NOTES ON THE MASCY AND LATHOM PEDIGREES.

In a recent number of this magazine,[1] I shewed that the last baron of Dunham had three daughters by his wife Mary Beauchamp, who were his coheirs; and then discussed at some length the representation of two of them. Not wishing, however, to overload that paper with details, I was content merely to mention Dionysia, the second daughter, whose issue was by inference extinct in 1386, hoping to deal more fully with her upon another occasion, and at the same time to add a few notes, of interrogation chiefly, about her husband's family.

Sir Peter Leycester tells us, in reference to her, that "another daughter," whom he does not name, "married Thomas de Lathom, and had four daughters, who had issue." Dr. Ormerod, when drawing up a pedigree of Lathom for the *Collectanea*,[2] accepted this statement on Leycester's authority, and put her down as first wife of Sir Thomas Lathom, the elder. But evidently he had his doubts; for in a pedigree of Lathom, subsequently printed in his *Miscellanea Palatina* and *Parentalia*, he relegated the lady to a footnote.

Turning to the claims made by Mascy's coheirs in 1344, we find that Dionysia was then dead, and was represented by four daughters—Lucy, wife of Thomas Lestrange of Knokyn; Alice; Katherine, wife of Thomas de Hacford (Hakford or Hakeford); and Cecilia, wife of Richard de Bradeshagh.[3] Of the fines with Henry of Lancaster, Earl of Derby, next year, Lucy and Cecilia, with their husbands and Alice, are parties to one, while Katherine and her husband fine separately from the rest.[4] Bradeshagh and Lestrange, with their wives, the former being described as of Pynynton, join in the bond of 1346, but Katherine and Alice are not there named.[5]

So far we have no clue to Dionysia's husband. In some Lancashire records, however, I have been fortunate enough to light upon these four ladies again in quite another connection, and thus establish their true paternity. First, there is a fine, levied in Easter term 1344, by which the manor of Perebald is settled upon Thomas Lestraunge and Lucy his wife, and the heirs of Thomas, with the endorsement, "*Thomas de Lathum Chiualer apponit clameum suum.*"[6] Then at the assize held at Whitsuntide, 1352, Henry de Trafford of Prestwich and Lucy his wife, with Thomas, son of Richard de Bradeshagh of Pynynton (a minor), claim the same manor of Perbald from Edward, son of Thomas de Lathum knight,

[1] See pp. 16-23.
[2] Vol. vii, 1841.
[3] Ches. Plea Rolls, 17 and 18 Edw. III, mm. 21, 24, 26, 28 d., 29; 18 and 19 Edw. III, mm. 5 d., 6, 6d., 12, 14 d., 18 d., 23.
[4] Ches. Plea Rolls, 18 and 19 Edw. III, mm. 13, 15.
[5] Duc. Lanc. Great Cowcher, i, f. 45.
[6] Feet of Fines, Lanc. Common Pleas Series, Edw. III, No. 117.

on a writ of *formedon*. Their case is that Robert de Lathum gave the manor to Richard, his son, in tail; that Richard had four daughters, Lucy, Alice, Katherine, and Cecilia, all then deceased; and that the plaintiffs, Lucy, daughter of Alice, and Thomas, son of Cecilia, are his heirs at law, or heirs of entail—Lucy Lestrange and Katherine having evidently died childless.[1] The ill success of this claim does not concern us now; but we thus learn that Richard de Lathom of Parbold was Dionysia's husband, and that his place in the Lathom pedigree was that assigned to him tentatively by Ormerod, though without a connecting line. It appears, further, that Alice also had a husband, but his name is not given. In the same roll, however, will be found other suits, in which it is mentioned that Lucy de Trafford's father was Richard, a younger son of Richard de Urmeston of Westleigh, by Sigreda (Sireda or Sitherilda) his wife, who seems to have been heiress, or perhaps coparcener, of that manor—for the nature of the Bradeshagh interest there is by no means clear to me.

Lucy Lestrange and Katherine, then, were already dead without issue in 1352. Henry de Trafford of Prestwich was that Henry, son of Robert, from whom genealogists have erroneously derived the Traffords of Garrett: I have other evidence that in fact he left no issue either. The Bradeshaghs still remain to be accounted for. Richard de Bradeshagh of Pynynton occurs elsewhere more than once, and other children of his are mentioned in these records. The pedigree of Bradeshagh presents difficulties which, unfortunately, I have been unable to clear up.[2] But a second wife, Christiana, is named with him on the same roll of 1352; so that, even if descendants of his were proved to be in existence as late as 1386, it need not follow that they were heirs of Cecilia, or raise a difficulty in regard to the inference that Dionysia's issue had become completely extinct by that date.

Passing now to the family of Lathom, and taking as my text the careful and elaborate pedigree with notes in the *Collectanea* already referred to, there is one point about which I feel grave doubts—the descent from Orm, son of Ailward or Eward. The *Testa de Nevill* states that Albert de Grelle gave to this Orm in marriage, with his daughter, one knight's fee in Dalton, Parbold, and Wrightington, and also one carucate in "Eston;" adding in each case that the heirs of Orm still held these estates. The date of these grants, on Ormerod's own reckoning, would probably be about 1170. Parbold, as we have seen, at the close of the thirteenth century, belonged to the Lathoms. Our author infers, in a special note upon the subject, that they were heirs general of the grantee; and proceeds to make the ingenious suggestion that by "Eston" is meant Urmston (Orm-Eston) and not Ashton-under-Line, as other authorities supposed.

[1] Assize Roll, Duc. Lanc., No. 2; see also Nos. 3 and 4. It is difficult to give a more precise reference, as in these rolls the membranes are not numbered consecutively throughout.

[2] I am inclined to seek for the nearest connections of this Richard among the Westleigh branch of the family. His father's name was Roger.

Now Urmston was held for several generations by a family of that name, until about 1305, when it passed by conveyance to an Ashton of Ashton-on-Mersey, and some time later by marriage to Hyde of Urmston.[1] Hyde held it under the Traffords of Trafford, as appears by several inquisitions. No evidence is produced to connect this township with the barony of Manchester; and nothing better than a loose verbal statement, alleged to have been made some centuries afterwards, by a person not exactly named, to shew that the Lathoms had any estate there at all. On the other hand Ashton-under-Line was undoubtedly held of the barons of Manchester; and a body of evidences noted by Kuerden,[2] (which Ormerod practically ignores,) unsatisfactory as they no doubt are, seem to indicate that Orm, who had this grant of "Eston," left sons and grandsons to inherit his lands, and that Ashton became their surname. In other words, they support, as far as they go, the received pedigree of Ashton.

The fact remains that the Lathoms did hold Parbold. But Ormerod has not discussed the possibility that some conveyance was made to them after the date of the survey—a date which he does not attempt to fix. Or again, is it possible that he takes the word *heredes* in too restricted a sense, when he assumes that it must mean the heir at law? Could this word be applied, for instance, to the descendants of a younger son, or a grantee in frank-marriage, and his representatives? Certain it is that, in early charters, expressions are found such as *filii et heredes mei*, in which its meaning is wider; while a grant made *alicui et heredibus suis* conveys, we know, an estate in fee simple, not in fee tail. These are questions for experts in ancient law to answer. The arms borne by Lathom support Ormerod's pedigree, so far as the earlier Orm is concerned, but do not help him in regard to Orm, son of Ailward.

Confirmation of the male descent of the Lathoms will be found in the Assize Roll of 1352, quoted above. Sir Thomas de Lathum claims the manor of Huyton from Henry, son of Alan le Norreys of Speek, on a writ of entry, alleging that Adam, son of Roger fitz Henry, defendant's predecessor in title, wrongfully disseised Richard, son of Robert fitz Henry, plaintiff's great-grandfather, whose heir he is. The claim comes up again in 1354,[3] when Adam is called Adam de Knousele, while William de Stockelegh and Avice (once

[1] See the narrative in *Collectanea*, viii. 149, communicated by Ormerod himself, from MS. Harl. 2112. In the article now under discussion he states incorrectly that Hide of *Denton* inherited Urmston from the heiress of *Urmston*. Ashton-on-Mersey is on the Cheshire side, only separated by the river from Urmston. In the *Testa de Nevill* again (f. 817) Robert de Gredle holds two carucates in "Eston" of the barony of Penwortham, "et debuit reddere inde unum austurcum vel xx^{s}, set non reddit." Is this Ashton in Makerfield? With the rent, compare the x^{s} payable for Orm's carucate; also the rent remitted to Sir John Ashton of Ashton-under-Line by a document which Baines has printed. There were other places named Ashton, I believe, both in Lancashire and Cheshire; not to mention Ashton-in-Craven, from which the Croston family are said to have sprung.

[2] I have not seen Kuerden's MS., which is in the College of Arms; but only a copy at Manchester, Raine's MS., vol. xxv.

[3] Assize Roll, Duc. Lanc., No. 4, December sittings.

written Alice), his wife, tenants of one-third of the manor, are joined as defendants. This time the record is fuller, tracing the plaintiff's descent in detail from Richard, through Robert the elder, and Robert the younger. It seems probable, therefore, that the Knowsley heiress, wife of the second Sir Robert, and mother of the plaintiff, came originally of the same stock as Lathom himself. The first Sir Robert's death took place before September 1286, earlier than Ormerod supposed; for at that date Robert, his son, in answer to Legh and Eschayt (Hesketh), coheirs of Fitton of Rufford, pleads (among other things) that Robert, his father, died seised of premises in Rufford.[1]

Other questions arise in regard to the Torbocks, admittedly a branch of this family. Henry, son of Robert de Lathum, also called Henry de Torbock, and Elena, his wife, occur more than once in 1285, 1292 and 1294.[2] He was lord of Turton, probably in her right, for her grandfather was Henry de Turton.[3] In 1344 John de Ditton sues William Carles and Emma his wife, with Elena and Alice (a nun) her sisters, "daughters and coheirs of Richard de Torbok," and in the custody of Giles Carles, Katherine widow of Robert de Lathum, Thomas de Lathum knight, Henry Russell and Margaret his wife, William son of Hugh de Torbok, Tailour, William Huddesone de Monylonde and Margery his wife, John Hauk and Emma his wife, John Jonysone de Torbok and Matilda his wife, Roger son of Richard Jonysone, and John son of William Benetsone, for a rent in Torbok, granted him (as he states) in January 1334 by Richard de Torbok.[4] We learn incidentally that Margaret Russell was widow of Richard de Torbok, and recovered dower of his lands from one Matilda de Standish in the Court of Common Pleas, in Michaelmas Term, 15 Edw. III (1341). Again in 1354 Carles and his wife appear as claimants of Perbald on a writ of entry, alleging that Richard de Lathum disseised Henry de Lathum, Emma's great-grandfather, "whose heir she is"; and that Richard, his son and heir, had a son and heir Richard, her father; but the jury find that Henry was not so disseised.[5]

Here, then, we have, to all appearance, a pedigree of Torbock. But as early as 1246 a Henry de Turbok (Torboc or Thorbok) occurs, as do Robert and Richard de Lathum, Roger son of Gunylda de Lathum, and Adam de Knouesle (Knollesle, Cnousle).[6] There seems, therefore, to have been an earlier family of this name, perhaps descended from Richard fitz Henry, whom Ormerod puts down as ancestor of the Torbocks. Similarly we know there were

[1] Assize Roll, No. 1271, m. 12.

[2] Assize Rolls, No. 1268, m. 11 d.; No. 408, mm. 39 d., 49, 52; No. 1299, m. 14 d. In one instance the wife is called Cecilia (Assize Roll 1271, m. 12), I suppose by mistake.

[3] Assize Roll, No. 1268, m. 11 d. Elena survived to 1313; Assize Roll, No. 424, m. 1 d.

[4] Assize Roll, No. 1435, m. 41.

[5] Assize Roll, Duc. Lanc., No. 4.

[6] Assize Roll, No. 404, mm. 2, 7, 9, 12, 13, 17, 19, 26. On m. 8 d. Robert, son and heir of Richard le Eir, who sues the prior of Birscogh, may perhaps also be Robert de Lathum.

two successive houses of Parbold, though these both kept their name of Lathom, and did not change it for that of the manor they held.

Then, in June 1302, we find an Elena de Torbok proceeding for novel disseisin of common rights in Worthington and Quitil against William de Worthington, John de Coppul, and Henry de Hugenale. Jordan de Sonky purchased of the lord of Worthington three acres of land and rights of common. Robert, his son, succeeded him, and gave this land to Henry Torbock in marriage, with Elena, his sister. Henry, wishing to enlarge his estate, purchased three acres more, with rights of common. He was succeeded by Richard, his son and heir; and Richard by his daughter and heir, Elena, the plaintiff; she being then within age, and under the guardianship of Robert de Lathum. Judgment was reserved.[1] Here again are Henry, and Elena his wife, with Richard their son and heir; but they must, I think, be distinct from the persons of those names above mentioned. For Elena, wife of the other Henry, seems to have been living at this date, while Elena Sonky was evidently dead; and in that line, there was a second Richard, son and heir of the first. The amount of property also here in dispute was so small that the parties may well have been lesser people, remote kinsfolk, perhaps, of the lords of Torbock, their namesakes.

The last Richard de Torbock, however, seems to have had rival wives, and rival heirs. In the records I have quoted there is no dispute as to the position of Emma Carles, but in 1365 she is claiming the manor of Terbok from Henry, son of Richard de Terbok by one Matilda, whose legitimacy she impugns. He in turn retorts that she is illegitimate, and the jury find for him that he is son and heir.[2] If, as seems probable, this was the Matilda de Standish mentioned above, both wives survived the husband. Very likely the record relating to Margaret's claim of dower would solve the riddle. Compare with this the case of Geoffrey de Workesley and his two wives, one of whom was a Lathom. The line of Torbock was apparently continued by this last Henry.

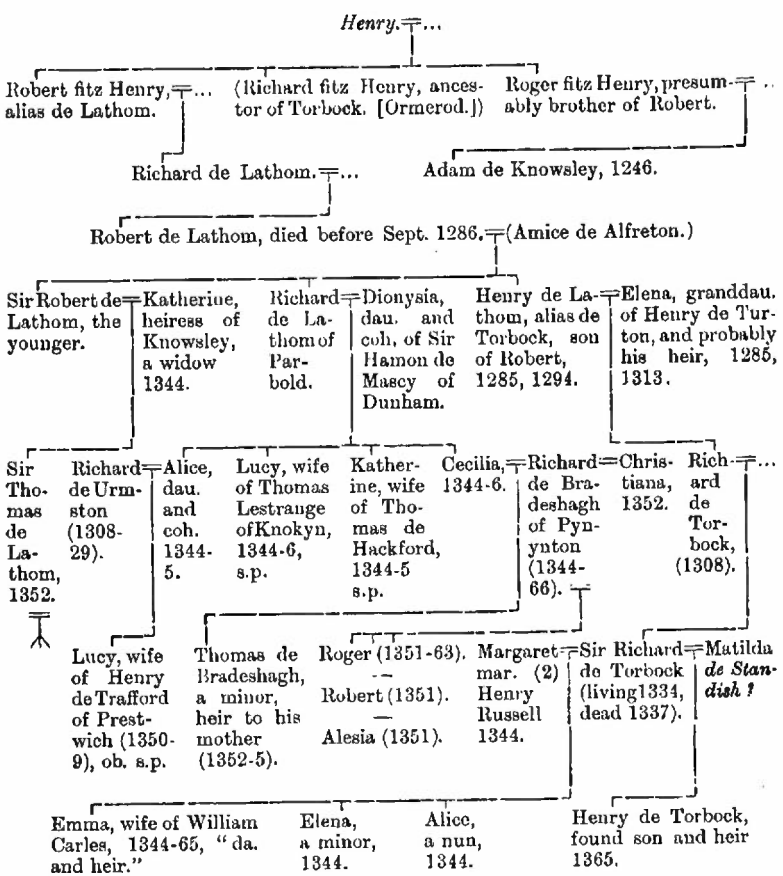
One more suggestion I have to make. In the church of Astbury, in Cheshire, were formerly certain glass windows, with inscriptions, in which Hugh and Philip de Lathom, bearing the arms of Lathom debruised by a bend, were described as sons of Sir Robert. Ormerod inserts them in his pedigree as sons of the younger Sir Robert, and younger brothers of the elder Sir Thomas. But it appears that in a settlement of Knowsley, recited in an inquisition, Joan Lathom was next in remainder after her brother Thomas, and neither Hugh nor Philip was named.[3] Does not this circumstance, coupled with the difference in their arms, point to their being more probably natural sons of Sir Robert?

[1] Assize Roll, 418.

[2] Assize Roll, No. 1464, m. 51, 51 d; County placita, Lanc., No. 13. Robert de Terbok is also made a defendant—the same person, perhaps, who occurs in 1350 as Robert, son of Richard de Torbok, bastard. Assize Roll, No. 443, m. 4.

[3] *Collectanea*, l.c. Hist. Ches., iii, 24; Harl. MS. 2151, f. 4.

The following pedigree sums up the facts dealt with in this paper, and will help to make them clearer to the reader:—



W. H. B. B.