the most of his opportunities is evident, and the result is such as should call forth the thanks of those especially interested in the Records of Somersetshire. We would point out, however, that there is no intimation that the "Sepulchralia" are complete, being about five and twenty in number, and that the apology for an index is of very little use.

THE KINGS OF CARRICK. A HISTORICAL ROMANCE OF THE KENNEDYS OF AYRSHIRE. By WILLIAM ROBERTSON. Second Edition. London. (Hamilton Adams and Co.) 8vo.

As an explanation for the issue of another edition of this novel, Mr. Robertson remarks in his preface that "The Kings of Carrick" is best described as a revised edition of "The Kennedys," which found such favour with the public of the west country that a second edition has been rendered necessary. In the face of this, it is hardly right to find fault with a book that has been accorded so much favour as to necessitate a new edition, and we trust that the admirers of "The Kennedys" will derive much satisfaction from the perusal of "The Kings of Carrick." The feuds in which Scottish families were so often involved have contributed in a large degree to the history of that nation, which is possibly the author's excuse for calling this a historical romance. "The Kings of Carrick" is an account of the long sustained feud between the Cassilis Kennedys and the Kennedys of Bargany, and the story consists of a series of atrocities culminating in a cold blooded and treacherous murder, for which the perpetrators are brought to justice, and the story concludes, to the relief of the reader, with their well deserved punishment. No attempt has been made to introduce the local dialect, and the characters, although living in the early part of the seventeenth century, speak in the language of to-day. Mr. Robertson, however, has depicted the beautiful scenery of Ayrshire with a vivid and sympathetic touch, and but for this redeeming point the narrative throughout is weak and depressing.

Notes and Queries.

THE FAMILY OF LINCOLN.—Mr. R. E. G. Kirk, in his last paper on the above subject, goes out of his way to denounce as "a most unfortunate remark" my criticism of a certain charter of Henry I., of which the text is known to us only from a late *Inspeximus*. (*Genealogist* iv., *N.S.* 138). May I be allowed to point out that what I did in the matter was to prove by trustworthy and cumulative evidence, that the text of the charter in question was clearly untrustworthy, a circumstance which I explained by the fact that it was only preserved in "a mere *Inspeximus*." Mr. Kirk is very wrath at an *Inspeximus* being thus dismissed, but as the charter is certainly corrupt, the *Inspeximus*, however distasteful the fact to him, is certainly worthless.

If he is under the impression that every charter produced for confirmation by the most skilful forgers of mediæval times was *ipso facto* genuine, he must really excuse me for saying that he has yet much to learn.

As to the remarks on my disbelief in the creation by Henry I. of an Earldom of Carlisle (p. 136), Mr. Kirk is compelled to admit that "Henry I. never called Carlisle an earldom," and that "we are not, therefore, authorised to call 'the power of Carlisle' an earldom," which is precisely my contention.

While on this subject, I feel bound to enter a *caveat* against the acceptance of Mr. Kirk's solution of the Countess Lucy problem. So far from *proving* anything, he has only added (as his own expressions, when examined, show) one more hypothesis to those already in existence, while his guesses involve, it will be found, grave chronological difficulties, not to say improbabilities.

J. H. Round.

Fitzherbert.—From the Apprentice Rolls of the City of Bristol the following are extracted, the originals being in Latin :—

1668, July 19—William Fitz Herbert, son of John, late of Braybrooke (probably Begbrooke), co. Oxon, put himself apprentice to William Luffe, merchant, and Mary, his wife.

1668, August 24—Richard Fitz Herbert, son of Richard of Lillington (?) co. Somerset, Gent., put himself apprentice to William Stephens, linen draper.

1670-1, Jany. 13—Robert Fitz Herbert, son of John, of Luckington, co. Glouc. (*sic.*, but certainly an error for Wilts., and therefore the above-named place and county may be in error for Luckington, co. Wilts.), Esquire, put himself apprentice to "Euseb : Brook, Mercatori, et Thom^{e}" (? Thomasine) his wife.

F. J. Poynton.

Penny Family.—The Pennys of Toller Welme, co. Dorset and East Coker, co. Somerset, in their wills, spelt their names indifferently, Pene, Penne, Peny, and Pennye, so there is no doubt that Penne was pronounced Pennè. The pedigree in *Hutchins* is by no means complete. Two earlier generations are given in Harl : MSS. 1067, fol. 16^{b}, viz. Thomas Pennye of Coker, who is there said to have married .., d. and coheir of ..Crothorne of Devonshire ; and Giles his son who, it is stated, married .., dau. of Tho^{s} Newton of Somersetshire. The Christian name of Giles Pennye's wife can be supplied from his will, proved P.C.C. 10 Oct., 1560, (48 Mellerche) in which Anne his wife, and Giles his son were made executors, and Sir Hugh Powlett, Knt. overseer. In Mr Weaver's *Visitations of Somerset* for 1531 and 1573 *Maude* dau. of Thomas Newton of Harptree is said to have married .. Pennye of East Coker, the Christian name having probably been wrongly inserted. Anne Pennye's will proved 24 Oct. 1566, is also in P.C.C. (27 Crymes). Her son Giles was her executor, and there is mention of her son-in-law John Huntle, and of a certain John Dobney. In the Huntley pedigree (Visitation of Dorset 1565, Genealogist N.S., Vol. III, p. 92) it is stated that John Huntley of Milborne St. Andrew, married Edith, daughter of Giles Penny of Coker, gent. According to

THE FAMILY OF LINCOLN.

By R. E. G. KIRK.

In reply to Mr. Round's remarks on p. 62, let me say that, as a reader of this periodical, I was aware that he is great on the subject of forgeries; but though I may have "much to learn," I do not see my way to adopt the fallacious tests which he has propounded. It would take up too much space to go into the matter fully; I need only refer to his astonishing observations on the preambles of charters (iv. 132-139).

He has now proceeded still further, no doubt on the strength of the self-same tests, and alleges that it was not uncommon for an early King to be imposed on by a forged charter of one of his predecessors. A few instances would be more convincing; at most, they must be very rare. He himself admits that in the case of "an actual charter, the document and seal would greatly assist detection."

As to the "mere Inspeximus," otherwise "the miserable evidence," to which he objects, had he looked at the original, he would have seen that it was Edward I., not Henry IV., who professed to see and to quote the charter of Henry I. (*Gen.*, ii, 78; iv, 138; vi, 129, 137). Can it be imagined that Edward I. or his Chancellor would easily be deceived by a forged charter of Henry I.? It would not have been pleasant to stand in the shoes of one of Mr. Round's "most skilful forgers" if he had made such an attempt.

Mr. Round has not however really proved the charter in question to be spurious. His chief objection is to the date, 1116, which has been assigned to it; but as it seems to show that Queen Matilda was dead, it may have been of later date, say 1121, when the King was "at Winchester," though Mr. Eyton opined that she "could not be dead" at the time. Till this point is settled, why talk of forgery?

With regard to Carlisle, it was a question of something or nothing. Mr. Round denied that an earldom was created by Henry I., and left it to be inferred that the King created nothing at all. I gave fresh reasons for disbelieving in the earldom, but went on to show that what was created was a county palatine. Between an earldom and a county palatine there was practically no difference. (Dr. Stubbs' Const. Hist. i, 410.) It was not always necessary for an earl to be lord of either; thus Geoffrey, bishop of Coutances, was lord of the "consulatus" of Northumbria; in fact, the very same word, "regebat," is used in respect of his government of that earldom or county as is used i respect of Ranulph Meschin's government of Carlisle. There was indeed only one word, "comitatus," for both county and earldom. Ordinary counties, it is true, soon lost their connexion with earldoms, but counties palatine and earldoms may be regarded as identical. The writer of the new history of Carlisle might therefore well reply to Mr. Round's criticism by asking—slightly varying Mr. Gilbert's formula—"If a man may not call a county palatine an earldom, what else *may* he call an earldom?"

Lastly, as to the Countess Lucy, Mr. Round long ago put himself out of court. He first fully accepted the dual theory (*Gen.*, iv. 210); then, after a lengthy controversy in the *Academy* in November and December, 1887, he confessed his inability to decide between the contradictory statements on both sides. I claim to have since produced much fresh evidence, and to have re-stated the whole case. The former "hypotheses" can indeed no longer be said to be "in existence." If Mr. Round really thinks they are, let him try to set them up again, and we shall see some fun. This is not a request: he offered to do so three years ago. Touching the main facts which I have proved, my "expressions" could hardly be more explicit, and I am not conscious of having shirked any "chronological difficulties." Under the circumstances, I think my claim is as good as Mr. Round's *caveat*.

With this opportunity I should like to make one or two corrections. The premises at the top of p. 130 in vol. vi. are wrongly stated, but I understand from Mr. Thomas Bond that a cartulary of the priory of Montacute has been discovered, and shows my conclusion to be correct —that Alfred de Lincoln did not acquire East Holme by marriage. In a paper read before the Dorset Natural History and Antiquarian Field Club, Mr. Bond has given the texts of (1) a charter of Henry I. to Alfred de Lincoln, permitting him to hold the land of Holne, which he had purchased from Grimaldus Medicus; (2) a charter of Alfred's son, Robert de Lincoln, granting the same to the priory, and mentioning his father and mother, his wife Beuza, and his son Alfred; and (3) a charter by Alfred de Lincoln, son of Robert, mentioning his wife Albreda, and his brothers Andrew and Peter. Thus several relationships are established which have hitherto rested only on conjecture. Mr. Bond has also discovered a transcript of Alfred de Lincoln's charter granting Gillingham and Bruge next Weymouth to the same priory. In vol. v., p. 132, l. 27, "true" should be "said;" and on p. 138, l. 20, "her" should be "his."

It may be useful to add that the charter of the Bishop of Durham which purports to have been made in a Council at London in 1082, is printed in the collection of deeds belonging to the Chapter of Durham, and that Alan de Lincoln is certainly one of the witnesses. Besides this, there are two charters of William I., to which Alan de Lincoln is likewise a witness. They are all stated to be "originals;" but as some of the other witnesses' names do not agree with the dates given, we are bound to reject them so far as they concern us, and the more especially as Alan is not mentioned in Domesday. Perhaps the authorities at Durham will for their own sake inquire into the authenticity of these documents. Some of them are transcribed in a cartulary, also at Durham, which moreover contains a copy of a charter of Henry I. in 1109, Alfred de Lincoln being a witness, but the original is wanting. I am not aware that these charters are fortified by any inspeximus, but the Bishop's alleged charter is recited in an instrument dated 1413.