iſſued writs, commanding all who owed him military ſervice, and all who held lands to the value of £20 a year, to meet him in London, on a day named, with horſe and arms, prepared to croſs over the ſeas with him. Many barons met him accordingly, and did fealty, at his requeſt, to Prince Edward his ſon, then aged thirteen years. The King did his beſt to make a favourable impreſſion. He made excuſes for his arbitrary exactions on the uſual plea of neceſſity, aſſerting that he was maintaining not his own cauſe but the cauſe of the people, and begged that they would forgive him and pray for him; on which the chronicler obſerves that ſome prayed in public, but others curſed in private. The Conſtable and Marſhal held aloof, contending as their Norman anceſtors had done before the Conqueſt, that their ſervice was limited to the defence of the realm, and that they were not bound to aſſiſt the King in his foreign wars. The apologiſt for the Greateſt of the Plantagenets lays much ſtreſs on the duplicity and inconſiſtency of their conduct:—"As they had objected at Saliſbury to go to Gaſcony becauſe the King did not propoſe to accompany that expedition, ſo now they objected to go with the King to Flanders becauſe, as they ſaid they could not find that any of their anceſtors had ever performed any ſervice in that country .... they would not go to Gaſcony without the King; they would not go to Flanders with the King." The truth is that their excuſes were mere words, intended to maintain the outward forms of courteſy, but neither intended to deceive, nor capable of deceiving any one. Their real attitude was that of armed reſiſtance to their ſovereign, provoked, and according to their views, juſtified by his own violation of his ſubjects' rights

rights; and they were now at the head of an alliance of the great barons, determined to extort from him, as their fathers had done from the two preceding ſovereigns, the recognition of the liberties of their countrymen and the rights of their own order. A monarch more ſanguinary and leſs prudent than Edward I (for in this reſpect he was no tyrant) might have ſought their heads, the probable reſult of which, if it had not coſt him his life or his crown, would have been, at no diſtant date, to place him in the poſition of his grandfather at Runnymede, or his father under the Proviſions of Oxford. But Edward was in his generation a wiſer man, and warned in time by their example, though as fully determined as either of them to render nugatory every conceſſion extorted in times of preſſure, and never for a moment relaxing his determination to purſue his own arbitrary courſe, he abſtained from puſhing matters to extremities againſt the recalcitrant Earls. He opened negociations with them, and they told the mediators that if the King would confirm the charter of liberties, and redreſs the grievances complained of, they were ready to follow him to life or death. But on this point the King was not to be moved from his purpoſe. He neceſſarily deprived them of the offices, the duties of which they refuſed to execute, and appointing Thomas de Berkelye, Conſtable, and Geoffry de Genevill, Marſhal, he ſet out on his expedition to Flanders. At Winchelſea he was met by meſſengers from the Earls, with a memorial in which they formulated their demands. It is printed in Norman French, in Hemingburgh (ii, 125, ed. of Eng. Hiſt. Society) and, in Latin, in Trivet's Annals (p. 360, ed. of ſame Society). Commencing with a rather diſingenuous preliminary objection to the ſummons for not ſpecifying the place of embarcation, it alleges that ſervice in Flanders was not within the duty of the memorialiſts—that if they were bound to ſerve there or elſewhere, they and all the commonalty were too much impoveriſhed to do ſo, by reaſon of the talliages, aids, and priſes, which they ſpecify—that the whole community was aggrieved by the wilful violation of the ancient laws and cuſtoms of the realm, and the breaches of the Great Charter and Charter of the Foreſt, and eſpecially the maletoult on wool, which they allege to be equal to a fifth part of the value of the whole land—and laſtly, they proteſt againſt the expedition to Flanders, on the ground of the unſettled ſtate of affairs in Scotland, in which rebellion had already broken out (as was the fact) even while the King was in England, and was ſure to make head as ſoon as he had turned his back. The King evaded a direct anſwer to the memorial with the excuſe that his council were partly in London and partly already in Flanders, and ſent a meſſage to the Earls, begging

begging them that if they would not accompany him, they would at leaſt do no injury to the realm in his abſence. He embarked about the 24th of Auguſt, leaving his kingdom in the nominal regency of his ſon, under the guardianſhip of the Biſhop of London, the Earl of Warwick, and three knights. The anticipation of the Earls as to the inſurgent Scots was only too ſoon verified, and the military operations againſt them reſulted in the diſaſtrous battle of Stirling, on the 10th of September. In this emergency the Regency made overtures to the Earls of Hereford and Norfolk, who readily announced their terms, namely the confirmation of the Great Charter and Charter of the Foreſt, with the inſertion in the former of certain additional articles—the prohibition of all future aids and exactions without the aſſent of parliament —and the pardon of the Earls and their aſſociates.

THE *Additional Articles*, ſo ſtipulated to be inſerted in Magna Charta, are printed at length in Trivet's Annals (p. 367) and Hemingburgh (ii, 152). Their ſubſequent hiſtory is involved in much obſcurity, and has given riſe to a diſcuſſion, to which ſome facts are here contributed, bearing on the immediate ſubject of this memoir. The Articles commence with the words, "Nullum tallagium vel auxilium per nos vel heredes noſtros de cetero in regno noſtro imponatur," &c., and they go on to provide that no talliage or aid ſhall be levied without the conſent of parliament—that none of the King's officers ſhall take corn, wool, leather, &c., without the owner's conſent—that the maletoult ſhall be aboliſhed—that the clergy and laity ſhall enjoy all laws, liberties, and free cuſtoms, as fully as at any time paſt—and that anything to the contrary contained in that or ſubſequent ſtatutes ſhall be for ever null and void—and they conclude with the ſtipulated pardon, in the following words, in which certain phraſes are here italicized for reaſons preſently to appear:— "Remiſimus etiam Humphrido de Boun, comiti Herefordenſi et Eſſexienſi conſtabulario Angliæ, Rogero Bygot, comiti Northfolciæ, mareſcallo Angliæ, et aliis comitibus, baronibus, militibus, armigeris, Johanni de Ferrariis, ac omnibus aliis de eorum ſocietate confederatione, et concordia exiſtentibus, necnon omnibus viginti libratas terræ tenentibus, in regno noſtro, ſive de nobis in capite, ſive de alio quocumque qui ad tranſfretandum nobiſcum in Flandriam certo die notate vocati fuerunt, et non venerunt, *rancorem nostrum et malam voluntatem* quam ex cauſis predictis *erga eos habuimus* et etiam tranſgreſſiones ſi quas nobis vel noſtris fecerint uſque ad preſentis cartæ confectionem." Theſe terms were accepted by the Regency, and five days after the battle of Stirling writs were iſſued, ſummoning

ſummoning a parliament to be held in London on the 10th of October, for the purpoſe of confirming the Great Charter and Charter of the Foreſt, and providing that the recent levy of an eighth ſhould not be taken as a precedent in future. The parliament was held accordingly, and the earls attended with a force of 1500 horſe and a great body of choſen foot, a ſtipulation having been made for their being ſo attended and all the city gates given into their cuſtody, that they might not be, as they expreſſed it, encloſed like ſheep in a fold; and an act of parliament was paſſed, which appears on our ſtatute book as the *Confirmatio Chartarum* (25 Edward I). It is in the then not unuſual form of letters patent, which are in the King's name, but teſted in the name of his ſon:—In teſmoignance de queux choſes, nous avoins fait faire ceſtes nos lettres overtes. Teſmoigne Edward noſtre fitz a Londres le diſme jour de Octobr' lan de noſtre regne vintiſme quynt." It contains a full confirmation of the charters, provides that judgments given againſt them ſhall be void, and that they ſhall be read periodically in churches, and excommunication pronounced againſt the breakers of them, and inaſmuch as doubts had been entertained leſt the aids and taſks granted to the King for his wars might turn to bondage by being found on the rolls, and likewiſe the prizes taken by the King's officers, it declares that they ſhall not be drawn into a precedent, and that the King will take no aids, taſks, or priſes, without the common conſent and common profit of the realm, "ſauve les auncienes aides e priſes dues e cuſtomees"—an exception which, proper enough in itſelf, ſoon furniſhed a pretext for further abuſes. It does not contain any pardon of the two earls, nor the other proviſions ſpecified in the draft of the "Additional Articles." A verbatim copy of the act was ſent over to the King in Flanders, and it is repeated, in the form of letters patent, dated at Ghent, on the 5th of November [1297]. Blackſtone, who prints theſe letters patent in his Law Tracts (App., p. lxxiv), prints alſo, in a note at p. 342, letters patent, dated on the ſame day and at the ſame place, granting the promiſed pardon to the two earls and their adherents. It recites that the King has been informed "qil ſe douteront qe nous euſſions concev vers eux rancour et indignation pur ancunes deſobeſſances qil avoient fetes ne ad geres a ceo qe hom diſoit en ce qil ne vindrent pas a nous a noſtre commandement," &c., and remits "totes maneres de rancour et de indignaſion," accordingly.

The King returned to England in March 1298, and at once made preparation for an invaſion of Scotland, ſummoning a parliament to meet at York

York for that purpoſe on the 25th of May. The Earls aſked for a confirmation of the charters, apprehending the invalidity of the previous confirmation on the ground of its execution beyond the ſeas. As uſual the King evaded the demand, but promiſed a confirmation on the return of the expedition from Scotland. The Earls ſeem to have accepted the promiſe, for they fought in their accuſtomed places at the battle of Falkirk, on the 22nd of July, being deſcribed by Hemingburgh as "comites primæ aciei." At a parliament held at Carliſle on the 15th of September, we find them complaining of the grant of the Iſle of Arran to a Scottiſh nobleman, as a breach of the King's promiſe not to do certain acts without the aſſent of parliament, and they receive the royal licence to depart home. Nothing is recorded of any further diſcuſſion at that time, as to the charters, but at a parliament held in London, at the beginning of Lent, 1299, the performance of the King's promiſe to the two earls was ſtrongly inſiſted on. "The King," ſays Holinſhed (ii, 531, ed. 1807) "was nothing contented that this matter ſhould be ſo earneſtly called upon: for loth he was to grant their full requeſts, and again to deny them he ſtood in doubt how it might be taken. He therefore prolonged time, and would make no anſwer either to or fro. But when the lords urged him ſo ſore to give them anſwer, he got him out of the city, not making them privy of his departure, and when they followed him, and ſeemed not well contented that he ſhould ſo diſſemble with them, he excuſed himſelf by blaming the air of the city to be againſt his health, and therefore bare them in hand that he only ſought to refreſh himſelf in ſome better air in the country more agreeable to his nature, and as for anſwer to their requeſts, he willed them to repair again to the city, and they ſhould have anſwer by his council, ſo far as ſhould ſtand with reaſon, to content them. They returned as he willed them, and had the charters confirmed according to their requeſts, ſaving that this addition was put in the latter end of the ſame, 'ſalvo jure coronæ noſtræ;' with which addition the lords were offended, and turned home to their houſes in as great diſpleaſure towards the King as before." The mode of teſting public opinion in the thirteenth century was by reading documents at St. Paul's Croſs; for which purpoſe the charter was ſent to the Sheriffs, and read in preſence of a great aſſembly, who, as the chronicler relates, "at firſt gave many bleſſings to the King for thoſe grants, but when they heard with what words he concluded, they curſed as faſt as before they had bleſſed." The reſult of the popular appeal was that the parliament was diſſolved, and a new parliament convened for the quindene of Eaſter (3 May

(3 May, 1299), at which it is ſtated by the chroniclers that the charters were confirmed abſolutely (Trivet, p. 376 ; Hemingburgh, ii, 183 ; Holinſhed, ii, 531); but this does not appear on the records of parliament. The public diſcontent however was not appeaſed, while the perambulation of the foreſts as promiſed by the charter was delayed : and a proclamation was iſſued on the 25th of June, containing a promiſe that the perambulations ſhould commence at Northampton by Michaelmas at fartheſt. Still nothing was done, and the ſummer was occupied in preparations for an event which had an influence, little anticipated at the time, on the fortunes of Striguil. That event was the marriage of the King with his ſecond wife, Margaret, ſiſter of the King of France, which took place on the 10th of September, and produced three children, of whom the eldeſt was a ſon, Thomas, who, from the place of his birth, took the name of Thomas of Brotherton. In November the King held a parliament at York, and thence ſet out on an expedition to Scotland ; but at Berwick his barons refuſed to proceed further, alleging the difficulties of a winter campaign, but adding the grievance of the non-obſervance of the charters. They were eventually diſmiſſed with an arrangement that a parliament ſhould be held in the Lent following.

On the 16th of March, 1300, a parliament was held accordingly, at Weſtminſter, at which was paſſed the ſtatute known as "*Articuli super chartas*" (28 Edward I, ſtatute 3), containing a confirmation of the charters, with many additional proviſions for improving the law. Attention is requeſted to dates: for at this point ariſes a difficulty which remains to be ſolved. Under the date of 1304, there appears in the printed editions of our ſtatutes that known as the "*Statutum de Tallagio non concedendo*" (34 Edward I, ſtatute 4), which, with ſlight verbal alterations, and one, more important, or at leaſt curious, to be noticed preſently, is a copy of the "Additional Articles" preſented to the Regency by the remonſtrant earls, in 1297, commencing with the words "Nullum tallagium" and ending with the Pardon. How this found its way into the ſtatute book is a myſtery. There is clearly a miſtake as to the date : for, as Blackſtone points out, Humphrey Bohun, the ſeventh Earl of Hereford, to whom it relates, had been long dead. Blackſtone, quoting Dugdale, fixes his death on 31ſt December, 1298, which is found to be correct, though genealogiſts give other dates, both earlier and later. At all events he had died long before 1304. Blackſtone comes to the concluſion that this ſtatute had in reality no exiſtence apart from the "Confirmatio Chartarum"

of

of 1297, and that it was only a kind of abſtract or tranſlation, by a contemporary hand, probably inſerted at the end of the Great Charter in the regiſter of ſome monaſtery, and thence tranſcribed by Trivet and Hemingford. He prints it from the text of the latter, obſerving that "it is the moſt intelligible copy of any extant, that printed in our ſtatute books being in ſome parts ſo mutilated as totally to obſcure the ſenſe." Blackſtone however does not ſtate, as he ought to have done, that Hemingburgh (or Hemingford as he was called in thoſe days, and in the edition of his chronicle forming that of Gale's Scriptores) does not give the text as that of a ſtatute, but only as the draft Articles ſtipulated for in 1297. After quoting at length, in Norman French, the Confirmatio Chartarum, as teſted in the name of Prince Edward, he adds, "The ſame writing was ſent to the King, in Flanders, that he might affix his privy ſeal: for his great ſeal remained with the King's ſon. There were alſo ſent tranſcripts of the Great Charter and Charter of the Foreſt, with the ſubjoined Articles inſerted at the end of the Great Charter, that he might likewiſe ſign them:" and then follow the "inſerted articles," commencing "Nullum tallagium," &c. What ſhould we ſay of an hiſtorian, who, finding in a modern act of parliament (as well he might) inconſiſtencies ariſing from alterations made in committee, ſhould prefer printing it from the bill as more intelligible? There is room for the conjecture, as an alternative to the concluſion arrived at by Blackſtone, who has cut rather than untied the knot, that the "Statutum de tallagio non concedendo," having been accidentally omitted from its proper place on the ſtatute roll, may have been entered out of date, and that it may have actually been paſſed at the parliament at Carliſle, in September 1298. It would have been ſatiſfactory to confirm the old chroniclers, by aſcertaining that it was at the parliament of 8 May 1299; but the date of Humphrey Bohun's death will not admit of this ſuppoſition. The exact date of that event has been the ſubject of ſome contradictory ſtatements, and the repetition of the ſame name of Humphrey Bohun from father to ſon deprives us of the uſual evidence derived from the occurrence of the name in the Hiis teſtibus clauſe of contemporary charters. It is not pretended that theſe pages are the reſult of ſearches among original records, but in this particular inſtance I have examined the Inquiſitions poſt mortem, at the Record office, in the hope that they would furniſh ſome evidence of the date of Humphrey Bohun's death. It is nowhere mentioned, but the writ of *Diem clausit extremum* is dated 7 January 27 Edward I (1298-9); and all the inquiſitions which are legible (for the roll is in very bad condition) were held in the ſame month—ſo that the evidence, as far as it goes, is confirmatory

confirmatory of Dugdale's date of 31 December 1298. The roll referred to is that numbered 142. That calendared under the date of 30 Edward I (No. 58, ſecond numbers) turns out not to be an Inquiſition poſt mortem, but an Inquiſition on alienation by Humphry Bohun, eighth Earl of Hereford.

THE curious part of the tranſaction is that in the "Statutum de tallagio non concedendo," as printed in our ſtatute book with the evidently erroneous date of 1304, the words of the Pardon are :—Remiſimus etiam Humphrido de Boun, &c., ... *rancorem et malam voluntatem erga nos* habitam, ac etiam tranſgreſſiones, &c." Still more oddly it happens that Sir Edward Coke, in his ſecond Inſtitute (p. 528, ed. 1669) commenting on the "Confirmatio Chartarum," ſays "Bohun, Earl of Hereford and Eſſex, High Conſtable of England, and Bigot, Earl of Norffolk and Suffolk, and Marſhal of England, for that it concerned matters of arms and war, exhibited a petition to the King, in French, in anno 25 Edward I, before the making of this act, which I have ſeen antiently recorded, on the behalf of the commons of England, concerning the ſaid matter." When he comes to comment on the "Statutum de tallagio non concedendo" p. 532, he explains "rancorem" as "taken metaphorically for a feſtring of indignation or diſpleaſure in the mind of the King, which the King releaſeth, and diſcharges them of the ſame, and incidentally reſtoreth them to his favour," the commentator having apparently in his mind the terms of the original propoſal, and not adverting to the fact that his own text, as well as the ſtatute book, prints the words as laſt above quoted, which are quite inconſiſtent with his comment. The terms of the pardon, as dictated by the earls, would naturally be offenſive to the King, and the variation made in them, ſo as to impute the "rancorem et malam voluntatem" to themſelves, may have been a grim retort on his part, while ſubſtantially granting the pardon ſtipulated for. I have not ſeen this diſcrepancy noticed before ; and have been induced to treat the tranſactions out of which it aroſe at diſproportionate length, becauſe this pardon, the ſecret hiſtory of which remains to be written, may have had an important bearing on the devolution of the caſtle and lordſhip marcher of Striguil.

WHETHER as a conſequence of theſe events or not, certain it is that Earl Roger did by deed, dated the 12th April, 1302, ſurrender the whole of his eſtates, his earldom and Marſhal's rod to the King, in conſideration of a regrant to him for life, or with the other limitations to be ſhortly noticed, of the

the ſame and additional lands to the value of a thouſand marks, and in indemnity againſt his debts. The motives for this tranſaction have been variouſly aſſigned. Some writers conſider it the price of the pardon of which ſo much has been ſaid, or of a pardon for ſubſequent offences againſt the King. Others attribute it to a quarrel between the Earl and his pluraliſt brother, John Bigod, his heir preſumptive, the particulars of which are very circumſtantially related by Walter de Hemingburgh (ii, 224), who ſays that the latter preſſed the Earl for the repayment of money borrowed to meet his expences during his ſtruggle with the King, and, on being reminded that the whole of his brother's inheritance would be his, anſwered, "What is your inheritance to me? I care not. Pay me my money:" on which the Earl, anſwering, "I will do as you bid me, but to the loſs of yourſelf and our heirs," went in anger to the King, and made the ſurrender above noticed. He obtained a regrant, dated the 12th July following, in which the eſtates were limited to him and the heirs of his body, or to the heirs of the bodies of himſelf and Alice his wife. Which was the preciſe form is immaterial, for he had no iſſue, though he was married at leaſt twice. His firſt wife, Aliva, daughter of Philip, Lord Baſſet, and widow of Hugh Deſpenſer, died in the 9th year of Edward I. His ſecond, according to Dugdale (Baronage, i, 136), was Alice, daughter of John de Aneſine, Earl of Bayonne, the ſame perſon, it is preſumed, who is called Johannes de Avegnes, comes Agennogiæ, by the continuator of Florence of Worceſter, who records his marriage in 1290 (ii, 243, ed. of Eng. Hiſt. Society). She ſurvived him: for lands in dower to her are excepted from the grant to Thomas de Brotherton to be ſhortly noticed (Dugdale's Baronage, ii, 63). We ſhall find her mentioned in a ſubſequent chapter as Alice of Hainault.

The Earl ſeems to have been under a cloud ſubſequent to his pardon, if it were of the date we have ſuppoſed; for he excuſed himſelf from attending the King in his Scottiſh campaign of 1300, and ſent a ſubſtitute. The original chronicle of Peter Langtoft, as publiſhed under the direction of the Maſter of the Rolls, ſays:—

> "Ly quens Marſchal Roger deſhaité ſe ſent,
> Sir Jon de Segrave en ſoun lu preſent,
> Ad fere le ſerviſe en taunt cum apent."

which Mr. Wright tranſlates, "The Earl Marſhal Roger feels himſelf diſcouraged —preſents Sir John Segrave in his place to do the ſervice inaſmuch as belongs to

to him;" and obſerves in a note that Robert de Brunne had miſtaken the meaning of his author in his verſion :—

> "The Erle Marſchalle Rogere no hele that tyme mot have,
> He went with his banere Sir Jon the Segrave,
> To do alle tho ſerviſe that longed the office tille,
> And mayntend alle the priſe, ther he ſauh lawe and ſkille."

Probably the moſt important miſtake has been made by Robert de Brunne's editor or tranſcriber, in miſreading "He *went* with his banere," for "He *sent* with his banere." The cauſe of his abſence, whether real ſickneſs or the conſciouſneſs that he was out of favour, is comparatively unimportant, except ſo far as it might help to throw light on the hiſtory of the ſurrender. The terms on which he ſecured the ſervice of Sir John Segrave are worth quoting, as an illuſtration of the military ſyſtem of the period. They are ſtated by Dugdale (Baronage i, 674) from a manuſcript belonging to Sir W. Le Neve:— "In 25 Edward I, he was by Indenture retained to ſerve Roger le Bigod, Earl of Norfolk, with ſix knights, himſelf accounted, as well in the time of peace as war, for the term of his whole life, in England, Wales, and Scotland, viz., in times of peace with ſix horſes, ſo long as the Earl ſhould think fit, taking bouche of court for himſelf and his knights, and for his eſquires hay and oats, as alſo livery for ſix more horſes, and wages for ſix grooms and their horſes: likewiſe for himſelf two robes yearly, as well in times of peace as war, as for a banneret, and for his five knights the like robes as for his other bachelors, viz., two yearly. Moreover he was by theſe covenants obliged to bring with him in time of war his five knights with twenty horſes, and in conſideration thereof to receive for himſelf and his company, with all thoſe horſes, forty ſhillings per diem, but if he ſhould bring no more than ſix horſes, then thirty-two ſhillings per diem: it being likewiſe agreed that the horſes ſhould be priced to the Earl, that allowance might be made in caſe any of them ſhould happen to be loſt in the ſervice. For the performance of which agreement he had a grant from that Earl of the manor of Lodene, in com. Norff."

In the year preceding the ſurrender, the Earl had completed his munificent benefaction to the Abbey of Tintern by a Confirmation Charter, dated at Modeſgate, 4 Auguſt, 1301, with a grant of additional lands, and various privileges, including paſturage everywhere in Tidenham Chaſe.

He

He died in 1307, according to the uſually received authorities, but according to Cal. Geneal., ii, 738, quoted in Notes and Queries, 3rd ſeries, ix, 531, on the 11th December, 1306,[1] and was buried, with his firſt wife, at Thetford Priory, the uſual burial place of his anceſtors: and by virtue of what muſt be regarded as a fraudulent and illegal tranſaction between King Edward and him, his brother John was deprived of his inheritance, and with him the illuſtrious race of Bigod became extinct.

In their armorial bearings the Bigods were rather capricious. In a note to Watſon's Earls of Warren and Surrey (i, 171, ed. 1782) it is ſtated that the anceſtors of Roger Bigod, ſecond Earl of Norfolk, who married Iſabel, daughter of Hameline Plantagenet, Earl of Warren, bore Gules, a lion paſſant Or: but that author aſſigns to him, on the authority of Segar's Baronage and an engraved ſeal in Byſſhe on Upton de ſtudio militari, the arms of Or, a croſs Gules, which is the coat attributed in Heylin's Help to Engliſh Hiſtory to the firſt three Earls of Norfolk of the Bigod family. Roger, the fourth Earl, paid his mother's family the compliment of adopting the Marſhal coat, and his grandfather, for ſimilar reaſons, had uſed the coat of his father-in-law, Hameline Plantagenet. See their ſeals engraved in Watſon's Earls of Warren and Surrey, Pl. iii, No. 46, and Pl. i, No. 560, from the Aſpilogia of Brooke and Anſtis. Doyle's Chronicle of England, which, from the attention paid to the details of coſtume &c., is not without authority, has a plate repreſenting the interview of Henry III, with his barons, in the parliament preceding the Proviſions of Oxford, in which the Earl of Norfolk is repreſented, with his Marſhal's rod, in a ſurcoat Or, a croſs Gules: but as the lion paſſant is ſtated to be the ancient coat of the family, and the laſt Roger Bigod, Earl of Norfolk, ſealed with it the letter of the barons to Pope Boniface, as late as the year 1300, it ſeems to have the beſt claim to be treated as the arms of Bigod. I do not find among the flooring tiles preſerved at Tintern any trace of the croſs Gules. There are tiles bearing the device of a lion paſſant, but it is not on an eſcutcheon, as are other arms mentioned in the courſe of this memoir, and may or may not be heraldic. Of the ſtained glaſs in the eaſt window, which William of Worceſter deſcribes as containing the arms of Roger Bigod, not a veſtige has been preſerved.

[1] "qui obiit undecimo die Decembris anno ſupradicto" (35°). Inq. p.m., 35 Edward I, No. 46. Hibern.

CHAPTER VI.

Families of Plantagenet (De Brotherton), Manny, Hastings, &c.

Plantagenet.

Manny.

Hastings.

THE object of Edward I in acquiring the inheritance of the Bigods by the queſtionable tranſaction deſcribed in the preceding chapter, was to make a ſuitable proviſion for his younger ſon—the eldeſt by his marriage with Margaret of France—Thomas Plantagenet, called, from the place of his birth, Thomas de Brotherton. He received his Chriſtian name in acknowledgement of ſuppoſed obligations conferred on his mother, in childbirth, by Saint Thomas of Canterbury. We have already alluded to her marriage on the 10th September, 1299. The date of her eldeſt ſon's birth was the 1ſt of June in the following year, while the King was on his march to Carliſle, in the campaign in which the Earl Marſhal was repreſented by Sir John Segrave. The event is recorded by Peter Langtoft, in a paſſage forming the continuation of that quoted in the preceding chapter :—

"La rayne Margarete, par comaundement
Soun ſeygnur ly rays, vers le north ſ'eſtent;
Gros encaint eſtait; par Dieu le omnipotent
A Broyerton ſen Wherf delyver est ſauvement
De un fiz, k'a noun Thomas en baptizement.
Ly rays Eduuard l'oyt dire, ſe atire viſtement
Aprocher a la dame, cum falcoun al vent.
Apres ſa purifye fet ſollempnement
Ly rays vers Eſcoce ſoun chimyn reprent."

but

but here we need no other verſion than the racy one of Robert de Brunne:—

"The Quene Margerete with child than was ſche,
The Kyng bad hir not lete, bot com to the north cuntre
Unto Brotherton on Wherſe, ther ſcho was,
And lighter of a ſonne, the child hight Thomas.
When the King herd ſay ſcho had ſo wele farn,
Thider he went way, to ſe hir and hir barn;
And with hir he ſojorned tille ſho was purified:
Than eft agayn he turned, and tille his oſt hied."

The national prejudices of the young prince were developed at an early age: for it is related of him that he could not endure the milk of his French nurſe—or, according to ſome authors, his French mother—but an Engliſh-woman, being brought to him, "he liked well of hers." The King's own death, on the 7th July, 1307, prevented his fulfilment of his intentions as to the Earldom and Marſhalſhip and the eſtates acquired from Roger Bigod: but it was his deathbed requeſt to his eldeſt ſon and ſucceſſor, Edward II, to carry out his wiſhes in relation to them. Mr. Wakeman, in his paper on the Town and Caſtle of Chepſtow, mentions that in this year (1 Edward II as ſtated in Dugdale's Baronage, ii, 44) John Cromwell had the cuſtody of the caſtle of Strugoyl, with the chaces and appurtenances to the ſame caſtle belonging, and the town of Chepſtow, to hold during pleaſure. This is mentioned as being the earlieſt record in which that diligent local antiquary had found the name of Chepſtow. In purſuance of the deſire of his father, Thomas de Brotherton was, in his thirteenth year, created Earl of Norfolk, by patent, dated 16th December, 6 Edward II (1312), limiting the dignity and all caſtles, manors, and lands in England, Wales, or Ireland, which Roger Bigod formerly poſſeſſed, except thoſe held by Alice, his widow, in dower, to him and his heirs in tail general, and on the 10th February, 9 Edward II (1315) he had a patent, granting him the Marſhalſhip, with its appurtenances, to hold to him and the heirs male of his body, rendering therefor to the King and his heirs the ſervices which were due to the King's progenitors, formerly Kings of England, before the ſame Marſhalſhip came to the hands of our lord, Edward, late King of England, the King's father, by the gift, grant, and releaſe of Roger le Bigod, late Earl of Norfolk, &c. Dugdale's ſtatement (Baronage, ii, 63) that the grant was in *special* tail, coupled with the mention, in the following line, of a grant to him in *general* tail of houſes

houſes in Broken Wharfe, in the city of London, muſt have ariſen from careleſſneſs: for Dugdale, though he may have accidentally confuſed, can ſcarcely have miſunderſtood the technical terms he uſed. The limitations were in what is known to lawyers as "tail male general." The original grant of the Marſhalſhip is alleged in Strutt's Regal and Eccleſiaſtical Antiquities (in which what purports to be its initial letter, repreſenting the King delivering the patent to the Marſhal, is engraved as the plate No. xiv) to be one of the Cotton MSS. (Nero, D. 6); and he ſtates that over it is written "Literæ R. Edwardi, conſtituentes Thomam de Brotherton, comitem Nottingham, Mareſcallum Angliæ:" but the whole affair is a miſtake. There is no ſuch lettering as he deſcribes, but only a line or two, in an old and barely legible hand, deſcribing the Marſhal's arms as illuminated. Even if there had been ſuch lettering, and Mr. Strutt had never read a line of the manuſcript itſelf, the mention of the grantee as "comitem Nottingham"—the Mowbray Lion depicted on his jupon—and the fact of the very initial copied being an R commencing the name Ricardus, and not an E for Edwardus, would have been enough, with ordinary care, to prevent him from being miſled. The document is, in fact, a beautifully illuminated tranſcript of the grant from Richard II to Thomas Mowbray, Earl of Nottingham, to be noticed in its proper place. Strutt may have copied the title from the exiſting calendar (not then in print) of the Cotton MSS., under the ſuppoſition that it was a copy of the ancient lettering, which he either could not decypher, or did not trouble himſelf to read: for the catalogue, as ſince printed for the Record Commiſſioners, is ſcarcely more accurate. It reads, "Literæ R. Ricardi II, conſtituentes Tho. de Brotherton, com. Nottingham, Mareſcallum Angliæ, A° 1386." The circumſtance which miſled the compiler of the Catalogue, and afterwards Mr. Strutt, is that immediately following the grant is a document entitled:—"Ces ſont les uſages q. Thomas de Brotherton, filz au roy, clamoit a uſer p l'office Mareſcalſie." Strutt's plate has been copied in Taylor's Glory of Regality, London, 1820, in which the arms on the Marſhal's jupon are deſcribed as thoſe of Thomas de Brotherton on the ſuppoſed authority of this document; but heralds are agreed in aſſigning to him the arms of England, Gules, three lions paſſant guardant in pale Or, with a label of three points Argent for difference.

The grant of the office of Marſhal by patent is a new feature: and from this point our ſpeculations as to the connection of its tenure with that of

of Striguil Caſtle ceaſe. Such connection, ſo far as it ſubſequently exiſted, was a ſeparable accident. But the new Marſhal, or his adviſers, took a different view of his poſition: for in the document juſt alluded to—"les uſages que Thomas de Brotherton, &c., clamoit a uſer p l'office Mareſcalſie"—one of the clauſes runs:—"Mareſcalſia autem eſt quedam magna ſerjancia Regis comiti Norff. in feodo commiſſa." It is odd that the firſt documentary evidence met with of the title by grand ſerjeanty, on which we have indulged in ſo much ſpeculation, ſhould be in ſupport of a claim for which clearly there was no foundation. This, however, may have been a coronation claim, as the ſimilar document connected with the name of Gilbert, Count de Striguil, has been ſuppoſed to be, in which caſe Thomas de Brotherton might well claim as Marſhal to perform—and indeed the terms of his patent required him to perform—the honourable ſervices rendered by previous Marſhals: and in this point of view the inaccuracy of calling it a ſervice in grand ſergeanty is not very ſerious; ſtill it was an inaccuracy to ſay the leaſt of it, and, as we ſhall ſee preſently, it was not without its fruits. It is a fact not hitherto noticed that the claim above quoted is in the very words of the text-book known under the name of Fleta (l. 2, c. iv): and if it were certain that that work was written in the reign of Edward I, according to the concluſion arrived at by Selden in the 10th chapter of his Diſſertatio ad Fletam, it would be moſt important evidence in favour of our poſition as to the ancient tenure of the Marſhalſhip, though it would not have warranted the Marſhal in ignoring the new ſtate of affairs created by his patent. But the date at which Fleta was written is one of the unſolved queſtions of legal bibliography, Sir Edward Coke and Dr. Cowell holding that it is to be aſſigned to the end of the reign of Edward II or the commencement of that of Edward III: ſo that it is an open queſtion whether Thomas de Brotherton quoted Fleta, or the unknown author of Fleta had been miſled by the Marſhal's claim. That a writer of ſuch high authority ſhould have been ignorant of the patent, if it were of earlier date than his work, is hardly conceivable; and the point now under notice may furniſh one more fact to be taken into account by thoſe who may hereafter diſcuſs the date of that celebrated work.

In 11 Edward II, a writ was iſſued to the Barons of the Exchequer, to enquire what fees had been allowed in times paſt to the Marſhals of England and their officers, in bread, wine, tapers, and candles. A return was made accordingly, which, with the original writ, and the ſubſequent warrant

warrant to the Steward and Keeper of the Wardrobe, dated 15th July, 1317, to make payments accordingly to our beloved and faithful brother, Thomas de Brotherton, Earl of Norfolk, and Marſhal of England, and thoſe whom he may appoint to the office of Marſhal, are printed in Hearne's Diſcourſes (ii, 132). He was with the King at the ſiege of Berwick in 1319 (Lib. de Antiq. leg. cix).

At the early age at which his office was conferred upon him it could be little more than a ſinecure; but at all times its duties had to be performed in ſuch various places that the Marſhal muſt have had deputies for all ſorts of purpoſes. We have already noticed how the diviſion of the Aula Regis into ſeveral courts multiplied the duties of the office, and when the ſyſtem of Juſtices Itinerant was eſtabliſhed, to hold pleas in the various counties, the ubiquitous Marſhal was expected to be preſent with all of them in perſon or by deputy. The young Marſhal had only juſt attained to man's eſtate when he got into a difficulty. It appears from a record (Rot. Claus., 17 Edward II), alſo printed in Hearne's Diſcourſes (ii, 134), that at the aſſizes held a ſhort time previouſly for the county of Lancaſter the Marſhal had failed to appoint a ſufficient deputy; for which default his office had been ſeized into the King's hands, and he was fined £100; but on his petition, dated 19th November, 1323, his office was reſtored and the fine remitted. The ſecret hiſtory of the Marſhal's offence, his puniſhment and pardon, does not appear, nor its date, except as above, but if we may be allowed to indulge in conjecture, we ſhall not heſitate to connect them with events which bring another actor on the ſtage, and add another name to our liſt of the Lords of Striguil, though his poſſeſſion was of ſhort duration, and his intereſt only that of a tenant for life.

Hugh Deſpenſer the younger, who, after the fall of Gaveſton, had been placed by the nobles near the perſon of the King, as Lord Chamberlain, in the vain expectation that he would exerciſe an influence in favour of good government, or at leaſt in ſupport of the intereſts of their order, had found his poſition available for very different objects, and acquired an aſcendancy over the feeble mind of his unfortunate ſovereign, enabling him, in the King's name, to exerciſe a tyranny, which, for ſhameleſs violation of the rights of property, has no parallel in English hiſtory. He had acquired by his marriage with one of the three ſiſters and coheireſſes of Gilbert de Clare, Earl of Glouceſter, who was ſlain at Bannockburn, the laſt of the male line of his illuſtrious

illuſtrious race, the greater part of Glamorganſhire. The acquiſition of this eſtate, on which he built Caerphilly Caſtle on a ſcale of unexampled magnificence, gave a bent to his inſatiable rapacity, and the extenſion of his territory became a leading object of his life. The lordſhips of Caerleon and Uſk he extorted from another of the coheireſſes by a tranſaction which took the form of an exchange. That of Gower, which was in litigation between the Earl of Hereford and the Mortimers, who had reſpectively, unknown to each other, contracted for the purchaſe of it from its ſpendthrift owner, William de Braoſe, was ſeized on the pretext of forfeiture for unlicenſed alienation by the King's tenant in capite, and granted to the favourite to his own uſe. Newport he acquired by purchaſe; and, at a ſomewhat later period, he obtained a conveyance of Goderich Caſtle and Manor by actual dureſs, impriſonment, and perſonal violence, from Elizabeth Talbot, to whom it had deſcended from the Marſhals and de Valences. Striguil and its dependencies were almoſt the only poſſeſſions wanting to bring the vaſt territories of the uſurper in this part of the kingdom within a ring fence; but the owner, at the date of the principal acquiſitions juſt noticed, was a minor, from whom no title could under any circumſtances be acquired. He attained his majority on the 1ſt of June 1321. His petition for reſtoration of his office was dated 19th November, 17 Edward II (1323); and in the ſame regnal year he granted to Hugh le Deſpenſer, Lord of Glamorgan and Morganok, his caſtle of Strigoill, with the Manors of Chepſtow and Tudenham, as alſo all his other lands lying betwixt the rivers of Severne and Weye, likewiſe whatever elſe he had in all other places in Wales and the Marches, to hold for life (Dugdale's Baronage, ii, 63). A trumpery charge, a diſproportionate puniſhment, and a pardon procured through the influence of the all powerful favourite, are preciſely the ſteps which a ſcoundrel in Deſpenſer's poſition might be expected to take towards the acquiſition of the coveted eſtate. The moſt ſurprizing part of the tranſaction is that the limitation ſhould only have been for life. There can be little doubt that it would have been a firſt ſtep towards further extortion, if the career of the favourite had not been cut ſhort.

If he had no larger intereſt in the property, he would ſcarcely ſpend money in making extenſive improvements. Otherwiſe we might have been inclined to attribute to his magnificence the re-conſtruction of the ancient Keep into the ſtately banqueting hall, which paſſes by the name of the Chapel, and which, in its altered form, architectural antiquaries aſſign to the period of

of Edward II. If the date be aſcertained with ſufficient accuracy, it follows that this work muſt be aſſigned to Thomas de Brotherton himſelf, or his guardians during his minority.

THAT his tranſaction with Hugh Deſpenſer was no friendly one is indicated by the fact that when, on the 24th September, 1326, the Queen landed at Orwell with her Hainault allies, to wreak on the Deſpenſers the vengeance of herſelf and her "gentil Mortimer," the Marſhal was one of the firſt to join her ſtandard. In relating the events which enſued on her landing, our hiſtorians ſeem generally to have followed the authority of Knyghton (Twyſden's Scrip., 2544), according to which the King fled from London, with the two Deſpenſers, to Briſtol, and leaving the elder there to defend it, ſet ſail with the younger for Ireland, but was compelled by contrary winds to land and take refuge at Neath. But Adam Murimuth, who was not only a contemporary writer, but, from his perſonal relations with Edward II, is likely to have been well informed, and therefore entitled to preference as an authority even without confirmatory evidence, ſays (p. 48, ed. of Eng. Hiſt. Society) that the King, with the two Deſpenſers, Robert Baldock, and a few of his other miniſters, ſet out towards the Marches, arrived at Glouceſter, and ſhortly afterwards at Strogoil, and thence ſent Hugh Deſpenſer the father to the defence of Briſtol, and ſet ſail with Hugh Deſpenſer the ſon, Robert Baldock, and very few others. Walſingham is in the ſame ſtory, but he is a mere plagiariſt from Murimuth; and Capgrave's Chronicle (p. 155, ed. 1858) says:—"Thus fled the King, firſt to Glouceſter, and then to Strogoil. He ſent Hugo Spenſer the father to keep the town and the caſtle of Briſtow, and the King, with Hugo Spenſer the younger, and one Robert Baldock, entered the ſea." But, in fact, from the teſting of the King's writs, and ſimilar evidence, modern reſearches have enabled us to trace his courſe from day to day, and it appears from a paper by the Rev. H. H. Knight, "On the retreat of Edward II into Glamorganſhire" (here cited ſecond hand from the reference to it in the 2nd Ser. Notes and Queries, ii, 502) that military writs were teſted at Glouceſter on the 16th of October, and we have no trace of the King being afterwards at any place eaſt of the Severn, except as a priſoner. On the 12th he was at Weſtbury, near Newnham, on the 14th and 15th at Tintern, on the 16th and ſome days afterwards at Striguil Caſtle, and on the 27th at Cardiff. Mr. Wakeman mentions in his often quoted paper, that in the ſame month William de Tracy, Sheriff of Glouceſterſhire, was ordered to victual the caſtle of Strogoil, for defence againſt the Queen and Mortimer, which

which was done, and proviſions to the value of £24 15s. ſent in and delivered to Roger Barnard, probably the Governor. The fact that it was at this time one of the ſtrongholds of Deſpenſer's power has been hitherto almoſt loſt ſight of.

THE courſe of public events which enſued, culminating in the horrible death of the unfortunate King, need not be here related; but if we are to number Hugh Deſpenſer the younger among the Lords of Striguil, we muſt preſerve uniformity of treatment by a few words of notice of him individually. He was hanged, drawn, and quartered, as he richly deſerved, at Hereford, on the 18th November 1326. "Of this Hugh," ſays Fabyan (p. 430, ed. 1811), "a vercyfyer made theuſe two verſys followynge:

'Funis cum lignis a te, miſer, enſis et ignis,
Hugo, ſecuris, equus abſtulit omne decus'

whiche verſys, to them that underſtande no Laten, maye in this wyſe be expownyd, or Englyſſhyd :—

'With ropes were thou bounde and on the gallowe honge,
And from thy body thyne hed with ſwerde was kytte,
Thy bowellys in the fyre were throwe and burnyd longe,
Thy body in iiij pecys eke with an axe was ſlytte,
With horſe before drawyn, fewe men pyteynge it.
Thus with theſe turmentys, for thy ſynnys ſake,
From the wretchyd Hugh all wordly welthe was take'"

AMONG other indignities, which Knyghton records as having been heaped upon the favourite before his execution, is that of being dreſſed in a ſurcoat with his arms reverſed. His reverſed ſhield may have been ſuſpended before him, but his arms were ſuch as to defy the inſult deſcribed by the chronicler, for they would preſent the ſame appearance either way up. They were Quarterly, Argent and Gules, in the 2nd and 3rd a fret Or, over all a bend Sable. His ſon, Hugh, then nineteen years of age, defended Caerphilly Caſtle with ſuch ſucceſs as to ſurrender it only on the terms of ſecurity for life, limb, and effects, for himſelf and his garriſon. He lived to do good ſervice to Edward III, and to be ſummoned to parliament as Baron Deſpenſer, and his grandſon procured the repeal of the act declaring his anceſtors traitors.

THOMAS

THOMAS de Brotherton, Earl of Norfolk, and Marſhal, thus reſtored to his alienated eſtates, was one of thoſe who, at the great council, or irregular parliament, held at Briſtol on the 26th of October, proclaimed Prince Edward, Guardian of the Kingdom, to govern in the name and during the abſence of the King, his father: and when, on the latter's forced reſignation of the crown, the prince, then aged a little over fourteen years, was proclaimed King, his two uncles, the Earls of Norfolk and Kent, ſelected from their relationſhip rather than any perſonal fitneſs for the office, with the two Archbiſhops, three Biſhops, and five Barons, were conſtituted by parliament a Council of Regency, while the perſon of the young King was placed in the ſpecial charge of his couſin, Henry, Earl of Lancaſter. Theſe arrangements were from the firſt a dead letter, and the whole powers of the ſtate were uſurped by the Queen and Mortimer. In 1328 the Earl of Lancaſter formed a powerful confederacy among the prelates and nobles, including the Earls of Norfolk and Kent, to reſiſt this new tyranny; but the defection of thoſe two earls, who made their peace with Mortimer and the Queen, compelled the Earl of Lancaſter alſo to come to terms; and it was left for the young King himſelf, by a wonderful exerciſe of ſpirit and reſolution, before he had completed his eighteenth year, to aſſert his own authority, place his wicked mother under reſtraint, and arreſt and puniſh the favourite. When the Earl of Kent himſelf fell a victim to Mortimer's hatred, the Earl Marſhal had ſpirit enough to refuſe to take any part in his execution. He aſſiſted in the execution of the Queen's paramour in 1330.

A MAN of commanding talent, in the poſition in which the Marſhal was placed, would have left a more enduring mark on the hiſtory of his age. We hear very little of his political career. He was with the King's army in the firſt expedition againſt the Scots, in 1327, and muſtered the royal forces at Newcaſtle. In reward for his ſervices on this occaſion he had, in addition to a confirmation in tail general of all the caſtles, manors, and lands of Roger Bigod, ſometime Earl of Norfolk and Marſhal of England, then valued at 6000 marks per annum, equal to an annual income of £60,000 of our money, a grant of forfeited eſtates of the elder Deſpenſer (Dugdale's Baronage, ii, 63). He was in the King's train in his journey to France, to do his homage to Philip of Valois, in 1329, and accompanied the royal army, as the duties of his Marſhalſhip required, at the battle of Halidon Hill, 16 July 1333 (for which he had a reſpite of debt owing from him to the Exchequer), and again in

in 1337. We do not find his name among the commanders in the ſecond Scottiſh expedition, in 1335; but in the more important expedition to Flanders, in July 1338, he is enumerated by Knyghton among thoſe who ſet ſail with the King. This was the laſt year of his life, and in the ſame year, probably in failing health, and to make a proviſion for his widow, he ſurrendered to the King the caſtle and manor of Strigoil, with the town of Chepſtow, and procured a regrant of them, by charter 12 Edward III, to himſelf and Marie his wife, in ſpecial tail[1] (Dugdale's Baronage, ii, 64). The preciſe date of his death, in 1338, is not known, except from the fact that his obituary at Tintern was celebrated on the 24th Auguſt. It muſt have been previous to the 15th September, on which date the Marſhalſhip was granted to his ſucceſſor, William Montacute, Earl of Saliſbury; but its hiſtory ceaſes for a period to be connected with that of Striguil. He was buried in the choir of the Abbey of Bury St. Edmunds, where Barnes ſays a goodly monument was erected to his memory.

ACCORDING to moſt authorities, his widow was his ſecond wife, his firſt being Alice, daughter of Sir Roger Halys; but Barnes, in his life of Edward III, mentions a ſtill earlier wife, named Anne, by whom he had a ſon, Edward, who (in 1327, according to Adam Murimuth, p. 27, ed. Engliſh Hiſtory Society) married

[1] This is here ſtated on Dugdale's authority, the original record not having been examined, but the calendar of it has:—"Rex conceſs: Thomæ comiti Norff: et Mareſcallo Angliæ in generali tallio caſtrum et manerium de Strogoill et villam de Chepeſtowe per ſervic: debet: revertere regi in feodo" (Cal. Rot. Pat., p. 133). Notwithſtanding this, Dugdale's ſtatement is retained in the text, as the mention of the joint names of De Brotherton and Marie his wife can ſcarcely have been a miſtake, and ſtill leſs probably an invention, whereas, if the limitations were to huſband and wife in tail ſpecial, with remainder to the huſband in tail general, the omiſſion of the former limitation is a very poſſible miſtake in the calendar, and if they were preciſely as Dugdale gives them, the miſtake is not unaccountable.

The limitations of the Patent are as under:

The King reciting that his uncle, Thomas, Earl of Norfolk, and Marſhal of England, had lately ſurrendered into his hands the caſtle and manor of Strogoile, and the town of Chepſtow, with the hamlets, knights' fees, and advowſons of churches, &c., &c., to hold to the King and his heirs for ever, he wiſhing to do a ſpecial favour to the ſaid Earl and Mary, his wife, had given them back again to hold to them and the heirs of the body of the ſaid Earl lawfully begotten, together with the knights' fees, &c., &c., to hold of the King and his heirs, and other chief lords of that fee, by the ſervice due thereupon for ever, and if the ſaid Earl ſhould die without heirs of his body, then, after the death of the ſaid Earl and Mary his wife, the ſaid caſtle, &c., ſhould revert entirely to the King and his heirs. Witneſs the King at Ipſwich, 22 June. (Rot. Pat., 12 Edward III, Part 2, m. 27.)—ED.

married Beatrix, ſeventh daughter of the Queen's paramour, Roger Mortimer, but died without iſſue, in the lifetime, it is preſumed, of his father. By his wife, Alice, Thomas de Brotherton had two daughters, the ladies Margaret and Alice Plantagenet. By his widow he is ſaid to have had a ſon, who became a monk of Ely (Barnes' Edward III, pp. 51, 123); but this is contradicted by her Inquiſitio poſt mortem (Glouceſter, pt. II, 1ſt Nos. 9, quoted ſecond hand from Notes and Queries), which ſays ſhe had no iſſue by him. The point is not very material, as, being civiliter mortuus, the exiſtence of this ſon would not affect the devolution of the Lordſhip of Striguil. It is mentioned in a tract by Mr. Holland (F.S.A., temp. Eliz.) printed in Hearne's Diſcourſes (ii, 112), and it is confirmed by ample documentary evidence, that the widow of Thomas de Brotherton did write herſelf Counteſs Mareſchal of England: but he points out that ſhe was only tenant in dower, and could not be endowed of an office. As to Striguil Caſtle however, if it could have given her the title, ſhe was not tenant in dower, but one of the donees in ſpecial tail, under the grant of 12 Edward III, if correctly quoted by Dugdale: but the title by grand ſerjeanty, aſſuming that it had at one time ſubſiſted, had been loſt for ever by the merger of the eſtate and office in the crown, on the death of Roger Bigod, and the ſubſequent grant of the Marſhalſhip as an office by patent. The aſſumption of title, though, like the claim of her huſband, unwarrantable under the altered circumſtances, is not unimportant as corroborative evidence of the previous tenure of the office. The account given of this lady by Dugdale (Baronage, ii, 64) is that ſhe was the daughter of William, Lord Roos, and widow of William, Lord Braoſe, of Brembre, and he ſays that "upon the 4th of the nones of March, 1345 (19 Edward III) ſhe betook herſelf to the habit of religion in the Abbey of Langele, in com. Norff. but continuing not long there, returned to the world, as it ſeems; for in 26 Edward III, upon that expedition then made into France, ſhe was charged with twenty men at arms, out of her lands in Strigoill and Netherwent, in the Marches of Wales, and in 28 Edward III founded a fraternity of lay brothers ..... at Fiſherton Anchor, in com. Wilts, as alſo a chantry, &c., ... and having taken to her laſt huſband, Sir Raphe Cobham, knight, died in 36 Edward III." The ſubject of her pedigree and marriages has been thoroughly diſcuſſed in Notes and Queries, 3rd series, i, iv, viii, ix; and 4th series, xii, s.v. "Norfolk," "Braoſe," and "Maria Comteſſe Marſhal," and the reſult of the diſcuſſion is to eſtabliſh that there are here at leaſt two miſtakes. The firſt is that, in deſcribing her as the daughter of Lord Roos,

Dugdale

Dugdale has confounded her with a Mary of the previous generation, who married an earlier William, Lord Braoſe, who died in 19 Edward I (1290); and herſelf died in 19 Edward III, as shewn in the eſcheat rolls. Except for the ſake of accuracy, the queſtion is not material to our purpoſe. But the ſecond miſtake referred to, the order of her marriage, is of eſſential importance, for it involves the queſtion whether Sir Ralph Cobham, in her right, was one of the Lords of Striguil. The authorities quoted in the above diſcuſſion ſhew concluſively that he was not. It is juſt poſſible that the lady may have been the wife of William de Braoſe, who ſucceeded to his father's lands in 1290, and has already been mentioned in connection with a tranſaction of the younger Hugh Deſpenſer, but the order of her marriages has been the ſubject of the utmoſt conflict of authorities; and Dugdale himſelf, in his manuſcript additions and corrections (publiſhed in the Collect. Top. and Gen., vi, 75, but again quoted ſecond hand from Notes and Queries), ſays that Mary, on her marriage with Braoſe, was "widow, or afterwards wife, of Ralph de Cobham." The facts ſeem to be that, if ſhe married the younger William de Braoſe at all, he muſt have been her firſt huſband (laſt heard of as ſummoned to parliament in 16 Edward II, according to Dugdale), and Ralph de Cobham her ſecond. He died in 19 Edward II, according to Inquiſitions for the county of Berks, leaving a ſon and heir, John, one year old, after which date ſhe married Thomas de Brotherton. If Sir Harris Nicolas be correct in placing the death of William de Braoſe in 1326, which may have been either before or after the death of Sir Ralph Cobham, her marriage with both, in either one order or the other, is in the higheſt degree improbable. No one has ever informed us when ſhe married William de Braoſe, or, except conjecturally, what was her maiden name. If the point were material to our pupoſe, it might be worth while to hazard a gueſs that ſhe may have been his ſiſter, and not his wife, or at all events that de Braoſe was her maiden name, whether belonging to this or an entirely different family. By a deed, dated 35 Edward III (Cott. MSS., Jul. C. vii, 174, quoted in Notes and Queries), John de Cobham made a grant for life to his mother, "Maria de Breuſe, Counteſs of Norfolk," of lands he had acquired from one Ralph de Wedon. He may have deſcribed her by her maiden name, but would ſcarcely deſcribe her by the name of her firſt or ſecond huſband. In her own Inquiſition p.m. 36 Edward III, ſhe is ſtyled "Maria, comtiſſa Norfolc. uxor Thomæ de Brotherton, comitis Norfolc. relicta Rad. de Cobham, militis." All however that concerns us is to ſhew that ſhe remained till death the widow

of

of Thomas de Brotherton, and did not, *after him*, marry Sir Ralph Cobham, as ſtated by Dugdale. She had not only a life intereſt in Striguil, under the grant above noticed, but an aſſignation in dower of lands in Suffolk, Norfolk, Herts, and Cambridge.

MARGARET Plantagenet, the daughter, and eventually, on failure of the iſſue of her ſiſter Alice, the ſole heireſs of Thomas de Brotherton, was ſtyled Counteſs of Norfolk; and it would appear rightfully ſo, after the termination of the abeyance by the failure of iſſue of her ſiſter, the limitation of the earldom having been to their father and his heirs in tail general. See a note to Nicolas's Hiſtoric Peerage by Courthope, in which, however, it is ſtated that the Earldom of Norfolk is by moſt writers conſidered to have become extinct on his deceaſe, for reaſons not mentioned, but poſſibly by confounding the limitations of the earldom with thoſe of the Marſhalſhip. Strutt's Regal and Eccleſiaſtical Antiquities has a very curious portrait of her (Pl. xxxvi), from the Golden Regiſter of the Abbey of St. Albans, being one of the ſeries of portraits of benefactors, chiefly by Alan Strayler,[1] the earlieſt Engliſh portrait painter whoſe name has come down to us. She married, firſt, John, third Baron Segrave, whoſe deſcendants by her we ſhall have to mention in a future page: but he left her a widow in 1353; and it muſt have been within a year or ſo afterwards that ſhe took for her ſecond huſband that moſt chivalrous ornament of the golden age of chivalry, Walter, Lord Manny.

IT is ſtrange that he ſhould be ſo conſtantly ſpoken of as Sir Walter Manny: for, irreſpective of any foreign rank, as Lord of Manny, in Hainault, he was ſummoned to and ſat in the Engliſh parliament, as Baron Manny, for five and twenty years, from 1347 to his death in 1372. We have no record of the date of his birth, and an attempt to infer it from the dates incidentally mentioned in relation to the circumſtances of his life involves ſome little contradiction: but, in the abſence of better information, they are here ſtated. Barnes, in his life of Edward III (p. 317), citing as his authorities in part Froiſſart, and in part the Florentine hiſtorian, Giovanni Villani, mentions, under

[1] The gratitude of the Monks for his liberality in foregoing a claim of 3*s*. 4*d*. for pigments has perpetuated his name in the following diſtich, as recorded in Weever's Funeral Monuments, p. 378:—

"Nomen pictoris Alanus Strayler habetur,
Qui ſine fine choris celeſtibus aſſocietur."

under the date of 1345, Sir Walter's finding at Reole the grave of his father, who had been there murdered on his return from a pilgrimage to St. James of Compoſtella, undertaken by way of penance for the death of a Gaſcon knight, ſlain by him at a tournament at Cambray. The tournament is ſtated to have been "almoſt twenty-four years before this," and the reconciliation with the ſlain knight's friends and arrangement for the pilgrimage made "two or three years after," and the chronicler repreſents Sir Walter "weeping to find this poor remembrance of his dear father, whom he could ſcarce remember to have ſeen alive; for he was but young at his death." Now if the tournament took place in 1321, and the Lord Manny ſet out on his pilgrimage, at the earlieſt, in 1323, we can ſcarcely, conſiſtently with this narrative, ſuppoſe his ſon to have been then more than ſix years old, which would bring us to about 1317 for the date of his birth. He muſt ſurely have been a little older if he performed the duties deſcribed by Froiſſart, who mentions (Book 1, c. xix) that among the Hainaulters who remained with the young Queen Philippa, on her marriage with Edward III, in 1327, "was a youth, called Wantelet de Manny, to attend on and carve for her, who performed afterwards ſo many gallant deeds of arms, in ſuch various places, that they are not to be counted." But even ten years of age was not too early to enter upon his duties as a page, as a first ſtep in that knightly education cuſtomary in the ages of chivalry. In the Preface to Hardyng's Chronicle, ed. 1812, are ſome verſes by that chronicler, curiouſly deſcribing the courſe of this training:—

"At ten and twelve to revelle is thair cure,
To daunſe and ſynge and ſpeke of gentelneſſe;
At fourtene yere they ſhalle to felde I ſure,
At hunte the dere, and catch an hardyneſſe.
* * * * * * *
At ſextene yere to werray and to wage,
To juſte and ryde, and caſtels to aſſayle,
To ſcarmiſe als, and make ſykyr ſcurage,
And ſette his wache for perile nocturnayle,"

In 1333, the date of the ſiege of Berwick, he would, according to theſe data, have been about the age here indicated as ſuitable for introduction to actual warfare; and here he commenced his military career. In this expedition he was knighted, according to Froiſſart (Book i, c. 26); and if the details of this

this author are to be truſted, was nominated a privy counſellor, and highly advanced at court. If this be the caſe, our chronology will have to be rectified; but Dugdale places his knighthood two years earlier, and his privy counſellorſhip, four years later, and in the ſame year as the latter event (11 Edward III) ſays he was conſtituted Admiral of the King's Fleet from the mouth of the Thames northwards. Dugdale's date of his knighthood is confirmed by the wardrobe accounts of 5 Edward III, quoted in Anſtis on the Order of the Bath, appendix, p. 15. It need ſcarcely be explained that the direction to provide robes, &c., "tanquam pro banneretto" is to be taken as deſcribing their ſtyle, as incidental to certain variations in ceremonial and fees, and not as indicating that the wearer was then created a banneret. The ſchool of arms had other diſtinctions than the degrees of knight and ſquire. There were ſome who "went out in honours;" and of ſuch was Sir Walter Manny. He was one of the captains of a band of 500 noble youths, who, according to one of the whimſical ideas of knight errantry peculiar to the period, hoodwinked their left eyes with a ſilken patch, which they reſpectively vowed never to take off till they had perſonally performed ſome notable exploit in France. He had not long to wear his patch: for when war was declared with France, in 1339, and before the actual movement of troops under the authorized commanders, he collected forty ſpears, rode over from Flanders into French territory, ſurprized and burned the town of Mortaigne, and, retreating in ſafety on finding the caſtle gate and wicket cloſed, ſurprized, took, and garriſoned the caſtle of Thin-l'Evêque. From this time his career is inſeparably connected with the military hiſtory of the period. Dugdale (Baronage, ii, 149) repreſents him as having been in the van of the Engliſh army at Creſſy, and relates circumſtantially how he acquitted a knight, there taken priſoner, of a ranſom of 3000 crowns, in conſideration of his obtaining from the Duke of Normandy a paſs for Sir Walter and twenty of his companions to join King Edward at Calais. But this ſtatement is a miſtake, and is not warranted by the paſſage in Froiſſart, cited in the margin in ſupport of it. On the contrary it ſhews that Sir Walter Manny was not at Creſſy, but doing equally good ſervice, by ſucceſſfully defending Aiguillon, the raiſing of the ſiege of which was one of the immediate conſequences of Creſſy; and it was at Aiguillon that the knight was taken, whoſe ranſom was remitted by Sir Walter under thoſe circumſtances.[1] Neither did he happen to form one

[1] This incident of a paſs to join the King at Calais, obtained from the Duke of Normandy through the influence of a French knight, as the price of his ranſom, has been dramatized in

one of the ſmall force which fought the ever memorable battle of Poictiers: but, with theſe exceptions, there were few important events, in which the Engliſh army was engaged on the continent in his time, in which his name was not conſpicuous. To enumerate them is unneceſſary. How ſhall we in any reaſonable compaſs ſketch the career of the foremoſt champion, and one of the foremoſt captains of his age? Who, that is familiar with the romantic pages of Froiſſart, has not read with intereſt how he ſnatched Sir John Boteler, of Warrington, and Sir Matthew Trelawny from the tent of the Lord Lewis, of Spain, their eyes already bandaged for execution—how he wielded his battle axe over the proſtrate body of his leader, lying helpleſs in his armour as a ſtranded turtle, and ſet him on his legs again to the cheery cry of "Lancaſter, for the Earl of Derby"—how, after an early dinner, he ſuggeſted and carried out the deſign of ſupping in the French town of Bergerac—how he fought at Cambray, at Auberoche, at Conqueſt, at Quimperley, at Gouy-en-le-Foret, at Vannes—how he raiſed the ſiege of Hennebon, and how the Counteſs of Montfort received him in the market place, and "kiſſed him and each of his companions, like a noble and gallant lady?" And ſo ſhe was. Does any reader picture to himſelf an unprotected female, kiſſing her deliverers in a paroxyſm of emotion at eſcape from overwhelming peril? Not a bit of it. The Counteſs of Montfort was made of ſterner ſtuff. She commanded her own troops, or rather her impriſoned huſband's, and performed in perſon all the duties of a gallant ſoldier, requiring her ladies to cut ſhort their kirtles, to enable them to do the ſame. On one occaſion, during an attack by the beſiegers, obſerving from her watch tower that their camp was ſomewhat deſerted, ſhe mounted her charger, and, clad in armour, ſallied forth, with a hundred men at arms, to attack it, and when ſhe had found her retreat cut off, amuſed herſelf with a week's campaign, and then re-entered her caſtle by a feat as daring as that by which ſhe had left it. Such a lady was no mean judge of deeds of arms. She muſt have been one after Sir Walter Manny's own heart, and if ſhe had been a little younger, and no Sir John Montfort in the caſe, ſhe might have ſpoiled the chances

the anonymous play of "The Raigne of King Edward the Third," which Mr. Capell, and more recently Mr. Payne Collier, have aſcribed, wholly or partially, to Shakeſpeare: but Sir Walter Manny is entirely ignored, and the adventures of obtaining the paſs, marching to join the King, and being arreſted, but ſet at liberty on the remonſtrance of the Duke of Normandy, are attributed to the Earl of Saliſbury, whoſe eſcape from death, at the interceſſion of the King of Bohemia, after being taken priſoner at Liſle, has ſome features of reſemblance to Sir Walter Manny's adventure.

chances of Lady Margaret Plantagenet, and changed the deſtinies of Striguil Caſtle. It is time we ſhould return to events more immediately connected with it, leaving the military hiſtory of Sir Walter Manny untold, as a ſubject too large to be ſketched in our pages.

His marriage with the King's couſin, the widowed daughter of Thomas de Brotherton, muſt have been in or about the year 1354, which is indicated both by the age of their daughter at his death, and by a ſpecial pardon, obtained in 29 Edward III, to himſelf and Margaret his wife, for her tranſgreſſion in going beyond ſea contrary to the King's prohibition (Dugdale's Baronage, ii, 149). In 1362 the widow of Thomas de Brotherton died, whereupon the lands aſſigned to her in dower[1] became deviſible among her huſband's heirs, and the caſtle and town of Striguil, which had been the ſubject of the ſurrender and regrant already noticed, reverted to the crown, for want of iſſue of the marriage. The tranſaction relating to it was very ſimilar in form to the ſurrender and regrant in the caſe of Roger Bigod, but with the exception that in the preſent caſe there was, and it may from the firſt have been underſtood that there ſhould be, a regrant to a member of the family. Dugdale (Baronage, ii, 150) ſays Sir Walter Manny "had in right of his wife an aſſignation of her purparty of the lands which the widow had held in dower, namely the caſtle and manor of Strigoil, with the town of Chepſtow, and its members, in the Marches of Wales, as alſo of the manor of Weſton, in com. Hert., Stonham, Walton, and the one moiety of the manor of Kennett, in com. Suff., as alſo of the other moiety lying in com. Cantab." Elſewhere (ii, 653) he mentions that Joane, wife of William de Ufford, Earl of Suffolk, only daughter and heireſs of Alice, the other daughter of Thomas de Brotherton, by her huſband, Sir Edward Montacute, had an aſſignation of the caſtle and manor of Framlingham, and other manors in Suffolk and Norfolk. She died in the lifetime of her huſband, who married a ſecond wife, and died in 1382, and on his death, if not before (for there was no iſſue of his firſt wife, or at all events none who ſurvived him), the elder ſiſter, Margaret, became the ſole repreſentative of Thomas de Brotherton. The lands aſſigned to Sir Walter Manny, as his wife's purparty, would be held by him in her right, and his intereſt in them would paſs to her on his death: but there is an apparent error of Dugdale in including Striguil among them

[1] She did not hold it in *dower*, but her own right, under the limitations of the regrant of 12 Edward III. See note ante p. 142.—Ed.

them. To do ſo is in contradiction to his own account of the terms of the regrant to Thomas de Brotherton and Mary, his wife, in ſpecial tail, and to the fact that this caſtle and lordſhip deſcended, on Sir Walter Manny's death, to his ſon-in-law, John Haſtings, Earl of Pembroke, in right of his wife, who, though heireſs of her father, was not heireſs, or at all events not ſole heireſs, preſumptive of her mother, there being iſſue of her earlier marriage with Lord Segrave. The true ſtatement of the facts probably is that Striguil, having under the regrant, and on failure of the joint iſſue of Thomas de Brotherton and Mary, his wife, reverted to the crown, was granted to Sir Walter Manny in his own right, with or without limitations over in favour of his wife, in caſe of failure of his iſſue by her.

He muſt have been enormouſly rich. He was not only the owner of anceſtral eſtates in Hainault, but had had grants of lands in Kent, and property in Calais, and was ſeized, in right of his wife, of manors in Eſſex, Herts, Worceſterſhire, Derbyſhire, Northamptonſhire, Shropſhire, Warwickſhire, Leiceſterſhire, Suffolk, Norfolk, and Bucks, enumerated by Dugdale; and, unleſs his expenditure was commenſurate with his gains, he muſt have had a vaſt fortune in perſonal eſtate: for, under the ſyſtem which gave the ranſom of priſoners to their captors, war was a buſineſs, in which, when carried on with ſpirit and enterprize, ſuch as Sir Walter Manny's, large fortunes could be made; and it is ſtated in Andrews' Great Britain and Europe (i, 360), citing Rymer's Fœdora as an authority, that in the campaign of 1340 alone, he made from this ſource £100,000 ſterling. As this, according to the uſual computation, would be equal to a million and a half of our money, the ſtatement is utterly incredible; but we may take it as repreſenting gains of literally immenſe amount.

In addition to his military fame, he earned a title to the remembrance of poſterity by his foundation of the Charterhouſe. During a dreadful peſtilence in the city of London, in 1349, in charitable care for the dead, he purchaſed upwards of thirteen acres of land, called Spittle Croft, belonging to St. Bartholomew's Hoſpital, for a cemetery, in which there were buried in one year more than 50,000 perſons, and built a chapel of rare workmanſhip and deſign, intending to have it made collegiate, for twelve prieſts and a provoſt, and to endow it amply: but changing his mind, in 1371, the year preceding his death, and ſtimulated by an opportune bequeſt of £2000 by Michael Northburgh

Northburgh, Biſhop of London, for founding a Carthuſian convent, he obtained the royal licence, and further endowed it as a monaſtery of Carthuſian monks, to pray for the good eſtate of himſelf and Margaret, his wife, during their lives in this world, and afterwards for their ſouls, as alſo for the ſouls of Alice of Hainault,[1] Michael Northburgh, ſometime Biſhop of London, and of all his anceſtors, which monaſtery (the name of Chartreux being corrupted to Charter-houſe) was ſold after the diſſolution of the monaſteries, and eventually re-endowed as a hoſpital by Thomas Sutton.

The Order of the Garter was inſtituted in 1349; and it might naturally have been expected that one of the firſt names which would occur to the ſovereign for ſelection would be that of Lord Manny. Sir John Froiſſart, in the opening chapter of his chronicle, names him as one of five, whom, along with King Edward III and the Black Prince, he ſelects as eminent in knightly proweſs above all Engliſhmen: and in the very year previous to the inſtitution of the order, the King and Black Prince had paid him a compliment, ſuch as, it has been obſerved, was never before paid by ſovereign to ſubject, by fighting under his banner, when, in the true ſpirit of chivalry, they determined to take part incognito in the defence of Calais againſt a night attack, made in purſuance of an already diſcovered plot for its betrayal. But, ſtrange to ſay, Lord Manny was not one of the original twenty-five members, or Founders, as they were called, of this illuſtrious order, though he was eventually admitted to it, and that too at an earlier date than has been generally ſuppoſed. The liſts of knights contained in various works place him twentieth in order of the creations ſubſequent to the original inſtitution: but all theſe liſts are, in fact, baſed on the chronological liſt contained in Heylin's Hiſtory of St. George, but without his explanatory note that as to the times of election in the reign of Edward III and in the two following reigns, there is nothing extant, the regiſters being, in that part, defective, and that he has therefore ranked them according to their degree and quality. Firſt come, in accordance with this arrangement, Princes, Dukes, Earls, and Barons, and then—the very firſt of thoſe deſcribed (and in this caſe erroneouſly) as being of lower rank—comes the name of "Sir Walter Manny, Banneret, a gent. of Haynault, one of eſpecial merit and employment in our wars with France." Heylin himſelf derived

[1] A correſpondent of Notes and Queries, 3rd Series, ix, 531, identifies this lady, with Alice, daughter of John de Aveſne, Count of Bayonne, the widow of the laſt Roger Bigod. She is again referred to in Lord Manny's will as Alice de Henalt, Counteſs Marſhal.

derived his information chiefly from a document, in French, preſerved in St. George's Chapel, giving a liſt, in chronological order but undated, of the holders of each ſtall, and under ſtall No. 15 we find "Mons. Jehan Grey et primier fondeur—apres lui vint Mons. Wautier Manny." The founder thus indicated is Sir John Lord Grey, of Rotherfield, who died 1ſt October, 1359, ſhortly after which date we may conclude the omiſſion of excluding from the original liſt of knights, a name which would have added luſtre to the order was, as far as could be, rectified.

His eſcutcheon is not now extant in St. George's Chapel, nor has it been deſcribed: and, as if there was a fatality attending the arms of the lords of Striguil, there is room, in this caſe alſo, for queſtion. Burke gives the arms of Manny, Sable, a croſs voided Argent, I know not on what authority: Aſhmole has Or, three chevrons Sable: and Mr. Doyle, whoſe Chronicle of England we have elſewhere referred to as an authority, has a plate, in which the King and Black Prince are repreſented fighting under that banner in the night attack on Calais. The arms of the Charterhouſe might have been expected to ſettle the queſtion, as monaſteries uſually adopted thoſe of their founders; and here we find the three Sable chevrons: but modern heraldic dictionaries give them as the arms alſo of the ſecond founder, Thomas Sutton, poſſibly under the erroneous ſuppoſition that the Hoſpital had adopted his arms, while they were really thoſe of the earlier founder, Lord Manny. It is quite poſſible—but the idea is offered merely as a ſpeculation—that the voided croſs may have been his anceſtral coat, and that he may have adopted the chevrons of the Clare family, varying the tinctures, in alluſion to his ownerſhip of Strongbow's caſtle and lordſhip of Striguil.

He died on the 15th of January, 1372, and was buried in his own monaſtery with great ſolemnity, in the preſence of the King and all his children, and many of the principal prelates and nobles. He left his wife ſurviving, by whom he had two children, Edward, who was accidentally drowned in a well, at Deptford, in the very year of, but query whether before or after, his father's death, and Anne, married to John Haſtings, Earl of Pembroke,[1] the ſecond Earl of that family, his father having obtained the earldom

[1] Strange to ſay there are great diſcrepancies in the Record evidences as to the day of the death of Sir Walter Lord Manny. In the Inquiſition taken at Chepſtow 12th February 46 Edward III (1371-2), on the death of Walter de Manny, Chivaler, deceaſed, it was found that on the day of his

earldom in consequence of his marriage with the sister and heiress of Aymer de Valence, whose father had been created Earl of Pembroke on his marriage with the daughter of one of the coheiresses of the Marshals—his earldom being at the same time created a Palatinate. Marriages, as well as wars, are made occasionally "pour une idée," and the sentiment in this case may have been the desire to reunite the ancient earldom of the Strongbows and Marshals with the ownership of Striguil Castle. In right of his wife, he succeeded to the ample inheritance of Lord Manny, subject, as Mr. Wakeman reminds us, to her mother's dower, which, as I collect from his statement, was assigned to her from Striguil, though I find no record of it.

The Earl of Pembroke had previously been married to Margaret, fifth daughter of Edward III, and as both she and Anne Manny were great-grand-daughters of Edward I, the bride and bridegroom were within the degrees of affinity rendering necessary a papal dispensation, for which the Earl gave 1000 florins of gold, for the repair of the monastery of St. Paul at Urbine

death he held the castle and lordship of Strugull in the Marches of Wales, adjoining the county of Gloucester and the manor of Tudenham with the advowson of the Church of la Caute (Lancaut) as of the right and inheritance of Margaret his wife, still living, held of the King in capite by homage and fealty. And the jurors say the castle and lordship of Strugull are worth per annum in all issues £70, and the manor of Tudenham with the advowson of la Caute are worth per annum in all issues, according to the true value of the same, £50; and they say that the said Walter died 8th January last past and that Margaret his widow is the next heir and is aged forty years and more.

In another Inquisition taken 4th February, 46 Edward III, it is found that he died 15th January, 45 Edward III (1371-2).

In another Inquisition, taken on Tuesday in the second week of Lent, 46 Edward III, it is stated that he died at Great Chesterford in Essex on Thursday next after the feast of the Epiphany of Our Lord last past, and that Anne wife of John Hastings, Earl of Pembroke, is the next heir of the said Walter, and was aged 17 years on the vigil of St. James last past (July 24th, 1371). Her mother's marriage, therefore, could not have been later than 1353. As the feast of the Epiphany fell in this year on Tuesday, Thursday in the second week would fall on the 15th January, 1372, according to our present reckoning as stated in the text, which also agrees with the second cited Inquisition. In another Inquisition Sir Walter is stated to have died on 1st January, and in another on 13th January, 1372.—Inq. p.m. 46 Edward III, No. 38, 1st Nos.

In these circumstances we agree with the author in considering the most probable day of Sir Walter's death was 15th January, 1372 (N.S.) It is clear that if he had a son, and no such son is mentioned in the Inquisitions, he was dead before his father. Lord Manny is styled Sir Walter Manny, Knt.—Ed.

Urbine (Dugdale's Baronage, i, 577). He was a Knight of the Garter, and eminent as a military commander, but unfortunate in an expedition to Aquitaine, of which he was appointed the King's Lieutenant, being then about twenty-five years of age. Being attacked by the Spaniſh navy, in the haven of Rochelle, he maintained an unequal conteſt for two whole days, when, his ſhips being all taken or deſtroyed, he and many others were carried priſoners into Spain, where he remained ſeveral years. He was ultimately ranſomed for a large amount, advanced by Bertram Clekin, Conſtable of France, but died on his way homewards, at Arras, between Paris and Calais. The date of his death has been variouſly given. Mr. Morgan, in his valuable memoir on the Abergavenny Monuments, ſtates it as the 16th April, 1373. Holinſhed (ii, 805, ed. 1809) has "the 49th year of Edward III, in the year of our Lord, 1374" but 49 Edward III would be 1375, which agrees with the date of 16th April, 1375, given in Nicolas's Hiſtoric Peerage.[1] The Inquiſition poſt mortem, cited in Dugdale's Baronage, which again is dated 49 Edward III, ſtates him to have died ſeized of the caſtle of Striguil, with the town of Chepſtow, and manor of Todenham, in com. Glouc. and Marches of Wales.

He left his widow, who ſurvived him till 1384, and a ſon and heir, John Haſtings, who was only two and a half years old at his father's death. He was unqueſtionably Earl of Pembroke, though it is ſingular (as mentioned in a note to Nicolas's Hiſtoric Peerage by Courthope) that he was not ſo ſtyled in the Inquiſitions on his death, or other records, but only as "John, ſon of John, late Earl of Pembroke."

The coronation of Richard II was held with unuſual magnificence, and his uncle, John of Gaunt, was appointed High Steward for the occaſion, and held a court of claims, the records of which furniſh ſeveral intereſting facts connected with our ſubject. There was a claim on behalf of "John ſon and heir of John Haſtings, late Earl of Pembroke, to be admitted to his office of carrying the great ſpurs of gold before our lord the King at his coronation, in like manner as William Mariſchall, his anceſtor, carried them at the coronation of the King." Now at the coronation of Richard I, as will be ſeen

[1] It was found in the Inq. p.m. of John Haſtings, Earl of Pembroke, taken at Glouceſter, 14th May, 1375, 49 Edward III, that the ſaid Earl died 16th April laſt paſt, that would be 16th April, 1375, as ſtated in the text.—Inq. p.m., 49 Edward III, Part 1, No. 70.—Ed.

ſeen on reference to our notice of that event in a previous chapter (p. 68), the golden ſpurs were not carried by William Marſhal, but by his elder brother, John Marſhal, then holding the hereditary office of Marſhal of the King's Houſe, before its union, in the perſon of William Marſhal, with the Marſhalſhip of England, derived from the Clares. The young Earl of Pembroke's claim could ſcarcely reſt on an official right to carry them in reſpect of the office of Marſhal of the King's Houſe, for he claims no ſuch office, and it was unqueſtionably merged in the office which, on the death of Thomas de Brotherton, had been granted to the Earl of Saliſbury. If on the other hand the claim was to a ſervice in grand ſerjeanty, the omiſſion to refer to any manor or lands held by that ſervice is remarkable, and the more ſo as there was another claim by the ſame petitioner, to carry the ſecond ſword, as the ſervice by which he held the caſtle of Tenby, and other eſtates therein ſpecified. Both claims were admitted, though the ſecond was met by a counter claim of the Earl of Arundel and Surrey, but in conſequence of the minority of the Earl of Pembroke the ſpurs and ſword were appointed to be carried on his behalf by the Earl of March.

A MORE extraordinary claim remains to be noticed, which has already been incidentally referred to in ſeveral previous chapters. It was by "Margarette, file et heire Thomas de Brotherton, d'eſtre acceptée al office de Mareſcalcie ..... feſant l'office per ſon depute, come Gilbert Mareſchall Counte de Strogoile fiſt al coronement le roy Henry II." The claim was very properly diſallowed, but in the courteous form of a declaration that time did not admit of its due examination. The only queſtion which here ariſes is what ſhadow of pretext ſhe had for ſuch a claim, in the face of the patent to her father limiting the office to his heirs male. Once more, the conjecture as to the tenure of Striguil will furniſh an anſwer. She may have contended that her father held by a double title—firſtly under the patent, and ſecondly by grand ſerjeanty, as Lord of Striguil. The reference by that title to Gilbert Mareſchall, whoever may have been the perſon ſo indicated, favours this ſuppoſition, and the aſſumption by her father's widow of the title of Counteſs Marſhal of England indicates that ſhe too clung to the idea of the former tenure of the office being ſtill ſubſiſting. It is true that the Lady Margaret was only tenant in dower. She could not be endowed of an office, as we have been already reminded; but it would ſeem that the actual holder of lands even in dower would be the perſon entitled to perform a ſervice of grand ſerjeanty in reſpect of

of them: for at the ſame coronation Anne, Dowager Counteſs of Haſtings, the daughter of Lord Manny, claimed and was allowed to perform the ſervice of the napery, in reſpect of her tenure by dower of her late huſband's manor of Aſheley, in the county of Norfolk. All theſe claims are printed in Holinſhed (ii, 806, ed. 1807). I do not wish to be underſtood as contending for a moment that the claim of Margaret Plantagenet was maintainable on the ground above ſuggeſted, in the face of her father's patent, and the actual tenure of the office of Marſhal in other hands; but it would have afforded juſt ſo much colour of title as to furniſh a pretext for admitting it, if the influences which we may ſuppoſe to have operated on ſuch occaſions had been powerful enough to accompliſh her object. It was the thin edge of the wedge, which, if once admitted, might have led to important reſults, and was a not much leſs hopeful ſpeculation than that of ſetting up a barony by tenure in the nineteenth century—a proceeding to which it would bear ſome reſemblance. The time eventually came when the influence of her too celebrated grandſon, Thomas Mowbray, was powerful enough to procure both for her and him ſtill higher honours, and again to place the Marſhal's rod in the hands of the Lords of Striguil.

The young Earl of Pembroke did not live to obtain livery of his lands. On the 13th December, 1389, at the age of ſeventeen, while practiſing tilting in Woodſtock Park, with Sir John St. John, a young knight of his own age, either in the actual exerciſe, or in the courſe of rough play between the two youths, he received an accidental blow in a vital part, which ſhortly proved fatal. "The loſs of this Earl," ſays Holinſhed, "was greatly bemoaned by men of all degrees, for he was liberal, gentle, humble, and courteous to each one, above all the other young lords in the land of his time." Young as he was, he left a widow, Philippa, daughter of the Earl of March, but ſhe loſt her dower for the ſame technical reaſon as the widow of Anſelm Marſhal. The Earl of Pembroke had no iſſue, and with him the earldom again became extinct.

As to the arms of Haſtings, Or, a maunch Gules, there can be no miſtake. They were made matter of notoriety by a cauſe in the Court of Chivalry, between Edward Haſtings and Reginald, Lord Grey, the rival claimants of the right to bear them after the death of the laſt Earl. It rivalled the famous Scrope and Groſvenor conteſt: for it laſted twenty years, and

and Haſtings, the defeated claimant, was impriſoned for twenty-ſix years for non-payment of coſts, to the amount of £970 17*s.* 10*d*, equal to between £14000, and £15000, of our money (Dugdale's Baronage, i, 578).[1]

[1] An account of this remarkable cauſe in the Court of Chivalry was privately printed in 1841 from a MS. in the College of Arms by the late Sir Charles Young, Garter, at the expenſe of Jacob Lord Haſtings. Upon the death of the Earl of Pembroke a contention aroſe between Reginald Lord Grey of Ruthyn, who claimed and aſſumed the arms, inheritance, and name of Haſtings as heir general, being deſcended from Elizabeth, ſiſter of the *whole blood* of John third Lord Haſtings, and Sir Edward Haſtings, who maintained his right to bear the arms as *heir male.* Incidentally other queſtions aroſe in the ſuit: viz., as to whether livery of lands would tranſfer the right of bearing the arms; whether a label of three points was the proper difference for the next heir of a family; and whether the poſſeſſion of the honours by an elder brother gave thoſe honours to his ſiſter of the *whole blood* in preference to the right heirs of his younger brother of the *half blood.* Sir Edward Haſtings aſſumed the title of Lord Haſtings and never relinquiſhed it. He was a minor at the commencement of the ſuit, which cauſed ſome delay in the proceedings, which, as ſtated in the text, laſted twenty years. He purſued his claim with great courage, charging his opponent with criminal proceedings in having abſtracted his evidences, and challenged him to judicial combat. We find in his declaration, "And I ſay to the Reginald Grey beforeſaid that I Edward beforeſaid have beſt right to beare, have, and uſe the arms of Haſtings, the which ben of gold with a maunche gewles, and where thou has ſaid that thou has beſt right to bere, have, and uſe the ſame armes, and that I have wrongwiſly uſurped the aforeſaid armes, I ſay thou lyeſt falſly. Over that I ſay, that thou Reginald Grey, Knight, with thine adherentes and complices in this ꝑtie, haſt withdrawen the evidences and munementes ꝑteyninge to me touchantz the heritage of Haſtinges, colludenge in ſubtraction of my proves by me to be made in this cauſe of armes, falslych and criminouſlych againſt Knighthode, comon profit, in wicked enſample, in ſubverſion of trew lawes, and in illuſion of the King . . . . . And theſe maters criminals I am redy to prove on the Reignold Grey with my body againſt thy body." Judgment was given on 9th May, 1410, in favour of Lord Grey de Ruthyn, with coſts amounting to £987. Theſe coſts Sir Edward Haſtings refuſed to pay, fearing it might be deemed an acknowledgement of Lord Grey's right, and was thrown into the Marſhalſea. He at once appealed againſt the judgment, but though commiſſions from time to time were appointed for the purpoſe, the appeal was never heard, and he languiſhed in priſon twenty-ſix more years, at times treated with great ſeverity, "boundyn," he pathetically ſays, "in fetters of iron liker a thief or a traitor than like a gentleman of birth." Neither impriſonment, nor chains, nor deſtruction of his own health, nor the deaths of his wife and children could ſhake his conſtancy. Lord Grey ſeveral times offered to forgive him the debt and releaſe him from priſon, on the condition that he ſhould relinquiſh his claims, but he ſteadfaſtly refuſed. The only compromiſe he would entertain was a marriage, either in his own perſon or in that of one of his ſons with one of the daughters of his adverſary, in which caſe he ſaid he would relinquiſh to him and to the heirs of ſuch marriage all his rights, but in the event of there being no ſuch heirs, to revert to himſelf and his heirs. He died in 1437, and his ſon John Haſtings yielded to the uſurpation of Lord Grey, and in the reign of Henry VIII, the repreſentation of the houſe of Haſtings fell among coheirs. After the lapſe of four centuries, in 1841 the abeyance was terminated in favour of Sir Jacob Aſtley, one of the coheirs of Sir Edward Haſtings and of Sir Henry Haſtings ſummoned to Parliament in the 49th Henry III.—Ed.

CHAPTER VII.

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The Duchess of Norfolk and the Mowbrays.

TO underſtand what became of Striguil and other eſtates of the laſt Earl of Pembroke, on his premature deceaſe, we muſt revert to the firſt marriage of his grandmother, Lady Margaret Plantagenet, who, as already mentioned, was, at the time of her marriage with Lord Manny, the widow of John, third Baron Segrave. By him ſhe had two daughters, one of whom, Anne, became Abbeſs of Barking, and the other, Elizabeth, was married to John, ninth Baron Mowbray, who was ſlain in the Holy Land in 1369, leaving his widow, who died ſoon afterwards, and two ſons by her, the eldeſt of whom, John, tenth baron Mowbray, aged four years at the death of his father, was, at the coronation of Richard II, created Earl of Nottingham, with a ſpecial proviſion that all his lands and tenements, whereof he was then poſſeſſed or which he ſhould afterwards acquire, ſhould be held ſub honore comitali, and as parcel of his earldom. He died, however, without iſſue, at the commencement of 1383, and on the 12th of February in that year the earldom of Nottingham was conferred on his brother, Thomas Mowbray, eleventh baron, whoſe career furniſhes a ſtriking chapter to Engliſh hiſtory.

He is mentioned by Holinſhed (ii, 779, ed. 1807) as having been "ever the King's playfellow, and of equal age to him," which, if there was a difference of a year in the ages of the two brothers, would be exactly the caſe. In the very

very year of his creation as Earl of Nottingham, when, according to this computation, he would be only ſeventeen years of age, he ſucceeded, on the death of Sir John Barley, to his ſtall in St. George's Chapel, and in October of that year the King's embroiderer had orders to prepare for him a garter and robes on the occaſion. Two years later, in 9 Richard II (1385), he had a grant for life of the office of Marſhal, and in the ſame regnal year (12th January 1386), at the parliament in which his great rival Henry Bolingbroke was created Earl of Derby, the Earl of Nottingham had a further grant to him and the heirs male of his body of "the office of Marſhal of England, with the name and honour of Earl Marſhal," which was now firſt officially granted, though long previouſly attributed to the Marſhals of England by common repute. We noticed, in relation to Thomas de Brotherton, the patent ſaid to have been granted to him, but which turns out to be the ſecond of the above grants to Thomas Mowbray, with its illuminated initial letter, repreſenting him as receiving his patent from the King. The diſparity in age ſhewn in Strutt's engraving between the Sovereign and the Marſhal is much less apparent in the original illumination. The latter carries his rod, and is in armour, with a jupon emblazoned with his arms, Gules, a lion rampant Argent. In Camden's Remaines (p. 228, ed. 1657), a patent of the ſame year is given as the marginal authority for a ſtatement (ſpeaking of augmentations of arms) that "Richard II, chooſing St. Edward the Confeſſor to be his patron, impaled his coat with the arms of England, and of his mere grace granted to Thomas, Duke of Surrey, to impale likewiſe the ſame St. Edward's arms in a border ermine with his own; and to Thomas Mowbray, Duke of Norfolk, the ſame holy King's arms entirely: notwithſtanding Henry Howard, Earl of Surrey, lineally deſcended from him, was attainted, among other pretences, for ſo bearing the ſame." Of courſe Camden was ſpeaking of theſe noblemen by their titles acquired long ſubſequently to the date of their patents, and his ſtatement as to Henry Howard, Earl of Surrey, is borne out by the indictment againſt that accompliſhed and ill-fated nobleman, printed in the Appendix to Dr. Nott's edition of his Works (4to. London, 1815). The arms of Mowbray, as ſtill quartered by the Duke of Norfolk, are Gules, a lion rampant Argent, armed and langued Azure: and I preſume this coat, impaled with the arms of Edward the Confeſſor, Azure a croſs patonce between five martlets Or, the latter occupying the dexter ſide, was borne by Thomas Mowbray and his deſcendants till the extinction of the male line and then quartered by the Howards: for it appears from Dr. Nott's Memoir

Memoir (p. cii) that Surrey urged on his trial that "his anceſtors had, of a long continuance, worn them, as well within the kingdom as without, and that they had been conſtantly borne by himſelf in Henry's preſence, and by others of his family in the preſence of the ſeveral Kings, Henry's predeceſſors."[1] While on the ſubject of arms we may mention, though out of its proper date, that Camden, two pages later, in treating of creſts, cites a patent, 17 Richard II to Thomas Mowbray, Earl Marſhal and Nottingham, that whereas he might lawfully bear a leopard Or, with a label Argent about his neck, which might lawfully appertain to the King's ſon and heir, he ſhould, in place of that label, bear a crown Argent.[2]

Soon after the grant of his earlier honours, he accompanied Richard, Earl of Arundel, the Lord Admiral, in a ſucceſſful expedition to Flanders, and on his return, as we are told by Holinſhed, "came to court, hoping to be right welcome, and to receive great thanks at the King's hands: but he had no good countenance ſhewed unto him, neither of the King, nor of the Duke of Ireland, who, diſdaining once to talk with him, ſeemed to envy the worthy proweſs in other, which he knew defective and wanting in himſelf." This incident furniſhes the key to the Earl of Nottingham's political career. Robert

[1] The death of Surrey was a judicial murder. As acts of treaſon, the charges againſt him are beneath diſcuſſion: but if the queſtion had been one in the Court of Chivalry, it might well have been contended that the King was right in his heraldry, though wrong in his law. Surrey was undoubtedly entitled to quarter the arms of Mowbray, either with the augmentation, or, it is preſumed, without: for the latter could ſcarcely be compulſory. But if uſed at all, it was as an integral part of the augmented coat; and he had no right to treat the arms of Edward the Confeſſor as a ſeparate coat, and quarter it accordingly. This is what he ſeems to have done. A document in the State Paper Office, apparently corrected by the King himſelf, has a query, "If a man, coming of the collateral line to the heir of the crown, who ought not to bear the arms of England but on the ſecond quarter, with the difference of their anceſtor, do preſume to change his right place, and bear them in the firſt quarter, leaving out the true difference of the anceſtry, and in the lieu thereof uſe the very place of the heir male apparent, how this man's intent is to be judged, and whether this import any danger, peril, or ſlander to the title of the prince, or very heir apparent, and how it weigheth in our laws." His father, the Duke of Norfolk, is ſpoken of at the trial as "having blamed him for his want of ſkill in quartering the family arms." But perhaps the coat of Thomas de Brotherton, which the Howards, through the Mowbrays, were entitled to quarter, was what the King referred to as the arms of the heir to the crown.

[2] This throws light on the malicious evidence of Surrey's unnatural ſiſter, the Ducheſs of Richmond, that her brother "wore on his arms, inſtead of a Duke's coronet, what ſeemed to her judgment much like a cloſe crown, and a cypher, which ſhe took to be the King's cypher, H.R.

Robert Vere, ninth Earl of Oxford, and ſucceſſively created Marquis of Dublin and Duke of Ireland, had already acquired much the ſame influence over Richard as Gaveſton and Deſpenſer had exerciſed over Edward II, and naturally ſought to diſcountenance one, who, from his early intimacy with the King, might reaſonably be feared as a rival favourite. His repulſe at court threw him at once into the counſels of the party who were ſeeking the deſtruction of the Dukes of Ireland and Suffolk, and the other adviſers of the King in his efforts to free himſelf from the control exerciſed over him by his uncles during his minority. Of theſe, John of Gaunt had already withdrawn himſelf from public affairs in England; and Edmund of Langley, Duke of York, was not a man to make himſelf of much account for good or evil. Thomas of Woodſtock, Duke of Glouceſter, a man of vigour and influence, alone of the three brothers, maintained the ſtruggle for power: and his aſſociates were the Earls of Arundel, Warwick, Derby, and Nottingham. We find theſe five noblemen conſtantly acting together, both in parliament and the field, in the two eventful years which ended in the overthrow of the Duke of Ireland, at Radcot Bridge, and the calling of a parliament, which may be ſaid to have ſimply regiſtered their decrees in attainting and executing the King's favourites, and conferring a general pardon and indemnity on the victorious nobles. Shortly afterwards came the coup d'etat, by which the King took the government into his own hands, and his reconciliation, apparent or real, with the Duke of Glouceſter.

THESE events bring us to 1389, in which year, the Earl of Nottingham was ſent, with five hundred ſpears, to repel an incurſion of the Scots into Northumberland, "but, for that his power was ſmall in compariſon to theirs, he prevailed little or nothing againſt them" (Holinſhed, ii, 798, ed. 1807). For ſeveral years from this period there is little, even in general hiſtory, to record, and nothing affecting the ſubject of our memoir. It was at the end of this year that the death of the young Earl of Pembroke, without iſſue, cauſed his eſtates to revert to the crown, unleſs there were limitations in the laſt grant, of which we know nothing. Striguil was already, as we have ſuppoſed, veſted in Margaret Plantagenet, Counteſs of Norfolk, in dower; and I am not aware whether a grant was now made to her of the eſtates of her deceaſed grandſon, or with what limitations, or, indeed, whether the eſtates had not been limited to her in remainder by the grant to Lord Manny.

WHEN

When next we hear of the Earl of Nottingham, he was in confidential relations with the King. In 16 Richard II (1392) he was appointed Governor of Calais. In the following year we have ſeen how he received the cheap but not unvalued honour of an augmentation of arms; and in 1396 he acted as the King's proxy in eſpouſing the Lady Iſabel of France. In the ſame year he accompanied his ſovereign to Paris, to receive his bride, and arrange, in a perſonal interview with the French monarch, the terms of peace. The young Queen was brought home, amid great feſtivities, in November, and in the parliament following there was a diſtribution of honours in celebration of the event. Among the reſt, the King, in full parliament, on the 5th February, 20 Richard II (1397), confirmed to the Earl of Nottingham and the heirs male of his body the office, title, and honour of Earl Marſhal of England, together with all the fees, dues, and profits, thereto belonging, in as full and ample a manner as they had been enjoyed either by Thomas de Brotherton or by Roger Bigod, theretofore Earls of Norfolk, or by any other perſon ſince their deceaſe, together with the union thereunto of the office of Marſhal in the King's Bench, Marſhal in the Exchequer, and Marſhal Crier before the Steward and Marſhal of the Houſehold, and alſo further granted and ordained that the Earl and the heirs male of his body, Earls Marſhal of England, ſhould, by reaſon of ſuch their office, bear a golden truncheon, or rod, enamelled with black at each end, and having engraved thereon, at the upper end, the King's arms, and at the lower end his own arms, inſtead of the baton of wood which, till that time, the Marſhals of England had been accuſtomed to carry in their hands (Edmondſon's Her. i, 55, quoting Cart. xx Richard II, n. 3—Rot. Par. 20 Richard II, n. 33).

But the altered relations of the King and his Earl Marſhal were ſhewn in other ways than in public and official employments. De Vere no longer ſtood between them to intercept the royal favour. The intimacy of early years was renewed, and the King's companion in the ſports of his childhood, and probably in the follies of his youth, became, in manhood, the accomplice and willing inſtrument of his crimes. The murder of the Duke of Glouceſter will always be a foul ſtain on the memory of both, and the King's part in it has perhaps no parallel in royal hiſtory as an act of mean and cold-blooded treachery. The narrative of the arreſt of his uncle, in July, 1397, we will relate in the words of Froiſſart (B. iv, c. 88):—"The King, under pretence of deer-hunting, went to a place he had at Havering-att-Bowe, in Eſſex. It is about

about twenty miles from London, and as many from Pleſhy, where the Duke of Glouceſter reſided. The King ſet out one afternoon from Havering, without many attendants . . . . . and arrived at Pleſhy about five o'clock . . . . . and he came ſo ſuddenly to the caſtle that no one knew of it until the porter cried out, "Here is the King." The Duke of Glouceſter had already ſupped . . . . He immediately went out to meet the King in the court of the caſtle, and paid him all the reſpect due to his ſovereign, as did the Ducheſs and her children. The King entered the hall and the apartment, where the table was again laid out for the King, who ate ſome little; but he had before told the Duke, 'Good uncle, have your horſes ſaddled—not all, but five or ſix—for you muſt accompany me to London, as I am to have a meetiug to-morrow with the citizens, and we ſhall ſurely meet my uncles of Lancaſter and York; but I ſhall adviſe with you what anſwer to make to the Londoners' demands. Tell your houſe ſteward to follow us with four ſervants to London, where they will find you.' The Duke, ſuſpecting nothing evil intended againſt him, too eaſily conſented, and the King, having ſoon ſupped, roſe from table. Every thing being ready, the King took leave of the Ducheſs and her children, mounted his horſe, and the Duke did the ſame, attended only by three ſquires and four varlets . . . . . They rode hard, for the King pretended impatience to get to London, and converſed all the way with the Duke of Glouceſter. On their arrival at Stratford, near the Thames, where an ambuſcade had been laid, the King galloped forwards, leaving his uncle behind; on which the Earl Marſhal advanced to the rear of the Duke, with a large body of men, and ſaid, 'I arreſt you in the King's name.' The Duke was panic ſtruck, for he ſaw he had been betrayed, and cried aloud after the King. I know not if the King heard him; but he did not turn back, galloping on faſter than before, and followed by his attendants." Such is the account given by a writer friendly to Richard II. The Duke was hurried on board a veſſel waiting in the Thames and conveyed by the Earl Marſhal to Calais, of which he was governor, where his priſoner was kept for ſome weeks, and at length told it was the King's will that he ſhould die; and by the expreſs directions of the Earl Marſhal, according to the confeſſion of an eye witness, if not one of the actual perpetrators of the murder, as recorded on the parliament roll, he was put to death by ſuffocation between two featherbeds. An idea ſeems to have been at one time entertained of giving the murder the form of a judicial execution, by ſending over to Calais Sir William Rickhill, a judge of the Common Pleas, to act under Mowbray's orders. He had a midnight interview with the Duke, and

and received what was called a confeſſion; but no mention was made of it when, on the 21ſt of September, the arreſt was reported to parliament, and an order iſſued to the Earl Marſhal to bring up his priſoner; and a return was made, and accepted without enquiry, that he had died in cuſtody of a fever.

That at the time of his arreſt the Duke of Glouceſter was entertaining treaſonable deſigns, there can be no doubt, but there is room for a good deal as to the particular circumſtances of the alleged conſpiracy, and the perſons engaged in it, Carte (ii, 621), not citing his authorities, but to ſome extent borne out by Fabyan (p. 542, ed. 1811), relates with great circumſtantiality a treaſonable meeting, held at Arundel on the 8th July, 1397, at which were preſent the Archbiſhop of Canterbury, the Abbot of St. Alban's, the Prior of Weſtminſter, and the ſame five peers, who, ten years before, had been banded together in their proceedings againſt the King's favourites, and were then known as the five appellant lords, namely, the Duke of Glouceſter, and the Earls of Arundel, Warwick, Derby, and Nottingham, all of whom agreed to ſeize the King and the Dukes of Lancaſter and York, and keep them in perpetual impriſonment; and bound themſelves by mutual oaths, and received the ſacrament thereon from the Archbiſhop; but that plot was at once divulged to the King by the Earl of Nottingham. Admitting that he was capable of this double treachery, it is improbable that, in his known relations with the King, he ſhould have been admitted to counſels of the conſpirators, and equally improbable that he ſhould have been acting with the Earl of Warwick, who is ſtated by Carte, four pages earlier, to have been drawn into the conſpiracy, "incenſed at the loſs of the honour of Gower, recovered at this time by the Earl Marſhal." Neither is it probable that the Earl of Derby ſhould have been embarked in a conſpiracy directed as much againſt his own father as the King: and in the parliamentary proceedings which enſued we do not find him treated as ſuſpected, but, on the contrary, included in the honours conferred on the King's ſupporters.

The Earls of Arundel and Warwick were invited to court and arreſted with almoſt equal duplicity, and the enſuing parliament in September, which was as ſubſervient to the King as that of 1387 had been to the Duke of Glouceſter and his colleagues, impeached the Archbiſhop, revoked the pardons granted ten years previouſly, and attainted the Earls of Arundel and Warwick. The ſentence of the latter was commuted to perpetual imprisonment and forfeiture

forfeiture of his eſtates; but the former was carried direct from the parliament houſe to Tower Hill, and there beheaded. The allegation that the Earl Marſhal, who was his son in law, was preſent, and officiouſly took part in binding the victim's eyes, is denied by Carte, and we will hope that this act of barbarity is not to be laid to his charge.

The King had wreaked his vengeance on his enemies, and it remained only to reward his friends. Foremost among theſe was the Earl Marſhal. There was no particular reason for conferring any additional honours on his grandmother, unleſs at his inſtigation. So far as he was concerned, the grant to him of the Dukedom of Norfolk, in which the Earldom of Norfolk, if ſtill ſubſiſting, would eventually have merged, would have effected his object as completely as the courſe actually taken: for, her father having died in 1338, ſhe muſt have been of an age precluding the poſſibility of the title of her heir preſumptive being diſplaced by any other iſſue. However, what was done was the creation in parliament, on the 29th September, 1397, of Margaret, Counteſs of Norfolk (ſo ſtyled in the Rolls of Parliament), as Ducheſs of Norfolk for life, and on the ſame day, the conferring of a ſeparate Dukedom of Norfolk on the Earl of Nottingham, with limitation to him and his heirs male. On the ſame day the Earl of Derby, who had married one of the two daughters and coheireſſes of Humphrey Bohun, laſt Earl of Hereford,[1] was created Duke of Hereford.

Of the five appellant lords, Glouceſter had been murdered—Arundel executed with little more approach to the forms of law—Warwick attainted and in priſon. The Dukes of Norfolk and Hereford remained in the full blaze of their ſovereign's favour, and advanced to the higheſt dignity of the peerage. The mortal quarrel which broke out between them at the parliament held in the following January, when Hereford accuſed Norfolk of a treaſonable converſation, in which he had declared his knowledge of the King's intention to deſtroy them both, as well as the Duke of Lancaſter and other nobles named—the judicial combat commenced, but ſo abruptly broken off, at Coventry—the baniſhment of both combatants—and the whole chain of conſequent events, reſulting in the depoſition and death of Richard II, are too familiar to need narrating here. The real merits of the quarrel will never be known. Perhaps

[1] The other coheireſs was married to the murdered Thomas of Woodſtock, who, in her right, acquired Caldicot Caſtle.

Perhaps the moſt intelligible and conſiſtent of the various views which have been entertained of it is that of Mr. Sharon Turner (Hiſtory of England, ii, 237, ed. 1815):—"It was not improbable that the King, who had begun to dip his hands in blood, ſhould have found—what all men find—that one crime makes others neceſſary, and ſhould think the lives of other great and popular noblemen to be inconſiſtent with his ſafety, leſſened as that was by the popular reſentment for Glouceſter's death. It was ſtill leſs improbable that an agent, who had ſeen with what little remorſe his maſter had deſtroyed a near relative, and now heard of ſimilar deeds being in contemplation, ſhould become diſquieted about himſelf, endangered as he was by his perſonal knowledge of the King's guilt. That in this ſtate of anxiety he ſhould unboſom it to a former confederate, and now connected friend, was not unnatural. He needed counſel and ſupport, and by this diſcloſure he endeavoured to obtain them. The conduct of Henry, on receiving this information, is perfectly intelligible. His ſafety lay in publicly diſcloſing it. To announce the meditated projects was to defeat them. No King or counſellors would be afterwards ſo inſane as to execute them. Hence, if the information was true, he ſaved his father's life, as well as his own, by diſcloſing it. If Norfolk had amuſed him by a falſe ſtatement, it muſt have been done for ſome treacherous purpoſe, which would be beſt defeated by publicly diſcloſing it. He therefore mentioned to the King in parliament what he had been told. He affected to conſider them as diſhoneſt words, ſlanderouſly ſpoken: but he had committed them to writing, and he produced the memorial. By this ſtep he certainly ſacrificed the Duke of Norfolk: but what right had ſuch a man, ſtained as he was, to expect confidence from another, or even ſecrecy, on a communication like this, which involved that other's life and his father's?" The views of the ſame writer on the abrupt termination of the combat, and the almoſt unaccountable ſtep of baniſhing both parties, are equally clear:—"The King's conſcience ſhrank from the iſſue of the impending battle. He beſt knew whether he had cheriſhed the deſigns which Norfolk had intimated. If Henry conquered, the dying breath of Norfolk, in the confeſſion that was always taken on the accuſation if the beaten party ſurvived, might, by confirming what he had ſpoken, have rouſed the endangered nobility and indignant people to a rebellion that would have driven him from his throne. To arreſt the combat was to leave the dangerous queſtion—as Henry had put it—a poſſible ſlander of Norfolk on the King; or—as Norfolk's denial made it—a poſſible invention of Henry. The baniſhment of both had the

the aſpect of impartiality, and its public pretext was to prevent diſcord between their families." Patents were granted to both the baniſhed Dukes, enabling them, in caſe any lands of inheritance ſhould deſcend to them in their abſence, for which they ought to do homage, to ſue for and have livery thereof by their attorneys, and reſpiting their homage and fealty. The death of John of Gaunt, on the 3rd February, 1399, offered a temptation the King was unable to reſiſt to appropriate the inheritance which thereupon devolved on the Duke of Hereford. For this purpoſe the obſequious committee which had uſurped the functions of parliament was induced, not only to declare the patent to be againſt law, but to adjudge the King's chaplain, who had prepared it, to be guilty of high treaſon. Hiſtorians generally have had their attention too much directed to the caſe of Bolingbroke to give much heed to that of Mowbray: but Tyrrel (Hiſt. of England, iii, 991) ſays, "The King, by advice and conſent of the ſaid committee of parliament, revoked thoſe letters patents, *as also the like made to the Duke of Norfolk.*"

His grandmother died on the 24th of March in the ſame year, and was buried, with her ſecond huſband, Lord Manny, at the Charterhouſe. Her inheritance devolved by right on the Duke of Norfolk, who thus became, for the few remaining months of his life, the owner, through he can ſcarcely be ſaid to have been the poſſeſſor of Striguil. Carte, whoſe hiſtory is unduly favourable to Richard II, ſays (Hiſtory of England, ii, 631), "it is not pretended that the great eſtates which fell to her [grand]ſon by her deceaſe were ſeized." Perhaps not, in the ſenſe of being treated as forfeited; but unless he could obtain the indulgence granted to him by the patent, they would remain in the King's hands, in the ordinary courſe of law, until the heir could ſue out livery, and perſonally do homage and fealty. At the court of claims held on the 4th October, 1399, preparatory to the coronation of Henry IV, Holinſhed (iii, 2, ed. 1708) ſays, "John, Lord Latimer, although he was under age, for himſelf, and the Duke of Norfolk, notwithſtanding that his poſſeſſions were in the King's hands, by his father's attorney, Sir Thomas Graie, Knight, obtained and had the office of Almoner for that day, by reaſon of certain lands which ſometime belonged to the Lord William Beauchampe of Bedford," and at the ſame court, a claim having been made by the Earl of Northumberland to carry one of the ſwords, "Rafe, Earl of Weſtmorland, and Earl Marſhal of England, by the King's grant, claimed the ſame office and obtained it, notwithſtanding that the attorneys of the Duke of Norfolk preſented to the Lord

Lord Steward their petition on the Duke's behalf, as Earl Marſhal to exerciſe the ſame.

THE date of Mowbray's death is not quite certain. Shakeſpeare, in Richard II (act iv, ſc. 1), makes the Biſhop of Carliſle announce his death to Bolingbroke in parliament, before the forced abdication of Richard; but not only is this an anachroniſm, but the whole ſcene is contrary to the hiſtorical order of events. It is taken, with ſufficient cloſeneſs, from the account in Holinſhed (iii, 6, ed. 1808) of a ſtormy ſitting of the firſt parliament after Henry's coronation, when the ſubject of the Duke of Glouceſter's murder was freely canvaſſed, and John Hall, one of the perſons actually preſent, if not one of the perpetrators, made his confeſſion, and every body appealed every body elſe of treaſon, until forty gages of battle were lying on the floor. As the lords were not in armour, there were no gauntlets to throw down, and gloves had not yet become an ordinary part of civil coſtume. They therefore threw down their hoods; and Shakeſpeare is quite accurate in repreſenting Aumerle, who had thrown down his hood in appealing Bagot, as borrowing another hood to appeal the abſent Duke of Norfolk, whoſe teſtimony againſt Aumerle was vouched by Fitzwater:—

> "Some honeſt Chriſtian truſt me with a gage
> That Norfolk lies"—

on which the chronicler relates that the gage was delivered to the Conſtable and Marſhal of England, and the King licenſed the Duke of Norfolk to return, that he might arraign his appeal. This was on Thurſday, the 16th October, 1399; and again, on the 3rd November, on Fitzwater praying a day to arraign his own appeal againſt the Earl of Rutland, the King ſaid he would ſend for the Duke of Norfolk to return home, and then, upon his return would proceed in that matter. It appears then that at this date Norfolk was ſtill living, or at leaſt not known in England to be dead. But Holinſhed places his death in the ſame year, others in the following year, and Froiſſart (b. iv, ch. 121) ſays he was reſiding in Venice, when he firſt heard that Henry of Lancaſter was King of England and King Richard dead, and took this news ſo grievouſly to heart that he fell ſick, was put to bed, became frantic, and died. Dugdale gives the date as the Monday before the feaſt of St. Michael the Archangel, 1 Henry IV, which would be 27th September, 1400.

HE

He was twice married. His firſt wife (if ſuch ſhe can be conſidered), Elizabeth, daughter of John, Lord Strange of Blackmere, died in 1383, a child of nine years old, leaving him a widower of ſeventeen. His ſecond, Elizabeth, daughter of Richard, and ſiſter, and eventually coheireſs, of Thomas, Fitzalan, Earls of Arundel, and widow of William de Montacute, ſurvived him till 1424, and married ſucceſſively Sir Robert Gouſhill and Sir Gerard Uſflete; but, as it does not appear that ſhe held Striguil in dower, or indeed could have done ſo according to the precedent in the caſe of Anſelm Marſhal, we are not concerned with either of them. By her Mowbray had two ſons, Thomas and John, and two daughters, Margaret and Iſabel.

His eldeſt ſon, Thomas Mowbray, was only fourteen years of age at his father's death, ſo that he was not in a poſition to ſue out livery of his lands. The ſtormy debate in parliament, alluded to above, reſulted in a kind of compromiſe, all further proceedings againſt the late Duke of Glouceſter's enemies being ſtayed, and the honours granted to them in Richard's laſt parliament revoked. The Dukes of Aumerle, Surrey, and Exeter, and the Marquis of Dorſet were reduced to their former rank of Earls of Rutland, Kent, Huntingdon and Somerſet, and the Earl of Glouceſter to that of Baron Deſpenſer. The Duke of Norfolk, being abſent, was not included in the degradation of theſe peers, but his caſe was ſo identical with theirs, that it would have been ſufficient to account for his heir not aſſuming the title of Duke of Norfolk. I know no reaſon (unleſs, as in the caſe of the laſt Earl of Pembroke, minority was then conſidered one) why he ſhould not have aſſumed the title of Earl of Nottingham; but the fact is that he never did aſſume any other title than that derived from his office—which practically he never enjoyed—of Thomas, Earl Marſhal. Perhaps this was looked upon as his higheſt title, except that of Duke of Norfolk; for in a patent cited at a previous page his father is ſtyled "Earl Marſhal and Nottingham," though the Earldom of Nottingham was the earlier creation, even if the patent granting the name and honour of Earl Marſhal was conſidered as the creation of a ſeparate peerage.

This nobleman was the Lord Mowbray of Shakespeare's Henry IV, pt. ii, which gives a tolerably accurate repreſentation, according to the authority of Holinſhed, of the part he took in the conſpiracy of Richard Scrope, Archbiſhop of York, and its fatal reſult. In act iv, sc. 1, Weſtmoreland remonſtrates with Mowbray on the abſence of any perſonal grievance:—

Were

"Were you not reſtored
To all the Duke of Norfolk's ſeignories,
Your noble and right well remembered father's?"

There is no authority for this in Holinſhed or in fact. So far as concerned the livery of his lands, he was not, even at this date, 29th May, 1405, of an age to demand it. Great careers began and ended at an earlier age in thoſe days than now, and, though a principal in Scrope's conſpiracy, he was only nineteen years old. As to the Marſhalſhip, it had been originally granted to the Duke of Surrey, during the life of the baniſhed Duke of Norfolk, and afterwards to the Earl of Weſtmoreland; but it does not appear whether, at this period, the latter was conſidered as holding it in his own right, or only as performing the duties of the office while the hereditary Earl Marſhal was under age. The latter is the inference to be derived from a letter written by the King to his council on the very day previous to the arreſt of Scrope and Mowbray, and printed in the preface to the Liber de Antiquis Legibus (p. cxliii), in which he ſpeaks of the latter as the Earl Marſhal:—"comment le Conte de Northumberland, le Conte Mariſchal, et le Sire de Bardolf, et autres de leur adherentz es parties del Northe, ſe ſont levez encontre noſtre mageſti roiale, et coment le dit Conte Mareſchal tient le champe ovec toute le pouvoir qu'il a et puet lever &c." On the other hand, the Dramatiſt omits to mention another circumſtance, related by Holinſhed, which might well have been put into the mouth of Weſtmoreland to enforce his argument, namely, that in the previous year "Thomas Mowbray, Earl Marſhal, had been accuſed as privy to the purpoſe of the Duke of York, touching the withdrawing of the Earl of March's children, who confeſſed indeed that he knew of the Duke's purpoſe, but yet in no wiſe gave his conſent thereunto, and therefore beſought the King to be good and gracious lord unto him for concealing the matter, and ſo he obtained pardon of that offence" (Holinſhed, iii, 33, ed. 1808). Shakeſpeare's account of the treachery by which the arreſt of the Archbiſhop and Earl Marſhal was effected, the unſuſpecting confidence of the old prelate over-ruling the more prudent counſel of the young Earl, is warranted by Holinſhed's account, derived from Walſingham; but the former admits that other writers give a ſomewhat different verſion, and allege that the inſurgent nobles ſurrendered on promiſe of pardon. This is by far the more probable account; for the terms ſubmitted by the inſurgents, as quoted by Carte (ii, 663), involved, among other demands, the reſtoration of the crown to the right line, which it is prepoſterous

prepoſterous to ſuppoſe the commander of the King's forces to have liſtened to. The breach of faith was much the ſame according to either verſion of the ſtory. The priſoners were taken to the King at Pontefract, and thence with him to York, where the Archbiſhop was beheaded, on the 8th of June, on a ſentence paſſed by a judge conſtituted for the purpoſe (Sir William Gaſcoigne refuſing to try a ſpiritual peer), and the Earl Marſhal ſuffered in the ſame manner, without any arraignment, trial, or defence, ſo much as in the court military. He married Conſtance, daughter of John Holland, Duke of Exeter, but had no iſſue by her.

On his death, his eſtates devolved on his brother John, who aſſumed the title of Earl of Nottingham and Earl Marſhal, and eventually, but not for many years afterwards, that of Duke of Norfolk. We will, for diſtinction, call him the third Duke, treating his father as the firſt, and his brother as the ſecond, or—according to Nicolas's Hiſtoric Peerage—arriving at the ſame reſult by omitting the one who never aſſumed the title, and numbering as firſt the Ducheſs of Norfolk, whoſe peerage might perhaps be more properly treated as a ſeparate creation. Of this third Duke we hear nothing until, near the cloſe of the reign of Henry IV, he healed for the time his family quarrel with the reigning houſe, by marrying Katherine, the daughter of that Ralph Neville, Earl of Weſtmoreland, by whom his brother had been ſo faithleſſly betrayed, and of Joan, his wife, one of the legitimated children of John of Gaunt and Katherine Swinford. The grant of marriage is dated 20th July, 1411, and Mr. Wakeman ſays he came of age in 1413. May he not thus have been given in marriage during his minority as an arrangement for ſettling any pretenſions to the Earl Marſhalſhip on the part of the Earl of Weſtmoreland, and handing it in undiſturbed enjoyment to the young Earl of Nottingham?

He accompanied Henry V, in his firſt expedition to France, with four knights, forty-five eſquires, fifty men at arms, and one hundred and fifty mounted archers, as appears from the Sloane MS. 6400, printed in Sir Harris Nicolas's Hiſtory of the battle of Agincourt. He was one of the commiſſioners for trial of the Earl of Cambridge, Lord Scrope of Maſham, and Sir Thomas Grey: and, on the two former demanding to be tried by their peers, was one of the peers who ſat on the irregular trial which condemned them. He had an important command at the ſiege of Harfleur, and as Earl Marſhal received the keys of that city on its ſurrender. Whether his was one of

"the very caſques
That did affright the air at Agincourt" is

is a doubtful point. We fear he was not one of thoſe preſent at the battle, though Sir Harris Nicolas, who is no mean authority, comes to the concluſion that he was. The authority of ſeveral writers is quoted, who name the Earl Marſhal among thoſe ſent home from Harfleur with the ſick and priſoners. If he only went in charge of them, there was time for his return to France in the fortnight which elapſed between the ſurrender of Harfleur and the commencement of the King's raſh but glorioufly ſucceſſful march, by Agincourt to Calais: but Hall, whoſe authority is not quoted by Sir Harris Nicolas, after ſpeaking of the ſufferings of the army from dyſentery, ſays (p. 63, ed. 1809) that the King licenſed the Duke of Clarence, his brother, John, Earl Marſhal, and John, Earl of Arundel, being infected with that diſeaſe, to return into England. Sir Harris Nicolas alſo prints a Roll of the names of the dukes, earls, barons, knights, eſquires, ſerviteurs, and others preſent at the battle of Agincourt; but he does not refer to a variation worth notice in the terms in which the different leaders are referred to. The firſt names are "The Duke of Glouceſter with his retynew" [followed by the liſt of names]. "Theſe be the names of the retinu of the Earle of Marche, which was at the battle of Egyncourt"—"Therle of Huntingdon, with his retenu, that was at the battle of Egyncourt"—"Theſe be the names of the retenu of the Erle Marſhall, that was at the battell of Egyncourt with the Kinge." The document is printed from the Engliſh original, Harl. MS. 782, collated with a French copy, MS. M 1 in the College of Arms, in which each of the above phraſes "which was" and "that was," is rendered "qui furent," and the terms in which the retinue of the Earl Marſhal are mentioned may mean, in his caſe, and in that of the Earl of March, that the retinue were preſent without their chiefs. The ſame author notices that Henry V ſelected the peers and eminent commanders who were at Agincourt to fill nearly every vacancy, not beſtowed on sovereign princes, which occurred in the Order of the Garter during his reign; and in 1420, according to his ſtatement, or in 1422, according to Heylin, John Mowbray, Earl Marſhal, was ſo honoured. He was with the King in his ſecond expedition to France, his retinue, according to the muſter roll of 1417, preſerved in the Chapter Houſe, Weſtminſter, and printed in the Henrici Quinti Regis Angliæ Geſta of the Engliſh Hiſt. Society, conſiſting of 6 knights, 102 lances, and 284 archers. The chronicle juſt referred to mentions him at the ſieges of Rouen, in July, 1418, and of Frenay and Melun, in 1420, and the Chronicle of Normandy, printed in the ſame volume, mentions him among the retinue accompanying the King on his bringing home his bride to England.

HITHERTO

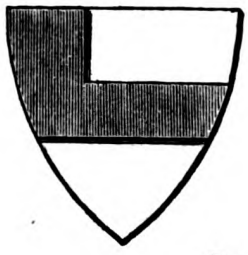
HITHERTO we only find him named as Earl Marſhal, or Earl of Nottingham. We have ſeen reaſons why it would not have been prudent to parade the higher dignity of Duke of Norfolk, while its origin was freſh in the recollection of the parliament, which repealed other honours granted on the ſame occaſion. But after the recollection of theſe events had been effaced by a generation of loyalty to the reigning houſe, there was leſs reaſon to abſtain from putting it forward. Accordingly, in 3 Henry VI, he made his claim to be Duke of Norfolk to him and his heirs male, and Earl of Norfolk to him and his heirs general (Rot. Parl., quoted in a note to Nicolas's Hiſtoric Peerage by Courthope); and on the 17th July, 1424, his claim to the Dukedom, under the patent to his father, was allowed. Though this has been uſually ſpoken of as a reſtoration, the patent had never been revoked—the baniſhment of his father had no effect on his eſtates or honours, beyond a perſonal diſability—and the execution of his brother by martial law involved no attainder. The circumſtances are fully ſtated in Vincent's Diſcovery of Brooke's Errors (p. 347). It ſeems that a queſtion of precedence had ariſen between the Earl Marſhal and the Earl of Warwick, whereupon the former petitioned the King in parliament, ſetting forth that he and all his anceſtors, as Earls of Norfolk, as well for the blood royal and arms royally [Qy. ſupply "augmented"] that he came from and bore, as for the ſaid earldom, claimed place above his couſin of Warwick, and that the commonalty of the realm, ſummoned to that preſent parliament, did ſay that he ſhould be born to be Duke of Norfolk, which, if ſo were, the ſaid commonalty ſuppoſed ſhould make final concluſion of the determination of his ſaid place above his ſaid couſin of Warwick. He then ſets out the patents and pedigree, and prays a reference of his claims to parliament. The grounds on which his Dukedom was admitted were that, although the proceedings in the parliament of Richard II, in which the Dukedom was created, had been, in the parliament held 1 Henry IV, repealed and annulled in general terms, there was no ſpecial mention of this dignity, and that a general revocation did not extend to it, the creation of dignities being the act of the King and not of the parliament.

DURING the chequered warfare in France, in the years 1430 and 1431, the Duke of Norfolk muſt have had a command of ſome importance, for we read of him taking "Dammartine, Chaſſe-Mongaie, and divers other townes." He died on the 19th October, 1432, having had a narrow eſcape from the termination of his career four years earlier, by means which have cauſed the

ſacrifice

ſacrifice of many a life—the upſetting of a boat, in the attempt to ſhoot the cataract pouring through Old London Bridge. The adventure is related in the Harl. MS. 565, fo. 87*b* (here quoted ſecond hand from Brazley's Londiniana), which tells that the accident "was the cauſe of ſpylling many a gentil man and othere, the more ruthe was: but as God wolde, ye Duke himſelf and too or three othere gentyl men, ſeying that myſchief, leped up on ye pyles, and ſo were ſaved through helpe of them that weren above ye brigge with caſtyng downe of ropes."

He left behind him his widow, Katherine, who, in addition to a proviſion made for her by her huſband's will, had an aſſignment of dower, including the caſtle, manor, and borough of Strogoil, in the Marches of Wales, and the manor of Tudenham, in the county of Glouceſter (Dugdale's Baronage, i, 131). The dowager ducheſs, after ſurviving two other huſbands, Sir Thomas Strangeways, and John Viſcount Beaumont, entered into the bonds of matrimony for a fourth time, in January, 1465, when, as deſcribed by William of Wyrceſter, ſhe was "juvencula fere iiij^{xx} annorum," by giving her hand, and let us hope what remained of her heart, to Sir John Widville, the Queen's brother, a young man of twenty, who is uncharitably ſuppoſed by the chronicler to have been attracted by her ample dower, exceeding the jointure of the Queen herſelf. The chronicler probably exaggerated a little the age of Sir John Widville's bride for ſhe ſurvived him, and was living in 1482, which would make her at that time ninety-seven according to his ſhewing. His phraſe of "almoſt four-ſcore years" would cover anything between that age and ſeventy, which would have been the age of her firſt huſband, if he had been living. Each of theſe three after-taken huſbands was, in her right, lord of Striguil; but their temporary poſſeſſion of it does not render it neceſſary to do more than record the fact, and deſcribe their reſpective arms. Thoſe of Strangeways were Sable, two lions paſſant, in pale, paly of ſix Argent and Gules—thoſe of Beaumont Azure, ſemée de lis and a lion rampant Or. Thoſe of Widville, Argent a feſs and canton Gules, we ſhall have to mention again, when, by another alliance, they became quartered with the arms of the family of Somerſet.



On

On the death of John, third Duke of Norfolk, his ſon, John, then aged about eighteen, ſucceeded him in his eſtates (ſubject to the widow's dower) and in his Dukedom and Earl Marſhalſhip. This John, fourth Duke, obtained in 23 Henry VI (11 March, 1445) a patent, confirming to him the Dukedom of Norfolk, with precedence next after the Duke of Exeter. The neceſſity or occaſion for this does not appear, except perhaps that the patent to the latter nobleman, in the January previous, with place next after the Duke of York, had created confuſion in the order of precedency. The Duke of Norfolk ſeems to have been in good credit with the Regency during the early years of the reign of Henry VI; for we find him, in 1439, one of the ambaſſadors engaged in the abortive attempt at negociating a peace with France (Rym. Fœd., x, 728, quoted in Rapin). In 1450 he was inſtalled Knight of the Garter. A more preciſe date would be deſirable, with reference to the progreſs of public events, and eſpecially in relation to Jack Cade's inſurrection, which broke out in May of that year. Subverſive of all law and government as were the proceedings of the rebels, and atrocious as were their exceſſes, when they obtained temporary control of the metropolis, their objects were not the wild communiſm, which our great dramatiſt, or the author of the play which bears his name, has made a byeword.[1] On the contrary, their ſchedule of grievances, complained that "the lords of the King's royal blood were put from his daily preſence, and other mean perſons of lower nature exalted, and made chief of his privy council," and they demanded, among other things, "that the King will avoid all the falſe progeny and affinity of the Duke of Suffolk . . . . . and take about his noble perſon the true lords of his royal blood of this his realm, that is to ſay the high and mighty prince, the Duke of York . . . . and the mighty princes, the Dukes of Exeter, Buckingham, and Norfolk, and all the earls and barons of this land, and then ſhall he be the richeſt King Chriſtian." It would be odd if it ſhould turn out that the Duke of Norfolk was indebted for his Garter to the influence and recommendation of Jack Cade. In March, 1451, the Duke's ſon, John Mowbray, was created Earl of Warren and Surrey, the title being derived from the fact of the Mowbrays repreſenting, through the wife of the firſt Duke of Norfolk, the line of the Fitzalans, Earls of Surrey. As he was ſtill a minor, and incapable of ſitting in parliament, this honour can only have been conferred to conciliate his father, who was cloſely allied with the

[1] It has been pointed out by Sir Francis Palgrave (Courtenay's Commentaries on Shakeſpeare, i, 303) that almoſt the very words which the Dramatiſt puts into the mouth of Jack Cade (2 Henry VI, act iv, sc, 2) are derived from Holinſhed (ii, 737, ed. 1807), but in relation not to Jack Cade, but to Wat Tyler.

the Duke of York, at this time becoming formidable to the government, and accuſed, rightly or wrongly, of having been the inſtigator of Cade's inſurrection. The Duke of Norfolk's deſcent, through his mother, from John of Gaunt might have led us to anticipate his adherence to the Houſe of Lancaſter; but one of her ſiſters had married the Duke of York himſelf, and her brother Richard Neville Earl of Saliſbury, was his warm adherent, and the father of that Richard Neville, Earl of Warwick, whoſe career, during the Wars of the Roſes, acquired him the title of the King-maker. Surrounded with theſe influences the Duke of Norfolk took his ſtand very decidedly with the White Roſe. He was the Norfolk of Shakeſpeare's Henry VI, pt. iii, but there is nothing in that play which illuſtrates his character or hiſtory, or calls for particular notice, unleſs it be to obſerve that the Dramatiſt, if he had been acquainted with the pedigree of Norfolk, would ſcarcely have made him ſay, on the production of the head of the Duke of Somerſet, "Such hope have all the line of John of Gaunt" (act i, ſc. 1). He fought both in the firſt and ſecond battles of St. Albans, but we do not find him ſpecially mentioned in any of the other engagements preceding the eſtabliſhment of Edward IV on the throne. He accompanied the new ſovereign in his march northwards, immediately after his Proclamation, and was conſtituted Juſtice Itinerant of all the Foreſts South of Trent; but at the battle of Towton, on the 29th of March, 1461, he was compelled by ſickneſs to reſign the command of the van to Lord Fauconbridge. It was probably his laſt illneſs, for he died in the ſame year, and was buried at Thetford.

John Mowbray, Earl of Warren and Surrey, his ſon, by his wife, Eleanor, daughter of William Bourchier, Earl of Ewe in Normandy, ſucceeded him as fifth Duke of Norfolk. He died in 1475, the laſt of the male line of his houſe, and on the failure of his iſſue (his only daughter, Anne, married at four years old to the ill-fated Prince, Richard, Duke of York, having died in infancy) his eſtates paſſed, by a deſcent traced through a daughter of Thomas Mowbray, firſt Duke of Norfolk, to the founder of the illuſtrious family of Howard, to whom the Dukedom of Norfolk was conſequently granted, and in whoſe deſcendants, after many a forfeiture and reſtoration, it is ſtill veſted, and who ſtill hold the dignity of Hereditary Earl Marſhal of England. It will not be neceſſary for us to follow the career of this nobleman to its cloſe, for we meet with nothing noteworthy reſpecting him previous to the year 1468, and in that year his caſtle and lordſhip of Striguil, the ſubject of our memoir, paſſed by exchange into other hands, by a tranſaction which we will proceed to trace in another chapter.

CHAPTER VIII.

Families of Herbert and Tudor.

THE Earldom of Pembroke, which had become extinct in the perſon of John Haſtings, third earl of his family, had ſubſequently been twice re-created, and had twice again become extinct, in the perſons of Humphrey, Duke of Glouceſter, and William de la Pole, and in 1453 it had been granted by Henry VI to his half brother, Jaſper Tudor, or Jaſper of Hatfield, the younger of the two ſons of Katherine of France, widow of Henry V., by her ill adviſed marriage with Owen Tudor. The elder ſon, Edmond, was at the ſame time created Earl of Richmond, but died three years afterwards, leaving an infant ſon, deſtined to found the royal houſe of Tudor. On the breaking out of the War of the Roſes Jaſper was a truſted and active ſupporter of Queen Margaret. After her victory at Wakefield ſhe divided her forces, marching in perſon towards London, to encounter the Earl of Warwick, and ſending the ſmaller diviſion to the weſt, under the command of Jaſper, Earl of Pembroke, to oppoſe the forces of Edward, who by the death of his father at the battle of Wakefield had become Duke of York. The defeat of the Lancaſtrian army at Mortimer's Croſs, on the 2nd February, 1461, rendering uſeleſs the Queen's victory at St. Albans a fortnight later, may be conſidered as the proximate event which ſet Edward on the throne. Among the ableſt and moſt truſted leaders of his forces, on this and other occaſions, was Sir William Herbert, who was ſummoned to Edward's firſt council, within a week after his acceſſion, and to parliament, on the 26th July, 1461, as Lord Herbert of Herbert (Nicolas's Hiſtoric Peerage, by Courthope). The only

only facts in his pedigree which have never been disputed are that he was the eldest son of Sir William ap Thomas of Raglan, by his second wife, Gwladys, daughter of Sir David Gam, one of the three brave captains said to have been knighted, after receiving mortal wounds, on the field of Agincourt, another of them being his son in law, Sir Roger Vaughan, the first husband of Gwladys. A pedigree has been preserved, and is printed in the Appendix to Coxe's Monmouthshire, said to have been traced by four bards, chiefest men of skill within the Province of South Wales, at the command of Edward IV, by whose wish Sir William is alleged to have assumed the name of Herbert, discontinuing the Welsh system of changing the surname at each descent. In this pedigree the Welsh heralds deduce an illustrious descent from a natural son of Henry I, but the document has never met with acceptance, and, the origin of the family having been thoroughly examined by Mr. Hawkins and Mr. Wakeman, and discussed by Mr. Octavius Morgan, in his Memoir on the Abergavenny Monuments, we may state shortly on their authority that Sir William ap Thomas was the founder of his own fortunes, being Steward of the Lordships of Usk, Caerleon, &c., under Richard Duke of York, and high in his confidence and that of his son, Edward, afterwards Edward IV, and in that situation acquired extensive estates, of which Raglan and Gower were part, and was succeeded in his office, and in the confidence of the house of York, by his son, William. Hall's Chronicle speaks of the latter as one who, of a mean gentleman, was promoted to the estate of an earl. He was throughout the brave and trustworthy adherent of Edward IV, one of whose first acts, on attaining to the throne, must have been to appoint him Lord Chamberlayne, unless the author of a poem, printed in Wright's Political Songs and Poems, published under the direction of the Master of the Rolls (ii, 280), in describing the King's entry into London, has antedated Sir William Herbert's acquisition of that office, as he certainly has that of his earldom of Pembroke :—

"In the Kynges forwarde the prynce did ride,
Withe nobill lordes of grett renowne;
The Erle of Pembroke the lorde chamberlayne be his side;
Many other Knyghtes and yomen of the crowne.

* * * * *

The lorde chamberlayne, that gentill Knygte,
Whiche failid his mayster nother in storme ne stoure;
Off goodly men he had a faire syghte,
Wiche rode afore the Kynge to his honoure."

On

On the 4th November, 1461, a parliament was held, at which Henry VI and his Queen, and ſon, Jaſper, Earl of Pembroke, and many others were attainted. Mr. Morgan, ſpeaking of the ſame parliament, ſays, "Sir John Skidmore of Herefordſhire and divers other perſons were attainted, and their lands forfeited to the crown, and on that ſame day Sir William Herbert was created Baron Herbert of Chepſtow, Raglan, and Gower, and ſhortly after his creation he had a grant by patent of the caſtle and lordſhip of Pembroke and ſeveral other manors in tail general, and among them the lordſhip of Magor, Redwick, and the caſtle and lordſhip of Caldicot, in the Marches of Wales; alſo the caſtle of Goderich, and lordſhip of Urkenfield, in co. Hereford, late the eſtate of James, Earl of Wiltſhire, attainted. . . . . In 1462 he was elected Knight of the Garter, and in 1463 he was appointed by patent Chief Juſtice of North Wales for life, and had a grant of the caſtle and lordſhip of Dunſter and Mynehede, late the poſſeſſions of James Lutterel, attainted."[1] The ſlight diſcrepancy as to the date of his creation as Lord Herbert is explainable. He was not created in, but ſummoned to, parliament, the authority of Dugdale to the contrary notwithſtanding; and the earlier of the above dates may have been that of the writ: for the day of meeting of the parliament was changed from that originally appointed, in conſequence of military emergencies. But Mr. Morgan has made a much more ſerious ſlip in calling him Lord Herbert of Chepſtow, Raglan, and Gower, a title firſt created, as we ſhall ſee, forty-five years later, and Chepſtow being at this time, as we have ſeen already, the property of the Duke of Norfolk, a loyal adherent to the Houſe of York. In Sandford's Genealogical Hiſtory (p. 292) it is ſtated that "after that King Edward IV had forced King Henry VI out of his kingdom, this Jaſper was attainted, and William, Lord Herbert, created Earl of Pembroke in his room, A° 1462, which honour, his patent mentions, was granted him in conſideration of his expelling Jaſper the rebel." This again is a miſtake, anticipating the grant of the

[1] Mr. Maxwell Lyte, in his Memoir on "Dunſter and its Lords" (Archæological Journal, vol. xxxvij, p. 178), ſays that the King anticipated the decree of the attainder of James Luttrell, for that the accounts of the receipts and expenſes of his bailiff at Dunſter, now remaining there (Dunſter Muniments, Box i, No. 27), begin as early as 16th March, 1461, twelve days only after the acceſſion of the Houſe of York. The caſtle and lands of Dunſter being held in capite would, however, as a matter of courſe, upon the death of James Luttrell, who died five days after the ſecond battle of St. Albans, from wounds there received, be taken into the King's hands. Mr. Lyte adds that the grant to William Herbert, Earl of Pembroke, was made in June, 1463. The caſtle and lands were reſtored to the Luttrell family twenty-four years afterwards upon the acceſſion of Henry VII.—Ed.

the Earldom of Pembroke by ſix years. The patent intended to be referred to is that containing the grant of the *Caſtle and Lordſhip* of Pembroke. The grant to Lord Herbert of the *Earldom* of Pembroke, was, according to Mr. Morgan, 27th May, and, according to Sir Harris Nicolas (who in his deſcent of the Earldom of Pembroke, though not elſewhere, falls into the error of calling him Baron Herbert of Chepſtow), 8th September, 1468. The immediate ſervice of which it was the reward was evidently the capture of the caſtle of Harlech, which ſurrendered on the 14th April, 1468, having held out till that time under Dafydd ap Jenkin ap Einion, a ſtout ſupporter of the Houſe of Lancaſter. Lord Herbert had inveſted the hitherto impregnable fortreſs, after a march of almoſt incredible difficulty through the mountain paſſes, by a route which, Camden ſays, retained to his day the name of *The Herbert*, his army making their way by ſcaling the rocks and throwing themſelves from crag to crag. The final operations of the ſiege were left to his heroic brother, Sir Richard Herbert, of Coldbrook, who, having pledged himſelf to uſe his beſt efforts to ſave the life of his brave captive, Dafydd, offered his own to the obdurate King, as a laſt proof of his readineſs to redeem his pledge, or, as an alternative, threatened to replace Dafydd in his caſtle, and let the King ſend whom he pleaſed to take him out again. His interceſſion prevailed at length, but, as his deſcendant, Edward, Lord Herbert of Cherbury, complains he received no other reward for his ſervice. In fact the Earldom of Pembroke, the reward for the ſervice, was properly beſtowed on his brother, who had not only the chief command, but had overcome the principal difficulties of the operation.

In the ſame year, and probably as part of the arrangements connected with the grant of the Earldom, was the exchange made with the Duke of Norfolk of certain lands in Norfolk and Suffolk, which had been acquired by the Earl of Pembroke, for the caſtle and manor of Chepſtow and manor of Todenham: for it is ſtated by Mr. Wakeman, in his paper on Chepſtow, that as this exchange was made at the requeſt of the King, he granted to the Duke the ſame extenſive rights and privileges in the manors he received as thoſe he had enjoyed at Chepſtow. The exchange was ratified by Royal Charter (Rot. Chart. 8 Edward IV., referred to in a note to Orm. Strig., p. 92). It muſt have been a deſirable arrangement for both parties. The Mowbrays had the bulk of their eſtates, as well as their titles of nobility, in the northern and eaſtern counties, to the latter of which the exchanged manors probably formed

formed a deſirable addition, while Chepſtow and Tidenham were never anything more to them than diſtant outlying eſtates. From firſt to laſt we have not met with an incident connecting their local hiſtory with the perſonal hiſtory of the Mowbray family, nor does any member of it appear to have left a memorial of his intereſt in the neighbourhood, by entitling himſelf to be commemorated among the benefactors to Tintern Abbey. In the hands of William Herbert, the poſſeſſion of theſe eſtates united once more the title of Earl of Pembroke with the ownerſhip of the caſtle of the Strongbows and Marſhals, though it finally divorced them from the hereditary Earl Marſhalſhip, which has to this day deſcended with the Dukedom of Norfolk.

It is probable that during William Herbert's ownerſhip of Chepſtow, and, if ſo, no doubt by the aid of his liberality, a commencement was made of the building of ſtone cloiſters to Tintern Abbey, the wooden cloiſters uſually conſtructed during the ſeverer rule of the early Ciſtercians being unſuited to the more magnificent ideas of the age at which our memoir has now arrived. There are remains of Perpendicular architecture at the ſouth eaſt angle. If the work was commenced at the inſtance of the Earl of Pembroke, his untimely death will account for no greater progreſs having been made than is indicated by the remains juſt noticed. His will contained a bequeſt of a hundred tons of * * *, to be given to the cloyſter of Tintern. There is a blank for the material in the will, as printed, from the Teſtamenta Vetuſta, in Mr. Morgan's Abergavenny Monuments, from which it is here quoted ſecondhand, but there can be no difficulty with ſupplying the blank with "lead."[1]

The

[1] We do not think it is quite ſo eaſy to fill the blank with "lead." The quantity, 100 tons, is enormous, and lead at this period would probably be deſcribed by the "fother," a weight equal to about nineteen hundred-weight inſtead of by the ton. Thirty tons of lead would cover the whole cloiſter roof, reckoning fifteen pounds to the foot, which is double the weight now uſed, and ſeventy-five tons would cover the entire area of the cloiſter. Mr. Blaſhill in his monograph on Tintern Abbey (Trans. Briſtol and Glouceſterſhire Archæological Society, vol. vi, p. 100) has filled the blank with "ſtone," and ſays that traces of this late work ſtill exiſt between the door of the Church along the eaſtern ſide of the cloiſter garth as far as the Chapter Houſe. The bequeſt was more probably ſtone than lead; perhaps it was "timber." In 1230 the King granted 100 oaks from the Foreſt of Dene to the Abbot of Glouceſter for the work of his Church at Glouceſter. This, we imagine, would be at leaſt five times the quantity mentioned if timber, but the work at the cloiſter would be very ſmall in proportion to that of the Abbey Church at Glouceſter.—Ed.

The ſubject of our notice is the Earl of Pembroke of Shakeſpeare's Henry the Sixth, Part III; but it is a ſingular circumſtance that, though included in the Dramatis Perſonæ, and introduced in Act IV, ſc. 1, to receive orders for the levy of troops, he is not made to utter a ſingle word. Commentators have not noticed the circumſtance, though remarking that in the Firſt Folio the very poſition of the nine perſons on the ſtage is indicated.[1] On the Shakeſpearian ſtage he would be a character of rather leſs importance than the Cock in Hamlet. On the modern one, if we could ſuppoſe the play to be put upon the boards, he would contribute to the pageantry of the ſcene in a jupon, or tabard, emblazoned, Party per pale Azure and Gules, three lions rampant Argent. Mr. Morgan (Abergavenny Mon., p. 48) ſays, "he ſeems to have borne the old Herbert arms, Per pale Azure and Gules, three lions rampant Or, as Churchyard and Gough deſcribe them: the lions have ſince been changed to Argent." Gough, as quoted by Mr. Morgan (p. 45), does indeed ſo deſcribe them: but Churchyard, referred to in the ſame page, and quoted at length at p. 16, ſays, "His arms three ramping lions *white*." I prefer therefore adhering to his authority, as the earlieſt deſcriber of the monument, rather than that of Gough, who wrote from a deſcription dating ſixty years later, even aſſuming that he copied correctly from the manuſcript in his poſſeſſion. Vincent, in his Diſcovery of Brooke's Errors, alſo gives the lions Argent.

Whatever

[1] The earlieſt form in which we have this play, which is ſtill included in the works of Shakespeare, rather to preſerve the continuity of the hiſtorical ſeries than from a conviction, on the part of his modern editors, that it is to any great extent the work of his hand, is in the unique copy in the Bodleian, bearing the date of 1595, a reprint of which was edited by Mr. Halliwell-Phillipps for the Shakeſpeare Society. It is entitled, "The true tragedie of Richard, Duke of Yorke, and the death of good king Henrie the Sixt, with the whole contention betweene the two houſes Lancaſter and Yorke, as it was ſundrie times acted by the Right Honourable the Earle of Pembrooke his ſervants." In this old play the ſame peculiarity appears in the treatment of the character of Pembroke. The Earl of Pembroke mentioned in its title page was Henry Herbert, who was the grandſon of Richard Herbert, of Ewias (an illegitimate ſon of the firſt William Herbert, the ſubject of our notice) and was the ſecond Earl of a new creation, dating from 1551, and the father of Shakeſpeare's friend and patron, William Herbert. One would have expected to find that his own company of players, in producing his great anceſtor on the ſtage, had gladly availed themſelves of the opportunity of putting him in a prominent poſition, and paying him compliments, which would have been well underſtood as indirectly applicable to their patron himſelf. Is it not probable that they did ſo, and that ſomething originally forming part of the play has been ſtruck out, either as too flattering to pleaſe the Earl's good taſte, or as containing political alluſions which could not be allowed?

WHATEVER differences there may be in the views of hiſtorians as to the cauſes and date of the King-maker's firſt change of feeling towards the ſovereign whom he had placed upon the throne—differences which it is not our buſineſs to reconcile—there can be no queſtion that they had their origin, mediately or immediately, in the King's imprudent marriage, and the aggrandizement of the Queen's relations by matrimonial alliances and public offices, to the diſguſt of the ancient nobility. The marriage of Sir John Widville to the aged Ducheſs of Norfolk was one of theſe tranſactions. The Earl of Pembroke, who owed his own nobility to the reigning ſovereign, had no ſuch ground of offence, and from firſt to laſt we find him an unſwerving adherent of the court party. Among the notes to Warkworth's Chronicle, publiſhed by the Camden Society, is a document, which, if genuine, is of great hiſtorical importance, from a MS. roll in the Aſhmolean Muſeum (No. 1160, m. 2 dorſo.), being a circular inviting attendance in force at a meeting for the oſtenſible object of petitioning the King for a redreſs of grievances. It is expreſſed to be under the ſignet and ſign manual of the Duke of Clarence, the Archbiſhop of York, and the Earl of Warwick, and it is a ſignificant fact that it bears date the very day after Clarence's marriage with the Earl's daughter. The articles annexed to the circular, ſetting forth the grievances complained of, are unneceſſary, or at all events too lengthy, for our purpoſe, but the circular itſelf is as follows :—"Right truſty and welbeloved we grete you welle. And welle ye witte that the Kyng oure ſoveregne lordys true ſubgettes, of diverſe partyes of this his realms of Engelond, have delivered to us certayn billis of Articles whiche we ſuppoſe that ye have in thoos parties, rememberynge in the ſame the diſceyvabille covetous rule and gydynge of certayne ceducious perſones; that is to ſay, the Lord Ryvers, the Ducheſſe of Bedford, his wyf, Ser William Herbert, Erle of Pembroke, Humfrey Stafford, Erle of Devenſhire, the Lordis Scalis and Audeley, Ser John Wydeville, and his brethren, Ser John Fogge, and other of theyre myſchevous rule, opinion, and aſſent, wheche have cauſed oure ſeid ſovereyn Lord and his ſeid realme to falle in grete poverte of myſerie, diſturbynge the mynyſtracion of the lawes, only entendyng to thair owen promocion and enrichyng. The ſeide trewe ſubgettis with pitevous lamentacion callyng upon us and other lordes to be meanes to oure ſeid ſovereyne Lord for a remedy and reformacion; werfore we, thenkyng the peticioun compriſed in the ſeid articles reſonabyll and profitable for the honoure and profite of oure ſeid ſovereyn Lord and the comune welle of alle this his realme, fully purpoſed with other lordis to ſhewe the ſame to his good

good grace, deſiryng and pray you to diſpoſe and arredie you to accompaneye us thedir with as many perſones defenſabyly arrayede as y can make, lettyng you wete that by Goddis grace we entende to be at Caunterbury uppon Sonday next comyng. Wretyn undre oure ſignettis and ſigne manuell the xiith day of Juyll, Ao 1469."

If this document be genuine, it diſpoſes of the view of Carte, who ignores altogether the negociations for the King's marriage with the Lady Bona, treats the inſurrection under Robin of Riddeſdale as a riſing for the real object of redreſſing local grievances, and ſuppoſes Warwick to have remained loyal to Edward IV until the following year. But there are ſeveral ſuſpicious circumſtances connected with this invitation to an armed meeting. There is no mention in hiſtory of its either having been acted upon, or diſcovered and denounced as an act of treaſon. On the contrary Warwick filled for ſome time afterwards important offices under the crown. Hiſtorians are agreed that the marriage of Clarence with Warwick's daughter took place at Calais, on the 11th of July: and the date of this document on the following day, which was a Wedneſday, does not ſtate where it purports to have been ſigned. It is not likely that its authors had already arrived in England, and if it was ſent over from Calais, the notice was too ſhort to allow for the chance of contrary winds, and afford time to circulate it, and enable the receivers to prepare for a meeting "defenſably arrayed" on the following Sunday. At all events, whether genuine or otherwiſe, it is valuable as a probably contemporary document, for the purpoſe for which it is here quoted, as ſhewing that the Earl of Pembroke was, in the opinion of the writer, one of the "ceducious perſons," whoſe poſition in their ſovereign's counſels led to the temporary loſs of his throne.

The ſcale of the expedition ſent againſt the Yorkſhire inſurgents indicates that it was ſomething more than a local riſing, and we may ſafely conclude that it was from the firſt contrived, as it was notoriouſly eventually directed, in the Lancaſtrian intereſt. A force was ſent againſt it of 14000[1] men under the command of the Earl of Pembroke, and 7000 archers under the command of Humphrey

[1] The numbers are taken from Warkworth's Chronicle, on the aſſumption that xliij ſhould be read xiiij: but they are very variouſly ſtated by other authors, the force aſſigned to the Earl of Pembroke's command ranging from 6000 to 18000, and that to Stafford's from 800 to 7000. See Hall, Holinſhed, Stow, Carte, Rapin, &c.

Humphrey Stafford, Lord Stafford of Southwicke, who on the 17th of May previous had been created, or at leaſt nominated, Earl of Devon. It is this commiſſion which was commemorated in Shakeſpeare's ſcene. The two forces effected a junction on the Cotſwolds, and marched northwards. After ſeveral ſkirmiſhes, in one of which a reconnoitering party, led by Lord Stafford and Sir Richard Herbert, was defeated, and in another, Sir Henry Neville, one of the leaders of the Lancaſtrian party, was taken priſoner, and killed in cold blood, the two armies met on the 26th of July, 1469, at Daneſmore, near Edgecot, about three miles from Banbury. In this town Pembroke's forces had been quartered the night before: but Lord Stafford, on a paltry ſquabble about quarters, had marched off with his archers, and was not preſent at the battle. This unwarrantable ſtep met with condign puniſhment, for on the King's proclamation he was ſeized in Somerſetſhire, and beheaded without form of trial. His defection had fatal reſults on the battle of Daneſmore, in which victory for ſome time inclined in favour of the royal forces, Sir Richard Herbert performing unheard of feats of proweſs, paſſing and repaſſing twice unhurt through the enemy's ranks with his pole-axe. But, as Hall relates (p. 274, ed. 1809), "when the Welſhmen were at the very point to have obtained the victory, the northern men being in a manner diſcomfited, John Clappam, Eſq., ſervant to the Earl of Warwick, mounted up the ſide of the eaſt hill, accompanied only with 500 men, gathered of all the raſcal of the town of Northampton and other villages about, having borne before them the ſtandard of the Earl, with the white bear, crying, 'A Warwick! A Warwick!' The Welſhmen, thinking that the Earl of Warwick had come upon them with all his puiſſance, ſuddenly, as men amazed, fled." That Warwick ſhould have been a name of terror to the King's army is contrary to the theory that he was ſuppoſed to be ſtill a loyal adherent to the throne. The Earl of Pembroke and Sir Richard Herbert, his brother, were taken priſoners, and conveyed to Banbury, where, on the following day, they were both beheaded in the Church porch. "Much lamentation," ſays Hall, "and no leſs entreaty was made to ſave the life of Sir Richard Herbert, both for his goodly perſonage, which excelled all men there, and alſo for the noble chivalry that he had ſhewed in the field the day of the battle, inſomuch that his brother, the Earl, when he ſhould lay down his head on the block to ſuffer, ſaid to Sir John Conyers and Clappam, 'Maſters, let me die, for I am old; but ſave my brother, which is young, luſty, and hardy, mete and apt to ſerve the greateſt prince of Chriſtendom.' But Sir John Conyers and Clappam, remembering the death of the young knight, Sir

Sir Henry Neville, couſin to the Earl of Warwick, could not hear on that ſide, but cauſed the Earl and his brother, with divers other gentlemen, to the number of ten, to be there beheaded." The other executions were at Northampton, and included the Queen's father, Richard Widville, Earl Rivers, and her brother, Sir John Widville, whoſe love match with the Ducheſs of Norfolk brought his name into connection with our memoir in a previous chapter. The execution of the Earl of Pembroke is commemorated in Wordſworth's White Doe of Rylſtone, canto 1 :—

"Paſs, paſs who will yon chantry door;
And through the chink in the fractured floor
Look down, and ſee a grieſly ſight—
A vault where the bodies are buried upright!
There, face to face, and hand by hand,
The Claphams and Mauleverers ſtand;
And, in his place, among ſon and ſire,
Is John de Clapham, that fierce eſquire,
A valiant man, and a name of dread,
In the ruthleſs wars of the White and Red;
Who dragged Earl Pembroke from Banbury Church,
And ſmote off his head on the ſtones of the porch."

This would ſeem to imply that the Earl had taken ſanctuary, or was taken out of the cuſtody of others by Clapham; but there is no authority for any ſuch incident.

Carte ſtates that the execution was on the very day of the battle, and ſays it is ſo ſtated in the Inquiſition taken on the Earl's death; but his will, preſerved in the Teſtamenta Vetuſta, from which it is quoted in Mr. Morgan's Memoir on the Abergavenny Monuments, and alſo printed by Dugdale (Baronage, ii, 257), is dated on the 27th July. It directs his burial in the priory of Burgavenny, gives various bequeſts to pious uſes, including that to Tintern Abbey, mentioned at a previous page, and repeatedly and affectionately urges his wife to remember her promiſe to take the order of widowhood, that ſhe might be the better maſter of her own, to perform his will, and to help his children. Notwithſtanding his directions, he is believed to have been buried at Tintern. He married Anne, daughter of Sir Walter Devereux, and ſiſter of Walter, Lord Ferrers, of Chartley, by whom he had a numerous family. We accept Mr. Morgan's authority for the ſtatement that this

this lady was his widow; but it is not quite undiſputed. He had a ſon known as Sir Richard Herbert of Ewias, the anceſtor of the Earls of Pembroke of the preſent creation, who was either illegitimate or the iſſue of a ſecond marriage with Maud, daughter and heireſs of Adam ap Howel Graunt. There is little doubt that the former is the caſe; for the new Earls of Pembroke, for ſeveral generations, bore the Herbert arms with a bordure compony Or and Gules bezanty.

He was ſucceeded by his eldeſt ſon William Herbert, ſecond Earl of Pembroke of that creation, who had married the Queen's ſiſter, Lady Mary Widville—one of the numerous matrimonial alliances by which that family was provided for immediately after the King's avowal of his own marriage. The deſcendants of William Herbert claim through this marriage a legitimate conſanguinity with the Royal Family; for the preſent Duke of Beaufort is fifteenth in lineal deſcent from Richard Widville Earl Rivers, from whom Her Majeſty is fourteenth in deſcent through the Queen of Edward IV. They are therefore related in the degree of thirteenth couſins once removed. It is a curious coincidence that they are related in preciſely the ſame degree by a common deſcent from Richard Duke of York, which will be traced when we come to ſpeak of the marriage of Edward, fourth Earl of Worceſter, with a daughter of Francis Haſtings, Earl of Huntingdon. It may admit of a doubt whether the grant of the lordſhip of Dunſter was not made to the younger William Herbert, on the occaſion of his marriage, and not to his father, as ſtated by Mr. Morgan, in a paſſage quoted at a previous page.[1] Collinson's Somerſet (ii, 11) corroborates the latter ſtatement, but Carte (ii, 772) ſays, "Mary, another of the Queen's ſiſters, was married to William, the eldeſt ſon of the Lord Herbert, who was thereupon made Lord of Dunſtar, and afterwards Earl of Huntingdon; and his ſiſter Margaret was diſpoſed of to Thomas Talbot, the young Viſcount L'Iſle. Theſe honours and alliances, given and contracted within the ſpace of ſix months, in favour of a family that

[1] It would appear from Mr. Maxwell Lyte's Memoir of "Dunſter and its Lords," Archæological Journal, xxxvii, p. 179, that the grant was to the elder William Herbert, Earl of Pembroke, for he ſays: "the Earl of Pembroke was beheaded by the Lancaſtrians in 1469, and in 1472, the King committed the cuſtody of Dunſter, and of other eſtates juſt mentioned, to Ann, Counteſs of Pembroke, during the minority of her ſon," citing Inq., p. m., 9 and 10 Edward IV, No. 21, and Pat. Roll, 12 Edward IV, Part 2, m. 23; and he goes on to ſay: "In 1475 the young Earl obtained quiet poſſeſſion of all his lands, and the cauſe of the Luttrells ſeemed hopeleſs indeed," citing Pat. Roll, 15 Edward, 14 Part, 3 m. 7.—Ed.

that had ſcarce made any figure before, rendered the Widvilles generally odious." In ſpite of ſtrict grammatical conſtruction, the "who" in this paſſage muſt be referred to William, the ſon, as is evident from the mention of him as Earl of Huntingdon. Dugdale's ſtatement (Baronage, ii, 257), that he was nine years old on the 5th of March preceding his father's death, cannot be correct. It muſt ſurely have been a miſprint for nineteen, or ſome other age. That this muſt have been the caſe is ſhewn by various facts. One would be ſufficient, namely that five years later, as ſtated by Dugdale in the following page, namely in 14th Edward IV, he was retained to ſerve the King in his wars of France and Normandy for one whole year, with forty men at arms and two hundred archers. Dugdale's ſtatement would make him only four years and a half old at the date of the King's acknowledgment of his Queen, at which age, or within ſix months afterwards, the ſo called marriage of the Earl of Pembroke's ſon could only have been a betrothal; but there ſeems to be no ſufficient reaſon for doubting that he was of marriageable age, and that the marriage was complete.

He did not long remain in undiſturbed poſſeſſion of his eſtates and honours. In the ſpring following his acceſſion to the title, Warwick was in open alliance with Queen Margaret, and in October the ſceptre was again placed in the helpleſs graſp of Henry VI. At a parliament, held on the 26th November, 1470, Edward was declared an uſurper and traitor—all ſtatutes made under his authority were repealed—his adherents were attainted—and various noblemen, including Jaſper, Earl of Pembroke, were reſtored, as well in blood, as to their eſtates and dignities. Striguil had never been his, nor, ſo far as I am aware, the Norfolk and Suffolk eſtates for which it had been exchanged. But thoſe were not the times for any nice inveſtigation of titles, and to reinſtate them in the ſame poſition in which they ſtood before thoſe long years of havoc would have been an utter impoſſibilty. We might therefore reaſonably expect to find Jaſper Tudor put into poſſeſſion of all the eſtates of William Herbert, and there are ſome ſlight traces of his having held Chepſtow among the reſt. Polydore Vergil, according to the old tranſlation publiſhed by the Camden Society, ſays that "Jaſper, Earl of Pembroke, returned into Wales to his Earldom, where he found Henry, ſon to his brother Edmund, Earl of Richmond, not fully ten years old, kept as priſoner, but honourably brought up with the wife of William Herbert, who had been by King Edward created Earl of Pembroke, and after, taken in batttle, was, by commandment of the Earl of Warwick

Warwick, beheaded . . . . . And ſo Jaſper took the boy, Henry, from the the wife of the Lord Herbert,[1] and brought him with himſelf a little after, when he came to London, unto King Henry." Holinſhed, and later writers who have followed or appropriated this paſſage, ſpeak of his finding the young Earl of Richmond in the cuſtody of Lady Herbert at Pembroke Caſtle. It may have been ſo, but there is nothing in the ſtatement of Polydore Vergil to indicate that caſtle, rather than Chepſtow, Raglan, Caldicot,[2] or any other place likely to have been the reſidence of William Herbert's widow. The words of the original (p. 522, ed. Baſil, 1570) are "reverſus eſt in Vualliam *ad comitatum suum*," and, to remove all doubt as to the ſenſe in which he uſed the word, he concludes his hiſtory with an apology for the uſe of words, the ſignification of which had changed in long uſage, "cujuſmodi ſunt Dux et Comes, olim officii tantum, at ſummæ nunc dignitatis vocabula item *Comitatus* pro *Regione*," &c.—ſo that the phraſe really implies nothing more than it does in a modern ſpeech from the Throne, when Her Majeſty's Lords and Commons are diſmiſſed "to their reſpective counties" at the end of the ſeſſion of parliament.

But we ſhall meet with more diſtinct mention of Chepſtow preſently, in connection with Jaſper Tudor. A few ſhort months, and Edward was again on the throne. The battle of Barnet had been fought, and Queen Margaret landed at Weymouth, on the 14th of April 1471, to find her huſband's cauſe almoſt hopeleſs. The object of her march to Tewkeſbury was to effect a junction with the forces of Jaſper Tudor, who was on the right bank of the Severn; and it was to the precipitation of the Duke of Somerſet, in engaging the Yorkiſt forces before that junction was effected, that the diſaſtrous reſult of her march was owing. "Howbeit," ſays Polydore Vergil, quoted again from the old tranſlation, "Jaſper, Earl of Pembroke, when he underſtood that the Queen was vanquiſhed in a foughten field at Tewkeſbury, and that matters were paſt all hope of recovery, retired with his retinue, which he was conducting to his confederates, back again to Chepſtow. While he here tarried

[1] So called here becauſe, the Lancaſtrian party being now in the aſcendant, his title of Earl of Pembroke could not be recogniſed conſiſtently with the rights of Jaſper Tudor; but even the title of Lord Herbert was of Yorkiſt creation.

[2] This caſtle is ſpecially mentioned, as Mr. Wakeman, in his Notes on Caldicot Caſtle, notices, and refutes a ſtatement "in ſome recent publications" of Henry VII having been born here. The fact, if it be one, of his being brought up here by Lady Herbert may have given riſe to the notion.

tarried, lamenting how that headineſs, which always is blind and improvident, had utterly overthrown the univerſal power of King Henry, and deliberating with his friends what courſe was beſt to take, behold, one Roger Vaughan, a very valiant man, ſent thither by King Edward for that purpoſe, went about by a train to take him, whereof the Earl being advertized, took the ſaid Roger within the town and cut off his head, and ſo he ſuffered death at the Earl's appointment, which himſelf eſſayed by guile to have brought the Earl unto. . . . . The Earl departed from thence to Pembroke, whom, incontinent, Morgan Thomas, ſent by King Edward, beſieged and kept in with ditch and trench, that he might not eſcape, but the eighth day following he was delivered from that diſtreſs by David, brother to the ſaid Morgan, his aſſured faithful friend, and departed forthwith to a town by the ſea, called Tenby, where, having a bark prepared out of hand, he ſailed into France, with his brother's ſon, Henry, Earl of Richmond, and certain other his friends and ſervants." It is poſſible that the ſelection of Chepſtow as a ſtrategic point may have been unconnected with any rights of ownerſhip; but as the narrative of his ſtay there, after all reſiſtance in the field was at an end, and his being able even then to inflict ſummary puniſhment in Chepſtow on the perſon ſent to arreſt him, ſeems to indicate it as his reſidence and the ſeat of his power, we may venture to number him among the Lords of Striguil. We ſhall not again have occaſion to mention him, for, although, when the battle of Boſworth had placed his nephew on the throne, Jaſper was, along with the higher dignity of the Dukedom of Bedford, reſtored to the Earldom of Pembroke, it had in the meantime, as we ſhall ſee, been once more and finally ſeparated from the fortunes of Striguil Caſtle. We will, therefore, in parting with him, notice that his arms were, Quarterly, France and England, a bordure Azure charged with eight martlets Or.

Of courſe the reſtoration of Edward's power brought with it the reinſtatement of William Herbert in his eſtates and Earldom of Pembroke, but he ſhortly afterwards parted with the latter dignity, by an extraordinary and irregular tranſaction with the King, which has been the ſubject of a good deal of diſcuſſion as a caſe in peerage law. Edward IV, whoſe deſcent through the Mortimers cauſed him to take a ſpecial intereſt in Wales and the Marches, ſeems to have formed a project for dignifying the title of the Prince of Wales with at leaſt the ſhow of authority, by placing him in the nominal adminiſtration of the government of that part of the kingdom, ſupported by a preſident and council, in

in whom ſome real adminiſtrative powers were veſted, and holding a ſort of vice-regal court at Ludlow Caſtle. The exiſtence of the palatinate juriſdiction attached to the Earldom of Pembroke rather claſhed with this ſcheme, while its annexation to the dignities of the Prince of Wales would enhance his real as well as nominal power. To enable him to confer the coveted dignity on his eldeſt ſon, the King effected an arrangement with William Herbert, who "was prevailed upon to ſurrender in chancery the letters patent granted to his father, and to renounce and relinquiſh all things contained therein, ſaving and reſerving to the ſaid William, the ſon and heir of William his father, the ſtate and dignity of Earl, with all the pre-eminencies, honours, &c., to the ſtate and dignity of Earl belonging, to the intent and effect that the King ſhould grant to him the name, ſtate, ſtyle, title, and dignity of Earl of Huntingdon, with all the pre-eminencies, &c. And accordingly, by letters patent, in the 15th year of his reign, reciting to this effect, the King erected, preferred, and created the ſaid William Herbert the ſon, Earl of Huntingdon, &c., to hold to him and the heirs of the body of William Herbert, his father." This account of the tranſaction, ſo far as it is marked as a quotation, is taken from the Report of the Lords' Committee on the Dignity of a peer of the realm (3rd Rep. 29th July, 1822, p. 237); and the report obſerves that "the tranſaction ſeems to have been intended as a mere change of the name of honour, and not as a ſurrender of the dignity itſelf and the creation of a new dignity," and argues from it that "the dignity of Earl and the name of dignity were then conſidered as ſo far diſtinct that the patent granting the dignity by one name might be ſurrendered, reſerving the dignity itſelf."[1] The new patent of the Earldom of Huntingdon was, I believe, dated 4th July, 1479, but there is ſome confuſion among the authorities. Nicolas's Hiſtoric Peerage, by Courthope, gives this date ſ.v. Huntingdon; but ſ.v. Herbert he has 4th July 1472, and the report of the Lord's Committee gives only the regnal year, 15th Edward IV, which, if the date was 4th July, would bring us to 1475. At the lateſt of theſe dates William Herbert would have been a minor if Dugdale's ſtatement of

[1] It further brings the caſe to bear on the queſtion of titular Earldoms, which we diſcuſſed in the early pages of this memoir, by obſerving that "under the Norman and early Angevin princes the mere name of dignity, by which an earl was diſtinguiſhed, was conſidered of little importance, and that this conjecture would account for the fact that in Domeſday no name of dignity is annexed to the Chriſtian name of any earl mentioned in that ſurvey, except thoſe who had foreign names of dignity, and for the frequent appellation of Earls by their Chriſtian names only, and for various appellations of Earls," inſtancing, among others, the caſe of the early Earls of Pembroke bearing the appellation of Earls of Striguil.

of his age had been correct. The transaction in no way affected the ownership of Chepstow. On the contrary a patent, referred to in Orm. Strig., 67 n., as contained in Rot. Parl. p. 207, 22 Edward IV (which, if it be the same patent we have been speaking of, gives us a fourth date to select from) saves to William, Earl of Huntingdon, the castles, lordships, and manors of Chepstow and Gower.

The new Earl of Huntingdon did not make a figure in history. He was present at the coronation of Richard III, carrying the Queen's sceptre, and in November following was constituted Justice of North Wales; but we hear nothing more of him during the reign of Richard, nor is he once mentioned during the struggle which set Henry VII on the throne. On the other hand, his brother, Sir Walter Herbert, was an actor in those events, and was ordered by Richard to call out the militia of his county to oppose the Earl of Richmond's march from Milford Haven, Sir Walter and Rhys ap Thomas being spoken of by Polydore Vergil (p. 561, ed. 1570) as ruling Wales with almost equal power. His power, so far as Pembroke was concerned, was derived from the King himself; for the Earldom of Pembroke, with whatever possessions and powers were attached to it, had merged in the crown on the accession of Edward V, or, on the assumption of his illegitimacy, by which Richard III held his crown, became extinct on his death; and administrative powers may have been granted to Sir Walter Herbert on personal grounds, and irrespective of his family connections. The Harl. MS. 433, f. 30, has a minute, printed as Appendix C to Gairdner's Life and Reign of Richard III, of grants of life annuities to Welshmen, dated 12th November, 1 Richard III, being immediately after the suppression of Buckingham's rebellion, Among those issuing out of the Lordship of Usk is one of £20 to "William Herbert of Ragland," and among those issuing out of the Lordship of Monmouth is one of forty marks to "William Herbert, squier for the body." The inconsistency of these descriptions with the title of William Herbert, Earl of Huntingdon, and the nonexistence of any other known person who could have been described as William Herbert of Ragland, suggest the possible explanation that "William" may have been a misnomer for "Walter." If so, we have a glimpse of the steps by which Sir Walter Herbert may have risen to the position which he occupied at the close of Richard's reign. His marriage with Anne, daughter of the Duke of Buckingham, may have had some influence in acquiring him the favour of the usurper, though, if our surmise be correct, it did not prevent his

his rendering ſuch ſervice in oppoſition to his father in law's revolt as to entitle him to be rewarded among his Monmouthſhire neighbours.

In the meantime the Earl of Richmond, before his landing, finding unexpected difficulties in procuring the hand of Elizabeth of York, ſent an agent to Sir Walter Herbert, to endeavour to detach him from the royal cauſe by offering to marry his ſiſter (Pol. Verg., p. 559, ed. 1570, Hall's Chron., p. 410, ed. 1809); but the agent did not ſucceed in reaching him, and it does not appear whether Sir Walter's allowing Richmond to march eaſtwards without a blow was the reſult of accident or incapacity, his own treaſon, or the defection of others. His real attitude is left in doubt by Polydore Vergil, whoſe narrative is the baſis of thoſe of Hall and Grafton. According to theſe authorities Richmond, on his arrival at Harfordweſt, was informed that Rhys ap Thomas and Sir John Savage, whoſe aſſiſtance he had been led to expect, would adhere to King Richard. Marching five miles towards Cardigan, he was met with a rumour, which could be traced to no definite ſource, that Sir Walter Herbert was at the head of a large force at Caermarthen to oppoſe him. He aſcertained by ſcouts that this was a falſe alarm, and was at the ſame time reinforced by a ſmall party, headed by one Griffyn, who came over to him "though he had joined with Sir Walter Herbert and Rhys ap Thomas." Marching forward, and being informed by his ſcouts that Sir Walter and Rhys ap Thomas were in arms to bar his paſſage, he determined to encounter them, in the hope of either overcoming them in fight or winning them over to his ſide: and proceeding in his march towards Shrewſbury, he was met by Rhys ap Thomas, with a goodly band of ſoldiers, who, with aſſured promiſe of loyalty, yielded themſelves to his protection: but no further mention is made of Sir Walter Herbert. Shakeſpeare goes beyond the record in repreſenting him (Richard III, act iv, ſc. 5) as having joined Richmond's ſtandard, and (act v, ſc. 2 and 3) as being with him at Boſworth. We may ſet off this view of the matter againſt the directly contrary one of Dugdale (Baronage, ii, 258), that "he raiſed all the power he could to oppoſe the Earl of Richmond, by reaſon whereof loſing his favour, when he obtained the crown, he made his niece, who was married to Sir Charles Somerſet, knight, heir to his lands." Dugdale cites Leland as his authority, but the paſſage referred to in his marginal note is found, on verification, to relate only to the latter half of the ſtatement; and even in that there is a miſquotation of "niece" for "ſiſter." No doubt Dugdale

Dugdale conſidered he was juſtified in making a neceſſary correction as to the relationſhip of the parties, but the neceſſity for it might have made him diſtruſt the authenticity of the whole ſtatement, derived, as it avowedly was, from a caſual informant on an antiquarian tour.

If any portion of Sir Walter Herbert's military power was derived from his brother, the latter's ſickneſs might account for his being entruſted with it: but even in that caſe one would have expected ſuch a negociation as that juſt noticed to have been opened with the head of the family. Polydore Vergil ſpeaks of Sir Walter as ſuch, and as "a man of great power among the Welſh, and who had at home a marriageable ſiſter." As to Richmond's overture, a poſſible explanation preſents itſelf, which has not been noticed by hiſtorians. His propoſal may have been a real affair of the heart. He was fourteen years of age, though Polydore Vergil ſays he was under ten, when his uncle, Jaſper, releaſed him from the gentle cuſtody of Lady Herbert, by whom, whether looked upon as a priſoner or a ward, he was no doubt treated as a member of her family, and he may at that time have entertained a boyiſh affection for one of her daughters (ſome of whom muſt have been of about his own age), and recurred to it when the propoſed match with the White Roſe of York appeared to be broken off, or poſſibly ſought it as the means of eſcape from a marriage of policy, in which his feelings were not enliſted. Sir Walter Herbert may have been the one member of the family for whom the young Richmond had formed the cloſeſt friendſhip, while an inmate with them at Raglan, Chepſtow, Pembroke, or elſewhere, and in that capacity have been choſen as the medium for his propoſal. There is ſome reaſon, or colour of reaſon, for ſuppoſing that this was not the firſt occaſion on which the idea of a match between the Earl of Richmond and one of the Earl of Pembroke's daughters had been entertained. A manuſcript in the poſſeſſion of Sir Thomas Herbert,[1] of Tintern, baronet, which we ſhall ſhortly have again to refer to, but only as the authority for a ſtatement ſo irreconcilable with facts as to deſtroy its credit, is cited by Dugdale (Baronage, ii, 258) in mentioning that the Earl of Pembroke made an earlier will than that already

[1] He is known as the author of a book of travels in India, Perſia, &c., and ſtill better as the attendant on Charles I. during his laſt hours. He is ſaid to have been deſcended from Sir Richard Herbert of Coldbrook; but, even ſo, his relationſhip to the Earl of Huntingdon was not ſuch as to account for his poſſeſſion of family papers, or to entitle documents in his poſſeſſion to greater credit as ſuch than belonged to them by virtue of their owner's character as an antiquary, in which capacity he aſſiſted Dugdale in his Monaſticon.

already noticed, dated the 16th of July in the year of his death, in which he appointed marriages for ſeveral of his daughters, and, among others, that Maud, his daughter, ſhould be wedded to the Lord Henry of Richmond. Richmond's overture related to one of her ſiſters: for this lady was already married to Henry, Earl of Northumberland, whoſe good offices were ſolicited in favour of the propoſal through meſſengers at the ſame time. Sir Thomas Herbert's manuſcript is further diſcredited by miſnaming two of the daughters Jane and Mary, inſtead of Iſabel and Margaret.

The Earl of Huntingdon was living at leaſt as late as 14th May, 1488, which is the date of a confirmation charter from Henry VII, by way of Inſpeximus, mentioned in a note to Nicolas's Hiſtoric Peerage, by Courthope, in which his former patent for the Earldom of Huntingdon was, for ſome unexplained reaſon, confirmed, but with an altered limitation to the heirs *male* of William his father. The date of his death is given by Archdeacon Coxe, without citing authority, as 1491. He left iſſue an only daughter, Elizabeth; and not the leaſt extraordinary of the remarkable tranſactions connected with this Earldom of Huntingdon is that neither ſhe, who, under her father's firſt patent, would be entitled as heir in tail general of her grandfather, and actually ſucceeded to the Barony of Herbert, nor her uncle, who, under the ſecond patent, would be his heir male, ever claimed the Earldom, which has always been treated as having, for ſome unexplained and unſuggeſted reaſon, become extinct, though Sir Harris Nicolas abſtains from ſaying that it was ſo in fact. Mr. Wakeman, in his paper on the Town and Caſtle of Chepſtow, ſays that Elizabeth Herbert did not immediately ſucceed to her father's eſtate, which was held by her uncle, Sir Walter Herbert of Caldicot,[1] during his life, and that he died in 1507. Aſſuming that there is authority for this ſtatement, which, in the abſence of any authority cited, we are unable to inveſtigate, but which may poſſibly turn out to be correct in relation only to Sir Walter's own patrimony, it ſeems to point to ſome unknown fact in the family hiſtory of the Herberts, which, if aſcertained, might account for various circumſtances at preſent appearing inexplicable, ſuch as the extraordinary limitations of the confirmation patent to the Earl of Huntingdon, by which the rights of his only child were tranſferred to his brother—the abandonment by both of any claim to the Earldom, while the Barony of Herbert clearly deſcended

[1] As to the reaſon for his being ſo ſtyled, and his tenure of Caldicot, ſee the ſame author's Notes on the Hiſtory of Caldicot Caſtle, printed for the Caerleon Antiquarian Aſſociation, 1854.

deſcended to the daughter, whoſe marriage with Sir Charles Somerſet gave him, as we ſhall ſee, the title of Lord Herbert at leaſt as early as 1503-4—and the poſition of Sir Walter Herbert, acting as apparent head of the family in his brother's lifetime, in 1485. It is uſeleſs to hazard a guess without a tittle of evidence to ſupport it. "Tu tibi, lector, Œdipus eſto." It is ſtated in Leland's Itinerary (vi, 30), on the information of one Morgan—being in fact the paſſage cited by Dugdale, as referred to in a previous page, but ſo full of miſtakes as to deſerve no credit—that "after the deathe of Herebert, Erle of Pembroke, one Syr Walter Herebert was heyre in appearance, and he, being in diſpleaſure, made his ſiſter as heire to the lande, and ſhe was married to Syr Charles Somerſet." This may have been a firſt ſtep towards the ſtatement quoted from Mr. Wakeman.

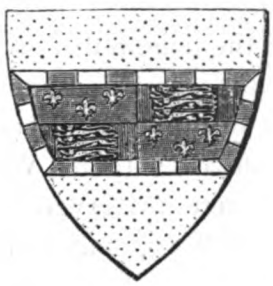
In Dugdale's Baronage (ii, 258) is a ſtatement, which it is, if poſſible, ſtill more difficult to reconcile with known facts. Speaking of the Earl of Huntingdon, he ſays that "this William, upon the last of February [1 Richard III], entered into covenants with that King to take Dame Catherine Plantagenet, his daughter, to wife, before the feaſt of St. Michael then next following, as alſo to make her a jointure in lands of £200 per annum value, the King undertaking to ſettle lands and lordſhips of 1000 marks per annum upon them, and promiſing further to be at the whole charge of the wedding." He adds that he "cannot ſay whether this marriage took effect or not, for ſure it is that ſhe died in her tender years." Barlow's Engliſh Peerage, copied with verbal alterations, but without acknowledgment, by Burke, improves upon this ſtatement, by adding that he *afterwards* wedded Mary, the fifth ſiſter and coheir of Richard Widville, Earl Rivers. For Dugdale's own ſtatement no better authority is cited than the manuſcript in the poſſeſſion of Sir Thomas Herbert of Tintern, already referred to. If even the Earl of Huntingdon was then a widower, it does not ſeem probable that he would have been ſelected as a huſband for a child of tender years; and there is ſome indication of his wife Mary Widville having ſurvived him; for in the Privy Purſe Expences of Elizabeth of York, on the 28th of Auguſt, 1492, there are payments, of 10s. each, to a ſervant of Sir Walter Herbert, for bringing a goſhawk to the Queen at Chepſtow, and to the mariners that conveyed the Queen's Grace over Severn, beſide Chepſtow. The Queen's viſit to Chepſtow is natural enough if the Counteſs of Huntingdon, who was her aunt, was living there. The renewed mention of Sir Walter Herbert in connection with the place is worth notice in

in relation to what has been ſaid as to his poſition in the family. By an Act of 1 Henry VII he was ſpecially protected in the office of Steward of Uſke, Carlion, and Treyleck (which diſproves Dugdale's ſtatement as to his oppoſition to the Earl of Richmond, and conſequent diſfavour), and in 1492 was retained to ſerve the King with a large retinue. The Privy Purſe Expences of Elizabeth of York contains another entry, under the date of 2nd October, 1502, of a payment of 10s. to a ſervant of my Lady Herbert, wife to Sir Walter Herbert, knight, in reward for bringing of an hert to the Queen, at Langley.

The heireſs of the Herberts was alſo one of the coheireſſes of the Widvilles. Her grandfather, Richard Widville, Earl Rivers, and her uncle, Sir John Widville, were among the victims beheaded by the Lancaſtrians after the battle of Daneſmore. The brave and accompliſhed Anthony Widville, ſecond Earl Rivers, whoſe patronage of Caxton would have preſerved his name from oblivion if it had not been known to general hiſtory, had loſt his head at Pontefract, one of the firſt victims of the tyranny of Richard III. Of the five remaining ſons of the firſt Earl Rivers, two died young—Lionel was an eccleſiaſtic—Edward alſo died young, unleſs he was the ſame Edward whom Dugdale ſpeaks of as a brother of Richard, firſt Earl Rivers, and known to hiſtory as Lord Widville, ſlain in Brittany, in 1488—and Richard, the third Earl Rivers, died without iſſue in the very year to which we have aſſigned the death of the Earl of Huntingdon. The marriage of Elizabeth Herbert with Sir Charles Somerſet conveyed the caſtle and lordſhip of Chepſtow into another line, the hiſtory of which it will be our next buſineſs to trace.

CHAPTER IX.

Family of Somerset, to the period of the Commonwealth.



CHARLES Somerſet, by whoſe marriage with the heireſs of the Herberts of Chepſtow Caſtle (for we have arrived at a period of its hiſtory when we muſt ceaſe to call it Striguil) became the property of the ducal family, who are its preſent poſſeſſors, was the illegitimate but acknowledged offſpring of Henry Beaufort, Duke of Somerſet, beheaded by the victorious Yorkiſts, after the battle of Hexham, in 1463, and took a ſurname from his father's title. His mother's name was Joane Hill. I am not aware what was his age at the time of his father's death; nor have I met with any expreſs record of the circumſtances which placed him in intimate connection with Henry VII: but the King and he, bating his illegitimacy, were ſecond couſins, the former's maternal and the latter's paternal grandfather being ſons of John Beaufort, legitimated by that name by act of parliament, as one of the ſons of John of Gaunt. It is likely enough that Charles Somerſet was nearly of Henry's own age, and that the common calamity which drove the families of both, as refugees, to the continent cauſed them to be brought up together.

He is named by Polydore Vergil (p. 567, ed. 1570) among Henry VII's firſt Council. He diſtinguiſhed himſelf, in the 12th year of the King's reign, in putting down an inſurrection originating in Cornwall. The rebels, under the leaderſhip of Thomas, Lord Audley, were defeated at Blackheath, and the engagement, though it makes little figure in hiſtory, was conſidered, at the time, of

of ſufficient importance to be ſignalized by the creation of fourteen knights banneret, among whom the name of Sir Charles Somerſet ſtood ſecond, as appears by the liſt among the Cotton MSS. (Claud. C. iii), printed in the Appendix to the firſt volume of Burke's Commoners. The preciſe date of his inſtallation as a Knight of the Garter is unknown, the early records of the order being imperfect. It is given in the chronological liſt in Heylin's Hiſtory of St. George as having been between 1494 and 1500: but as Sir Charles Somerſet is ſtated in the old French manuſcript, already referred to as preſerved in the quire of St. George's Chapel, to have ſucceeded Thomas de Borough (meaning Thomas, Baron de Burgh of Gainſborough, who is known to have died in 1496), and as the liſt of Knights of the Garter has the deſcription of "Meſſire Charles Somerſet, Banneret," we have the means of a cloſer approximation, by fixing his inſtallation as ſubſequent to the battle of Blackheath, which was fought on the 17th of June, 1497.

His marriage with Elizabeth Herbert, which gave him, in her right, the higher title of Lord Herbert, according to the uſage of that period, muſt have been between this date and 19 Henry VII (1503-4), in which year he was, by that title, appointed conſtable of Payne Caſtle: and in the "Letters and Papers illuſtrative of the reigns of Richard III and Henry VII" (Maſter of the Rolls' Series, ii, 125) is a document, to which the editor ſays the earlieſt date aſſignable is July, 1505, relating to a negociation carried on by him for an interview between Henry VII and Lewis XII, in which he is ſtyled "le Syeur de Herbert." On the 30th July, 1506, is dated an indenture (Pote's Hiſt. of Windſor, p. 53), by which "Charles Somerſet, Knight, Lord Herbert and of Gower, and Elizabeth his wife, daughter and ſole heir of William, late Earl of Huntingdon, gave an obit, to pray for the ſouls and good eſtate of this lord and lady during their lives, and for their ſouls after their deceaſe; alſo for the ſouls of Henry, Duke of Somerſet, and William Herbert, Earl of Huntingdon, and for the ſouls of the mothers of the ſaid Sir Charles and Lady Elizabeth, his wife, and all Chriſtian ſouls." The obit was to be performed in a chapel at the weſt end of the ſouth aiſle of St. George's Chapel at Windſor, now known as the Beaufort Chapel; and a house was provided for the chantry prieſt, on the north ſide of St. George's Chapel, of which all trace has long been loſt. Reckoning even from the date of his father's death, he muſt have been of a rather advanced age at his marriage, according to the ſtandard of thoſe days. On the 26th November, 1506, he had

had a patent, creating him, in his own right, Baron Herbert, of Ragland, Chepſtow, and Gower. In the following year, on the death of Giles, Lord Daubeny, he was appointed to ſucceed him as Lord Chamberlain, as recorded by Hall, who ſpeaks of him as "Charles, baſtard ſon of Henry, laſt Duke of Somerſet, a man of a good wit and great experience."[1] The date of his wife's death is unknown. The laſt occaſion on which we have mention of her as living is the foundation of the Windſor chantry, and from the fact of her huſband having been twice ſubſequently married, we may infer that ſhe did not long ſurvive that event. It may very probably be that the loſs, by her death, of his ſeat in the houſe of peers, in reſpect of the barony which he held in her right, was the occaſion of his creation by patent as Baron Herbert of Ragland, Chepſtow, and Gower. If ſo, his wife's death muſt have been between 30th July and 26th November, 1506. The importance of not confounding the two baronies by writ and patent is thus apparent.

Henry VII died on the 21ſt April, 1509. Lord Herbert was one of his executors, and was continued in his office of Lord Chamberlain by the young King, Henry VIII, and appointed one of his firſt Council of nine perſons, ſelected from his father's moſt truſted friends. To the firſt two parliaments of his reign he was ſummoned as "Charles Herbert, de Herbert, Chivaler," which is cited in the Obſervations on Dignities, prefixed to Courthope's Hiſtoric Peerage, as the lateſt inſtance of the recognition of curteſy in a dignity; but in fact theſe ſummonſes muſt have been iſſued in error, the officials having loſt ſight of the later title by which Lord Herbert ſat in thoſe parliaments, or given him, out of compliment, the earlier title by which he was previouſly known.

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[1] We believe Hall to be inaccurate in the date here given, though we have been unable to find on the Rolls the Patent for Sir Charles Somerſet's appointment as Lord Chamberlain. Probably it was not recorded; nor is there any record of the appointment of Lord Daubeny to that Office, but in 3 Henry VII, he was by Patent made one of the Chamberlains of the Exchequer, which, perhaps, has led to Hall's miſtake. In his Index to the State Papers of Henry VIII, vol. xi, 4to. ed., publiſhed in 1852, the late Mr. Robert Lemon of the State Paper Office, a moſt careful and accurate man, ſtates that Sir Charles Somerſet, Earl of Worceſter, was Lord Chamberlain from 1489 to 1526; whilſt the name of Lord Daubeny does not occur in the Liſt of Lord Chamberlains in Haydon's Book of Dignities.

In 17 Henry VIII, Charles, Earl of Worceſter, then Lord Chamberlain to the King, being very aged, William, Lord Sands, obtained a grant of that office in reverſion after his death. [Pat. 17 Henry VIII., Part I, m. 32.]—Ed.

When, in 1513, the King determined to profecute in perfon his war in France, he fent in advance a force of 6000 men, under the command of Lord Herbert, the Earl of Shrewfbury being fent in command of another diviſion of 8000, and the two commanders laid ſiege to Terouenne, the former on the eaſt, the latter on the weſt ſide, and had made good progreſs before the arrival of the King in perſon. During a council in Lord Herbert's tent, "Baron Carew was ſlain by a bullet ſhot out of the town, which ſudden adventure much diſmayed the aſſembly, but the Lord Herbert comforted them with manly words, and ſo his death was paſſed over." The high valiancy of Lord Herbert and his captains, in repelling a ſortie of the garriſon, is ſpecially noticed by the chroniclers. After the ſurrender and demolition of Terouenne, he led the rearward in the march to Tournay, and commanded the attack on the weſt ſide of that town. In ſpecial recognition of his ſervices in this campaign, he had, on the 1ſt February, 1514, a patent for life of the office of Lord Chamberlain, previouſly held during pleaſure, and on the following day was created Earl of Worceſter. The terms of the patent, as printed in Vincent's Diſcovery (p. 614), are worthy of note:—Sciatis nos . . . ., conſiderantes generis nobilitatem, et præcipue nobis in ſanguine propinquitatem, probatiſſimi viri amantiſſimi conſanguinei noſtri, Caroli Somerſet, militis, domini Herbert, et camerarii noſtri, qui, nullis cedens laboribus aut expenſis, ſe nobis obſequioſum ſemper adhibuit, volenteſque proinde eundem Carolum Somerſet militem, condignis honoribus et regaliis præmiis ornare, ampliare, et ſublimare, de gratia noſtra . . . . ipſum Carolum . . . . . ereximus," &c. He had alſo the Conſtablewick of various caſtles and other honours, and was employed on ſeveral important embaſſies, including two to the Emperor Maximilian, one to convey to him the Order of the Garter, and the other to conclude treaties againſt the Turks. He repreſented his ſovereign at the coronation of the King's ſiſter Mary, on her marriage with the bedridden Lewis XII. He was one of the principal envoys in the ſtately embaſſy to France, in 1519, to arrange the marriage of the Princeſs Mary with the Dauphin. Polydore Vergil, and after him Archdeacon Coxe, repreſent him as being ſent with the Biſhop of Ely on a ſecret miſſion to aſcertain whether the Dauphin was actually born. This was perhaps only a diplomatic jeſt, but it is quite true that the royal infant was not ſix months old when negociations were opened by the French King for his marriage with Henry's daughter, and Hall alludes to a doubt whether the child was living, to ſatiſfy which the Biſhop of Ely, Sir Thomas Bulleyn, and Sir Richard Weſton were detached from the embaſſy to aſcertain the fact. With theſe authorities before

before him, the reader must judge for himself whether among the honours attained by the Earl of Worcester, was that of being allowed to kiss the baby—the means by which the doubts of the envoys were set at rest.

One of the terms of the treaty there negociated was the restoration of Tournay to France; and the Earl of Worcester and the other ambassadors proceeded thither for the purpose. "The Lord Chatillon came near to the city of Tournay, with twenty-one hundred men in harness. The Earl of Worcester sent Sir Edward Belknap to know his commission, and there he shewed him his commission, which was to receive the city of Tournay. Then Sir Edward Belknap desired him to send his commission to the Earl of Worcester, which he refused to do, saying it was sufficient to show it. 'Well,' said Sir Edward Belknap, 'You must understand that we have a commission from the King, our Master, to deliver you the city at a day appointed, wherefore we must shew the King of England both your commission, that you had authority to receive it from the French King, and also that you, by your indenture, sealed with your seal of arms, shall confess that you receive the city as a gift, and not rendered as a right to the King, your master, or else be you sure that the city shall not be delivered.' Then the Lord Chatillon was wondrous wroth that he was no better believed. And so daily were great messages sent to the city from him to the Earl of Worcester, and answers were sent of the English part. But when the day approached, he had full answer that he must deliver his commission, and also seal the indenture, or else the Englishmen would not put him in possession of the town, for their commission was otherwise. The French captains, perceiving that if they disagreed at the day that doubts might follow, wherefore they sent their commission, and sealed their indenture, and sent it likewise in the morning, and came forward with their banners displayed. Whereof hearing, the Earl he sent word that the city was neither yielded nor gotten, but delivered for confederation of marriage, and therefore they should not enter with banners displayed. Then were the Frenchmen angry, but there was no remedy but to roll up their standards and banners. And when they came to the gates, there their commission and indenture were solemnly read openly, and then the Frenchmen entered, with drumslades and minstrelsy, without any banner, and then to Monsieur Chatillon was delivered the Castle." (Hall, p. 596, ed. 1809.)

It was not long before the Earl was again put into communication with the

the Marechal de Chatillon. On this occaſion it was to arrange with him the details of that unparalleled exhibition of royal pageantry—the Field of the Cloth of Gold. Of the general arrangements for the meeting of the two ſovereigns between Guiſnes and Ardres "all was ordered by the good diſcretion of the right reverend Cardinal of York;" but the arrangement of details was left, in a great meaſure, to the Earl of Worceſter; and we obtain ſome inſight into them from the Rutland Papers, and Chronicle of Calais, both printed by the Camden Society, and eſpecially from a curious letter from the Earl to the King, dated 19th May, 1520, and printed in the latter volume, from the Cotton MS., Calig., D. vii, p. 219, in which he diſcuſſes with amuſing minuteneſs the alterations ſuggeſted by Chatillon in the formation of the tilting ground, of which a "plat" had been furniſhed by King Henry himſelf. The whole letter, and it is by no means a ſhort one, reads more like one from a contractor's foreman to his principal than from a Lord Chamberlain to his ſovereign. In the pageant itſelf the Earl occupied a prominent poſition, irreſpective of his office of Lord Chamberlain, for he was one of the four judges, or umpires, on Henry's part, nominated by a memorandum, ſtill extant, in the King's handwriting, and one of the nobles appointed to attend upon the King and the French Queen to the field, his ſon being one of the combatants. The Counteſs of Worceſter was not one of the 5804 perſons who formed the retinue of the King and Queen on this gorgeous occaſion. She was in attendance on the Princeſs Mary, at Richmond, as we find from letters from the Lords of the Council to the King and Cardinal Wolſey, printed at pp. 90 and 92 of the Chronicle of Calais. This lady was either his ſecond wife, Elizabeth, daughter of Thomas, Lord de la Warr, by whom he had three children, or his third, Eleanor, daughter of Sir Edmund Sutton, and ſiſter of John Sutton, Baron Dudley: but nothing is known of the dates of his marriages.

He ſat on the Duke of Buckingham's trial, in May, 1521, and was a member of Wolſey's miſſion to Calais, in Auguſt of the ſame year, and was ſent from that place, with the Biſhop of Ely, on a ſeparate embaſſy to the French King. In ſhort he continued to occupy a prominent place in court and council until his death. He is the laſt of our gallery, who is entitled to a place among Shakeſpearian portraits, and even that under rather ambiguous circumſtances. He was ſucceeded in his office of Lord Chamberlain by Lord Sands, who, under that name, is one of the characters in the play of Henry VIII, the

the action of which extends over the period from the arreſt of Buckingham, in 1521, to the birth of Queen Elizabeth, in 1533: and Shakeſpeare, without noticing, or perhaps to cover, the fact of Worceſter's death between thoſe dates, makes a character of "the Lord Chamberlain," without giving him a name.

A LITTLE more than a year before his death (2nd Dec., 16 Henry VIII), he granted to his burgeſſes of Chepſtow a new charter, which I have not had an opportunity of conſulting, but avail myſelf of the ſlight notice of it in Mr. Wakeman's paper and Mr. Ormerod's Strigulenſia. It recites that the Earl had rebuilt the town gate, and given it to the burgeſſes, for a priſon, and provides for the appointment of municipal officers, of whom the Lord's Steward was one, and two bailiffs were choſen by the Burgeſſes, with Serjeants at mace &c. Long before this period there are traces of a municipal corporation at Chepſtow, which in fact ſubſiſted as late as the reign of Charles II. The Tintern charter, 1 Henry III, ſpeaks of property "infra Burgum Strugull." The Survey of Wentwood, 1270, alludes to perſons having "bought land of the Steward and Bailiffs of Strogul." And a writ of Edward I, making requiſitions for proviſions, is addreſſed to the "Ballivi, probi homines, et mercatores de Strogoule." Charters from feudal lords to their burgeſſes, or free tenants, releaſing ſome of the moſt oppreſſive incidents of tenure, are of very common occurrence. Charters of incorporation, it is ſaid, have had their origin in all caſes in grants from the crown, either on record, or preſumed from their high antiquity in caſes where the evidence has been loſt. One inſtance at leaſt might however be cited of a document, of the reign of Edward I, purporting to be under the common ſeal of the free tenants and commonalty of a Lancaſhire town, which there is no reaſon whatever for ſuppoſing to have ever had, until our own day, a royal charter. But whatever may have been the general law or cuſtom of the realm, the ample powers and palatine juriſdiction of a Lord Marcher may have made this diſtrict an exception, and there is reaſon to believe that Caerleon and other towns in the Marches derived charters of incorporation from their lords.

THESE ample powers however were at this period near their final extinction, and we may anticipate a little the chronological order of events, to allude to the abolition of the Lordſhips Marchers in the time of this Earl's ſucceſſor. They had long been ſhorn of much of their importance. The power of extenſion

extenſion by the invaſion of Welſh territory had come to an end with the final ſubjection of Llewellyn by Edward I, after which, the rights of the Welſh Prince having been acquired by the Engliſh ſovereign, of courſe no further encroachments could be permitted to his ſubjects. The powers of the Lords Marchers had been further curtailed, or at leaſt regulated, by the eſtabliſhment of the Preſident and Council of the Marches, in the reign of Edward IV; and at length, by ſtatute 27th Henry VIII, the Lordſhips Marchers were finally diſſolved, and divided into five counties, four of which, Radnor, Brecknock, Montgomery, and Denbigh were declared to be in Wales; and Monmouth became an Engliſh county, the Lords Marchers, by that and ſubſequent ſtatutes, being reduced to the poſition of Engliſh Lords of Manors.

The Earl of Worceſter died on the 15th of April, 1526. His third wife, Eleanor, probably ſurvived him, as ſhe is mentioned in his will, dated as late as 21ſt March, 1524. A portrait of him was exhibited at South Kenſington, in 1866 (No. 65 in Catalogue), contributed by the Duke of Beaufort. The Earl was buried, with his firſt wife, in his own chantry chapel, with a ſtately monument, engraved in Pote's Antiquities of Windſor.

Henry Somerſet, his only ſon by his firſt marriage, ſucceeded him as ſecond Earl of Worceſter. He already bore the title of Lord Herbert, which, was not a mere courteſy title, aſſumed, according to modern uſage, from a minor peerage held by his father, but was in fact the barony of Herbert, created by writ in 1 Edward IV, and which deſcended to him on the death of his mother in her huſband's lifetime. Sir Harris Nicolas gives a blank for the date of that event, which we have ſhewn, above, ſome reaſon for fixing in the year 1506. Henry Somerſet ſat, as Lord Herbert, on the trial of the Duke of Buckingham, in May 1521, and muſt therefore have been a peer of parliament and of full age at that date. He was probably a little older, for his parents' marriage may have been at any date after June 1497, and he muſt have been in full ſtrength and vigour when he was ſelected as one of the champions to uphold the credit of Engliſh chivalry at the Field of the Cloth of Gold. He was one of the band of which the Earl of Devonſhire was captain. He was married at this period, for in the letters to the King and Wolſey, already referred to, his wife is mentioned as being in attendance, along with the Counteſs of Worceſter, on the Princeſs Mary at Richmond. In one of theſe letters there is a blank for her chriſtian name, and in the other,

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by the ſame hand and of the ſame date, ſhe is called Margaret. It has until recently been ſuppoſed that he was only once married, namely to Elizabeth, daughter of Sir Anthony Brown, the anceſtor of the Viſcounts Montagu, and holder of ſeveral important offices at court; but it ſeems that he had previouſly married and ſurvived Margaret, daughter of William Courtenay, Earl of Devon, and Katherine, his wife, daughter of Edward IV, for the will of the Counteſs of Devon, dated 2nd May, 1527, and printed in the Archæological Journal, x, 53, bequeaths an obit "for the ſoule of Margaret, late wyfe of Henry, Lord Herberd, our doughter," who was doubtleſs the lady juſt referred to.

It is remarkable that, though appointed as one of the King's "knights" at the Field of the Cloth of Gold, he had not been knighted, but received that honour, more than three years afterwards, at the hands of Charles Brandon, Duke of Suffolk, commanding the King's army in France. It may be inferred from this that he was no carpet knight, but acquitted himſelf with credit in the field as well as the tilt-yard: but his career, like that of his deſcendants for ſeveral generations, was that of a courtier, rather than either a ſoldier or a ſtateſman. At the coronation of Queen Anna Boleyn, both he and his Counteſs took part in the ſtately ceremonies, the latter, at the banquet, diſcharging a very peculiar function. "On the right ſide of the chair ſtood the Counteſs of Oxford, widow, and on the left ſide ſtood the Counteſs of Worceſter, all the dinner ſeaſon, which divers times in the dinner time did hold a fine cloth before the Queen's face when ſhe liſt to ſpit, or do otherwiſe at her pleaſure." (Hall, p. 804, ed. 1809.) Her preſent Moſt Gracious Majeſty, and her predeceſſors for ſome generations, having liſted to do otherwiſe, this honorable office has fallen into deſuetude. At the chriſtening of Queen Elizabeth, the Earl of Worceſter carried a covered cup of gold, the chriſtening gift of the Archbiſhop of Canterbury. The Earl was one of the peers, twenty-ſeven in number, including the Lord High Steward, who ſat on the trial of Queen Anna Boleyn and her brother, the Earl of Rochford, on the 15th of May, 1536.

In the ſame year was paſſed the act for the diſſolution of the ſmaller monaſteries, 27 Henry VIII, c. 28. It is ſurprizing that Tintern Abbey ſhould have come within this category, when we refer to its extenſive poſſeſſions deſcribed in the charter of the younger William Marſhal and the augmentations by Roger Bigod and other benefactors: but the line was drawn at an income of £200 per annum, and Tintern was returned at £246 11*s.* 6*d.* groſs, and £192 1*s* 4*d*

£192 1s 4d nett income.[1] The latter figures were thoſe acted upon. The former would have exempted the Abbey from the firſt act of diſſolution, and it is certain that in 28 Henry VIII it was diſſolved, and the ſite granted to the Earl of Worceſter. The fact as to value ſeems to be that the declared groſs annual values of the religious houſes were the amount of the yearly reſerved rents only, which were nearly nominal, the principal revenue being derived from the fines on renewal of leaſes. It is unneceſſary to ſuppoſe, with ſome writers, that the Abbots and Priors had adopted the ſyſtem of low rents and high fines in preparation for the impending ſtorm: for the bad ſyſtem was one which has ſubſiſted almoſt to our own day in the management of great landed eſtates, and as regards epiſcopal and collegiate eſtates is ſcarcely yet extinct. But poſſibly the ſyſtem itſelf may be a trace of the management of abbey lands, originally adopted by the monks as a contrivance for the purpoſe of reducing their contributions to papal and national impoſts—winked at by the King and his miniſters at the Diſſolution, in order that the nation might not be ſtartled at the amount of the confiſcated and ſquandered revenue —and continued by the grantees, partly from the ſame motive, and partly from the difficulty of breaking through eſtabliſhed uſage. Be this as it may, it has been eſtimated that, on an average, the declared was leſs than one tenth of the real value of the diſſolved monaſteries, without reference to any change in the value of money.

The ſecond Earl of Worceſter died on the 26th of November, 1549. He had four ſons and four daughters. Of the former, the firſt, William, ſucceeded him. The ſecond Thomas was implicated in a conſpiracy in favour of Mary, Queen of Scots, and died in the Tower, in 1587. The third, Sir Charles Somerſet, ſtandard-bearer to Queen Elizabeth's band of gentlemen penſioners, died at Chepſtow, in 1599. The fourth, Francis, was killed at the battle of Pinkey, in 1547. One of the daughters, married to Thomas Percy, ſeventh Earl of Northumberland, was the Lady Percy in the old ballad of The Riſing in the North (Percy's Reliques i, 285, ed. 1794), and the others reſpectively married Sir Edward Vaughan, John Neville Lord Latimer, and Sir Edward Manſell.

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[1] We conſtantly meet with the larger ſum quoted on the authority of Speed, or the ſmaller on that of Dugdale, and the ſame diſcrepancy as regards other monaſteries: but a liſt in the Cotton Library (Cleop. E. iv, 11, fo. 283), printed in Stevens' Additions to Dugdale, gives in all caſes both amounts, the firſt as "ſumma inde," and the ſecond as "ſumma clara."

The Earl and his Counteſs (I know not which was the ſurvivor) were buried, not at Raglan, as ſtated by Dugdale (Baronage, ii, 275), but in Chepſtow Church, where a monument was erected, which is now ſtanding on the north ſide of the chancel, and engraved in Sandford's Genealogical Hiſtory. It is a handſome ſpecimen of the monumental architecture of the Tudor period, conſiſting of an altar tomb, under a canopy ſupported on columns and arches, with effigies of huſband and wife in freeſtone, painted and gilt. On the ſouth ſide of the canopy is a coat of arms, which, it is preſumed, has been re-painted under incompetent direction, after the original had been too much defaced to make it out diſtinctly. It is a quarterly coat: and knowing what we do of the Earl's pedigree, there is no difficulty in determining a priori what bearings it muſt have ſhewn. The firſt Earl of Worceſter, according to Heylin, bore the arms of his father, Henry Beaufort, Duke of Somerſet (quarterly France and England, in a bordure compony Argent and Azure) with a batune, or, as he figures it, a bendlet, ſiniſter Argent, by way of abatement in reſpect of his illegitimacy, and over all, in an eſcutcheon of pretence, the Herbert coat, which of courſe his deſcendants would be entitled to quarter. The ſecond and third Earls varied the abatement by bearing the Beaufort coat as a feſs on a ſhield Or. Treating this as the paternal coat of the ſecond Earl, it properly occupies the firſt and fourth quarters of the eſcutcheon on his monument. He could derive no other quarterings from his father. The ſecond quarter would neceſſarily be his mother's arms, and the third either the ſame or thoſe of any family of which, through her, he was the repreſentative. Accordingly the third quarter is an attempt, though a very unſucceſſful one, to repreſent what, if the painter had known how to depict a bearing ſo ſimple that it required a perverſe ingenuity to go wrong, would have been the coat of Widville (Argent, a feſs and canton Gules), of which family, as noticed above, Elizabth Herbert became one of the repreſentatives, as coheireſs of Richard, third Earl Rivers. But inſtead of the arms of Herbert in the ſecond quarter, we find England and France impaled. The only explanation I can ſuggeſt is that the arms originally depicted had left juſt ſo much trace as to ſhew an impaled coat with lions in it, and from this hint and his inner conſciouſneſs, the painter, or his employer, evolved the bearings now ſhewn. At the weſt end of the tomb are the ſame quartered arms, impaled with thoſe of Brown, for the Earl's wife. We ſhould have looked with double intereſt at the monument, if we could have ſeen on it a veritable repreſentation of one of the banners diſplayed on the memorable field between Guiſnes and Ardres. That we may not have to recur to the

ſubject

ſubject of armorial bearings, it may be mentioned that the fourth Earl of Worceſter,[1] and his deſcendants, Marquiſes of Worceſter and Dukes of Beaufort, to the preſent day have abandoned the feſs, and have borne the arms of the Beauforts, Dukes of Somerſet (quarterly France and England, in a bordure compony Argent and Azure) without difference. No doubt this has been done by due heraldic authority, which I would not be underſtood to queſtion, but it is a curious heraldic anomaly that the arms of the family of Beaufort, Dukes of Somerſet, ſhould be borne by that of Somerſet, Dukes of Beaufort, neither differenced, nor quartered, nor derived in the ordinary courſe of deſcent, nor even repreſenting the ſame ſurname to which they originally belonged. Sir John Ferne, in his Blazon of Gentrie (p. 285, ed. 1586), ſtrenuouſly oppoſes the unlearned teaching of ſtill older heralds, that the abatements in reſpect of illegitimacy may be removed after three generations. Modern ones have gone ſo far as to ſpeak of it as a vulgar error, arguing, with reaſon, that no lapſe of time can convert an illegitimate into a legitimate deſcent. Their reaſoning is unanſwerable, but the fact remains that the practice of heralds has not been in accordance with it, of which the preſent caſe is one inſtance, and another is that of the preſent Earls of Pembroke and Montgomery, who bear the Herbert coat, without the bordure compony Or and Gules bezanty, which for ſome generations marked their deſcent from Sir Richard Herbert, of Ewias, the illegitimate ſon of the firſt William Herbert, Earl of Pembroke. The laſt mentioned is in ſome reſpects the ſtronger caſe; firſtly, becauſe the bearing of the Herbert coat undifferenced, by a family bearing the name of Herbert (to ſay nothing of the title of their earldom), is an apparent aſſertion not only of legitimate deſcent, but of the actual repreſentation of the family—and ſecondly, that while the bearing of the Beaufort coat by the Somerſet family trenches on no exiſting rights, the legitimate line being extinct or merged in the crown, the Herbert coat belongs to the Duke of Beaufort in unqueſtionable right, as repreſentative, through a female, of the eldeſt line, and has deſcended to his Grace along with his barony of Herbert.

William Somerſet, third Earl of Worceſter, ſucceeded to his title in 1549, as the eldeſt ſon of the ſecond Earl, being then, on the authority of Barlow's

[1] Heylin is the authority for ſtating that the change was made as early as this Earl; but Guillim, in the woodcut title to the firſt edition of his Diſplay of Heraldrie, fo. Lond., 1611, and alſo at p. 259 of the work, gives the Beaufort coat on a feſs as the arms of the then Earl of Worceſter (Edward, fourth Earl), as one of the five Commiſſioners for executing the office of Earl Marſhal.

Barlow's Engliſh Peerage, aged twenty-two. Archdeacon Coxe (Mon. p. 362) in the ſame ſentence repreſents his father, Henry, the ſecond Earl, as dying in 1549 (3 Edward VI), aged fifty-three years, and as accompanying the Marquis of Northampton into France, on his embaſſy to preſent the King with the Order of the Garter, in 5 Edward VI. Among all the miſtakes of this author, a confuſion between father and ſon would ſcarcely have been worth notice; but there was in fact ſuch an embaſſy of the Marquis of Northampton, in the year 1551, and we do not find that the then Earl of Worceſter was one of the ambaſſadors named. The firſt public act we find related of this nobleman is his ſitting, as one of the peers, on the trial of the Protector Somerſet, on the 1ſt of December in the ſame year. As Lord Herbert, he was one of the Knights of the Bath created on the coronation of Edward VI. He ſigned, as a member of the Privy Council, the letters patent of that ſovereign, dated the 21ſt of June, 1553, and printed in the Chronicle of Queen Jane, edited by Mr. J. G. Nichols, for the Camden Society; but as they were ſigned by every member of the Privy Council, on the requirement of the Lord Chancellor, before he would lend himſelf, by the uſe of the Great Seal, to that daring attempt of the Duke of Northumberland to change the ſucceſſion to the crown, and as the Earl of Worceſter's name was not appended either to the accompanying mutual engagement, ſigned by twenty-four members of the council, to maintain the ſucceſſion as limited by thoſe letters patent, or to the anſwer of the council to Mary Tudor's demand of the throne (printed in Nicolas's Life of Lady Jane Grey), he does not appear to have been conſidered as having done anything to forfeit the favour of Queen Mary. On the contrary he officiated as the Queen's Carver at her coronation banquet (Machyn's Diary, Cam. Soc., p. 46). During the reſt of her reign we find no mention of him. His marriage with Chriſtian, daughter of Edward, Lord North, if there be no miſtake as to the age at which their ſon died, muſt have been as early as 1548, when the Earl now under notice was about twenty-one years of age. Dugdale (Baronage ii, 295), ſays he was inſtalled Knight of the Garter in the reign of Edward VI: but his ſtall-plate in St. George's Chapel, No. 8 in the 14th ſtall, records that "Guilliaume, conte de Worceſter, Baron de Herbert, chevallier du tres noble ordre de la jarretière, fuſt enſtallé 19 jour de Juin 1570," which would be 12 Elizabeth.

He remained during the reſt of his life attached to the Court of Queen Elizabeth

Elizabeth, and from the public employments in which he was engaged muſt have had ſome reputation as a diplomatiſt. On the 18th of January, 1573, Holinſhed relates that William, Lord Somerſet, Earl of Worceſter, began his journey towards France, to the chriſtening of the King's daughter there, inſtead of the Queen's Majeſty of England, who ſent with him a font of gold for that purpoſe weighing 326 ounces. The ſaid Earl, with many of his company, were robbed upon the ſea, by pirates, of much of their baggage, and three or four of their men ſlain. In France he and his train were honourably received. At the chriſtening he gave the child to name Elizabeth. They returned into England the 27th of February (Holinſhed iv, 321, ed. 1808). His duties on this miſſion were ſomething more than to take part in a courtly ceremonial. The maſſacre of St. Bartholomew, on the 24th of Auguſt previous, had excited the horror of Europe, and nowhere out of France were its effects more important than in England, the relations of Queen Elizabeth and Charles IX being already in the moſt critical condition. The French King at once ſent ambaſſadors to England, to repreſent his conduct in the moſt favourable light, and to urge the marriage of Elizabeth with the Duke d'Alençon, and the continuance of the Queen's friendſhip, and as a pledge of this begging her to ſtand ſponſor to his child. The occaſion was one which called for all the wiſdom of Elizabeth and her ſtateſmen. Her anſwer was ſuch as to prevent a rupture, while forcibly and earneſtly rebuking the atrocious act which gave riſe to the embaſſy, and ſhe cauſed the ſame language to be held by the ambaſſador whom ſhe ſent to attend the chriſtening (Sharon Turner's Edward VI, Mary and Elizabeth, p. 571, ed. 1829, quoting Digges). This was a poſition of ſome delicacy, in which the Earl of Worceſter appears to have acquitted himſelf ſatiſfactorily. He was one of the forty-two commiſſioners, appointed along with five of the judges, for the trial of Mary, Queen of Scots, in October, 1586, and no doubt took part in her condemnation, two only of the commiſſioners, the Earls of Shrewſbury and Warwick being mentioned as having been abſent from ſickneſs on the laſt day of the trial.

He died, according to Dugdale (Baronage, ii, 295), on the 22nd of February, 1587, 30 Elizabeth, which would be 1588, according to the hiſtorical reckoning, but Nicolas's Hiſtoric Peerage, by Courthope, gives the date of 1589, which agrees with the inſcription on his monument, recording his death on the 21ſt March, 1589, aged 61 years. He left three children, Edward, his only ſon and heir, and two daughters, of whom Elizabeth married William, younger ſon of William

William, Lord Windſor, and Lucy married Henry Herbert, ſon of Sir Thomas Herbert, of Wynaſtow. By his will he directed his burial in the pariſh church of Ragland, and that a tomb of marble ſhould be made over his grave, which was accordingly done, the monument repreſenting him in armour and parliamentary robes, and decorated with the Garter: but it has long ſince diſappeared. His arms in a window of Middle Temple Hall, as recorded in Dugdale's Origines Juridiciales, are a quarterly coat, agreeing with what we have ſurmized the arms on his father's tomb at Chepſtow ought to have been, except that Dugdale has not accurately blazoned the tinctures.

His ſon, Edward, fourth Earl of Worceſter, is ſaid to have died in the 79th year of his age, which would bring the date of his birth to the year 1549, or thereabouts. He was a diſtinguiſhed member of the remarkable circle who formed the Court of Queen Elizabeth, and no doubt occupied a more prominent place in the eyes of his contemporaries than he does in thoſe of poſterity. He is thus noticed in Naunton's Fragmenta Regalia (p. 39, ed. 1642):—"My lord of Worceſter I have here put laſt, but not leaſt, in the Queen's favour. He was of the ancient and noble blood of the Beauforts, and of her grandfather's line by the mother,[1] which the Queen could never forget, eſpecially where there was concurrency of old blood with fidelity, a mixture which ever ſorted with the Queen's nature: and though there might appear ſomewhat in this houſe which might avert her grace (though not to ſpeak of my lord himſelf but in due reverence and honour), I mean contrariety or ſuſpicion in religion, yet the Queen ever reſpected this houſe, and principally this noble lord, whom ſhe firſt made Maſter of the Horſe, and then admitted to her Council of State. In his youth, part whereof he ſpent before he came to reſide at court, he was a very fine gentleman, and the beſt horſeman and tilter of the times, which were then the manlike and noble recreations of the court, and ſuch as took up the applauſe of men, as well as the praiſe and commendation of ladies: and when years had abated theſe exerciſes of honour, he grew then a faithful and profound counſellor; and as I have placed

[1] This is clumſily expreſſed; but the alluſion ſeems to be to his deſcent from the female line of the Widvilles, and conſequent relationſhip to Elizabeth of York, the Queen of Henry VII, in reſpect of which connexion he was in fact Queen Elizabeth's fourth couſin. In addition to this, as will be ſhewn preſently, his wife, of the noble family of Haſtings, ſtood in preciſely the ſame degree of relationſhip to the Queen by reaſon of their common deſcent from Richard, Duke of York, the father of Edward IV.

placed him laſt, ſo was he the laſt liver of all the ſervants of her favour, and had the honour to ſee his renowned miſtreſs and all of them laid in the places of their reſt, and for himſelf, after a life of a very noble and remarkable reputation, he died rich, and in a peaceable old age."

In 1590 he was ſent on an embaſſy to James VI of Scotland, to congratulate him on his marriage, and announce his election as a Knight of the Garter. The Earl himſelf was ſhortly afterwards admitted to that illuſtrious Order. Mr. Dircks, in his Life and Times of the ſecond Marquis of Worceſter —a work we ſhall have frequent occaſion to quote—aſſigns the date of 1604 to the latter event, but the concluſive evidence is the ſtall-plate (the 13th of the 7th ſtall) "du tres noble et puiſſant ſeigneur, Edward, Comte de Worceſter baron Herbert, ſeigneur de Ragland, Chepſtow, et de Gowers, chevallier du tres noble ordre de la jarretière, le 26 jour de Juine, 1593," four ſtalls being filled on the ſame day with the names of Henry Percy, Earl of Northumberland, Thomas, Lord Burgh, Edmond Sheffield, Earl of Mulgrave and Sir Francis Knollys. The inſtallation of theſe five knights was the ſubject of Peele's poem of "The Honour of the Garter." On the ſame date as that given by Mr. Dircks, 5th January, 1604, it appears from Anſtis on the Order of the Bath (Appendix, p. 61) that Sir Thomas Somerſet, the ſecond ſon of Edward, Earl of Worceſter, was one of the eleven Knights of the Bath created along with Prince Charles; and Mr. Dircks' error has probably ariſen from a miſ-reading of ſome notice of this event.

The Earl of Worceſter ſat on the inveſtigation of the Privy Council—or rather a commiſſion conſiſting of the Privy Council and certain peers and judges—of the conduct of the Earl of Eſſex, on his unauthorized return from his command in Ireland. Many of the councillors gave their cenſures, as they called them, at great length. The Earl of Worceſter's was conciſe and characteriſtic. It was in the form of a Latin couplet :—

"Scilicet a ſuperis etiam fortuna luenda eſt,
Nec veniam, lœſo numine, caſus habet."

He was doubtleſs aware that the ſeverity of his "cenſure," while teſtifying his devotion to his ſovereign, involved no real danger to the ſubject of it. Eſſex was deprived of all his offices, except that, at the expreſs command of the Queen, he was retained in that of Maſter of the Horſe, which kept him at

at her court, and was a pledge of conditional return to her favour. Eight months later, when the vain and headstrong favourite had formed, and was on the point of putting in execution, a plot—which was no secret to the government—for seizing the Queen's person, or at least compelling her, by personal duress and his presumed ascendancy over her, to change her ministers, the Earl of Worcester was sent, with the Lord Keeper Egerton, Chief Justice Popham, and Sir William Knollys, the Comptroller of the Household, to prevent his rash enterprize by caution and remonstrance. These high officers were detained as prisoners at Essex House for some hours, while the Earl was making his futile attempt to raise an insurrection in the city. This treatment of the privy councillors was one of the overt acts charged against Essex on his trial for high treason, on the 19th of February, 1601, and was proved by the Earl of Worcester, who sat on the trial as a peer, and Popham, who was one of the eight judges called in to assist and advise on points of law. Essex was executed on the 25th of February, and his post of Master of the Horse was, on the 21st of April, conferred on the Earl of Worcester. On the accession of King James the same office was continued to him for life, with a fee of 100 marks per annum. In 2 Jac., according to Dugdale (Baronage, ii, 295), "he was constituted one of the Lords Commissioners for exercising the office of Earl Marshal of England, but upon the 1st of January, 13 Jac., resigning that office of Master of the Horse, he was, the day next following, made Lord Privy Seal, and in 15 Jac. (27th March) had a new grant of that office of Lord Privy Seal, with the fee of £1500 per annum, for life, whereupon, in January, 18 Jac., receiving command to sit in the Court of Requests, with the Masters there, the King deeming it unfit that so great a magistrate should not have a seat of judicature, he took his place there accordingly upon the 7th of February." We give the authority as we find it: but by a commission, dated as early as 22nd July, 1 Jac., printed in Anstis on the Order of the Bath (Appendix, p. 60), appointing Edward, Earl of Worcester, one of the commissioners to act in the creation of Knights of the Bath, on the occasion of the King's coronation, he is described as "our Marshal of England."

His portrait, engraved by Simon Pass,[1] in 1618, which was nine years before his death, represents him then as of advanced age. Another representation of him will be mentioned in relation to his son's marriage. The compliments

[1] A scarce print, priced in Caulfield's Chalcographiana at seven guineas.

compliments of an anagram, preſerved in Camden's Remaines (p. 175, ed. 1657), "Edvvardvs Somerſet—Moderatus ſed verus," and a metrical dedication to him of Heywood's Great Britaines Troy, in which he is deſcribed as "Edward, Earle of Worceſter, Lord of Chepſtoll, Ragland, and Gower," may be taken for what they are worth.

He died on the 3rd of March, 1627, in his ſeventy-ninth year, according to Mr. Dircks (p. 8), who however gives no authority for his ſtatement of the age, and as to the date we ſhould read, 1627-8: for at p. 12 he cites a letter from him, dated 11th June, 1627. This is, as we ſhall ſee, no iſolated inſtance of Mr. Dircks' diſregard of the diſtinction between the civil and hiſtorical year. There is a biography in Lloyd's State Worthies (p. 581, ed. 1670), giving the age of eighty-four; but it is ſo full of blunders that no reliance can be placed on it. The Earl married Elizabeth, daughter of Francis Haſtings, Earl of Huntingdon, by Catherine, his wife, daughter of Henry Pole, Lord Montagu. Through this marriage the Dukes of Beaufort have a ſecond claim to conſanguinity with the Royal Family: for the mother of Henry Pole was Margaret, Counteſs of Saliſbury, daughter of George, Duke of Clarence. The preſent Duke of Beaufort is therefore fifteenth in lineal deſcent from Richard, Duke of York, from whom, through his eldeſt ſon, Edward IV, Her Majeſty is fourteenth in deſcent: and conſequently there is preciſely the ſame degree of relationſhip (thirteenth couſin once removed) as has been traced in a previous chapter, through the family of Widville. The Counteſs of Worceſter left her huſband a widower on the 24th of Auguſt, 1621. The iſſue of this marriage, in addition to an eldeſt ſon, William, who died unmarried in his father's lifetime, and ſeveral other children who died in infancy, were Henry (his ſecond ſon and heir), Sir Thomas, created Viſcount Somerſet of Caſſel,[1] Sir Charles and Sir Edward Somerſet (all Knights of the Bath), and ſix daughters. He was buried at Raglan; but the tomb of himſelf and his wife, erected in his lifetime, has alſo diſappeared, ſome fragments only remaining at the period of Archdeacon Coxe's viſit.

Henry Somerſet, the fifth Earl, was born in or about 1577. This is much later than the uſually received date: but Mr. Dircks, on the authority of

[1] Sir George Carew, writing to Sir Thomas Roe in Auguſt, 1616, ſays, Sir Thomas Somerſett is married to the Counteſs of Ormond in Ireland, by whom he hathe a great eſtate. She was Elizabeth the daughter of John ſecond Lord Sheffield and relict of Thomas ſecond Earl of Ormond. (See Letters of George Lord Carew to Sir Thomas Roe, p. 41, Camden Society's Publications, 1859).—Ed.

of Anthony Wood, ſtates that he was aged fourteen in 1591, being then, with his brother William, a year older, at Magdalen College, Oxford. After being two or three years at College, he was ſent to travel in France, Italy, &c., where Anthony Wood, as cited by Mr. Dircks, preſumes he changed his religion for that of Rome, to which as we have ſeen, in the extract from Naunton's Fragmenta Regalia, there was at leaſt a leaning on his father's part. The ſon is ſtated in ſome biographical notices of him to have been educated at St. Omers; and it appears from a petition of the Jeſuits, ſoon after the Reſtoration, praying for the ſame indulgence as was extended to the Roman Catholics generally, that he had been a Penitent of their Society (Dircks, p. 232). He began life in the court of Queen Elizabeth, and his marriage, when in his twenty-ſecond year, to the Lady Anne Ruſſell, ſecond daughter and only ſurviving child of John, Lord Ruſſell, the eldeſt ſurviving ſon and heir apparent of Francis Ruſſell, Earl of Bedford, was one of the court events of the period, the Queen herſelf condeſcending to dance at the wedding, though within three months of her ſixty-ſeventh birthday. The Queen's proceſſion, in a litter borne by ſix knights, to celebrate the marriage at the houſe of the bride's parents in Blackfriars, has been aſcertained by Mr. George Scharf, in a paper printed in the Archæological Journal, xxiii, 131, to be the ſubject of a well-known and repeatedly engraved picture, aſſigned by him to Iſaac Olivier, but previouſly ſuppoſed to have been by Marc Gheeraedts, and to have repreſented the Queen's viſit to Lord Hunſdon. Such was the opinion formed by Vertue, as the reſult of his inveſtigations when engraving it for his Hiſtoric Prints, and announced rather too confidently in the lettering. Lord Digby, the owner of the picture in Vertue's time, called it the Proceſſion to St. Paul's after the deſtruction of the Armada: but Mr. Scharf has ſatiſfactorily identified it with the marriage proceſſion now under notice. The central figure in the foreground, carrying a pair of gloves, apparently for a preſent, is the bridegroom's father, Edward, fourth Earl of Worceſter. The bridegroom is one of the ſix knights carrying the Queen's litter—the hindmoſt on her left hand—or (with reverence be it ſpoken) occupying the poſition, which, if the knights had been horſes drawing a coach, would have been that of the near wheeler—and immediately behind him is his bride. By the death of her grandfather, the Earl of Bedford (her father having died without male iſſue in his lifetime), ſhe became the repreſentative of the elder line of the houſe of Ruſſell, whoſe arms the family of Somerſet are thus entitled to quarter, the Earldom and eſtates devolving on her couſin, Edward Ruſſell, as heir male. As iſſue of this marriage, there were nine ſons, five of whom died young, and three daughters.

On

On the acceſſion of James I, the ſubject of our memoir was ſummoned to parliament, as Lord Herbert of Chepſtow, in accordance with the practice, not uncommon in modern times, of calling up to the houſe, the eldeſt ſons of peers by their fathers' baronies. Little is heard of him, either in court or parliament during the remainder of this reign. In the early years of that of Charles I, Lord Herbert appears to have laid himſelf open to ſome ſuſpicions of his loyalty, of which his ſubſequent career furniſhed ſo noble a vindication. On the 17th November, 1625, we find from the Calendar of State Papers (Domeſtic Series) Mr. Secretary Conway ſending to Lord Keeper Coventry the names of the lords that are to be diſarmed, with particular remembrances for the Marquis of Wincheſter, and the Lord Herbert.[1] On the 13th December following, the Biſhop of Hereford reports to the council that, as directed, he has waited upon Lord Herbert, and requeſted him to deliver up his arms: he replied that he was very ſorry that his loyalty was called in queſtion, but as to arms he had none, having never bought any but what he ventured to ſea, where he was robbed of them by Turks and pirates. On the ſame date Lord Herbert writes to the Council, from Ragland, that in thoſe parts he had no houſe of his own, but lived as a ſervant to his father, ſubject to be removed at his pleaſure, and was not charged with any arms. His object in buying arms and venturing them to ſea is not explained: but his movements about this period ſeem to have been watched by the government. On the 12th February, 1626, there is a letter, abſtracted in the ſame Calendar, from Anne, Lady Herbert, to the Earl of Northampton, written from Ragland, in which ſhe ſays that Lord Herbert ſtayed about fourteen days after his father, the Marquis of Worceſter (ſee in Calendar) to make up the certificate for the loans, which the Juſtices would not have agreed upon at all if he had not ſtayed: and ſhe adds that the weather was ſuch as none but the Lord Privy Seal would have travelled in.

In the following year a more compromizing incident occurred, the particulars

[1] In 1640 he was in the ſpecial confidence of the King, who on the 17th July wrote to John Earl of Bridgwater Preſident of the Marches of Wales, directing him to charge the deputy-lieutenants and other officers of the counties of Hereford, Monmouth, Brecknock, Glamorgan, Radnor, Carmarthen, and Pembroke, to aid the Earl of Worceſter, who has been entruſted with ſome ſecret ſervice, whenever called upon by him to do ſo. (Cal. State Papers, Dom. Ch. I, 1640, p. 483.) And the deputy-lieutenants of Pembroke on the 10th of the following month, reporting to the Earl of Bridgwater on the ſubject of the Muſters, add—"We further make known to you that according to your laſt touching the Earl of Worceſter's Commiſſion we have required all officers to attend to the execution thereof" (Ibid. p. 600).—Ed.

particulars of which may be gleaned from the ſame Calendar of State Papers. On the 11th July, 1627, William, Lord Petre, complains by letter to Secretary Conway that his younger ſon, having a licence to travel, was ſent under charge of Richard Mico, to be conducted to an elder ſon of Lord Petre, who had been long abroad, and was then at Paris—that being long detained at Dover by the cloſing of the ports, Mico procured an acquaintance to undertake his charge for him—and that on their endeavour to croſs, both were arreſted. Lord Petre repreſents the circumſtances to Secretary Conway, and ſends Mico as the bearer of his letter. A different verſion of the affair appears three days later in a report from Lord Preſident Mancheſter to the King, of the proceedings of the Council. A younger ſon of Lord Herbert and a younger ſon of Lord Petre had been ſtayed at ſea, croſſing to Calais with counterfeited paſſes, and under the governance of Stamford, a Jeſuit: the youths were ſent to the Biſhop of London, the others to ſeveral priſons. On the 17th July the Lord Preſident ſends to Secretary Conway the original examinations of the doer and one of the procurers of the counterfeit paſſes. The examination of John Coytmore ſtates that Robert Curtis applied to him for a paſs for a Mr. Petre, and afterwards for one for Mr. Somerſet. For the former he gave him twenty nobles, for the latter £5. They were written by ſcriveners in Weſtminſter, and the Lords' hands counterfeited by himſelf. The ſeals were taken from other cancelled letters. Curtis, in his examination, ſtates that he was ſolicited by one Mico, ſervant of Lord Petre, to procure the paſſes, and received for them from Mico, £20 and £10. He denies that he knew them to be counterfeited. With this new light thrown on the relations of Mr. Mico with his acquaintance Stamford, the Lords of the Council ſeem to have been deſirous of further communication with the former: for on the 25th July, Lord Petre writes to the Council that he has ſent a ſervant with the bearer of their letter to his houſe in London to find and carry Mico before them. He was probably unſucceſſful: for we find no further proceedings in the Council on the ſubject. On the 20th July the Lord Preſident, in reporting to the King the proceedings in relation to Mr. Somerſet and Mr. Petre, mentions that two other ſons of Lord Petre had been committed by Sir John Hippeſley at Dover for refuſing the oath of allegiance.

At no period does there appear to have been any ſuſpicion of the loyalty of Lord Herbert's father: but even the ſon was, notwithſtanding the circumſtances above noticed, retained by the government in a poſition of reſponſibility. On

On the 28th July, 1627, we find letters from the King, addreſſed to Edward, Earl of Worceſter, and Henry, Lord Herbert, as Lord Lieutenants of the counties of Glamorgan and Monmouth, and there are both previous and ſubſequent entries in the Calendar of State Papers, ſhewing Lord Herbert's active performance of the duties of his office. On the 13th of March, 1627-8, which would be ten days after the death of his father had raiſed him to the Earldom of Worceſter, he obtained a diſpenſation to be abſent from parliament (Dircks, p. 8). This was the third parliament of Charles I, about to meet on the 17th of March, and the laſt previous to the fatal experiment of endeavouring to rule without parliamentary control. Perhaps the Earl of Worceſter felt himſelf, from the circumſtances noticed above, to be an object of ſuſpicion: perhaps he foreſaw the coming ſtorm: perhaps natural indiſpoſition for parliamentary life induced him to ſeek at his ſtately home at Raglan, a career more ſuited to his taſtes. He was then about fifty-one years of age, deſcribed as "of a plethoric conſtitution, and ſubject to gout, but of a joyous, hearty, kind, and benevolent diſpoſition, and of ſome learning, without being diſtinguiſhed for its application"—to which we may add that he was a noted wit, according to the faſhion of thoſe days, whoſe wiſe ſayings, under the title of Apophthegms, have reached poſterity in two publications, in one of which they are recorded by his chaplain, Dr. Bayly[1] (for notwithſtanding the Earl's religion, he had a proteſtant chaplain, or one who paſſed as ſuch), and in the other he figures in partnerſhip with ſeveral royal and noble authors.[2] Retired from public affairs, and in the enjoyment of all the luxuries afforded by art or nature, among which we may particularize the poſſeſſion of a ſplendid library, the eventual ſacrifice of which to the fury of the times is an irreparable loſs to Monmouthſhire, he might have left no other record than theſe to intereſt poſterity, but for the political ſtorm which involved him and his houſe in common ruin with his ſovereign and the ſtate.

Hitherto we have attempted to keep diſtinct our notices of the ſucceſſive generations of the Lords of Striguil; but in relating the events of this period it is impoſſible to notice, even ſlightly, the hiſtory of the Earl of Worceſter, except

[1] Worceſter's Apophthegms, or Witty ſayings of the Rt. Hon. Henry, late Marquis and Earl of Worceſter, by T. B., 12mo., London, 1650.

[2] Witty Apophthegms, delivered at ſeverall times, and on ſeverall occaſions, by King James, King Charles, the Marqueſs of Worceſter, Francis Lord Bacon, and Sir Thomas Moore; ſm. 8vo., London, 1658.

except in connexion with that of his eldeſt ſon, Edward, bearing of courſe at this period the courteſy title of Lord Herbert. He was born, it is believed, early in 1601, and in 1628 married Elizabeth, daughter of Sir William Dormer. She died on the 31ſt May, 1635, leaving her huſband the father of three children, Henry, his eventual ſucceſſor, and two daughters, and in 1639 he took for his ſecond wife Margaret, ſecond daughter and coheireſs of Henry O'Brien, Earl of Thomond, an alliance which, from the connexion it brought with ſome influential families in Ireland, is worth bearing in mind in relation to the moſt remarkable event in his political career. His mother, Anne, Counteſs of Worceſter died on the 8th of April, in the ſame year. Such was the ſtate of the family at the breaking out of the Civil war.

In January, 1639, the King had ruled for ten years without a parliament, and on the 26th of this month a circular was iſſued to the nobility, announcing his intention to lead an expedition againſt the Scots, appointing a rendezvous at York, and aſking the aſſiſtance of the noblemen addreſſed. Second only to Wentworth, who ſubſcribed £2,000, and invited His Majeſty to command all he had beyond it, the Earl of Worceſter promiſed £1,000, and to ſend his ſon and heir, Lord Herbert, to the rendezvous, with twenty horſe. On the 13th of April following, the King's fourth parliament aſſembled, after an interval of eleven years; but it was only for an abortive exiſtence of three weeks, when it was diſſolved, and was ſucceeded by the Long Parliament, on the 3rd November, 1640. On the 29th of January following, it was "Ordered that the conſideration of the commiſſion granted to the Earl of Worceſter and his eldeſt ſon, Lord Herbert, and the ſub-commiſſions by them granted to others, for the levying of forces in ſeveral counties of England and Wales, and all the circumſtances depending thereupon, be referred to a committee." On the report of the committee, on the 11th of February, it was "reſolved that the particulars reported . . . . ſhall be the heads of the conferences, to be deſired with the lords, concerning the diſbanding of the new levied Iriſh army, and the diſarming of the Popiſh Recuſants here in England." On the 16th of November, 1641, a committee was appointed "to go immediately and take order to ſet a good guard upon the houſe of the Earl of Worceſter, and to ſearch for perſons ſuſpected of high treaſon." And in Auguſt following we find meſſages between the two houſes of parliament as to "diſarming the Earl of Worceſter and all papiſts."

From the firſt then the attitude of the Earl and his ſon was clearly defined

defined. The former, with enthuſiaſtic and uncalculating loyalty, was ready from time to time to devote his ſubſtance to his ſovereign's ſervice, though from bodily infirmity compelled to hand over to his ſon the duty of leading his forces to the field—the latter, with loyalty as enthuſiaſtic, but perhaps with more ambitious views of family advancement, attaching himſelf to the King's perſon, and becoming, not only one of the principal leaders of the royal forces, but the King's moſt truſted confidant and emiſſary. In January, 1642, the King writes to the Earl, expreſſing gratitude for his loyalty and mentioning that his ſon, Lord Herbert, was then commanding in chief, in the abſence of the Lord Marquis of Hertford. In the ſame year, Lord Herbert was appointed General of South Wales and Monmouthſhire, and General of the King's Horſe. For ſome time, though actively engaged in organizing the King's military forces, he contrived to avoid any act which could bring him into colliſion with the parliament; but when he received the King's commiſſion of array, iſſued in anſwer to the ſteps taken by the parliament for aſſuming the direction of the militia, Lord Herbert formally intimated his acceptance of it to both houſes, aſſerted, in oppoſition to them, the legality of the King's commiſſion, and in eight days, according to his own memorandum, raiſed ſix regiments, fortified Monmouth, Chepſtow, and Raglan, and took and garriſoned Cardiff, Brecknock, Hereford, and Goderich Caſtle. Between the 28th of February, 1641, and the autumn of the following year, the Earl of Worceſter had, at various times, advanced to the King, on his note, in ready money, bills, and aſſurances, £95,500, and had given him, in caſh and plate, £27,000 more, the principal portion of which was diſpenſed through his ſon (Dircks, p. 58). Ready as the Earl was to give, His Majeſty was quite as ready to receive; and of the means by which he extracted theſe vaſt ſums from his confiding friend, we have a curious picture in a converſation with Lord Herbert, at Nottingham, fifteen days after the royal ſtandard had been raiſed at that town. The King directed him to convey a meſſage to his father; and that there might be no miſtake about it, Lord Herbert, either at the King's ſuggeſtion, or as a precaution ſuggeſted by his own prudence, reduced it to writing, in the form of a memorandum addreſſed to the King himſelf:—"That your Majeſty, with many thanks, expreſſeth himſelf moſt ſenſible of the great expence and charge his Lordſhip hath been at for your ſervice, far more than any man elſe . . . . . that much lieth at ſtake, both of your Majeſty's honour and power, for want of a little money, ſince £20,000 with what you have, would further your Majeſty's deſigns to a moſt hopeful condition . . . . . yet

. . . . . yet no want or occaſion can make your Majeſty to preſs my lord who hath already done ſo much, but if he and his friends could procure £10,000, your Majeſty would ſuddenly, if it pleaſe God to reſtore you, ſee it repaid, and would preſently, in token of thankfulneſs, ſend my father the Garter, to be put on when he pleaſed, and alſo, having the Great Seal in your Majesty's own cuſtody, you would paſs a patent of Marquis, of what title my father ſhould deſire, and keep it private as long as he thought fitting—and, to ſhew that this propoſition is far from urging him to his inconvenience, and ſo much doth your Majeſty acknowledge yourſelf already beholding to him as that, even without procuring your Majeſty this unſpeakable advantage, your Majeſty is graciouſly pleaſed that if he deſire either or both theſe, your Majeſty, at my return unto you will vouchſafe them ; but if this could be poſſibly performed, then the crown, which hitherto your Majeſty confeſſeth to ſtay upon your head by his aſſiſtance, will be then confirmed by him . . . . And your Majeſty doth not only faithfully promiſe, on the word of a King, but of a Chriſtian, that you will faithfully perform your engagements advantageouſly to him and his, and never forſake either whilſt you breathe," &c. (Dircks, p. 44). This converſation was on the 9th of September, 1642, and on the 2nd of November the Earl was created Marquis of Worceſter.

Clarendon, who ſpeaks of the Marquis as reputed the greateſt moneyed man of the kingdom, adds the ill natured remark that "he probably might not think it an unthrifty thing rather to diſburſe it for the King, who might be able to repay it, than to have it taken from him by the other party, which would be hardly queſtionable if they prevailed" (Hiſt. Reb., ii, 287). From firſt to laſt the King acknowledged his pecuniary obligations to the Marquis to the amount of a million crowns, which has been underſtood as meaning £250,000 : but as the Engliſh crown was never money of account, it was probably a phraſe of the Queen, and meant French crowns, equal to nearly £167,000. In addition to the forces raiſed for the general ſervice of the King, amounting to 1500 foot and 500 horſe, under the command of his eldeſt ſon, he ſtrengthened the fortifications of Raglan, and garriſoned it with 300 men, afterwards increaſed to 800, maintained at his own coſt, until it was eventually ſurrendered to Fairfax, one of the laſt, if not the very laſt,[1] of the

[1] Pendennis Caſtle is generally ſpoken of as the laſt ; but, according to Sprigge's Anglia Rediviva, it ſurrendered on the 17th, and Raglan on the 19th Auguſt, 1646. He entitles his laſt chapter, "The reduction of Ragland Caſtle and Pendennis," forgetting that in a caſe like this the poſt of honour is in the rear.

the fortreſſes which ſtood for the cauſe of Charles I. Here, after the fatal battle of Naſeby, the unfortunate monarch took refuge, and between the 3rd of July and the 15th of September, 1645, he made three viſits, reſpectively of thirteen, ſix, and eight days' duration. The anecdotes of theſe viſits, and the converſations of the King with his garrulous hoſt, have been worn too threadbare for reproduction. They are all traceable to his chaplain, Dr. Bayly, who, in addition to his book of Apophthegms, publiſhed a work,[1] in which he is ſuſpected of having made an imaginary converſation the vehicle for the promulgation of his own opinions, and which gave riſe to ſome controverſy at the period of its iſſue. The ſiege of Raglan Caſtle was terminated on the 19th of Auguſt, 1646, by a ſurrender to Fairfax, the principal terms of which were that the officers, gentlemen, and ſoldiers of the garriſon, with all other perſons therein, ſhould march out, with their horſes and arms, with colours flying, drums beating, trumpet ſounding, matches lighted at both ends, bullet in their mouths, and every ſoldier with twelve charges of powder, match, and bullet, and bag and baggage, to any place within ten miles of the garriſon, where, in reſpect his Majeſty had no garriſon in England, nor army anywhere within this kingdom and dominion of Wales, their arms ſhould be delivered up to ſuch as his Excellency ſhould appoint to receive them, where the ſoldiers ſhould be diſbanded, and that all, both officers, gentlemen, and ſoldiers, ſhould have the benefit of the articles enſuing, except perſons excepted from pardon and compoſition: and the remaining articles accordingly provide for ſafe conduct and protection, for a limited period, to all perſons comprized in the capitulation. The Marquis marched out accordingly, accompanied by his daughter-in-law, his ſon, Lord Charles Somerſet, who had been conſidered the Governor of the Caſtle, and various other relatives and friends, four colonels, eighty-two captains, ſixteen lieutenants, ſix cornets, four enſigns, four quarter-maſters, and fifty-two eſquires and gentlemen, with all the honours of war, but with little ſecurity for his perſonal ſafety. His immediate arreſt has been repeatedly repreſented, by means of a partial quotation of the articles of ſurrender, to have been a violation of its terms: but vindictive and uncalled for as the meaſure was towards a nobleman, againſt whom, beyond his religion, and the gallant diſcharge of his military duty to the King, no ground of offence

[1] It was entitled Certamen Religioſum, or a Conference between Charles, King of England and Henry, late Marquis and Earl of Worceſter, concerning religion, at his Majeſty's being at Raglan Caſtle, 8vo. London, 1649. Dr. Bayly, if not at this time an avowed Roman Catholic, ſubſequently became one.

offence towards the parliament was ever charged, it muſt be admitted that it was covered by the exception above quoted. It appears from the correſpondence preceding the ſurrender, and which is printed at length in the Anglia Rediviva, of the parliamentarian chaplain, Sprigge (pp. 292 and ſeq., ed. 1647), that the Marquis, from the firſt, underſtood this to be the intention of the terms offered him by Fairfax, who only profeſſed to grant to his lordſhip and family quiet and ſecurity from all violence of any that belonged to him (Fairfax), and urged a preſent ſurrender and ſubmiſſion to the mercy and favour of Parliament, as likely means of receiving the better terms : and when Fairfax was expreſſly aſked whether, if any concluſion ſhould be made, the Marquis would afterwards be left to the mercy of the Parliament, for alteration at their will and pleaſures, he anſwered that he could only give this reſolution, that what he granted he would undertake ſhould be made good. It can ſcarcely be ſaid therefore that there was a breach of faith when the Marquis was arreſted. He was ſent to London, and committed to the care of the Black Rod, in whoſe cuſtody he cloſed his days within a period of four months.

The preciſe day of his death is not known. On the 20th of December, the parliament, which had already ordered the demolition of Raglan, and the confiſcation and ſale of his eſtates, debated the queſtion of allowing, out of the proceeds, £500 for his funeral. A majority of one hundred and ſixty-eight againſt ninety-two determined in favour of this act of munificence, and the Marquis was interred in the Beaufort Chapel, at Windſor (to give it the name it ſubſequently acquired), indebted to the Parliament for what he deſcribed as a better caſtle when he was dead than they had taken from him while he was alive.

There are ſeveral portraits of him. That in the Proceſſion of Queen Elizabeth has been already mentioned. Another, by Faithorne, furniſhes an illuſtration of what is above written as to the promiſe of the Garter. Horace Walpole, in his Catalogue of Engravers, deſcribes it as "Henry Somerſet, Marquis of Worceſter, in armour, with a truncheon :" and ſays he has a proof of it, on which the titles are finely written by Faithorne himſelf; otherwiſe the plate had no inſcription : and in a note he adds :—"This print has the Garter, though it was never given to the Marquis. Probably it was promiſed, and the plate wanting the title looks as if Lord Somerſet died before

before it was finiſhed, and before the promiſe could be completed, through the miſfortunes both of the King and the Marquis. I once took this for a print of his ſon, Edward, and ſo did Vertue; but it is evidently copied from an older print, done when Henry was only Earl, and which has his name, and was ſold by Stent. In that print there is much leſs appearance of a riband—ſo ſmall a bit that it might not be intended for the Garter, and Faithorne, by miſtake, might ſupply the reſt and the George, as he has done" (p. 62, Strawberry Hill ed.). Caulfield's Chalcographiana ſpecifies, among Faithorne's works, a folio print of Edward Somerſet, Marquis of Worceſter, which he values at £28, the name being no doubt a renewal of the miſtake above noticed, Granger having fallen into the ſame error.

CHAPTER X.

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The Cromwells.

THE perſonal hiſtory of the firſt Marquis of Worceſter was more immediately connected with Raglan than with Chepſtow Caſtle, the ſubject of our memoir. The former was defended at the private charge of the Marquis; the latter was garriſoned for the King as part of the general military operations. It was within the command of Lord Herbert, as General of South Wales and Monmouthſhire, and on the 28th of March, 1643, he writes to Captain Thomas Morgan, the captain of the train band at Chepſtow, a letter, preſerved in the Caerleon Muſeum, and given in facſimile in Mr. Lee's Iſca Silurum, directing him to remain there, and not to permit any of the firearms to go out of the town, but to diſpoſe two of the four pieces of ordnance there for the defence of the town of Monmouth. This letter, which is dated from Ragland, and ſigned "Ed Herbert," is particularly mentioned here, becauſe in Mr. Lee's work (p. 121) it is erroneouſly aſcribed, on the authority of Mr. Wakeman, to one Edward Herbert, an active parliamentarian, of Merthyr Gerin Grange in Magor. There was indeed ſuch a perſon, an Independent, deſcribed as Cromwell's right hand, and his tenant of part of the Marquis of Worceſter's confiſcated eſtates: but this letter is clearly written by Lord Herbert, as is evident, not only from its being actually dated from Ragland, but from the compariſon of his handwriting with that given at p. 77 of Mr. Dircks' memoir, and the hiſtorical fact that Chepſtow was not at this date in the poſſeſſion of the roundheads. Monmouth ſurrendered

ſurrendered to the parliamentarians, under Sir William Waller, on the 1ſt of April, and Major Throckmorton was left in command of a garriſon. Thence he brought a party ſhortly afterwards, and took Chepſtow by ſurprize, but in a few hours was ſurprized in his turn, and it was retained by the royaliſts for two years and a half, until, in October, 1645, Colonel Morgan, the parliamentarian Governor of Glouceſter, at the head of three hundred horſe and four hundred foot, and aſſiſted by the mountaineers, made himſelf maſter of the town, and in a few days compelled the Governor, Colonel Fitzmorris, to ſurrender the Caſtle. In May, 1648, Sir Nicholas Kemeys and ſome other gentlemen of the county, by the treachery of an officer of the garriſon, obtained poſſeſſion of the weſtern gate in the night, and, after a ſlight reſiſtance, took the garriſon priſoners, and re-garriſoned the Caſtle, for the King, with one hundred and ſixty men. On the 10th, Cromwell marched againſt it in perſon, from Monmouth, obtained poſſeſſion of the town, and ſummoned the Caſtle to ſurrender; but Sir Nicholas Kemeys refuſed, and Cromwell, being unprovided with artillery, marched weſtwards, leaving Colonel Ewer, with ſeven companies of foot and four troops of horſe, to proſecute the ſiege. The garriſon had refuſed to ſurrender, though their proviſions were exhauſted, hoping to eſcape by means of a boat, which they had provided; but a ſoldier of the Parliamentary army ſwam acroſs the river, with a knife between his teeth, cut the cable of the boat, and brought it away. The further details may beſt be told in the words of Colonel Ewer's report to Parliament, dated the 28th of May, 1648:—"Lieutenant General Cromwell, being to march towards Pembroke Caſtle, left me, with my regiment, to take the Caſtle of Chepſtow, which was poſſeſſed by Sir Nicholas Kemiſh, and with him officers and ſoldiers to the number of 120. We drew cloſe about it, and kept ſtrong guards upon them, to prevent them from ſtealing out, and ſo to make their eſcape. We ſent for two guns from Glouceſter and two off a ſhipboard, and planted them againſt the caſtle. We razed the battlements of their towers with our great guns, and made their guns unuſeful for them. We alſo played with our ſhorter pieces into the caſtle. One ſhot fell into the governor's chamber, which cauſed him to remove his lodgings to the other end of the caſtle. We then prepared our batteries, and this morning finiſhed them. About twelve of the clock we made a hole through the wall, ſo low that a man might walk into it. The ſoldiers in the caſtle perceiving that we were like to make a breach, cried out to our ſoldiers that they would yield the caſtle, and many of them did attempt to come away. I cauſed my ſoldiers to fire at them, to keep them in.

Eſquire

Eſquire Lewis comes upon the wall, and ſpeaks to ſome gentlemen of the county that he knew, and tells them that he was willing to yield to mercy. They came and acquainted me with his deſire, to which I anſwered that it was not my work to treat with particular men, but it was Sir Nicholas Kemish, with his officers and all his ſoldiers, that I aimed at. But the governor refuſed to deliver up the caſtle upon theſe terms that Eſquire Lewis deſired, but deſired to ſpeak with me at the drawbridge, while I altogether refuſed to have any ſuch ſpeech with him, becauſe he refuſed Lieutenant General Cromwell's ſummons. But being over perſuaded by ſome gentlemen of the county that were there, preſently I diſmounted from my horſe, and went unto the drawbridge, where he, through the port hole, ſpake with me. That which he deſired was, that he, with all his officers and ſoldiers, might march out of the caſtle, without anything being taken from them; to which I anſwered, that I would give him no other terms than that he, and all that were with him, ſhould ſubmit unto mercy, which he ſwore that he would not do. I preſently drew off the ſoldiers from the caſtle, and cauſed them to ſtand to their arms; but he refuſing to come out upon thoſe terms, the ſoldiers deſerted him, and came running out at the breach we had made. My ſoldiers, ſeeing them run out, ran in at the ſame place, and poſſeſſed themſelves of the caſtle, and killed Sir Nicholas Kemmiſh, and likewiſe him that betrayed the caſtle, and wounded divers, and took priſoners as followeth, Eſquire Lewis, Major Thomas, Captain Morgan, Captain Buckeſwell, Captain John Harris, Captain Chriſtopher Harris, Captain Mancell, Captain Pinner, Captain Doule, Captain Roſſitre, Lieutenant Kemmiſh, Lieutenant Leach, Lieutenant Codd, Enſign Watkins, Enſign Morgan, with other officers and ſoldiers to the number of 120. Theſe priſoners we have put into the church, and ſhall keep them till I receive further orders from Lieutenant General Cromwell."

About forty of the garriſon, beſide Sir Nicholas Kemeys and the other officer mentioned in Colonel Ewer's report, were ſlain in the aſſault. The breach is ſtated by Mr. Wakeman, from a compariſon of whoſe account with that of Archdeacon Coxe, and the official report, theſe particulars are given, to have been in the curtain wall, between Harry Marten's tower and the next above, and ſtill diſcernible from the difference in the maſonry, where the damage had been repaired. The taking of the caſtle was conſidered by the parliament as ſo important, that the captain who brought the news was rewarded with £50, and a letter of thanks was ſent to Colonel Ewer and the

the officers and ſoldiers engaged in that ſervice. There is a letter from Cromwell to Major Saunders, dated 17th June, 1648, printed in Harris's Life of Cromwell, and reprinted in Noble's Houſe of Cromwell, Williams's Monmouthſhire, and elſewhere, in which he ſays, 'there was plain discovery that Sir Trevor Williams of Langebie was very deep in the plot of betraying Chepſtow Caſtle, and directs the ſeizure of him and of Mr. Morgan, the High Sheriff of Monmouth, expreſſing great anxiety to have his orders carried out.

Oliver Cromwell had more than a public intereſt in all that concerned Chepſtow Caſtle. In the year 1645, the caſtle and park of Chepſtow, with the Chaſe of Wentwood, and other eſtates of the Marquis of Worceſter, the particulars of which we ſhall have to notice preſently, had been confiſcated and ſettled by the parliament on the Lord General, as a reward for his ſervices. In April, 1648, he was in treaty for the marriage of his ſon, Richard, with Dorothy, daughter of Richard Major; and in a letter to his friend, Colonel Richard Norton, who ſeems to have been his negociator in the matter, he writes:—"In point of jointure, I ſhall give ſatiſfaction, and as to the ſettlement of lands given me by the parliament, ſatiſfaction to be given in like manner, according as we diſcourſed . . . . . Truly the land to be ſettled, both what the parliament gives me and my own, is very little leſs than £3000 per annum, all things conſidered, if I be rightly informed. And a lawyer of Lincoln's Inn, having ſearched all the Marquis of Worceſter's writings (which were taken at Ragland, and ſent for by the parliament, and this gentleman appointed by the committee to ſearch the ſaid writings) aſſures me there is no ſcruple concerning the title: and it ſo fell out that this gentleman, who ſearched, was my own lawyer, a very godly, able man, and my dear friend, which I reckon no ſmall mercy. He is alſo poſſeſſed of the writings for me." I would not be underſtood as diſparaging the importance of religious principle, in eſtimating a man's character in any relation of life: but gentlemen, who make what the writer of this letter underſtood by godliness the firſt conſideration in chooſing their lawyers, may chance to find themſelves ſaddled with a bad title. The caſe of Oliver Cromwell was no exception: for his legal friend had made a ſad ſlip, in overlooking two family ſettlements, dated reſpectively the 3rd June, 1627, and 10th November, 1631, by which, while various manors and lands were ſettled on Henry, then fifth Earl of Worceſter, for life, with remainder to his ſon, Edward, in tail, other manors and lordſhips, comprizing the lordſhips of Chepſtow, Barton, and Hardwick, eſtimated in the parliamentary report,

to

to be preſently noticed, at £510 1s. 10d. per annum; the borough of Chepſtow, £68 13s. 8d.; Frith Wood, near Chepſtow, £100; the lordſhip of Tidenham, £356 3s. 11d.; and the ſeignory of Gower, £672 15s. 9d., making a total of £1707 15s. 2d. per annum, all of which formed part of the parliamentary ſettlement on the Lord General Cromwell, had been limited to what were then, and ſtill are, the uſual uſes in ſtrict ſettlement, the effect of which (avoiding technical details) was to give ſucceſſive life eſtates, to Earl Henry and his ſon Edward, with remainder in tail to the latter's ſon, Henry, who, on his grandfather's death, was known by the courteſy title of Lord Herbert. The "delinquency" of the Marquis of Worceſter and his ſon was beyond queſtion, but the young Lord Herbert was only about ſixteen years of age at the time of the confiſcation of his grandfather's eſtates, and, under ſome influence which is ſtill unaccounted for, from the time when he began to take part in public affairs, he eſpouſed the cauſe, in reſiſtance to which his family had made ſuch ſacrifices, and actually ſat in Cromwell's parliament and Council of State, and ſhewed his conformity with the religion of thoſe in power, by attending ſervice in the chapel at Whitehall.

At the death of the firſt Marquis of Worceſter, Cromwell was in full poſſeſſion of Chepſtow and the other eſtates ſettled on him. It does not appear at what period he firſt became aware of the rights of the young heir, the knowledge of which was the ſingle thorn in the bed of roſes provided for the Lord General by the liberality of parliament. We cannot avoid ſuſpecting that he may have had his private reaſons for acquiring a perſonal influence over Lord Herbert, and that ſuch influence, however acquired, may have been connected with his divergence from the principles, as well in religion as in politics, of his father and grandfather. Cromwell is ſaid to have allowed him a liberal income, and was evidently on terms of ſome intimacy with him; for on the 12th of April, 1651, the former writes, from Edinburgh, to his wife:—"My deareſt, beware of my lord Herbert his reſort to your houſe; if he do ſo may occaſion ſcandal, as if I were bargaining with him. Indeed be wiſe. You know my meaning" (Dircks, p. 210). But at this period the diſcuſſion of the queſtion of Lord Herbert's rights, as Cromwell knew, could no longer be poſtponed. The firſt Marquis of Worceſter's eſtates had been confiſcated in 1645; and on the 14th of March, 1648-9, there was a further proſcription, by a reſolution of the Houſe, That Charles and James Stuart, ſons of the late King, and various others, among whom it was reſolved that the Earl

Earl of Worceſter be one (his title of Marquis not being recognized), and all that had been plotting, deſigning, and aſſiſting in the Iriſh rebellion, ſhould die, without mercy, wherever they ſhould be found within the limits of this nation, and their eſtates employed in the uſe of the Commonwealth. A bill was now before parliament for the ſale of the confiſcated but unſold eſtates; and eleven days after Cromwell's letter to his wife a petition from Henry, Lord Herbert, was read to the houſe, and it was "Ordered that it be referred to a committee to conſider what intereſt the petitioner hath in any of the lands, late the Earl of Worceſter's, ſettled by act of parliament on the Lord General, and the value thereof, and to report the whole ſtate of the buſineſs to the parliament, and in caſe they find the petitioner hath any good title to any of the ſaid lands, that then they bring in a proviſo for excepting out of ſale by this act ſo much of the lands of the ſaid Earl, now in the power of the parliament to diſpoſe of, as may be of like value, to be diſpoſed of as the parliament ſhall ſee cauſe." But it would ſeem that a forlorn attempt was made to meet the claim with a charge of delinquency againſt the claimant himſelf; for the appointment of the committee is followed by an order, "That the buſineſs of the delinquency of the Lord Herbert of Raglan, as to the matter of fact, be referred to this committee, to ſend to the commiſſioners at Goldſmiths' Hall for what evidence they have againſt him, and to report the ſtate of the buſineſs touching the delinquency charged on the ſaid Lord Herbert,[1] to the parliament." There is nothing however to connect Cromwell with this attack. The Committee's report ſaid nothing about delinquency, and was in favour of Lord Herbert's reverſionary title to Chepſtow, and the other lands, above mentioned as of the annual value of £1707 15s. 2d., and they alſo reported that certain other eſtates, in the counties of Monmouth, Berks, Weſtmoreland, and Hereford, the annual values of which are particularly ſpecified, amounting together to the ſum of £1700 12s. 10d., were ſettled upon the Earl of Worceſter and the heirs male of his body, with divers remainders over, all which ſaid manors and lands were forfeited for treaſon of the ſaid Earl, and were in the power of the parliament to ſettle or diſpoſe of. The report was diſcuſſed on the 21ſt

[1] It is poſſible that his father may have been the perſon referred to. There could be no doubt that he was Earl of Worceſter; but as he had abandoned that title in his father's life time for that of Earl of Glamorgan, and the parliament did not recogniſe either that title or his father's marquiſate, they ſeem to have occaſionally ſpoken of him as Lord Herbert. In the act quoted below he is referred to as "Edward Lord Herbert, of Ragland, now called Earl of Worceſter." We have noticed that he is ſtyled Earl of Worceſter in the act of proſcription above quoted.

21ſt of May, 1651, when the propoſal to "take into debate the buſineſs of delinquency, concerning the Lord Herbert of Raglan," was negatived, and it was "referred to the commiſſioners for compounding, to proceed touching the point of delinquency charged on the Lord Herbert of Raglan, and give judgment thereon, and to report their judgment and the grounds of it to the parliament forthwith." No trace of ſuch report is found, but its purport may be inferred from the Act for ſale of the forfeited eſtates, which was paſſed on the 16th of July following, and is printed in Scobell's Acts and Ordinances. It provides that "this preſent act . . . . . ſhall not extend to the manor of Pellenny, the manors of Monmouth and Wyſham, the manors of Purcaſſeck and Trellect's Grange, the manors, caſtles, and demeaſns of the manors and caſtles of Griſmond, St. Kenfreth, Monmouth, and White Caſtle, the lands and tenements called Bettus and Perlloyd, all which are in the county of Monmouth, nor to the manor of Crookham, in the county of Berks, nor to the manor of Kendal, in the county of Weſtmerland, nor to the manors of Shobden and Poſton, in the county of Hereford, but that the ſame (the lands reputed parcel of the ſaid manors of Purcaſſeck and Trellect's Grange, or one of them, called Crymlands, formerly granted or intended to be granted in the hereafter mentioned act to Oliver Cromwell and his heirs, only excepted) . . . . . ſhall be and remain, for and during the natural life only of Edward, Lord Herbert, of Ragland, now called Earl of Worceſter, as forfeited unto the Commonwealth, and for and during the life of the ſaid Edward ſhall and may be diſpoſed of by virtue of this act, and immediately from and after the death of the ſaid Edward, or other the determination of that particular eſtate during his life, the ſame ſhall remain and be unto Henry, called Lord Herbert, ſon and heir apparent of the ſaid Edward, and unto his heirs, which ſaid manors and premiſes, eſtimated to be of the yearly value of £1700 12s. 10d., ſhall from henceforth, as a remainder only, and not to take effect in poſſeſſion till after the death of the ſaid Edward . . . . be and remain unto the ſaid Henry, called Lord Herbert, and his heirs, in lieu and recompenſe of all ſuch right, or pretence of right, as the ſaid Henry, called Lord Herbert, hath, or any his heirs or iſſues may have, of, in, or to any the manors, lordſhips, lands, tenements, and hereditaments hereinafter mentioned, that is to ſay, the manors of Chalton, alias Chanton, Clanfield, Catherinton, and Blendworth, in the county of Southampton, ... the advowſons and rights of patronage to the churches of the pariſhes of Chalton, alias Chanton, Clanfield, Catherinton, and Blendworth . . . . . and all other the manors, lands, &c., ... of Henry

Henry, late Earl of Worceſter, Edward, Lord Herbert, Sir Charles Somerſet, and Sir John Somerſet, or any of them, within the ſaid county of Southampton, the manors of Tydenham and Wollaſton, ſituate, lying, and being in the county of Glouceſter, with their and every of their rights, members, and appurtenances, the advowſons and rights of patronage of the churches of the pariſhes of Tydenham, Wollaſton, and Alvington, in the ſaid county of Glouceſter, the ſeveral and free fiſhings and wears in the Rivers of Wye and Severn, in the ſaid county of Glouceſter, the manors and lordſhips of Chepſtow, alias Stragul, alias Struggle, Barton, alias Pentherry, Hardwick, St. Kynmarks, and Crymland, with their and every of their rights, members, and appurtenances, in the county of Monmouth, the advowſons and rights of patronage of the ſeveral churches of the ſeveral pariſhes of Chepſtow, Pentherry, St. Arvans, Newchurch and Lamſham, in the ſaid county of Monmouth, ... the lands, tenements, and hereditaments, called or known by the name of Chepſtow Grange . . . . . in the ſaid county of Monmouth, the lands, tenements, and hereditaments, called or known by the name of Frythewood and Barnets-Wood, ... lying and being in the pariſhes, fields, and territories of St. Arvan, Howick, Newchurch, Chepſtow, and Mathern, ſome or one of them, in the ſaid county of Monmouth, the manors or lordſhips of Magor Regis, Redwick, Moor's Court, Miles Court, Marthering Ringes, alias Marthingeringes, Grange, ... in the ſaid county of Monmouth, the advowſons and rights of patronage to the churches of the ſeveral pariſhes of Magor and Redwick . . . . . and alſo the manors and lordſhips of Anglicana Gower, Wallicana Gower, Swanſey, Kilvey, Supraboſcos, Subboſcos, Oyſtermouth, Pennard, Lougher, Kythal, alias Kitle, Trewithrah, alias Triveday, and Lunnon, alias Ilſton, ... in the county of Glamorgan, and alſo the advowſons and rights of patronage to the churches of the ſeveral pariſhes of Gower and Swanſey . . . . . all which, together with all privileges, powers, freedoms, rights, liberties, and immunities granted, mentioned and expreſſed in one act, made this preſent parliament, entituled,[1] "An Act for ſettling certain manors and tenements upon Oliver Cromwell, Lord Lieutenant of Ireland, and his heirs," are, by authority of this preſent act, diſcharged of all pretence of right, made or to be made by the ſaid Henry, called Lord Herbert, and it is hereby ordained and enacted that the ſaid former act ſtand and be in all things ratified and confirmed, and that the ſaid Oliver Cromwell his heirs and aſſigns, and ſuch perſon and perſons to whom he hath made any conveyance or aſſurance of the premiſes, or any part

[1] I have not found this act in Scobell's Collection.

part thereof, ſince the 7th day of February, A.D. 1645, according to the effect and meaning of ſuch conveyance, ſhall hold and enjoy the manors, lands, tenements, and hereditaments laſt above mentioned, according to the ſaid recited or mentioned act, and with the reſpective diſcharges, advantages, ſavings, and proviſions in the ſaid recited act contained, and further diſcharged of all and every the eſtate, right, title, intereſt, claim, reverſion, remainder, and demand whatſoever of him the ſaid Lord Herbert, or of the heir or heirs of the body, or heirs male of the body, or iſſues of the body, of him the ſaid Henry, Lord Herbert, and alſo diſcharged of all ſuch eſtates, rights, titles, charges, remainders, poſſibilities, expectancies, and demands whatſoever, which he the ſaid Henry, Lord Herbert, by any common recovery duly had againſt him, as tenant or vouchee, or by any other means could, might, or may, or can cut off or bar, in caſe no ſuch forfeiture had been, And that whereas the ſaid Henry, Lord Herbert, hath propounded his readineſs and willingneſs, in reſpect of the ſaid recompence, to do or conſent unto any act for the further aſſuring of the premiſes ſo as aforeſaid ſettled upon the ſaid Oliver Cromwell, and in purſuance thereof he the ſaid Henry, Lord Herbert, hath, by his deed under his hand and ſeal, confirmed the premiſes to the ſaid Oliver Cromwell and his heirs, It is hereby further enacted that the ſame deed of confirmation, according to the purport thereof, ſhall in all things ſtand firm and binding unto the ſaid Henry, Lord Herbert, and his heirs for ever, ſaving to all and every perſon and perſons, bodies politique and corporate, their heirs and ſucceſſors (other than the ſaid Henry, Earl of Worceſter, and Edward, Earl of Worceſter, Sir Charles Somerſet, and Sir John Somerſet) and all and every perſon and perſons having any eſtate in the premiſes hereby ſettled upon the ſaid Lord Herbert, by, from, or under them or any of them, ſince the 20th day of May, A.D. 1641, and other than the eſtate and title accrued to the Commonwealth, all ſuch eſtate, right, title, or intereſt, as they had or might have in the premiſes by this preſent act, ſettled as aforeſaid upon the ſaid Henry, Lord Herbert, as if this act had not been had or made."

The Lord General Cromwell was thus left in undiſturbed poſſeſſion of his eſtate. It appears from a ſubſequent report of the Committee, if read in connection with other proceedings of Parliament in 1646 (ſee Dircks, pp. 193, 205), that Lord Herbert's reverſionary right extended to certain houſes and lands in London, Weſtminſter, Stepney, and Acton of the eſtimated annual value

value of £786, which had been ſold by Parliament to William Pennoyer and Richard Hill for £12584 12s. od.: and it was probably in relation to this property that Lord Herbert, on the 30th of October, 1651, preſented another petition, the purport of which is not ſtated, but which was "referred to the former committee, to conſider of the buſineſs, and if they ſhould find the petitioner had juſt title to the land, to preſent ſome lands to the Parliament, for the petitioner's ſatiſfaction, in conſideration thereof." The reſult was a recommendation, ultimately carried out, which was, in effect, that Lord Herbert ſhould purchaſe from the Parliament, his father's confiſcated life intereſt in the lands in the counties of Monmouth, Berks, Weſtmoreland, and Hereford, forming the eſtates already mentioned as valued at £1700 12s. 10d., by releaſing his reverſionary intereſt in the lands ſold to Pennoyer and Hill, and paying to the truſtees for ſale of delinquents' lands the ſum of £800, whereupon the lands already ſettled upon him in reverſion, and in which he thus acquired an abſolute intereſt, were delivered to him accordingly in immediate poſſeſſion. Some years later the Marchioneſs of Worceſter and her two daughters petitioned parliament for the uſual allowance for their maintenance out of the confiſcated eſtates: but the tedious proceedings, which reſulted in a grant to her of Worceſter Houſe, in the Strand, have no connection with Chepſtow, and not ſufficient with the perſonal hiſtory of its owner to be worth narrating here. The nomination of the young Lord Herbert as a member of the Council of State in November of the ſame year will be noticed when we come to ſketch his perſonal hiſtory. It is alluded to here that the reader may draw his own concluſion as to the poſſible connexion of the events which have juſt been related with the appointment of a Councillor ſo inexperienced in affairs of ſtate to ſhare in the government of a great nation. It ſhews how potent was the influence of Cromwell at a time when, except as having command of the army, he occupied no oſtenſible poſition of authority in the State.

"SHALL Cromwell have a ſtatue?" is a queſtion which has been long ago decided in the affirmative, and the fact of his having lived and died the de facto poſſeſſor of Chepſtow Caſtle admits of no more queſtion than that of his having been Chief of the State. His perſonal hiſtory is too cloſely connected with that of his country to require any notice here; but, as one of the Lords of Striguil, we muſt record his arms—Sable, a lion rampant Argent. Theſe were his paternal arms. The mongrel device, in which they are

are borne as an inescutcheon on a quarterly shield consisting of the crosses of St. George and St. Andrew, treated as armorial bearings, and, as such, quartered with the heraldic harp of Ireland, is more properly the arms of the Commonwealth, though ignorantly used at the Protector's funeral impaled with his wife's arms.

His death on the 3rd of September, 1658, and the feeble tenure by his son Richard Cromwell, for a few troubled months of what can scarcely be called power, are matters of general history. The son's Protectorship *in name* continued till the 25th of May following, but it ceased *in fact* on the 22nd April, when he dissolved his parliament at the dictation of the army and its leaders, and took steps for the reassembling of the remains of the Long Parliament, expelled by Cromwell in 1653. Among the demands made by the army upon the parliament, within a week after its reassembling, was "the payment of all debts contracted by His Highness, *the late* Protector (meaning Richard, whose deposition is thus treated as an accomplished fact), or by his father, since 1653 (the date of the establishment of the Protectorate), the settlement of an annual revenue of £10,000, with a suitable house, on Richard Cromwell and his heirs for ever, together with a further sum of £10,000 a year to him for life, and £8,000 a year to his honourable mother during her life, to the end a mark of the high esteem this nation hath of the good service done by his father, our ever renowned general, may remain to posterity." Two members were deputed by the house to induce Richard Cromwell to leave Whitehall, and to execute a formal submission to the authority of parliament. Through them, and as the result of their negociations, he submitted a general statement of his affairs, reprinted in Noble's Memoirs of the House of Cromwell (i, 443), and elsewhere, from the Journals of the House. The Protector's real estate, exclusive of Dalby, Broughton, and Gower, settled upon Henry Cromwell, on his marriage, and Newhall, settled as security for his sister's marriage portion of £15,000, is stated to consist of Chepstall (of the annual value of £549 7s. 3d.), Magore, Tydenham, Woolaston, Chaulton, Burleigh, Okham, and Egleton (the annual value of each of which is given, but not necessary to be here particularized) and making an aggregate of £4117 12s. 4d., out of which there were payable an annuity to his mother of £2000, and other annuities to the amount of £818, leaving him a nett income of £1299 12s. 4d., incumbered with debts contracted by himself, in his father's lifetime, to the amount of £3000. The eventual arrangement made by parliament was to discharge the debts

debts of Oliver Cromwell, and other debts contracted by his ſon on the public account, to the amount of £29640, and to grant to Richard an annuity of £8700 for life, to be proportionately abated as the jointures and annuities ſhould fall in. The declared object of the arrangement was to make up to him, with his own property, a clear income of £10000, ſubject only to his private debts: and the figures ſhew that this is done within a few ſhillings. The only purpoſe for which it is noticed here is to ſhew his continued poſſeſſion of Chepſtow, which he no doubt retained until the Reſtoration of Charles II. re-inſtated its rightful owner. With that event the perſonal hiſtory of Richard Cromwell ceaſes to be connected with the Annals of Chepſtow Caſtle, and it is unneceſſary to follow him in his twenty years of exile and ſubſequent reſidence in England, in not undignified obſcurity, until his death on the 13th July, 1712, in the 86th year of his age.

CHAPTER XI.

The Restored Family of Somerset.

THE neceſſity for poſtponing to this place what further we have to ſay of Edward, ſecond Marquis and ſixth Earl of Worceſter, and giving his hiſtory piecemeal in three ſeparate chapters of our memoir, is in character with the diſjointed condition of the times. We have already traced his birth, marriages, and the ſtate of his family at the outbreak of the civil war. It remains to notice the remarkable part he played in the crooked policy of that troubled period, and the mechanical genius, which, if his name had never been heard of in the cabinet or the field, would have entitled him to be ſpoken of as the moſt remarkable man of his race.

His education was commenced under a private tutor at Raglan, and completed by a courſe of travel in Germany, France, and Italy, and perhaps by ſtudy at a foreign univerſity. From the firſt the bent of his genius was towards mathematical and mechanical ſtudies; and caſual phraſes in his "Century of Inventions" indicate that the works of the Italian engineers had not been loſt upon his obſervation. The idle ſtory, which, while doing juſtice to the claims of the ſecond Marquis of Worceſter to the invention of the ſteam engine, attributes it to his chance obſervation, while a priſoner in the Tower, of the power of ſteam in raiſing a pot lid, has been exploded by Mr. Dircks, who has ſhewn how mechanical inventions in general, and the "Water-commanding Engine" in particular, had been the ſtudy of the Marquis's

Marquis's life. Appliances for the raiſing of water held a very prominent place in the mechanical ideas of the age, not only in reſpect of their direct utility in ſupplying water for conſumption and ornament, and draining mines and fens, but as means of procuring a motive power—the idea of applying direct to other purpoſes the power deviſed for raiſing the water being a ſimplification more obvious to us than to our anceſtors. From the period of his marriage, in 1628, Lord Herbert ſeems to have been reſiding at Raglan: and to this period Mr. Dircks adduces reaſons for aſſigning his engagement of Caſpar Kaltoff, a Dutch practical mechanic, to aſſiſt in his purſuits. With his aſſiſtance there is evidence of a ſyſtem of water-works having been eſtabliſhed at Raglan, for the ſupply of a fountain ſtanding in what is ſtill known as the Fountain Court. Whether the water was raiſed by means of appliances which formed the germ of the ſteam engine is a moot point. On the north face of the Citadel, or Tower of Gwent, there are ſtill remaining a ſeries of perpendicular grooves, communicating with chambers in the wall, of which an elevation is given in Mr. Dircks's work, and which he conſiders may have encloſed pipes and boilers, conſiſtent with the deſcription given of the Marquis's invention. Mr. Clark, in ſome obſervations on the caſtle, printed in the Archæological Journal (xxviii, 332), expreſſed his opinion that they were intended only to receive the frames of two drawbridges, when not in action, and ſtated that there were grooves preciſely ſimilar to be ſeen in the citadel at Verona, into which the drawbridges for carriages and foot paſſengers were ſtill occaſionally raiſed. In deference to the opinion of ſo competent an authority on caſtellated architecture, the point muſt be conſidered open; but it would be ſatiſfactory to have an elevation of the wall at Verona, as diſtinct as Mr. Dirck's of that at Raglan, to enable us to judge of the alleged preciſe ſimilarity, and a drawing of the bridge apparatus itſelf, ſo as to account for the poſition of the particular chambers and grooves. Thoſe at Raglan extend to a height of forty-ſix feet, to which ſurely no drawbridge would be raiſed. That there was machinery of ſome deſcription for raiſing water to the top of this tower is evident by a comic incident related by Dr. Bayly, and quoted by Mr. Dircks, as having occurred at the beginning of the Long Parliament:—"Certain ruſtics came into Raglan Caſtle to ſearch for arms, his lordſhip being a papiſt." The Marquis ſtood on his privilege as a peer of the realm, and eventually ſo prevailed that "they were at laſt willing to take his word; but he not wiſhing to part with them on ſuch eaſy terms, had before reſolved to return them one fright for another. With that

view

view . . . . . he brought them over a high bridge, that arched over the moat that was between the caſtle and the great tower, wherein the Lord Herbert had newly contrived certain water works, which, when the ſeveral engines and wheels were to be ſet going, much quantity of water, through the hollow conveyances of the aqueducts, was to be let down from the top of the high tower, which upon the firſt entrance of theſe wonderful aſinegoes[1] the Marquis had given order that theſe cataracts ſhould begin to fall, which made ſuch a fearful and hideous noiſe, by reaſon of the hollowneſs of the tower, and neighbouring echoes of the caſtle, and the waters that were between and round about, that there was ſuch a roaring as if the mouth of hell had been wide open, and all the devils conjured up, occaſioning the poor ſilly men to ſtand ſo amazed as if they had been half dead, and yet they ſaw nothing. At laſt, as the plot was laid, up came a man, ſtaring and running, crying out 'Look to yourſelves, my maſters, for the lions are got looſe.' Whereupon the ſearchers tumbled ſo over one another, eſcaping down the ſtairs, that it was thought one half of them would break their necks, never looking behind them until out of ſight of the caſtle." About the year 1638, Lord Herbert exhibited to Charles I. and his court, with many perſons of diſtinction, including two foreign ambaſſadors, a machine, ſet up in the Tower of London, for exhibiting ſelf-motive power, or, in other words, perpetual motion, a problem which the mechanics of thoſe days looked upon as an object of poſſible attainment. At this period Caſpar Kaltoff appears to have been in his ſervice, ſomewhere in London, and though Mr. Dircks has failed to pierce the obſcurity in which the ſubject is involved, he ſhews ſome grounds for ſuppoſing that years before the Civil War broke out, Lord Herbert had, at his own expence, ſet up an eſtabliſhment, carried on under the charge of Kaltoff, in premiſes at Vauxhall let for that purpoſe by the King, and which by ſome means was kept on foot during the Commonwealth. On this eſtabliſhment he declared, in a petition, in the year 1663, he had expended £9000 in building, beſide upwards of £50,000 in trying experiments and concluſions of arts. It is odd that the mechanics, while allowing the chymiſts to uſurp the ſole uſe of the word Laboratory, have no name for an analogous eſtabliſhment for carrying on their own purſuits. Why ſhould they not revive the ſecond Marquis of Worceſter's term, and call it an "Operatory"?

HENCE

[1] Aſinego—a young aſs—Portugueſe. "Thou hast no more brains than I have in my elbow: an aſinego may tutor thee." Shakeſpeare's Troilus and Creſſida, ii., 1.

THESE mechanical purſuits were rudely interrupted by the outbreak of the Civil War, in which we have ſeen how prominent a poſition he at once took in military affairs. It cannot be ſaid that his military career was a ſucceſs. The various operations in which he was concerned, though ſpoken of in high ſounding terms in his patent of nobility, made little figure in hiſtory; and the force of 1500 foot and 500 horſe, which his father's generous loyalty had placed under his command, came to an unfortunate end, in the year 1642, by being ſurprized, and ſurrendering without a blow to Sir William Waller, who had croſſed the Severn at a point which it would have been eaſy to guard, and 1300 foot and three troops of horſe were led priſoners into Glouceſter. This diſaſter occurred while Lord Herbert was abſent from his command, being with the King at Oxford. Such at leaſt is the account of Clarendon (Hiſt. of the Rebellion, ii, 287, ed. 1732) and he is more likely to have been well informed on the ſubject than the Parliamentarian May, who, in his Hiſtory of the Parliament (ch. iv, p. 203, reprint of 1812), ſpeaks of Lord Herbert as having been in command, and ſays he eſcaped by flight and got to Oxford. He ſubſequently raiſed another regiment of foot and ten troops of cavalry at his father's expence, and at his own ſupplied with arms and horſes the greater part of a troop of Life Guards, conſiſting of 120 noblemen and gentlemen of rank. The reaſons for and againſt the employment of Lord Herbert in ſo prominent a military poſition are canvaſſed at length by Clarendon, at the page laſt cited. After alluding to the emulations and diſſentions of families, he ſays, "It was to be hoped that the old grudges and prejudices, which had been rather againſt the houſe of Worceſter and the Popiſh religion profeſſed there than againſt the perſon of this lord, would have been compoſed and declined by his fair and gentle carriage towards all men, as in truth he was of a civil and obliging nature." He is ſpoken of, in the ſame page, as "a man of more than ordinary affection and reverence to the perſon of the King, and one who, he was ſure, would neither deceive nor betray him. For his religion, he might work upon himſelf, but could not diſquiet other men, for though he were a papiſt, he was never like to make others ſo, and his reputation and intereſt was very great with many gentlemen of thoſe counties who were not at all friends to his religion."

BUT the principal part played by Lord Herbert in the Civil War was as the ſecret emiſſary of the King. It is time to notice his famous patent as Earl of Glamorgan, and his miſſion to the Pope's Nuncio and the Iriſh Roman Catholics

Catholics, with a commiſſion containing the moſt extraordinary powers ever delegated by Engliſh ſovereign to ſubject, including the filling up of blank patents of creation to every dignity from a Marquis to a Baronet, conſtituting him generaliſſimo of three armies, Engliſh, Iriſh, and Foreign, and Admiral of a fleet at ſea, and promiſing him the title of Duke of Somerſet and the hand of the Princeſs Elizabeth for his ſon in marriage, with a portion of £300,000. The commiſſion was dated 1ſt April, 1644, and addreſſed to him as "Edward Somerſet, alias Plantagenet,[1] Lord Herbert, Baron Beaufort, of Caldicote, Griſmond, Chepſtow, Ragland, and Gower, Earl of Glamorgan." A bill of that date, under the royal ſign manual, for creating him Earl of Glamorgan and Baron Beaufort, is ſaid by ſome modern writers to be ſtill remaining in the Signet Office, but others have failed on search to find it, and it seems very doubtful, after the inveſtigations of Sir Harris Nicolas, whether the patent paſſed the Great Seal. It was not even recorded in the Docquet book of Grants made by the King at Oxford. What we have to ſay as to the ſuppoſed limitations of it will be more fitly deferred to a future page. There is ſome diſlocation in the order of documents, and conſequent confuſion, in Mr. Dircks's narrative, from want of attention to the diſtinction between the civil and hiſtorical years (of which we had an illuſtration in his date of the death of the fourth Earl); but it would appear that the Earl of Glamorgan did not go to Ireland (if he went at all that year) till ſome months after the date of his firſt commiſſion—returned to the King about the end of the year—and in January, February, and March, 1644-5, received freſh inſtructions, commiſſions, and promiſes. He was authorized to levy any number of men in Ireland or elſewhere, and to "treat and conclude with the confederate Roman Catholics, if, upon neceſſity, any be to be condeſcended unto, wherein our Lieutenant cannot ſo well be ſeen in, as not fit for us at preſent publicly to own." "Therefore," continues the document, "we charge you to proceed according to this our warrant with all poſſible ſecrecy, and for whatſoever you ſhall engage yourſelf, upon ſuch valuable conſiderations as you in your judgment ſhall deem fit

[1] The higheſt grade in the peerage, and that too under the title borne by Henry Beaufort, the father of his anceſtor the firſt Earl of Worceſter, was indeed a prize: but the attributing to him under the form of an alias, the ſurname of Plantagenet, which had not only never been acquired by reputation by the family of Somerſet, but from which even the Beauforts had been jealouſly reſtricted, leſt their limited legitimation by parliament, as the iſſue of John of Gaunt, ſhould form a pretext for pretenſions to the throne, was a compliment, which, to many perſons, would have been too fulſome to be acceptable.

fit, we promiſe, on the word of a King and a Chriſtian, to ratify and perform the ſame." And in another document of this period, under his private ſignet, the King writes :—" So great is the confidence we repoſe in you, as that whatſoever you ſhall perform, as warranted under our ſign manual, pocket ſignet, or private mark, or even by word of mouth without further ceremony, we do, on the word of a King and a Chriſtian, promiſe to make good, to all intents and purpoſes, as effectually as if your authority from us had been under the Great Seal of England, with this advantage, that we ſhall eſteem ourſelf the more obliged to you for your gallantry in not ſtanding upon ſuch nice terms to do us ſervice, which we ſhall, God willing, reward. And although you exceed what law can warrant, or any powers of ours reach unto, as not knowing what you have need of, yet, it being for our ſervice, we oblige ourſelf not only to give you our pardon, but to maintain the ſame with all our might and power. And though, either by accident, or by any other occaſion, you ſhall deem it neceſſary to depoſit any of our warrants, and ſo want them at your return, we faithfully promiſe to make them good at your return, and to ſupply anything wherein they ſhall be found defective, it not being convenient for us at this time to dispute upon them : for of what we have here ſet down you may reſt confident, if there be faith and truſt in men. Proceed therefore cheerfully, ſpeedily, and boldly ; and for your ſo doing this ſhall be your ſufficient warrant."

We muſt cut ſhort the narrative of his miſſion. After delays occaſioned by the veſſel in which he embarked from Wales being driven by ſtreſs of weather on to the coaſt of Lancaſhire, where the Earl and his companions were arreſted by the parliamentary officers, but made their eſcape; he arrived in Ireland in the ſpring or ſummer of 1645, and opened negociations with the Nuncio and the Supreme Council ſitting at Kilkenny, and eventually concluded an arrangement with them, which, from his point of view, may have ſeemed to be for the intereſt of his country, but which happily failed of effect. The Roman Catholic Archbiſhop of Tuam being ſlain in an encounter with the garriſon of Sligo, there was found in his baggage an atteſted copy of the treaty between the Earl of Glamorgan and the Supreme Council, a papal bull, and correſpondence between the Archbiſhop and his agents at Rome, Paris, and elſewhere : and, that nothing might be wanting to make the expoſure complete, a packet-boat from Ireland being boarded at Padſtow by Sir Thomas Fairfax, a packet of papers was thrown overboard, but recovered by the parliamentary commander, containing the Earl's own correſpondence and the Articles of Agreement

Agreement under his hand and ſeal. On the 26th of December he was arreſted, in Dublin, and committed to the caſtle on a charge of high treaſon by the Marquis of Ormond, the Lord Lieutenant, whom the King, in purſuance of his crooked policy, had deceived as to the extent of Glamorgan's powers. The King utterly diſavowed his proceedings "on the word of a Chriſtian," thanked Ormond for his ſervice, and added, "Albeit I have too juſt cauſe, for the clearing of my honour, to command, as I have done, to proſecute Glamorgan in a legal way; yet I will have you ſuſpend the execution of any ſentence againſt him until you inform me fully of all the proceedings; for I believe it was his miſguided zeal, more than any malice, which brought this great miſfortune on him and on us all." The King's own letter was ſo craftily worded that it may be read as not expreſſly diſavowing the commiſſion, but only the extent or meaning of the powers contained in it; but he allowed his ſecretary to write to Ormond, on the following day, a letter, in which he ſays, "The King hath commanded me to advertize your lordſhip that the patent for making the said Lord Herbert, of Raglan, Earl of Glamorgan is not paſſed the Great Seal here, ſo as he is no peer of this kingdom, notwithſtanding he ſtyles himſelf, and hath treated with the rebels of Ireland, by the name of Earl of Glamorgan, which is as vainly taken upon him as his pretended warrant, if any ſuch be, was ſurreptitiouſly gotten." And yet the King, the very day before, in his letter to the Marquis of Ormond, had ſpoken of his agent as "Glamorgan," and three days later, and on many ſubſequent occaſions, addreſſed him by that title. The Earl was the beſt abuſed man in the three kingdoms. The roundheads regarded him as the guilty tool of the deſperate King, while the proteſtant royaliſts could look with ſcarcely more favour on a compact between him and his coreligioniſts to ſacrifice the Proteſtant eſtabliſhment, as the price of aſſiſtance from the Pope and foreign powers; and even the Roman Catholics were ready to throw upon him the blame of deluding them with empty promiſes. Nor has hiſtory done much more juſtice to the unfortunate Earl of Glamorgan, one ſet of writers not ſcrupling to charge him with the actual forgery of the document produced in ſupport of the powers he aſſumed, while others regard him as the innocent but incompetent dupe of a faithleſs ſovereign. The truth probably lies between the two ſtatements—admitting the authenticity of the documents, and that every ſtep taken by the Earl of Glamorgan was fully authorized by the King, it muſt be remembered that the Earl was playing for a great ſtake—and loſt. If he ſucceeded, he was to gain rank, honours, wealth, royal alliances, all that a grateful ſovereign could deviſe to reward his ſervices.

ſervices. If he failed, it was part of the compact that he ſhould submit to be diſavowed and repudiated, but ſaved, ſo far as the King had power to ſave him, from actual puniſhment. And, to this extent, the compact was performed ; for, on grounds which never came to light, he was releaſed from cuſtody on the 21ſt of January, on giving up to the Lord Lieutenant the treaty ſigned by the confederated Roman Catholics, and giving bail for his appearance when called upon. Even after this he continued his confidential correspondence with the King, and his negociations with the Nuncio and confederated Roman Catholics, until the immediate object in view in raising forces—the relief of Cheſter—failed by the surrender of that city.

He was ſtill in Ireland at the period when his father's death raiſed him to the dignity of Marquis and Earl of Worceſter. He left it, in March, 1647, for Paris, where he remained in exile and poverty until, in 1652, we find him again in London. It is not known on what grounds for expectation of impunity the proſcribed Marquis ventured to ſet foot on his native ſhores, where the parliament declared that if found he ſhould die without mercy, or what was the errand which induced him to incur the riſk. Some writers allege a ſecret miſſion from the exiled prince, and others the ſtate of his own private affairs. That the latter is the more probable ſtatement is ſhewn by his allegation in four ſeparate petitions to the Council of State, abſtracted in the Calendar of State Papers, Domeſtic ſeries, and noticed below, that he had voluntarily ſubmitted himſelf to the Commonwealth. Poſſibly his mind, releaſed from cares of ſtate, turned with redoubled eagerneſs to his mechanical projects, and the deſire of re-viſiting the Operatory at Vauxhall had become irreſiſtible. The parliament, in an act of 1649, for the ſale of the property of the late King, had excepted the houſe called Vaux Hall, and the grounds, houſes, buildings, models, utenſils, and other neceſſaries for practical inventions therein contained, and provided that they ſhould remain, for the uſe of the Commonwealth, to be employed and diſpoſed of by the parliament, as they ſhould think fit : and a letter of Milton's friend, Samuel Hartlib, quoted by Mr. Dircks (p. 266) mentions that it was ſet apart as a place of reſort for artiſts, mechanics, &c., and a depôt for models and philoſophical apparatus, and for carrying on experiments and trials of profitable inventions, and that it had been deſigned by the late King for ſuch uſe. In 1652, however, the parliament determined on its ſale, and it was accordingly ſold to John Trenchard, of Weſtminſter. It was in the ſame year that we find the Marquis of Worceſter viſiting England.

His

His hopes of impunity, so far as his liberty was concerned, were doomed to disappointment. He was soon arrested, and on the 28th of July, the House resolved, that the Earl of Worcester do stand committed to the Tower of London, in order to his trial, and that it be referred to the Council of State to consider in what way the Earl of Worcester may be tried, and who hath harboured him, and to consider all the circumstances in his business, and to report their opinion thereon to the House on Friday morning next. No steps seem to have been taken towards his trial. In December, 1652, he presented a petition to the Council of State, in which he is described as a prisoner in the Tower, and represents the calls made upon him by his brewer, baker and cook, and that his keeper had not received a penny for lodgings or fee. The prayer of his petition is a curious one. It is for a grant of such concealed debts as are not yet discovered or recovered by the state in consideration of his voluntary coming in, his ingenious[1] answer, and submissive compliance. On the 13th January, 1653, in another petition to the same body for competent maintenance for himself and family, he says that had he been taken in arms he and his family would not have been left without bread; but he had submitted voluntarily, and had lived in imprisonment six months on credit, which was hourly likely to fail; and his wife had neither jointure nor maintenance. Again, on the 22nd of March, he prays for an allowance, having submitted voluntarily, and been eight months without maintenance. On the 31st of the same month, he prays them for release on bail for his good behaviour and submission to the present government. He thanks the Council for their charitable intentions for his subsistence, yet finds the presentation of his condition obstructed by multiplicity of affairs, and is out of hope to be relieved. On the 14th of May, being a fortnight after Cromwell's *coup d'etat*, the Earl of Worcester, as he is styled throughout these proceedings, writes to him a letter, abstracted in the same calendar, in which he says, "The obstacle which hindered many of your laudable intentions for the common welfare being now, by God's goodness and your unparalleled endeavours, removed, I doubt not of redress and really to receive what the late Council of State put me in hopes of. No subject in England has been so hardly dealt with; but having recourse to the fountain-head of mercy and nobleness, whose chrystaline waters may now run without interruption: my heart is elevated with hopes." On the 10th of June, the new Council of State directed

[1] The meaning is of course "ingenuous," but at this period the words were used indiscriminately.

directed the Commiſſioners of Goldſmith's Hall to order the allowance of £3 per week, to be paid for the ſubſiſtence of the Earl of Worceſter, priſoner in the Tower, weekly or otherwiſe, as the Earl ſhall deſire. And on the 14th, the Earl writes to Cromwell, expreſſing his thanks, and acknowledgment of perſonal obligations, of which his daughter had informed him. In Auguſt, 1653, he preſented a petition to Parliament for his releaſe, which was definitely refuſed on the 3rd of October; but another petition, in October of the following year, was more ſucceſſful. It was urged in his favour that he was an old man, and had lain long in priſon; and the ſmall-pox then raging under the ſame roof where he lay, and that he had not done any actions of hoſtility, but only as a ſoldier, and in that capacity had always ſhown civilities to the Engliſh priſoners and proteſtants. It was ordered that he ſhould have his liberty, for the preſent, upon bail. From a warrant iſſued by Cromwell, dated 26th June, 1655, and printed from the Patent Book in Mr. Dircks's Appendix F., ordering the Commiſſioners of the Treaſury to pay to the Earl the weekly allowance of £3, theretofore charged on the treaſury at Goldſmiths' Hall, with arrears from the 8th day of January preceding, up to which date the treaſurers of Goldſmiths' Hall had certified the ſame to have been ſatiſfied, it may be inferred that the Earl's impriſonment had ceaſed on or about the laſt named date. Even before his releaſe from the Tower, he appears to have been in treaty with Trenchard for the purchaſe of the premiſes at Vauxhall; but whether ſuch purchaſe was made, and whether in his own name, or that of Caſpar Kaltoff, is not very clear. Some ten years later, there was a royal warrant (printed in Mr. Dircks's Appendix from the Calendar of State Papers), directing enquiries by whom the ſeveral rooms were then poſſeſſed; and particularly what belonged to the Marquis of Worceſter, what to Gaſpar Collthoff, late deceaſed; and what their reſpective intereſts in the engines, tools, &c., remaining in that place. But the conflict of intereſts probably aroſe out of arrangements made ſubſequent to the Reſtoration, under which Kaltoff was employed in the making of guns and divers engines and works for His Majeſty's ſervice.

Released from the Tower, the whole energies of the Marquis of Worceſter were directed to his mechanical inventions, and eſpecially to the perfecting of his "Water-commanding Engine," from which, with all the enthuſiaſm of a projector, he anticipated the reſtoration of his fallen fortunes. In vain he ſought interviews with Cromwell, or even his ſecretary Thurloe, declaring, in terms which, to the diſcredit of his political conſiſtency, have been erroneouſly ſuppoſed

ſuppoſed to have had reference to affairs of ſtate, his ability to do His Highneſs more ſervice than any one ſubject of his three nations. The "Century of Inventions" was not printed till the year 1663, but it bears evidence on its title of having been produced in 1655; and in the meantime it had been freely circulated in manuſcript. Its title is, "A Century of the names and ſcantlings of ſuch inventions as at preſent I can call to mind to have tried and perfected, which (my former notes being loſt) I have, at the inſtance of a powerful friend,[1] endeavoured now in the year 1655, to ſet theſe down in ſuch a way as may ſufficiently inſtruct me to put any of them in practice." In the dedication to this work, in its publiſhed form, he ſpeaks of "the unparalleled workman, both for truſt and ſkill, Caſpar Kaltoff, who hath been, theſe five and thirty years, as in a ſchool, under me employed, and ſtill at my diſpoſal, in a place by my great expences made fit for public ſervice, yet lately like to be taken from me."

The Reſtoration at length offered a gleam of hope to the ſtruggling Marquis, but while all ranks and parties in the nation were giving way to a tranſport of new-found loyalty, he, almoſt alone among thoſe whoſe fidelity to his maſter's houſe had never wavered, found himſelf an object of general ſuſpicion. One of the firſt acts of the reaſſembled Houſe of Lords was to appoint a committee to conſider the Marquis of Worceſter's patent, alleged to be a prejudice to the peers, and on the 23rd Auguſt, 1660, the committee reported, "that the Marquis of Worceſter confeſſed to their Lordſhips that a patent was made and left in his hands by the King, to create him Duke of Somerſet, upon certain conditions which never yet were performed—that he made no uſe of it—that the ſaid patent is in the hands of his ſon, the Lord Herbert, and his lordſhip is willing to deliver it up to His Majeſty." A meſſage was accordingly ſent to the Houſe of Commons, of which Lord Herbert was a member, and eventually it was reported that the patent had been given up to His Majeſty. There are ſome circumſtances connected with this patent, which ſtill baffle attempts at explanation. It was promiſed to the Earl of Glamorgan in the King's extraordinary commiſſion of 1ſt April, 1644 (Dircks, p. 71): and in a letter, dated the 12th of February, 1644-5, the King, in ſending further deſpatches for Ireland, writes, "What I can further think at this point is to ſend you the Blue Ribbon, and a warrant for the title

[1] Probably Col. Chriſtopher Copley, of whom, and his connection with the Marquis, particulars are given in Mr. Dircks's work and its Appendix.

title of Duke of Somerſet, both which accept and make uſe of at your diſcretion: and if you ſhould defer the publiſhing of either for a while, to avoid envy and my being importuned by others, yet I promiſe your antiquity for the one and your patent for the other ſhall bear date with the warrants" (Dircks, p. 74): and yet there is among the Badminton MSS. (Dircks, p. 104) a warrant, addreſſed "to our Attorney or Solicitor General for the time being," dated at Oxford, the 6th of January, in the 20th year of our reign (1644-5), for a bill conferring the ſame dignity of Duke of Somerſet on the Earl's father, Henry, Marquis of Worceſter: and at p. 162, Mr. Dircks prints the introductory portion of a document which he calls "the original patent," endorſed, "1646, 21 Charles I, creation of Edward, Earl of Glamorgan, Duke of Somerſet and Beaufort," and ſtated to be "ſtill exiſting at Badminton," whereas the patent by which that title was conferred, whatever may have been its date, was, as we have ſeen, given up to the King on the Reſtoration.

The "obnoxiouſneſs of his religion," as he found to his coſt, not only deprived him of court favours and public employment, but even of common juſtice from the new Parliament. The order for the reſtoration of his unſold eſtates and ſtay of waſte was accompanied by a ſaving clauſe in favour of his ſon, whoſe poſition at this period ſeems to have been one of hoſtility to the Marquis; but we will poſtpone, for the preſent, the notice of this ſubject. With more juſtice the act which was eventually obtained for reſtoring him to his eſtates was oppoſed by his creditors, and was clogged with proviſions for their benefit. The vaſt ſums expended by both the firſt and ſecond Marquiſes in the royal cauſe had neceſſarily been raiſed on the ſecurity of their intereſts in the ſettled eſtates of the family, and whatever claim for reimburſement the Marquis had upon the reſtored monarchy, his creditors had a right to look to him in the firſt inſtance; but the reſult was that even the reſtitution of his eſtates left him a ruined man, overwhelmed with debts from which he never was able to extricate himſelf. In a petition from his wife to the Houſe of Lords, ſo late as 1666-7, ſhe declared that, although the Marquis had paid above £50,000 of his debts, there remained ſo many that his eſtates was all ſeized on by his creditors, upon judgments, ſtatutes, and recognizances, inſomuch that he was deprived of his whole eſtate, and nothing left for his and her ſupport and maintenance. Whether this reſtitution by Act of Parliament was accompanied with the ſame ſaving clauſe in favour of Lord Herbert as the reſolutions of the Houſe of Lords is immaterial to our purpoſe, as

as it did not affect Chepſtow and the other eſtates which had been enjoyed by Cromwell, and which had neceſſarily been dealt with in the General Act of Attainder, 12 Chas. II., ch. 30. That act accordingly contained a proviſo veſting in the Marquis of Worceſter and Lord Herbert, for ſuch eſtates as they formerly had in the ſame reſpectively, all the manors, lands, &c., which at any time theretofore had been the property of them or the late Marquis, or any of them, wherein the ſaid Oliver Cromwell, or any other the perſons attainted by that act, had, or claimed, or pretended to have any eſtate or intereſt, notwithſtanding any conveyance or aſſurance theretofore made or acknowleged by the ſaid Edward, Marquis of Worceſter, and Henry, Lord Herbert, or either of them, unto the ſaid Oliver Cromwell. Even before the introduction of the reſtoration bill, the Houſe of Lords, "upon information given that Elizabeth Cromwell, widow, the relict of Oliver Cromwell, Richard Cromwell, Eſquire, and Henry, Lord Herbert, had many deeds, evidences, and writings belonging to the Lord Marquis of Worceſter," ordered the delivery to his Lordſhip of "all ſuch deeds, evidences, conveyances, court-rolls, ſurveys, patents, fines, recoveries, rentals, plate, papers, memorials, and writings whatſoever;" and the very deeds held by Cromwell are now in the muniment room at Badminton (Dircks, pp. 238, 247).

I know not under what arrangement with the Government Chepſtow Caſtle was uſed for public purpoſes. In Cromwell's time it had ſerved, for ſome months, about the end of the year 1656, as the place of impriſonment of Jeremy Taylor (Bonney's Life of Taylor, pp. 247, 252): and after the Reſtoration it received a leſs illuſtrious occupant, in the perſon of Harry Marten, the regicide, whoſe impriſonment here has attracted more than its ſhare of notice, in conſequence of the fooliſh lines written by Southey in his days of republicaniſm and pantiſocracy, but which are as untrue in fact as they are miſchievous in ſentiment. As to the fact, it is notorious that Marten, at all events after the firſt few years of his impriſonment, was little more than a priſoner on parole, allowed to viſit the neighbouring gentry, and occupying at Chepſtow Caſtle, with his family and ſervants, ſpacious and comfortable apartments in the tower which ſtill bears his name. As to the ſentiment, the lines received their beſt antidote in the clever parody of Canning and Frere, in the Anti-Jacobin. A royal garriſon was maintained here, until the commencement of the laſt century, which, in 1695, conſiſted of one captain, one lieutenant, two ſergeants, three corporals, one drummer, one gunner, and ſixty-two rank and file.

Among

Among all his troubles and anxieties the Marquis never deſponded. He had one great reſource, in which, even as regards its pecuniary reſults, he had unbounded confidence—his Water-commanding engine. He ſaw in proſpect, only leſs diſtinctly than we can ſee with the experience of the nineteenth century, the amazing revolution to be effected by the diſcovery of a new motive power. He overlooked, or wilfully ſhut his eyes to, what, if his invention had been far more perfect than we have any reaſon to ſuppoſe it to have been, muſt have been inſuperable impediments to its commercial ſucceſs within his own lifetime—the ſlow growth of thoſe manufacturing reſources neceſſary for carrying his ideas into practical effect—his own pecuniary poſition—and the prejudices which impede, and in thoſe days ſtill more impeded, the bringing of new inventions into general uſe. All this he might have foreſeen; but he could ſcarcely have been expected to realize the cold indifference with which even the leaders of ſcience in England would ſhut their eyes to the practical demonſtration of the ſoundneſs of his views, or, if they condeſcended to notice them at all, would, with Dr. Hook, laugh at his invention, as one of the perpetual motion fallacies with which he had amuſed Charles I., and the foreign miniſters before the commencement of the Civil War. To his ſanguine mind all that ſeemed wanting was the Patent Act, by which the fruit of all his ſtudy was to be ſecured to him. The obtaining of this was more to him than titles or recovered eſtates, and he waited in eager expectation for the time, when—to uſe his own words, in a letter to the Earl of Lauderdale (Dircks, p. 223)—"with ſecurity and ſatiſfaction by act of parliament, he might put in practice the greateſt gift of invention for profit that he ever yet heard of vouchſafed to a man, eſpecially ſo unworthy and ignorant" as, with conventional modeſty, he avowed himſelf to be, and which, in a "Definition" encloſed in the ſame letter, he deſcribed as "a moſt admirable and moſt ſtupendous invention, through the providential diſpenſation of the Almighty God's infinite mercy and goodneſs found out and perfected by the ſole expences, ingenuity, knowledge, and mathematical inſight of the Right honourable Edward Somerſet, Marquis of Worceſter, and by his lordſhip deſervedly termed, and pithily defined to be, An Imperial or a Water-commanding engine, boundleſs for height and quantity, and requiring no external, nor even additional help or force, to be ſet or continued in motion, but what intrinſically is afforded from its own operation, nor yet the twentieth part thereof." His bill was read the firſt time in the Lords on the 16th of March, 1662-3. It was intituled "An Act to enable Edward, Marquis of Worceſter, to receive the benefit and profit of a Water-commanding

commanding engine, by him invented, one tenth part whereof is appropriated for the benefit of the King's Majeſty, his heirs and ſucceſſors." On the terms indicated by its title, it ſecured him the monopoly for a term of ninety-nine years. In the Commons, Lord Herbert had influence enough to procure the inſertion of a proviſo ſecuring to himſelf the benefit of the invention after the death of the Marquis; and of the bill, ſo amended, he took charge, and carried it to the Lords, and the act received the royal aſſent on the 12th of May. Of his own eſtimate of the pecuniary value of the right ſo conferred upon him, the Marquis gave a practical indication, in gladly purchaſing the King's tenth ſhare by giving up to him in exchange a warrant from Charles I, granting him lands to the amount of £40,000 in conſideration of a debt to that amount.

In this notice of the famous Marquis of Worceſter, it need ſcarcely be explained how much we have been indebted to the exhauſtive memoir of Mr. Dircks, from whoſe views there has not been much occaſion to differ. There is one point which he does not notice, but which is only too evident from the documents he prints—that in the latter years of the Marquis's life, the accumulation of his anxieties muſt have overturned the balance of his mind. In what other way is it poſſible to account for a ſpeech, prepared for delivery in the Houſe of Lords, ſubmitted previouſly to the King's approbation, and printed at p. 320 of Mr. Dircks's volume? The ſpeech expreſſes his gratitude to the lords for the paſſing of the Patent Act—gives them a narrative of his parentage, education, ſufferings, and ſervices—gives a detailed ſtatement of his loſſes and expenditure in the cauſe of Charles I., which, by means partly of ſtatements of actual ſums expended, and partly of eſtimates in very round numbers, he makes to amount to £918,000—and he proceeds to make a number of the moſt extravagant propoſals, among which are, to raiſe at his own expence an auxiliary troop of a hundred cavaliers, each to keep a ſervant with a led horſe, as well as his own, of the value of £100 apiece, and each to furniſh and lodge in ſtore arms for 100 men, ſo as to arm 10,000 men when occaſion might require—to endow, from the profits of the Water-commanding engine, a daily ordinary, with wine and meat, for forty indigent officers—to make four cauſeways, of two miles in length, at four of the principal approaches to the City—to erect, and endow with £500 a year each, a hoſpital and houſe of correction at the end of each cauſeway, "this pious work to begin within two years, and to be finiſhed within seven"—and to allot "£1000 a year for ten

ten years from Michaelmas come twelvemonth" towards the building of St. Paul's—and all this by a ruined man, deſcribing himſelf as wanting bread, and giving practical evidence of his pecuniary difficulties by obtaining loans of ſmall ſums, varying from £20 to £200. On the ſame grounds there ſeems reaſon to doubt the accuracy of ſome of the ſtatements made by him on other occaſions, as, for inſtance, that his father's rental, at the commencement of the Civil War, amounted communibus annis to £35,000, which is probably an exaggeration of about fifty per cent., and that he himſelf had received a legacy of £200,000 in caſh from his grandfather.

THE Water-commanding engine was ſet up at the Operatory, in Vauxhall, where it was publicly exhibited for at leaſt ſeven years, ſeen and admired by intelligent foreigners, and laughed at, without examination, by Dr. Hook. It was announced in pamphlets and poſting bills, and attempts were made to form a public company for carrying it into practical effect—but all without ſucceſs. The age of promoters and financial agents had not yet arrived, and neither the Marquis nor any one belonging to him ever received benefit to the amount of a ſingle ſhilling from his great invention. Unſucceſſful as a commander, as a diplomatiſt, and as a projector, he failed even in obtaining from poſterity that appreciation of his labours, which would have reſulted from a deſcription of his invention ſufficient to identify it with machines better known in the hiſtory of the ſteam-engine.[1] The ambiguous terms which he intentionally uſed in reſpect of all his projects in what he called "A Century of the Names and Scantlings of Inventions" does not anſwer this purpoſe; and his deſign "to leave to poſterity a book, wherein, under each of theſe heads, the means to put in execution and viſible trial all and every of theſe inventions, with the ſhape and form of all things belonging to them, ſhould be printed by braſs plates," was fruſtrated by his death. Overwhelmed with debt, neglected at court, defrauded by his family, regarded by men of ſcience as a dreamer, and by the public as a plotting papiſt, he ſank into his grave on the 3rd of April, 1667. The very place of his death is unknown. Probably it was at or near his Operatory, in Vauxhall. His burial was at Raglan Church, where his name and titles (important in relation to the queſtions above noticed) are thus recorded:—"Depoſitum illuſtriſſimi principis Edwardi, Marchionis

[1] For the proof of this identity, and of the extent to which Savery and other inventors have been indebted to the Marquis of Worceſter, we muſt refer to Mr. Dircks's work, in which the ſubject is thoroughly inveſtigated.

Marchionis et Comitis Wigorniæ, Comitis de Glamorgan, Baronis Herbert, de Raglan, Chepſtow, et Gower, nec non Sereniſſimo nuper Domino Regi Carolo primo South-Walliæ Locumtenentis: qui obiit apud Londinum, tertio die Aprilis, A.D. 1667."

His wife ſurvived him. Her faith in the Water-commanding Engine was almoſt equal to his own. An illuſtration of the manner in which it was regarded by the reſt of the world is afforded by a letter from her confeſſor, printed in Mr. Dircks's Appendix, in which he tells her ſhe is diſturbed and weakened in her judgment, and in danger to loſe the right uſe of her reaſon, by (among other things) attempting to get great ſums of money from the King to pay her deceaſed lord's debts, and "enriching herſelf by the great machine;" and recommends to her a reſidence at Hammerſmith, where ſhe may have the advice and directions of a learned prieſt. He was neither the firſt nor the laſt to make a miſtake as to what conſtitutes an act of inſanity; and he may have had better reaſons for his opinion as to the ſtate of the unhappy lady's mind; for in 1678 ſhe was the ſubject of a commiſſion of lunacy.

Of Henry, third Marquis of Worceſter, hitherto ſpoken of as Lord Herbert, we have had a good deal to ſay by anticipation. His birth, deduced from the age recorded on his monument, muſt have been in or about the year 1629.[1] What little is known of the circumſtances attending his entry into public life depends mainly on the not very truſtworthy authority of one Nathan Rogers, a local attorney engaged in the cauſe of the freeholders of Wentwood, in their reſiſtance to the encloſure of portions of Wentwood Chace, and who wrote a ſmall volume in furtherance of his object, entitled Memoirs of Monmouthſhire, 12mo., London, 1708. "About this time," he ſays (no time, however, having been mentioned except by reference to Cromwell's keeping up the encloſure of Chepſtow Park under his grant from the Parliament), "the Lord Herbert, being bred a papiſt and ſent into France, came over, and made his court to Oliver Cromwell, but was firſt adviſed to ſhow himſelf in Whitehall chapel, that he was conformable to the religion then in faſhion, and then was introduced by Col. Philip Jones to kiſs the Protector's hand, who [*i.e.* Lord Herbert] afterwards became his convert, and a great favourite, had £2000 per annum given him, and lodgings aſſigned him at Whitehall. 'Twas credibly reported that

[1] This aſſumes that the date of his death, there recorded as 21ſt January, 1699, is according to the civil and not the hiſtorical reckoning.

that that Lord did inſtigate Oliver to cut and deprive the tenants of the wood." The Colonel Philip Jones here ſpoken of represented Monmouthſhire in the Long Parliament, and was eventually a member of Cromwell's "Other Houſe." There are liſts of the members of the various Commonwealth Parliaments, in a tract in the Britiſh Muſeum, entitled "Names of the Members of Parliaments, &c.," 4to., Lond., 1654 (King's Pamphlets, 104, a. 8) in which the name of Henry Herbert, Eſquire, appears as member for Monmouthſhire on 27th May, 1652, being eleven months before Cromwell's *coup d'etat* in diſperſing the Rump. If there be no miſtake as to the identity of the individual ſo named—and it has never been queſtioned—there need be no doubt as to his having at a ſtill earlier period, the 24th November, 1651, when he cannot have been of riper age than in his twenty-third year, been nominated as a member of the Council of State for the fourth year after the eſtabliſhment of the Commonwealth. This was fully two years before Oliver could be deſcribed as "the Protector." The name of Henry Herbert, Eſq., appears in the liſt of the Council, as given in Maſſon's Life and Times of Milton (iv., 354), though it will have been obſerved that in the Act of Parliament of only four months previous, for carrying out the tranſaction as to the Chepſtow and other eſtates, he is properly deſcribed as "Henry, called Lord Herbert." His Councillorſhip will account for his having lodgings aſſigned him at Whitehall. He was not a member of the fifth and laſt Council of State elected by the Rump, the members of which are alſo named by Profeſſor Maſſon, and he was not ſubjected to the indignity of being ſummoned to Barebone's Parliament, 8th June, 1653, in which ſtands the name of Philip Jones, Eſquire, alone. In the Parliament which met on the 3rd of September, 1654, Lord Richard Cromwell, Philip Jones, and Henry Herbert appear as the repreſentatives of Monmouthſhire. In this Parliament Clarendon ſays, "ſtrict order was given that no perſon who had ever been againſt the Parliament during the time of the Civil War, or the ſons of any ſuch perſons, ſhould be capable of being choſen to ſit, nor were any ſuch perſons made choice of" (Hist. of the Reb., iii., 647, ed. 1733)—which is improved by Rapin (ii., 593, Tindal's Trans., ed. 1733) into a ſtatement that "in the writs for the election of members there was a ſtrict order not to elect any perſons, or their ſons, who had borne arms for the King, and this was punctually obeyed." There is, however, no ſuch direction in the writ, as printed in the tract among the King's Pamphlets cited above; and Lord Herbert's election, though his name appears as plain "Henry Herbert," is an anſwer to the entire ſtatement, ſo far as this Parliament is concerned;

concerned; but there was ſome ſuch proviſion in the Act for the Diſſolution of the Long Parliament, paſſed on the 16th March, 1659-60, accompanied, however, with an exception in favour of thoſe who had given ſubſequent manifeſtation of their good affections; an exception of which, in due time, Lord Herbert had the benefit. A curious illuſtration of his political influence is noticed in the Calendar of State Papers (Domeſtic Series). A petition to Parliament from the Counteſs of Worceſter, of the probable date of December, 1652, is endorſed with a note that "ſhe is not the mother of the young Lord Herbert."

On the 17th of Auguſt, 1657, he married Mary, daughter of Arthur, Lord Capel, who loſt his head in the royal cauſe, and widow of Henry Seymour, Lord Beauchamp, who was nephew of Robert Devereux, Earl of Eſſex, the Parliamentary General. The marriage was before a Juſtice of the Peace for the pariſh of St. Clement Danes, Middleſex, whoſe certificate, ſtill preſerved at Badminton, is printed by Mr. Dircks. The recourse to the republican mode of contracting the matrimonial engagement was voluntary. It had been inſtituted by an Ordinance of Barebone's Parliament, 24th Auguſt, 1653, which did indeed provide that no other marriage after 29th September, 1653, ſhould be held or accounted a marriage; but an Ordinance of 1656 (ch. 10), which repeals all acts and ordinances between 20th April, 1652, and 17th September, 1656, except ſuch as are therein ſpecified, while confirming the laſt marriage Act, excepts and repeals the clauſe making all other marriages void. Lord Herbert's marriage muſt therefore be taken as another indication of his opinions, and his entire abandonment before this date of the religion in which he had been educated—and in this caſe the evidence is independent of the teſtimony of Mr. Nathan Rogers.

A remarkable rearrangement of parties took place on the fall of Richard Cromwell and the reſtoration of the Rump. The Oliverians proper, and thoſe who had ſupported the ſucceſſion of the Protector's ſon deſiring to ſee the Government carried on under the auſpices of "a Single Perſon," and the Preſbyterians, who, having refuſed to concur in the trial and execution of Charles I., had thenceforth been excluded from participation in public affairs by the *coup d'etat* known to hiſtory as Pride's Purge, now began to form a party known as the New Royaliſts, ſome of whom avowedly aimed at the reſtoration of the Stuarts, and others purſued the oſtenſible object of "a full and

and free Parliament," which evidently pointed to the ſame reſult. To this party Lord Herbert adhered; and conſequently, though, as we have ſeen, he had been a member of the Rump, we do not find his name among thoſe who ſat in it on its reſtoration in 1659, and of whom a liſt, compiled from various ſources, is given in Maſſon's Life and Times of Milton (v, 453). On the contrary, he was one of thoſe concerned in the royaliſt plot of the ſame year, which, though intended to break out ſimultaneouſly throughout the kingdom, reſulted only in the riſing of Sir George Booth in Cheſhire. The whole details of the plot were known to the Government; and Lord Herbert, who with Major General Maſſey was to have led the movement in Glouceſterſhire and the adjoining counties, was arreſted and committed to the Tower. This arreſt is evidently the affair referred to in a letter from Lord Herbert to his wife bearing no other date than "Aug. the 20th," but which Mr. Dircks, who prints it at p. 233 of the Life, erroneously aſſigns to the period of 1660-1. In this letter he ſays, "I was laſt night examined, and am now in the Tower. I have already ſo well ſatiſfied you of my innocence that I am ſure my being lodged here cannot fright you, neither can I imagine my reſtraint ſhould be long, for I think I only owe it to my Lordſhip." The latter words might have ſatiſfied Mr. Dircks that the letter could not have been written after the Reſtoration. Lord Herbert had been more deeply implicated, and was in greater danger, than he choſe to diſcloſe to his wife; but eventually the hopeful anticipations which he expreſſed to her were realized, in conſequence of the parties in power not thinking it prudent to puſh matters to extremities; and Lord Herbert, along with Lords Northampton, Falkland, Howard, and others, was releaſed from cuſtody on the 1ſt of November following (See Maſſon's Life and Times of Milton, v, 505).

Lord Herbert ſat in the Convention Parliament, which met on the 25th of April, 1660, under the auſpices of General Monk, to carry out the foregone concluſion of reſtoring Charles II., and was one of the twelve Commiſſioners of the Houſe of Commons, who, with ſix of the Peers, were deputed to attend the King at Breda. The influence of which the Marquis of Worceſter was deprived by his religion ſeemed by common conſent to have devolved on his ſon, and was exerciſed, ſo far as we have the means of judging, little to the advantage of his unfortunate father. So early as the 9th of June, 1660, we find the latter, in a letter to Lord Chancellor Clarendon, alluding to his ſon the Lord Herbert's underhand working by falſe ſuggeſtions (Dircks, p. 236), which throws light on the fact, already noticed, that an order of the Houſe of Lords obtained

obtained on the 20th of June for poſſeſſion of the Marquis's unſold eſtates and ſtay of waſte was on the 11th of September qualified by a proviso that it was not to extend to any manors or lands ſold unto or enjoyed by Henry, Lord Herbert, ſon and heir apparent of the ſaid Marquis. Of all the acts of injuſtice committed (ſome of them unavoidably) on the Reſtoration, this was one of the moſt iniquitous and the moſt wanton. Many of the acts of reſtitution were ſurrounded with difficulties, and the general queſtion of the confiſcated eſtates was one of the moſt perplexing attending the reſtoration of the monarchy. The caſe of thoſe who, unmixed with politics and political offences, had inveſted hard caſh in purchaſes from the *de facto* Government on the faith of a ſuppoſed parliamentary title, admitted of much being ſaid in their defence. But what had Lord Herbert given for the eſtates for the retention of which he obtained the ſhield of parliament againſt their rightful owner? Nothing but the releaſe of a reverſionary eſtate, from which he could derive no benefit in his father's lifetime, and a ſum of £800 paid for equality of exchange, in return for which he had been for nine years in poſſeſſion of an eſtate of £1700 a year, which did not belong to him, and in reſpect of which, if juſtice had been done, he would have been compelled to account to the Marquis of Worceſter.

By aſſigning its true date to his letter announcing his arreſt and committal to the Tower we have removed the only ſhadow of a ground for ſuppoſing Lord Herbert to have been under any cloud ſubſequent to the Reſtoration. He was from the firſt, in high favour at court, and was appointed Lord Lieutenant of Glouceſterſhire. In 1661, he was one of the Commiſſioners for Monmouthſhire and Glouceſterſhire for diſtributing the funds voted by Parliament for the relief of indigent commiſſion officers; and in September, 1663, he had the honour of entertaining the King and Queen at Badminton, which he had acquired by deviſe from his half couſin, Elizabeth, daughter and heireſs of Thomas, Viſcount Somerſet of Caſſel, and which has ever ſince been the principal ſeat of the family.

During his father's lifetime he ſeems to have borne no other title than that of Lord Herbert. The Earldom of Worceſter would not, according to the uſual practice, furniſh a courteſy title, being derived from the ſame place as the Marquiſate; but it may be aſked why he was not ſtyled Earl of Glamorgan, which down to modern times has been the title accorded to the eldeſt ſons of the titular Marquiſes of Worceſter, heirs apparent to the Dukedom of Beaufort.

During

During the Commonwealth Lord Herbert was not likely to uſe a title which would not have received recognition from his republican friends; and he might not chooſe to make the Reſtoration the occaſion for abandoning that by which he was known; but it is remarkable that the Earldom of Glamorgan is not even included in the ample record of titles on his monument, or on his ſtall-plate in St. George's Chapel, though included in the titles attributed to his father on his tomb at Raglan. A partial explanation of the anomaly is ſuggeſted by a royal warrant granted by Charles II. to John Granville, recently created Earl of Bath, in which the King, after reciting that Earl's deſcent from Robert Fitz-Hamon, the firſt Norman Lord of Glamorgan, promised that in caſe the Earldom of Glamorgan ſhould fall to the crown during his reign for want of heirs of the Marquis of Worceſter "by his Lady now living, as we are informed, the ſame is ſettled by our royal father," he would grant it to the Earl of Bath. Mr. Courthope, in a note to the Hiſtoric Peerage (s. v. Glamorgan), ſays this was an erroneous recital of the limitations of the patent. On what grounds he came to that concluſion does not appear, as the patent itſelf is not forthcoming; but if it was correctly recited, Lord Herbert never was heir apparent to this Earldom, and it became extinct on the grantee's death in 1667, as he had no iſſue by his ſecond wife except a daughter who died in infancy. The reaſons for ſuch a limitation would not be difficult to conjecture. A title which in the courſe of nature would, in a very few years, merge in the older Earldom of Worceſter and the Marquiſate would have been but an empty dignity; whereas an Earldom which would deſcend to the iſſue of the grantee's ſecond wife would be deemed a ſpecial mark of diſtinction by her Iriſh relatives, with whom he was about to place himſelf in communication on the King's affairs. But, on the other hand, the fact that the title was never conferred on the Earl of Bath, and the ſubſequent uſe of it by the Somerſet family, both in the aſſumption of courteſy titles and in ſeveral of their garter-plates down to 1801, indicate ſome foundation for Mr. Courthope's note. In April, 1667, as we have ſeen, the death of his father gave Lord Herbert the title of Marquis and Earl of Worceſter; and the eſtates acquired by him from Cromwell's Parliament became then, if not before, reunited with the other family poſſeſſions, which, with ſubſequent accumulations derived from grants from the crown and alliances with noble families have ſince accompanied his titles.

In 1672, he was appointed Lord Preſident of Wales; and on the 30th of June in the ſame year was inſtalled Knight of the Garter, his plate (the 14th of

of the 8th ſtall) being inſcribed, "Du tres noble et puiſſant prince, Henry, Marquis et comte de Worceſter, baron Herbert, ſeigneur de Ragland, Chepſtow, et de Gower, preſident du conſeil en la principauté de Galles, conſeiller d'eſtat et privé, et chevalier du tres noble ordre de la jartiere, enſtallé au chaſtiau de Windeſore, le troiſieme jour de Juin, 1672." By this time the influence of Cromwell, or whatever elſe it was which had made him a republican and puritan, had been effectually diſpelled. The diary of Anthony Wood, under date of 26th November, 1677, ſays, "Charles Lord Herbert, eldeſt ſon of Henry, Marquis of Worceſter, was matriculated as a member of Ch. Ch. Ætat. 16, natus Lond. I ſet this down here becauſe the father and anceſtors were all catholics; but becauſe the mother is a preſbyterian, a Capel, ſhe, againſt the father's will as tis ſaid, will have him bred up a proteſtant, ſo that by this change the catholics will loſe the conſiderableſt family in England, and the richeſt ſubject that the King hath." Anthony Wood was ſurely miſtaken; but his ſuppoſing the Marquis of Worceſter to be a catholic ſhews how completely his early career was forgotten, even when the religion of his wife was ſpecially remarked upon. The diariſt, however, was not ſingular in his impreſſion. At that period a man's religion was too readily inferred from his politics; and the Marquis's conduct in relation to the Excluſion Bill laid him open to much ſuſpicion. On the 4th of January, 1680-1, the Houſe of Commons paſſed a reſolution that all perſons who adviſed his Majeſty to inſiſt on an opinion againſt the bill for excluding the Duke of York had given pernicious counſel to his Majeſty, and were promoters of popery and enemies to the King and kingdom; and they reſolved to preſent an addreſs praying him to remove from his perſon and counſels five perſons named, of whom the Marquis of Worceſter was one (Tindal's Rapin, ii, 719, ed. 1733). The addreſs was calculated to increaſe rather than diminiſh his favour at court.

On the 2nd of December, 1682, he was raiſed to the dignity of Duke of Beaufort. The Dukedom of Somerſet, the prize ſet before the ambition of his father, had ſlipped out of the graſp of the Somerſet family. After the extinction of the Beauforts, it had been the ſubject of three ſucceſſive creations, the laſt of which, in the family of Seymour (deſcendants of the St. Maurs whom we had occaſion to mention in connexion with Gilbert Marſhal's invaſion of the Manor of Undy, and who were long ſettled at Undy and Penhow), reſulted in forfeiture on the attainder of the Protector Somerſet, in the reign of Edward VI. His grandſon, William Seymour, Marquis of Hertford, had the ſtrongeſt intereſt

intereſt in the cancellation of the Earl of Glamorgan's ducal patent; and, this obſtacle being removed, the attainder of the Protector Somerſet was reverſed, and the Dukedom of Somerſet reſtored to the Seymour family. The Dukedom of Beaufort, however, now for the firſt time created, was a title almoſt equally ſuggeſtive of the connection of the Somerſets with the legitimated deſcendants of John of Gaunt.

On the acceſſion of James II., the Duke of Beaufort was continued in the office of Lord Preſident of Wales, and made a progreſs to his ſeat of government, with unwonted magnificence, the particulars of which are printed, from a contemporary manuſcript, in Clive's Documents connected with the hiſtory of Ludlow. He was alſo Lord Lieutenant of Glouceſterſhire, Monmouthſhire, and Herefordſhire, and of the county of the city of Briſtol. In the laſt-named capacity he took up ſo firm an attitude during the Duke of Monmouth's rebellion, muſtering twenty-one companies of foot, and declaring his determination to ſet fire to Briſtol in caſe of any riſing in the city, that Monmouth changed the direction of his march, and brought his enterprize to a diſaſtrous termination on the plain of Sedgmoor. In the Revolution of 1688, the Duke of Beaufort took an active part on behalf of King James. He put himſelf at the head of his militia, and is mentioned as having intercepted Lord Lovelace, and taken him priſoner, near Cirenceſter, on his march towards Exeter to join the Prince of Orange. He alſo prepared to defend Briſtol, but was compelled to ſurrender it to the Earl of Shrewsbury. "The power of Beaufort," ſays Macaulay (Hiſt. of Eng., ch. v, vol. i, p. 588, ed. 1856), "bore ſome faint reſemblance to that of the great barons of the fifteenth century. He was Preſident of Wales and Lord Lieutenant of four Engliſh counties. His official tours through the extenſive region in which he repreſented the majeſty of the throne were ſcarcely inferior in pomp to royal progreſſes. His houſehold at Badminton was regulated after the faſhion of an earlier generation. The land to a great extent round his pleaſure grounds was in his own hands, and the labourers who cultivated it formed part of his family. Nine tables were every day ſpread under his roof for two hundred perſons. A crowd of gentlemen and pages were under the orders of his ſteward. A whole troop of cavalry obeyed the Maſter of the Horſe. The fame of the kitchen, the cellar, the kennel, and the ſtables was ſpread over all England. The gentry many miles round were proud of the magnificence of their great neighbour, and were at the ſame time charmed by his affability and good nature. He was a zealous cavalier of the old ſchool. At

At this criſis, therefore, he uſed his whole influence and authority in ſupport of the crown." His adherence to the cauſe of High Church and Divine Right, and the terms in which he is ſpoken of by the brilliant but inaccurate hiſtorian juſt quoted, are in ſtrange contraſt with the commencement of his political career; but we do not know enough of the influences to which he was from time to time ſubjected to enable us to form a fair eſtimate of his conduct. In the Houſe of Lords, he was one of the minority who voted in favour of a regency inſtead of offering the crown to the Prince of Orange; and on the Revolution being accompliſhed, he declined to take the oath of allegiance to the new ſovereign, and retired into private life.

WHAT more remains to be told of him will be found inſcribed on a coſtly and elaborate monument, in the peculiar taſte of the period of its erection, in the Beaufort Chapel, at Windſor, but which has recently been removed to Badminton, to admit the alterations neceſſary for the erection of a monument to the memory of Her Majeſty's father, the Duke of Kent:—"Sub hoc marmore conquieſcit, annorum et titulorum ſatur, Henricus Somerſet, Dux de Beaufort, Marchio, et comes de Vigorniâ, Baro Herbert de Chepſtow, Raglan, et Gower, e nobiliſſimo ordine periscelidis eques: excellenti animo ac virtute vir; qui ſingularis prudentiæ laudem cum inſigni juſtitiæ gloriâ conjunxit; et illuſtriſſimæ suæ familiæ non modo fortunas, a perduellibus everſas, in integrum reſtituit, ſed et antiquos honores feliciter ampliavit. Neque tamen rei privatæ ſtudio intentus defuit publicæ: erat enim idem, regnante Carolo et Jacobo II. concilii in principatu Wallenſi præſes; comitatuum civitatumque Glouceſtriæ, Herefordiæ, Briſtollii, Monumethiæ, necnon totius Walliæ præfectus; arcis Sancti de Briavel caſtellanus, et ſaltus de Deane cuſtos principalis, civitatum inſuper Glouceſtriæ et Herefordiæ, municipiorumque Malmſburii, Teuxburii, et Andoveri ſeneſchallus: quin et utrique Carolidum, quibus intemeratâ ſemper fide adhæſit, a camerâ et a conſiliis ſanctioribus. Conjugem unicam atque unice dilectam habuit, Mariam honoratiſſimi Arthuri domini Capel filiam natu maximam; ex quâ progenſem ſatis numeroſam ſuſcepit; V filios, Henricum dominum Herbert, hic juxta ſepultum: Carolum, de Vigorniâ Marchionem; Henricum et Edwardum præmaturâ morte abreptos; Arthurum dominum Somerſet; IV filias, Elizabetham, tenerâ ætate mortuam; Mariam, Oſmondiæ duciſſam; Henriettam, dominam de Obrien; Annam Coventriæ comitiſſam. Hoc marmor cariſſimo viro dominoque poſuit ſuperſtes et mærens duciſſa; cui, poſt annos xliii ſuaviter in conjugio actos, triſte ſui deſiderium reliquit ſenex ſeptuagenarius Jan. 21, A.D. MDCXCIX.

A RECORD

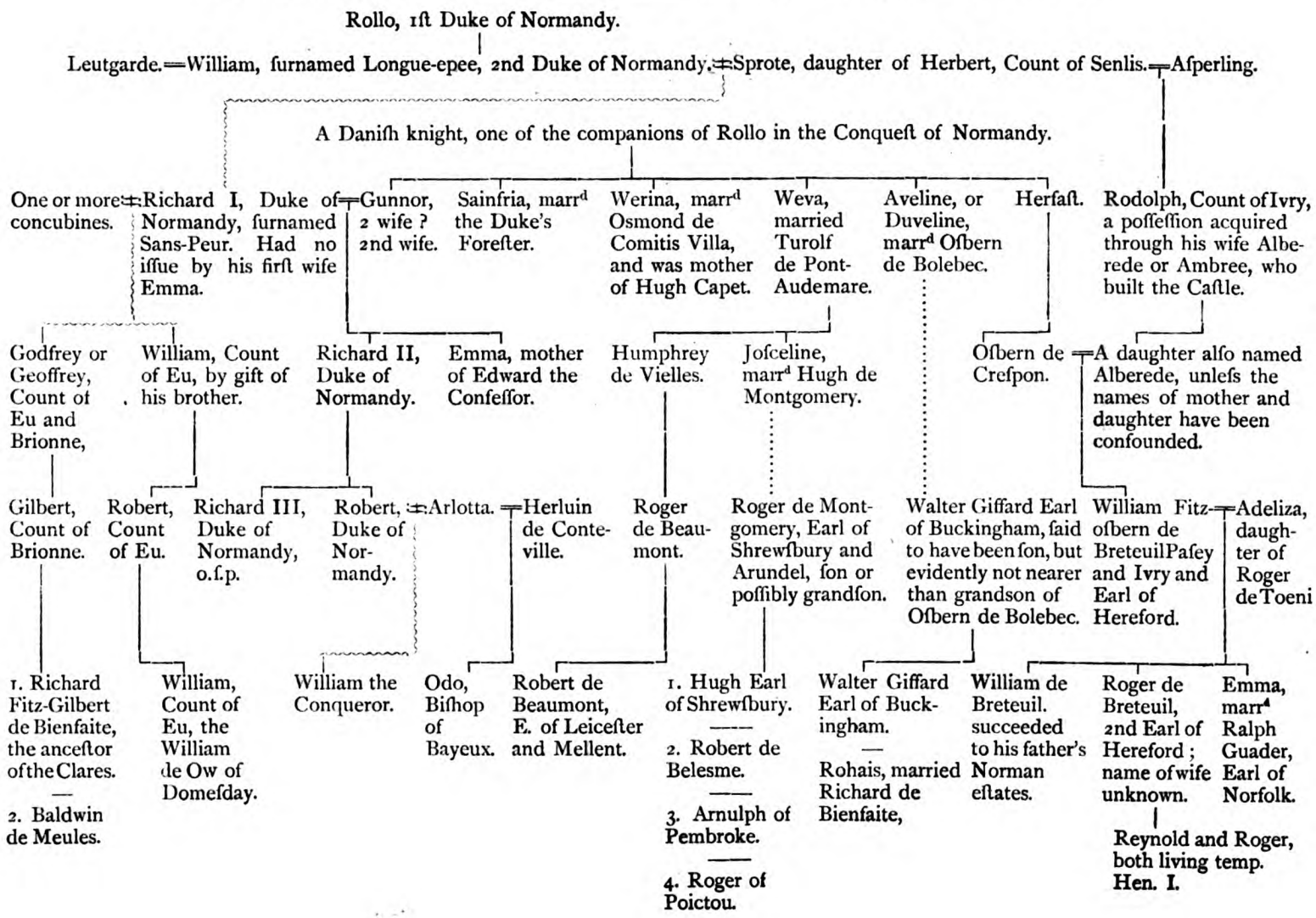
A RECORD of ſimilar titles and events would have been the ſtaple of our narrative, if we had determined to continue it to the preſent day. But it is time to bring our Annals to a cloſe. It would ſerve no uſeful purpoſe to record "the ducal rank, the gartered knee," the dignities and offices which have been held by ſucceſſive generations of a noble houſe, conferred (with all reſpect be it ſpoken) rather in homage to their high poſition and territorial influence than in recognition of any particular perſonal achievements. The promiſe of our title-page has been fulfilled. Our ſix centuries of the Lords of Striguil have been completed, during which we have ſeen its owners, in a ſucceſſion of the heads of ten illuſtrious families (to ſay nothing of life owners and uſurping or temporary poſſeſſors), taking a prominent part in almoſt every leading event of Engliſh hiſtory from the Conqueſt to the Revolution. We will draw a veil over the neglect and ruin of later ages, down to the comparatively recent period, when turned to ignobler uſes, its grand old walls, once bright with ſhield and banner, reflected the blaze of the furnace,[1] and the din of induſtry was heard in the halls which once re-echoed with the claſh of arms or the ſounds of feudal revelry. That ſtage of worſe than neglect has paſſed away, and the lime-kiln under the caſtle wall, which tells too truly the final hiſtory of the crumbling battlements, is veiled with feſtoons of ivy, which indicate that it has happily been long diſuſed. For ſome years paſt, careful hands have guarded the honoured ruins, as far as may be, from the aſſaults of time. The conteſt has been an unequal one, and eſpecially in the winter of 1872-3 a ſerious rent appeared in the ſouth curtain wall; and in the courſe of repairing it a conſiderable portion gave way, and was ſcattered in ruin more hideous than had reſulted from centuries of gradual decay, over the pictureſque dingle which formed the caſtle ditch. This too has been repaired, and happily neither in extent nor in poſition is the injury ſuch as to detract materially from the majeſtic appearance of the venerable ruin. We have traced the viciſſitudes which from time to time have changed the courſe of deſcent, and which have ſo often united, but at length ſeparated, the hiſtory of Striguil Caſtle from that of the hereditary Earl Marſhalſhip, the Earldoms of Hereford and Pembroke, and the Earldom, and eventual Dukedom, of Norfolk; and the reader will not have failed to ſpeculate on many an incident, the iſſue of which might have been to change the deſtinies of the ſubject of our memoir. The final reſult would have been much the ſame—a mark for alternate batteries of cavaliers and roundheads —a fortreſs dismantled, ruined, and neglected for ages—and at length cheriſhed and

[1] Leſs than a century ago the Caſtle was uſed as a glaſs manufactory.

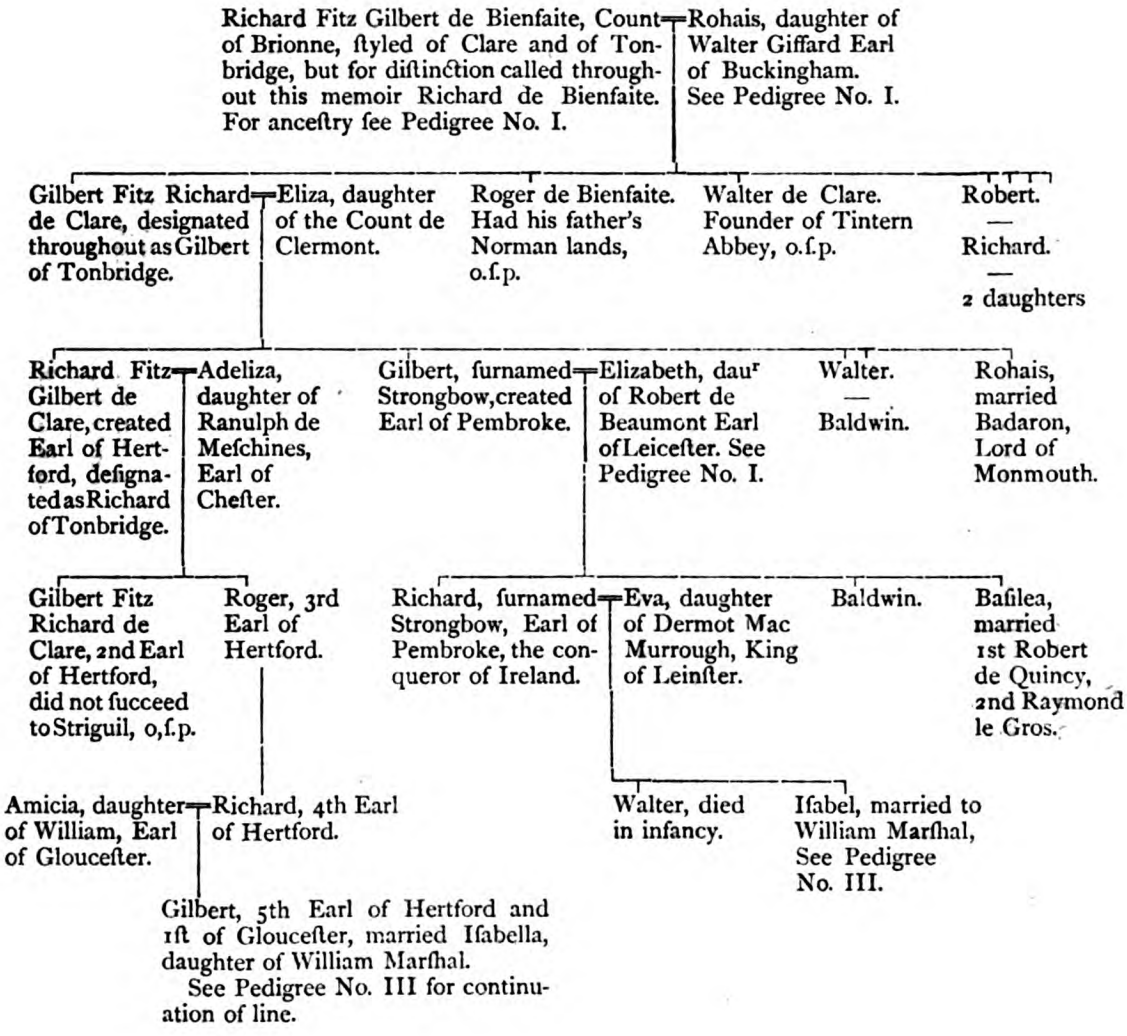
and valued as an architectural and historical monument of an early age, and an ornamental appendage to a ducal estate. For more than four hundred years from the date when its ownership became identical with that of Raglan Castle (which began to have a history when Chepstow had enjoyed four centuries of fame) it has passed, in uninterrupted descent to the ancestors of the Duke of Beaufort, who has known how to connect the rights of property with a graceful exercise of its duties, and deserves the gratitude of the public for the satisfactory arrangements under which the Castle is open to their inspection, and is, on all suitable occasions, made available for festive, charitable, and other public objects.

I. PEDIGREE OF WILLIAM FITZOSBERN,

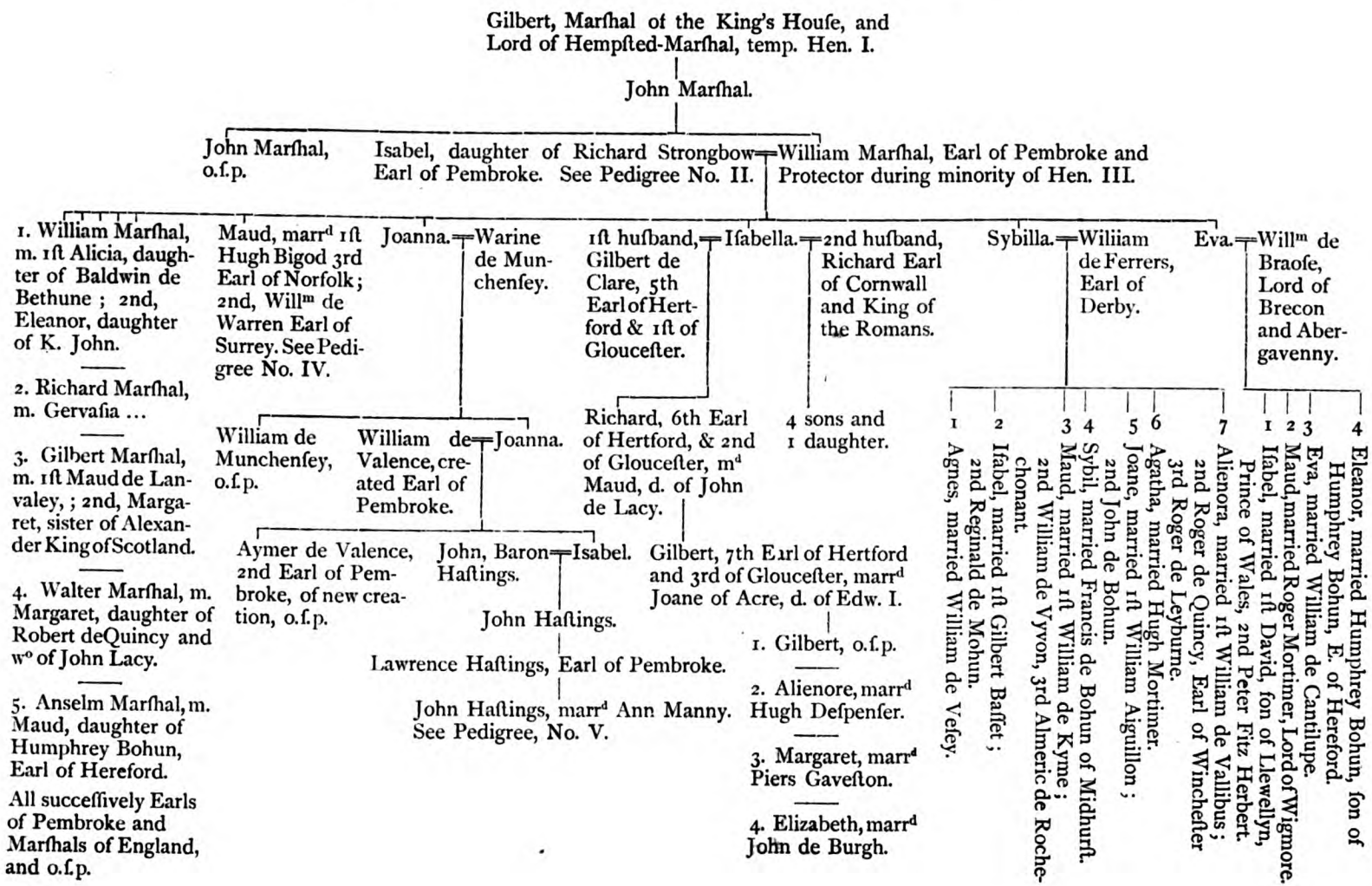
Shewing his relationship to the Conqueror and to the other families referred to in the Memoir.



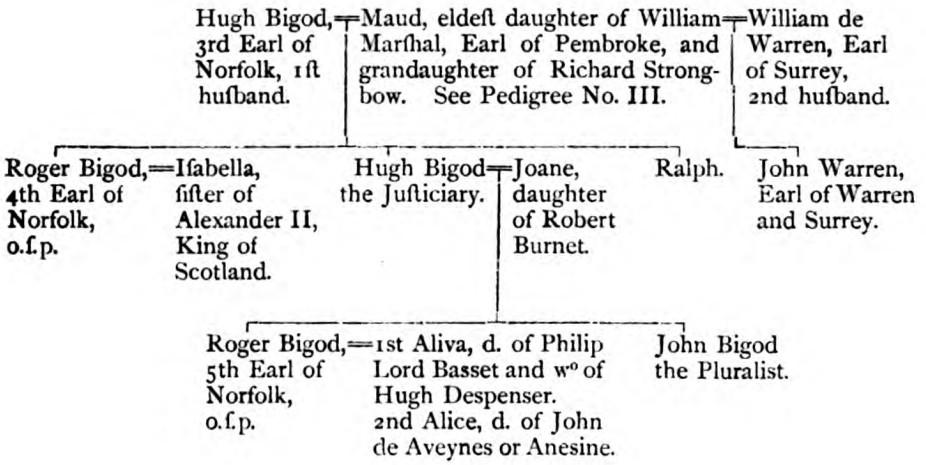
II. PEDIGREE OF THE CLARE FAMILY.



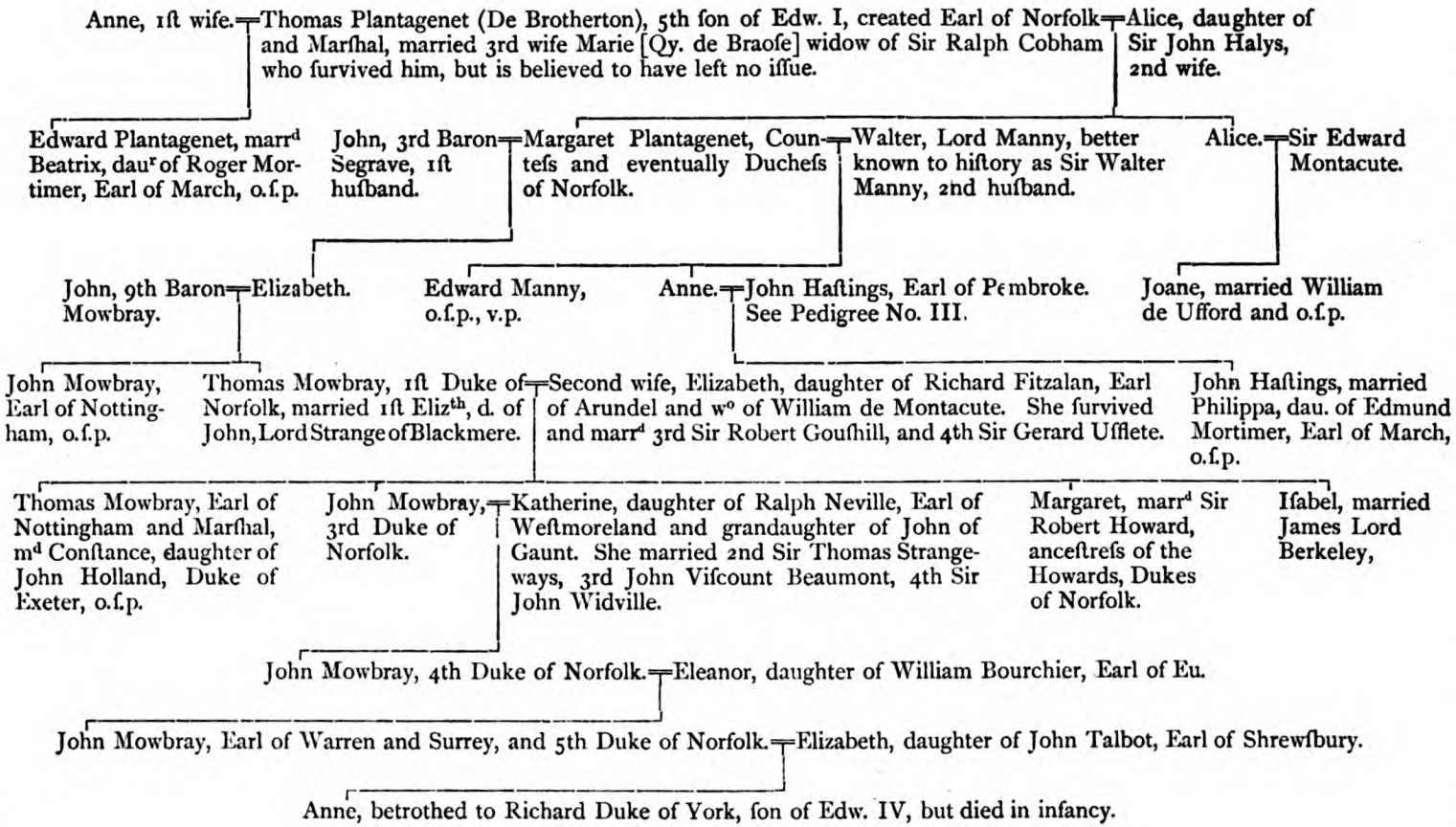
III. PEDIGREE OF THE MARSHAL FAMILY.



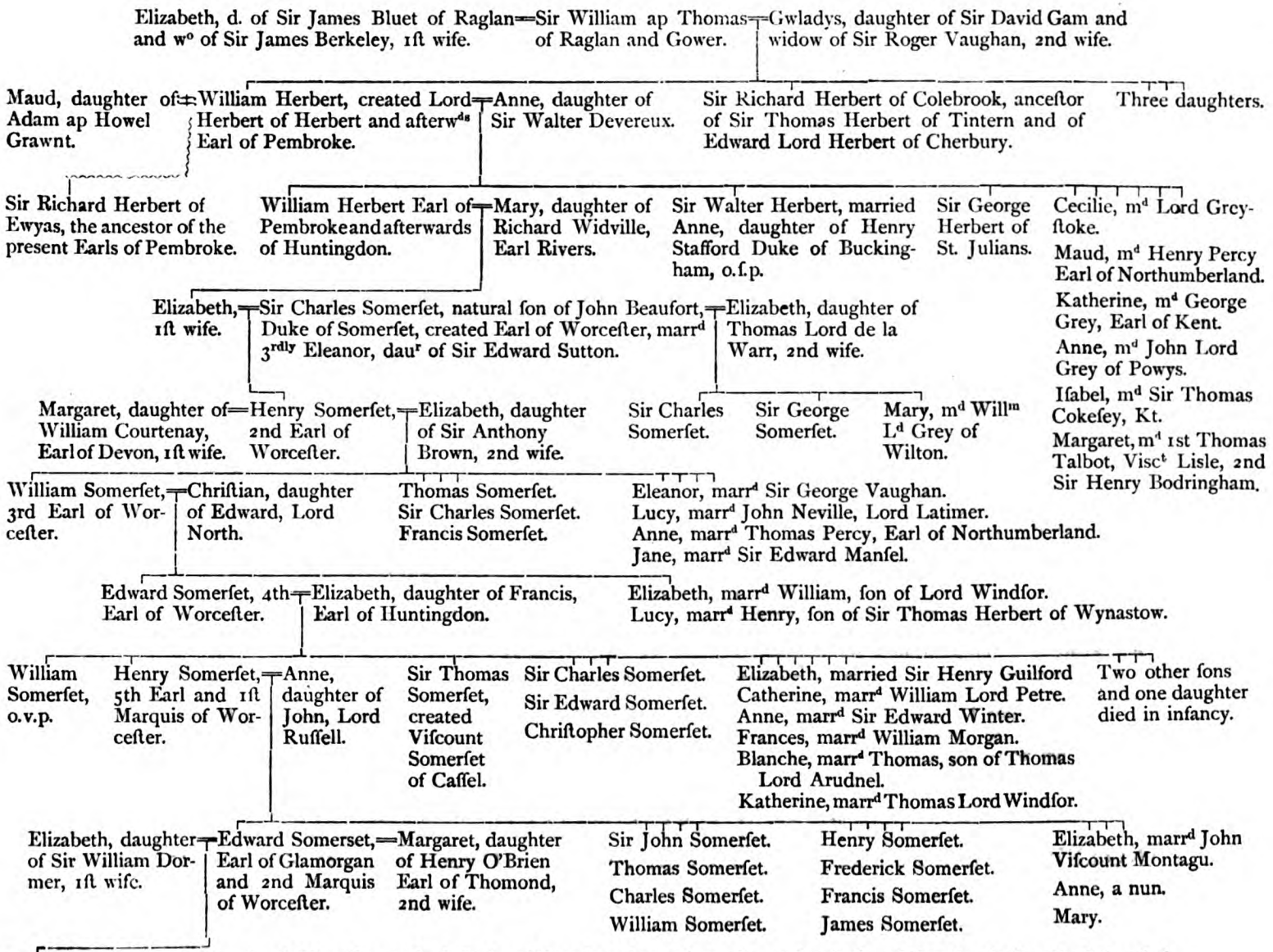
IV. PEDIGREE OF THE BIGOD FAMILY.



V. PEDIGREE OF THE FAMILIES OF PLANTAGENET (DE BROTHERTON), MANNY, HASTINGS AND MOWBRAY.



VI. PEDIGREE OF THE FAMILIES OF HERBERT AND SOMERSET.



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