

CHAPTER SIXTEEN

ADAM DE PESHALE

Twelfth in Ancestry

Section 1, Adam de Peshale—Section 2, The Swinnertons—Section 3, Genealogy of Thomas le Golden—Section 4, Genealogy of Robert de Peshale—Section 5, Genealogy of Sir Richard de Peshale.

SECTION 1.

12. ADAM DE PESHALE, son of Walter Peshale, Chapter 15, Section 1, married Alice de Swynnerton de Sugghenhulle, daughter of John de Swynnerton, de Sugghenhull and his wife Eleanor de Peshale, Chapter 16, Section 2. Children:
1. *11. ADAM DE PESHALE, Chapter 17, Section 1.
 2. Sir John de Peshale, Chapter 17, Section 4.
 3. Sir Richard de Peshale, Chapter 17, Section 5.
 4. Hugh de Peshale, Chapter 17, Section 3.

Adam de Peshale lived in Shropshire. His name appears, however, upon the records of Staffordshire as a surety for the defendant in a suit for the recovery of money. Coram Rege Michaelmas 9-10 Edward I. 1281. Thomas le Goldene sued William de Sogenhull and Doryee his wife for 100 pounds owing to him and they did not appear and they were attached by Thomas Brian of Pesehall and Adam de Pesehall; they, i.e. the sureties, are therefore in misericordia and the sheriff is ordered to distrain and produce them on the morrow of the Purification. The parties to this suit were all related to each other, except Thomas Brian of Pesehall. Thomas le Golden was Thomas de Peshale, brother of Adam de Peshale. The suit had been started a year before at which time the clerk had recorded the plaintiff as Thomas de Peshale, as witness.

Banco Roll Easter 8 Edward I. Staffordshire 1280. Thomas de Peshale sued William de Sogenhulle and Dora his wife for 100 pounds owing to him and they did not appear. The Sheriff was therefore ordered to attach and produce them at Trinity. As to the defendants, Dorothe, wife of William de Sugghenhull, alias le Fisher, before her marriage had been Dorothe de Peshale. She was the daughter of Thomas de Peshale of the line of John, son of John de Lumley de Peshale. [Staff. Hist. Col. vol. 6, part 1, page 105-128.]

There were also several records of law suits in Staffordshire relating to the sons of Adam de Peshale fixing their relationship to each other and to their father. These records will appear in the next chapter which treats of the sons of Adam de Peshale. One as an example, which fixes the relation of Adam de Peshale and his son Adam de Peshale junior, will therefore be sufficient at this time.

Coram Rege 17 Edward II 1324. The Jury of the Liberty of the Bishop of Chester presented: That Adam, son of Adam de Peshale, and Geoffrey, formerly Beadle of Eccleshale (he was the special bailiff or crier of the court of Eccleshale),

about the Feast of the Annunciation, 16 Edward II. had come to the house of Thomas le Walkere in Offeley and had broken open a chest and taken away goods to the value of ten marks. Adam de Peshale and the Bailiff of the Court had made a distress upon the goods of Thomas le Waltere. It happened that there had been one of those sudden political changes for which Staffordshire was specially noted and the party of Adam de Peshale was now the outs and Geoffrey was no longer bailiff. The easiest method at the hands of the ins was to make a criminal charge against them, hence the record as above recited. The matter was so palpably a trumped up charge that nothing more seems ever to have been done in the matter. [Staff. Hist. Col. vol. 10, page 46.]

Adam de Peshale owned a part of Peshale, where he had a tenant who farmed it and where Adam maintained a house in which he sometimes lived, but which was mostly vacant, and in the care of his tenant. In the Staffordshire Assize Roll of 56 Henry III., (1272) we read that John de Chelesle stopped William, son of Robert de Thene, and Adam, son of Alote, upon the heath of Norton, and charged them with breaking into his Lord's Grange of Peshale. He bound them and then beheaded them and he was afterwards arrested and taken to the Bishop's prison at Eccleshall, and from that prison he escaped about the first hour, and towards evening he was recaptured and beheaded. [Staff. Hist. Col. vol. 3, old series, page 18.]

It may be accepted as true, as stated in the pedigree of Pearsall of Willsbridge, that John de Swynnerton and his wife Eleanor de Peshale had an only daughter Alice who married a de Peshale. In view of our present day knowledge of both families this could only mean that she married Adam de Peshale the father of the Richard de Peshale who married Margery de Knighton.

The controversy mentioned in the preceding chapter concerning the ancestry of the sons of Dr. Walter de Peshale has finally centered around Adam de Peshale, senior, for strange as it may seem, the controversy is still going on notwithstanding the centuries that have elapsed since it first started. At first the local Staffordshire genealogists selected his brother Richard de Peshale as the object of their attention. Unfortunately for them this Richard rose to such eminence as a lawyer that it was impossible to assume any facts concerning his ancestry. The ridiculous aspect of the whole matter is that Dr. Walter de Peshale having had four sons, Thomas, Richard, Adam and Robert, it is not possible to select one of them and say he is not a Peshale at all but he may be a Swinnerton or a Whetales. This is nevertheless exactly what has occurred, and, having dropped Richard, they seized upon his brother, Adam senior, or rather upon his son, Adam junior, and said he was the son of Richard. Finding this impossible they asserted that Adam de Peshale junior was the son of Adam de Peshale de Whetales. They came to this conclusion because in 1285 William de Suggenhull le Fisher of Peshale and Dorothy his wife referred to above conveyed to one Adam de Whetales a part of the Bishops Manor of Peshale. Here again the local genealogists overlooked the record made 1280-1281 by the real Adam de Peshale, for certainly Adam de Whetales had no connection with Peshale prior to his purchase in 1285. The share of Adam de Whetales in the Bishops Manor of Peshale descended to his son John de Whetales. He and his father were of a well known

family in Staffordshire, who at this time had risen to the highest rank. John de Whetales, the son of Adam de Whetales, became coroner and judge of the county court. He was probably the best known man in this locality. There can be no doubt that the portion of the Bishops Manor of Peshale acquired by his father descended to this John, for he was sued by the Bishop for his rights therein. The record of this suit on the Plea Rolls is as follows: De Banco 5 Edward III. Staff. 1322. Roger the Bishop of Coventry and Litchfield sued Lucy Penunor for a messuage in Eccleshal and he sued Alice, daughter of Thomas le Bedel for a toft in the same vill, and he sued John de Wethale for 14 acres in Pesshal, and Richard de Peshale chivaler for 2½ acres in the same vill, and he sued Henry de Suggenhulle for 2 acres in Eccleshall as the right of his Church by writ of Quare cessarit per bienium. None of the defendants appeared and the Sheriff was ordered to take the tenements into the king's hand and to summon them for a month from Easter. From which it appears that notwithstanding all that has been written upon the subject Sir Richard de Peshale, son of Adam de Peshale junior, held but a very small part of the Bishops Manor of Peshale, certainly no more than had been vested in his ancestor Adam de Peshale, senior, through his marriage with Alice de Swinnerton, daughter of John de Swinnerton, who bought part of this same manor from his brother-in-law Robert de Peshale. [Staff. Hist. col. vol. 11, page 20.]

Genealogically speaking, it is of no great importance as to whether or not Adam de Peshale was or was not known also as Adam de Whetales, as men even as late as this period were known sometimes by one and sometimes by another manor that they held, as witness the brother of Adam de Peshale senior, who is sometimes called Thomas de Peshale and at others Thomas le Golden. Historical accuracy however requires it to be stated that Adam de Peshale junior, and Adam de Whetales junior, were entirely different individuals, not at all related. All this would of course more properly belong to the history of Adam de Peshale, junior, but it carried with it the thought that Adam de Peshale, senior, also at times called himself Adam de Whetales, a statement which no one has found a record to in any way substantiate. It must be stated that the de Whetales family were very honorable, well related, and of the highest position socially. It would rather add than detract from Adam de Peshale that he could truthfully be called as being of this family, but he was not in any way related to the de Whetales.

The facts, or rather the want of facts, concerning the supposed Swinnerton ancestry of Adam de Peshale senior, will be found fully set out in connection with the statement of the ancestry of his wife, Alice de Swinnerton, daughter of John de Swinnerton and his wife Eleanor de Peshale. Alice and Adam were cousins, having a common great grandfather in William de Peshale, son of John de Lumley de Peshale. The reader who has followed this genealogy step by step has not only seen each generation come into existence in the natural sequence usual to such events, but has read the most convincing evidence in direct records and collateral family history to sustain the same. To undertake therefore to prove that there was not any other ancestry is to attempt to prove a negative which lawyers tell us cannot be accomplished. But the science of genealogy is said to be the exception to this rule as its laws call strongly for the proof of a negative. Perhaps

genealogy is not alone in this peculiarity, as it would seem that, if its laws were properly analyzed, the science of medicine also largely depends upon the same rule of investigation in the diagnosis of disease. As to genealogy, it is a fact that the exactness of its conclusions largely depends upon the negatives that are established. The reader will therefore kindly understand that the Swinnerton genealogy as here set forth is consequently primarily to disclose that no Swinnerton could possibly be a Peshale except in so far as the Swinnertons were de Peshales before they were de Swinnerton. Incidentally it will also give the line of ancestry of Alice de Swinnerton, the wife of Adam de Peshale.

SECTION 2.

The Swinnertons. Ancestry of Alice de Swinnerton. See Chapter 13, Section 3.

The Swinnerton family had its beginning in Robert de Peshale, de Swinnerton de Sugghenille, the oldest son of John de Lumley de Peshale and his wife, the heiress of Swinnerton, (see Chapter 12). This Robert was the first to call himself de Swinnerton. His parents gave him Swinnerton, so that he could match the heiress of Great Sugghenhull and Bishops Offley, whom he married. Their children were: *1. Robert de Swinnerton de Sugghenhull, *2. John de Swinnerton de Sugghenhull, *3. Roger de Swinnerton de Sugghenhull, and *4. Margaret de Swinnerton, who by marriage became Fitz Payn.

The Swinnertons are consequently Peshales, and both families have the same arms, which latter fact has caused considerable confusion to the Staffordshire historians. It happens that John de Swinnerton, the father of Alice Swinnerton, who married Adam de Peshale, is the ancestor of all the living Swinnertons, and some genealogists have assumed that he is also ancestor of a line of Peshale, selecting for this purpose Adam de Peshale, junior, and naming him as grandson of John Swinnerton, and leaving his brothers to be directly descended from Peshales through their father, Adam de Peshale, senior; which is of course not only remarkable and ridiculous but impossible so far as the Swinnerton supposition is concerned.

All this confusion had its origin in the supposition of the learned and painstaking Erdeswick in his survey of Staffordshire, and inasmuch as he was the author of all this confusion, his original article is herewith presented together with such comments as seem pertinent thereto. The attention of the reader is called particularly to his "I take it," and his "I suppose," as after these are eliminated, it will be found that nothing remains of his remarkably groundless supposition. Erdeswicke was contemporary with Edmond Pearsall the genearch of that branch of the family who came to America in the seventeenth century, and he had close business dealings with this Edmond and his brother Robert. The old Peshall records had become part of the chartulary of the Blounts. Erdeswicke did not even have access to these deeds and charts as is shown by the fact that he did not correctly state the generations of that line. It is for example well known that Hugh Peshall of Horsley and Hugh Peshall of Kinlet both fought at the Battle of Bosworth Field, but on opposite sides, yet Erdeswicke makes them out as

being three generations apart in the time of their respective existence. Erdeswicke had been called in by our family who lived at Horsley to assist them in setting out their ancestry for the visitation of 1530 as is shown by the names he gives of living persons. The Hall of Horsley along with its records had been burnt and the recording of vital data in the Parish Records did not begin until 1535, hence it was not possible to state any thing accurately beyond the generations comprehended by the grandfather of Thomas Pershall of Horsley the latter being the oldest living member of the family at that moment, and as was to be expected we find therefore that Erdeswicke was not even able to state correctly the generations of his clients the Horsley-Pershall family. It was likewise impossible for Erdeswicke to draw any inferences as to their ancestry except from the few papers, deeds, seals and charts which were presented for his study and which alone influenced his judgment as he is very particular to state most clearly. No personal criticism is intended as Erdeswicke was a very able genealogist, and he was careful to say that his conclusions were merely inferences drawn from these several writings and seals and that his conclusions had no other basis. He says: Eccleshall-water being past Bishop's Offley, entereth Peshall, leaving Horsley like a mile southward, being now the chief seat of the Peshalls, whom I take to derive themselves, ab origine, paternally, from the Swinnertons: for they bare their armory, as moving from them; Swinnerton bearing Argent, a cross fleury sable; and now Peshall beareth the same, with a canton gules, charged with Richard earl of Chester's wolf's head. But the first sir Richard that I read of (whom I take to be the son of Sir John Swinnerton), and his heirs, bare it without the canton, and only charged Swinnerton's coat with an escutcheon of Ranulph second earl of Chester, viz. Gules, a lion saliant argent. [Erdeswick's Survey of Staffordshire with notes by Thomas Harwood, London 1844.]

A genealogy is not a place for supposition. Facts should be stated only so far as they are clear of ambiguity and no effort should be made to force conclusions.

To elucidate:—every genealogical fact has three bearings, namely,—1. It has sequence, that is it denotes ancestry; 2. It has relationship, that is it indicates the generation and family, and 3. It has continuance, that is to say it marks the descent or the lack of descent. It frequently happens that a fact considered by itself really discloses only one of these three attributes. To try, therefore, by inference to state the other two is to step from the realm of truth and certainty to the field of untruth and uncertainty.

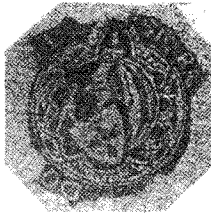
To recur to Erdeswicke's suppositions:—In the centuries that have passed since genealogy became a study and a science, certain kinds of facts have been repeated and examined so frequently that their value has become very accurately determined. Among these is that in English genealogy, prior to the fifteenth century, a similar coat of arms, borne by persons of different place names, indicates that they were members of the same family. It has, however, been found equally true that this agreement of arms does not indicate that they have a common parentage, as distinguished from a more or less degree of common great grandparentage. It would, for example, be all right to say of two men bearing the same arms that they had the same ancestor, but in the absence of the other facts bearing on their personal relationship, to say that they were father and son, or were

brothers, would be to inject personal opinion of relationship where the fact of common arms carried of itself no such conclusion. They could only acquire the same arms when in their respective pedigrees of ancestry they reached a common ancestor. As has already been shown the Peshales and Swinnertons have a common ancestor in John de Lumley de Peshale who is several generations removed from this. Hence the fact of their later bearing the same arms did not warrant a supposition that a Swinnerton was at this late time father to a Peshale. This is most conclusively affirmed by the seal of Randulphus de Peschale, which is affixed to a deed temp. 1240. This deed appears among the manuscripts in the British Museum. This seal has, as the arms of the said Randulph, the cross flory or arms of Peshale, as the reader can verify by turning to Chapter 13, Section 5, of this book, whereas the Richard de Peshale referred to by Erdeswick did not live until 1330. Hence it is quite clear that the Peshales bore their arms before the time of John Swinnerton and his wife Eleanor. It is obvious that where Erdeswick's premises cease, any suppositions based thereon must also fall.

Unfortunately Erdeswick did not tell where he read of this Richard or in any way describe him. The only Richard de Peshale of this generation was a great lawyer, very well known, and of him much could have been read. He was the son of Dr. Walter de Peshale of Shropshire. As a fact no Richard Peshale ever lived who was the son of the John Swinnerton named by Erdeswick, or son of any other Swinnerton. However, Erdeswick, having embarked upon the duty of finding an ancestry for Richard Peshale, determined to clinch his opinion that he was really a Richard Swinnerton who had changed his name to Peshale, therefore he continues:—To fortify which opinion, I have seen a deed, made (as I take it) in the time of Henry III. It happens that Henry III of England died in 1272 whereas most of the persons to which Erdeswicke refers did not live until the time of the next king and his son and grandson i.e. 1272-1377. So that this inference does not agree with the time stated by him for the persons to have lived and held the relationships which he infers. Whereby Robertus filius Stephani de Peshale, dedit d'no Johanni de Swinnerton totam terram suam in Peshall, cum domibus et redditibus, servitiis, homagiis, wardis, releviis, et escheatis, ac totam terram quam emit de Thomâ filio Thomae de Peshale; and there be Testes to the deed, Sir Robert de Knightley, Sir Robert de Bromley, Sir Philip de Mutton, Roger de Charnes, Thomas de Tittensoure, Ivo de eadem, Robert de Joneston. Translation: Whereby Robert son of Stephen de Peshale gave unto John de Swinnerton all of his own land in Peshale with the homes, and buildings, servants, vassals, wards, reliefs, and escheats, and all the lands which he (Robert) bought from Thomas the son of Thomas de Peshale; and there be witnesses to the deed &c.

The deed merely says that Robert de Peshale, son of Stephen de Peshale, gave to John Swinnerton. It nowhere appears that Erdeswick knew that at the date this deed is dated Stephen de Peshale was then living at Edgmond in Shropshire. On the contrary he seems to assume that Stephen was dead, whereas the recital of the deed and the records prove conclusively that he was alive. Moreover the old conveyances did not recite one as being son of a dead man unless they also recited that the father was dead. It is therefore unfortunate that Erdeswick did not give the whole deed, so that we could see the entail if any was

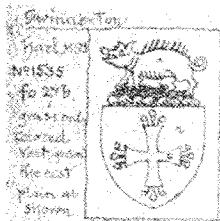
CHRONOLOGY OF THE SEAL OF RICHARD DE PESHALE



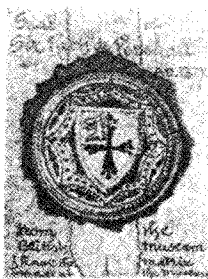
1. The seal of Sir Richard de Peshale, in the British Museum, affixed to an order to his Bailiff to pay some tithes due to the Priory of Sele in 1330 with the arms of Breuse on an escutcheon of pretence. This is Richard de Peshale, who married Alina de Mowbray. Her mother was a Breuse. He was the oldest son of Adam de Peshale and Alice de Swinnerton. His second wife was Margery de Knighton.



2. The seal of Richard de Peshale, son of Richard and Margery de Knighton, from a replica made from the original in the British Museum by Mrs. Philippa Swinnerton Hughes.



3. The Arms of the Swinnertons. As the Swinnertons were originally de Peshale, they bore the arms of their ancestor Robert de Peshale, the first who called himself de Swinnerton.



4. The seal of Richard de Peshall, who married Joan de Chetwyn. He was the grandson of Adam de Peshale and son of the second Adam de Peshale, who was brother to Richard de Peshale, who married Margery de Knighton.

thereby created. Robert de Peshale had a brother Walter, a priest, and a sister Eleanor, the wife of John de Swinnerton. It was likely that he desired to prevent the division of this part of the manor, and thus bar all chances of part of it going to the church. However this may really be, the fact is that Robert de Peshale only conveyed what he had, namely a part of the manor of Peshale, which was already a very much divided manor, the two main divisions having different overlords, namely, the Staffords and the Bishops of Chester. Robert's deeds included small parts of each of the two main subdivisions; certainly this deed in no way substantiates his statement that he was a Richard Swinnerton, son of John Swinnerton, who changed his name to Richard Peshale. Nevertheless Erdeswick continues: The same Sir Richard dwelt, as I take it, at Peshall, and had issue a younger son called Adam, which I suppose was the man that took the canton and wolf's head for his difference; for I have seen a seal of his son, Sir Richard Peshall, with the same cross, canton, and wolf's head, for his armory. All of which records a fundamental error on the part of Erdeswick as the Plea-Rolls of 17 Edward II. (1324) disclose that Adam de Peshale, through whom the male line of de Peshale descends, was the son of Adam, and this is now accepted by the Staffordshire genealogists as true, Erdeswick to the contrary notwithstanding. It is also true that Richard de Peshale and Margery Knighton had two sons, Adam who died after arriving at maturity but without heirs of his body, and Richard de Peshale who was the father of Robert, whose only child and heir Elizabeth married Richard de Peshale of Knightley, and thereby the male line of de Peshale, through Robert de Peshale and Margery Knighton became extinct. [Erdeswick's Survey of Staffordshire, with notes by Thomas Harwood, London 1844. Staff. Hist. Col. vol. 10, page 46.]

It is now possible after an examination of the original records in the British Museum to place before the reader representations of the identical seals which Erdeswick had before him when he made this remarkable contribution of suppositions as to the history of our family. See plate opposite—

It is evident that the above seals are not capable of any other inference than that the users had a common ancestor and to this extent the subsequent searches have confirmed Erdeswick's conclusion and no further than this common ancestry was he warranted in making a supposition from the same. The real relationship existing between the above named persons had to be established according to the rules of evidence governing the entering of a judgment in such inquiries. This evidence has all been set out in this family history and it has been found that the facts are entirely opposite to Erdeswick's haphazard guess. Hence further comment upon these seals is unnecessary.

Erdeswick says Adam married one of the daughters and heirs of John Caverswall, and had Bishop's Offley by reason thereof; for whose better advancement, his father (as I take it) gave him Horseley, to make a marriage fit for an heiress. The error of this statement has frequently been pointed out by others. Adam

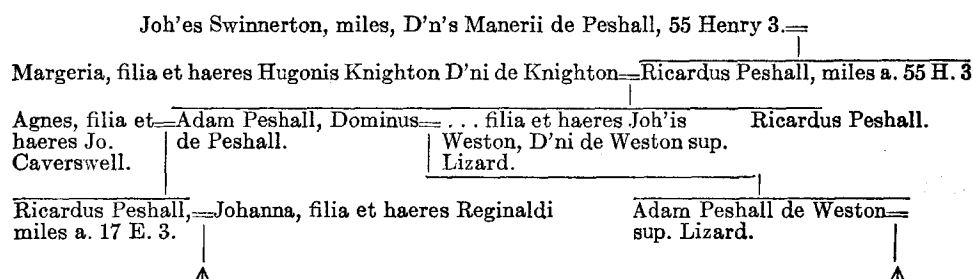
ADAM de Peshale married Joan de Eyton, who was the widow of Henry Cresswell. This was Adam de Peshale, junior, the son of Adam, senior, and it was through this marriage with the widow of Henry Cresswell that Adam de Peshale junior came from Shropshire, into Staffordshire, and became a permanent resident of the latter county, whereas his ancestors for the four preceding generations had lived in Shropshire. And it was this coming of a man of such high rank with apparently no ancestry in Staffordshire, that has caused the historians to look to some other family as the possible source of his descent. It is all the more remarkable as Eleanor, wife of John Swinnerton, and Dr. Walter de Peshale, father of Adam de Peshale, senior, were first cousins, and there never has been any question as to the ancestry of Eleanor de Peshale. Erdeswick, however, continues that this Adam de Peshale, junior, by his wife has issue Sir Richard Peshall, knight, who married Joan, daughter and heir of Reginald, son and heir of Sir John Chetwind, of Chetwind; thus by naming the oldest son of Adam de Peshale, junior, he positively identifies all the persons of whom he has written, and none of them as the reader of this family history will see were ever called Swinnerton. [Erdeswick's Survey of Staffordshire, with notes by Thomas Harwood, London 1844.]

Thomas Harwood, the distinguished editor of Erdeswick's work, 1844, well knew the facts concerning the ancestry of the Richard de Peshale who married Joan Chetwynd, and he saw at once the lack of facts and the manifest want of sequence in Erdeswick's statements and conclusions, even granting that his relationships had been correctly stated, so Harwood attempted to revise the deed. He says: This deed must be wrong in the names. Sir John Swinnerton gave the manor of Peshall to Sir Richard his son (a younger son, no doubt), who thence took the name of Peshall, about 55 Henry III. It should therefore be, *dedit Ricardo fil. Joh. de Swynerton et Rob. fil. Steph. de Peshall, &c. Smyth* (Translation: He gives to Richard, son of John de Swynerton and (from) Robert son of Stephen de Peshale, &c.) This would make Robert de Peshale live long after his time, and it has since been proven that no such Richard, son of John Swinnerton, ever lived. The deed is correctly stated by Erdeswick as it records a conveyance of property which actually took place. But it must by the time of Harwood have been evident that Erdeswick was entirely wrong in his suppositions when so eminent a genealogist wanted to change the reading of the deed.

This supposition of Erdeswick is the entire basis for the statement that the Peshales, or rather part of them, had a Swinnerton paternal ancestry through John Swinnerton. The several sub-propositions of Erdeswick are all untrue, yet because the genealogists confined themselves to Staffordshire records and knew nothing of the Shropshire ancestry of Adam, Richard, Thomas and Robert the sons of Dr. Walter de Peshale, the genealogists have persisted in giving John de Swinnerton as the father first of Richard, and later of Adam, senior, to the exclusion of Richard, Thomas and Hugh. It is true that no two statements they make are exactly alike, yet the modifications were all based on the belief that John Swinnerton, senior, and later John Swinnerton, junior, his son, was the ancestor of one of these brothers. We shall therefore consider these modifications of the original proposition. Erdeswick, who had the first guess, supposed first that John

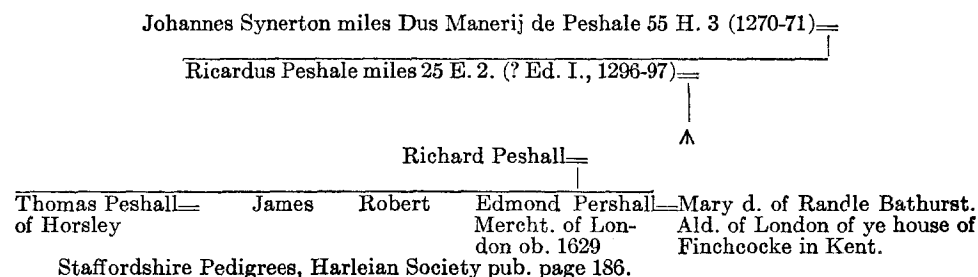
Swinnerton, senior, had a son Richard Swinnerton, who changed his name to Richard de Peshale, and that he was father of Adam de Peshale, junior.

It is only fair to say that at the end of the seventeenth century our branch of the Peshale family had accepted this as in the main correct. But the Marshals, Masters Glover Norray, Lee Clar, and Cook Clar, and others were doubtful about it. It is evident however that they tried to find a grain of truth in this supposition so as not to entirely displace it. The truth is, however, that no one has ever been able to find a record of a Peshale who could by any possibility be the son of this John de Swinnerton. Hence the Marshals cast about for all possible variations that could be made to fit the general supposition. Consequently they adopted the view that it was John, the son of John Swinnerton, and that he lived in 1271, hence they stated in the pedigree of the family in the Visitation of 1614 as follows:—



The John de Swinnerton who is here named as the Peshale ancestor is the son of John Swynnerton by his second wife Margery Swynnerton, by which we see that they not only entirely abandoned John Swinnerton, senior, and his first wife, Eleanor de Peshale, as the parents of this Richard Swinnerton who changed his name to Peshale, but they also now named Richard Peshale, who married Margery Knighton, as the father of Adam de Peshale, junior, whereas they are brothers.

That the supposed Swinnerton ancestry was entirely without warrant of fact must have been painfully evident to the Peshale family, and to the Marshals by the time of the Visitations of 1664-1700 as the pedigree there set forth reads as follows:—



and no attempt was made to find the connecting link between John de Swynnerton, of temp. Henry III, and Richard de Peshale, of temp Edward II, as it appears in the prior Visitation, or between the Richard named and the living members of

the Peshale family; all of which of course only adds to the certainty that no such relationship was ever accepted as true. The Master at Arms merely inserted the dates 1270-71—1296-97 and let it go at that.

Then it was discovered that after all Adam de Peshale, junior, was the son of Adam de Peshale, senior. But this did not alter the desire to find a Swinnerton ancestry for our branch of the Peshall family, so the genealogist merely substituted Adam de Peshale, senior, for Richard de Peshale, and named Adam de Peshale, senior, as son of John Swinnerton, junior, and tacking on the de Whetales supposition they must have felt that then at last they had found a line of ancestry for Adam de Peshale, junior. This view was adopted as late as the present century, by the distinguished editor of the History of the Manor of Weston-under Lizard, where he gives the following pedigree:—

Sir John de Synnerton kt. had lands in Peshale, co. Staffs., living 1271=					
Richard de Peshale, (or de Whethales), occ. 1208, 1313, 1315, & 1317	Adam de Peshale (qu. same as Adam de Whet- hales d. f. 1315	—	Anne, rel. of Adam de Whethales 1315	—	John brother of Richard de Peshale, occ. 1308
Sir Richard de Peshale, kt., of Eccleshall & Peshale, kt. 1331, Sheriff of Staff. & Salop 1333, 1334 & 1339 liv. 1343	Margery, dau. of Hugh Knyghton liv. 1343	—	John son of Adam de Whethales, living 1320 & 1331	... (1st—Adam de Peshale of— wife) Horseley & Eccle- shall, & (jure uxoris) of Bishop's Offley, Bailiff of Liberty of Bishop of Cov. & Litchfield 1310, sheriff of Staff. 1341, decollatus 1346, (qu. same as Adam son of Adam de Peshale 1323 & Adam son of Adam de Whethales 1320	Joan, dau. of John de Eyton, on the Wyld- mores, & rel. of Sir Henry de Creswelle, kt., of Bishop's Offley, liv. 1377, (2nd wife)
Richard, son of Margery living 1343, qu. d.s.p.	Sir Richard de Peshale	—	Joan de Chetwynd	John de Peshale	Sir Hamo de Peshale
					Sir Adam Isabel

Here again the local historians in Staffordshire have made a great error as John de Swinnerton and Adam de Peshale, senior, are of the same generation, as will appear by the following paralleling of generations from their common ancestor John de Lumley de Peshale:—

John de Lumley de Peshale.					
Robert de Swinnerton			William de Peshale		
John de Swinnerton		Stephen de Peshale		Dr. Walter de Peshale	
Margery—	John de Swinnerton	—	Eleanor de Peshale	Robert de Peshale	Dr. Walter de Peshale (II)
	John Swinnerton 1271				Adam de Peshale, senior

As a fact Adam de Peshale senior, Adam de Whetales, and John de Swinnerton (1271-1284) are of the same generation and were contemporary. Richard de Whetales and Adam de Whetales in the above pedigree are the sons of Adam de Whetales, not of John de Swinnerton, and John, brother of Richard de Peshale,

is the son of Richard de Peshale, the brother of Adam de Peshale, senior. It would seem that after all the backing and filling by the historians, they would have let our family pedigree severely alone, but as late as 1916 they were still at it reaffirming the line of Swinnerton ancestry through John Swinnerton, 1271, for our line of the Peshale family. The truth is therefore evident that so long as it remains possible to hang up a name as the son of John Swinnerton 1271-1284, we are going to find the Staffordshire historians and genealogists arranging all sorts of fantastic possibilities as fulfilling this long felt desire. We shall therefore at this time once and for all dispose of this John Swinnerton as a possible ancestor, not only for us but for any family of any name.

The inquiry then resolves itself into whether or not John Swinnerton, junior, had a son and if so was he named Adam, Richard, or any other name, for of course if John, junior, had as a fact no heirs male or female then even the basis for such a supposition fails entirely. It is a curious fact that John Swinnerton, senior, was not only married twice, but he had a son John by each marriage. The first John married and died without heirs before the second marriage of his father. The second John, who survived the father's death in 1256, is the product of the second marriage. It is therefore impossible for the first John, junior, to have been alive in 1272. The person referred to is therefore fixed conclusively as being intended to mean John Swinnerton, junior, son of John Swinnerton, senior, and his second wife Margery Swinnerton.

In 1284 Roger Swinnerton, nephew of Alice de Swinnerton, who married Adam de Peshale, succeeded to the lands of his half-uncle, John de Swinnerton, junior, under circumstances which made Roger a defendant in several lawsuits. The facts uncovered in the litigation were briefly as follows: John Swinnerton, senior, had married for his second wife Margery Swinnerton, his cousin. She was the sole heir of Robert Swinnerton and they had two children, Roger and John, who upon their mother's death inherited the lands of Robert Swinnerton. Roger died intestate and unmarried, so that all the lands of Robert Swinnerton vested in John Swinnerton, junior. He died in 1284 leaving a wife but no heirs of his body. He was the John Swinnerton living 1272 referred to by the genealogists. Prior to his death he had made an attempt to pass the inheritance of his lands to his half-nephew Roger, son of his half-brother Stephen, who was not of the blood of Robert Swinnerton the original proprietor of the lands in question. Some of the collateral heirs of John junior, who were of the blood of Robert, contested this transfer of the inheritance and several law suits were commenced to recover proportionate parts of this landed estate. It happened that there were no collateral heirs of John junior of the whole blood except the descendants of the brothers and sisters of his grandfather, Robert Swinnerton, who was son of that Robert Swinnerton who was born de Peshale, and who was the first who called himself de Swinnerton. The children of the first Robert de Swinnerton, as has been said, were Robert, John, Roger, and Margaret; and with the line of Robert extinct, the heirs of John, Roger and Margaret would each per stirpes be entitled to one third of the land of the deceased John Swinnerton, junior, provided of course that there were no surviving heirs of his body begotten, and that the attempted conveyance of the inheritance was invalid. This state-

ment will therefore serve to explain the introduction at this place of a complete pedigree of the descendants of the first Robert de Swinnerton, instead of merely presenting a statement of the ancestry of Alice de Swinnerton, wife of Adam de Peshale. This pedigree therefore will be found to be stated with special reference to the proof of the ancestry of each of the several plaintiffs, who as collateral heirs of John Swinnerton, junior, deceased, claimed to recover against Roger de Swinnerton. At the outset of this presentation of Swinnerton genealogy the writer desires to state his special obligation to the Rev. Charles Swinnerton for his most excellent account of the Swinnertons, and to Canon Bridgeman for his carefully compiled history of the Swinnertons, to Mr. G. O. Bridgeman for his learned article on the Walton and Stone Manors, and to the very interesting history of the manor of Weston-under-Lizard, all of which appear in the Staffordshire Historical Collections. These greatly aided the writer in his own independent examination of the records. It will assist the reader if we point out that the Swinnertons were likewise owners of the manors of Suggenhall and Parva Suggenhall, hence the clerk indifferently called the same person de Swinnerton and de Suggenhull. Therefore they will appear in the same way in this genealogical statement, which will explain why, for example, our record will speak of a certain Robert de Swinnerton and the next citation will call him Robert de Suggenhull.

The following chart will give the pedigree of the descendants of John de Swinnerton de Suggenhulle, als John de Swynnerton, de Parva Sugnall de Dorslowe, son of Robert de Swynnerton the elder.

*1. John de Swinnerton, "jure uxoris" Lord=Sugnall and Dorslowe		Stephen de Peshale A. D. 1227	
Margery de Swinnerton, d. 1255 (2nd wife)		Robert, son of Stephen de Peshall	
John de Swynnerton Lord of L. Sugnall & in right of 2nd wife of Swinnerton, d. 1254		Eleanor, dau. of Stephen, & sister & heir of Robert de Peshall (1st wife)	
Roger de Swynnerton Lord of Swynnerton 1255 no issue	Alice rel. John de Swynnerton Lord of Swynnerton, 1284, he having settled his est. without entail on Roger, son of his half-bro. Stephen de Uselwell	Muriel rel. 1284	John de Swynnerton ob. s.p.
			Aldith d. & coh. of Adam Bures
			Stephen de Uselwell or de Aspley, d. 1276
			Joan d. & coh. Roger de Waure, of Gt. Sugnall, Uselwell & Aspley
			Robert de Sugnall, killed 1272
			Cecily de Charnee
			Alice who married Adam de Peshall
Roger de Swinnerton, Lord of S. ob. 1298. a minor in 1278; succeeded as lord of Swinnerton under settlement made by his half-uncle John de Swinnerton in 1284; he is defendant in the action brought by coheirs of his half-uncle in 1285		John de Swinnerton of Uselwell occ. 1315	
		Adam son of Stephen	

*Margery de Swinnerton was a descendant and sole heir of the line of Robert de Swinnerton, brother of the first John de Swinnerton and with the death of her son John the line of Robert de Swinnerton ceased. Her husband was descended from John brother of Robert de Swinnerton, hence his children by his first wife would be entitled to one third of Robert de Swinnerton's estate.

The numbers refer to the divisions of the text.

*1. JOHN DE SWINNERTON DE SUGGENHULLE, married Petronilla, daughter of Gamel de Dorslowe of Parva Sugnall, Chapter 11, Section 3, Division 4. M. Child: (of 1st marriage): *2. 1. John de Parva Sugnall de Swinnerton.

Petronilla de Derueslawe (Dorslow) was the daughter of Gamel de Derueslawe who in 35 Henry II (1188-1189) was fined half a mark for default of appearance of one Suanilda, for whom he had gone bail, and the grand daughter of

Gamel who witnessed a deed of Ernald fitz-Odo to the monks of Stone in 1136. In 31 Henry I. (1129-1130) a tenant of Gamel fitz-Griffin owes 40s., a fine incurred in a suit of treasure-trove. It is more likely, however, that Gamel de Doreslow was arriers tenant. This, therefore, records another marriage between the descendants of Gilbert de Corbeil and his wife Isabella Lupus into a family of the Northumbrian colony at Stone Priory, Staffordshire. Orm, a member of this family, but not in the direct line of ancestry of Petronilla, had married Athelthryth daughter of Earl Ealdred of Northumberland, which made him brother-in-law to Siward and Ligulph. [Staffordshire Historical Collections, vol. 6, part 1, page 23 & vol. 1, page 3.]

In 24 Edward I. Johēs de Parva Suggenhall held Little Suggenhall and Doreslow of ye Bishop by ye 4th part of a knights Fee. Chetwynd seems to be right, this property did not come by inheritance from the Swinnertons to the Peshales, as Robert, the grandson of John, held it and was called Robert de Parva Suggenhull. He was the brother of Alice, who married Adam de Peshale, senior.

The Pleas of the Crown for the first year of the reign of King John, heard at Lichfield on the 29th September (1199), show that an Assize assembled to enquire if Wimer the father of Reginald had been seised in his demesne, as of fee, of half a virgate of land with appurtenances in Derueslawe Dorslow) on the day of his death, which land is held by John de Suggenilla and Petronilla his wife, who say that the said Petronilla has a certain elder sister who holds a moiety of the said half-virgate of land, and that they themselves hold the other moiety. And Reginald says that on the day of view they themselves held the whole of the aforesaid half-virgate, and that afterwards they demised the said moiety to the sister of the said Petronilla.

The suit was finally concorded on the 4th October in the same year, when John, Petronilla and Margaret acknowledged the land to be the right of Reginald, to be held by him and his heirs of them and their heirs by the service of 16d yearly. The suit proves that John de Sugnall had entry into this Dorslow land only in the right of his wife Petronilla, and it shows too that Reginald was arriere tenant under Petronilla and Margaret. Lichfield 4 October 1199. Reginald Fitzwince, complainant; John de Sugenhill and Petronilla his wife and Margaret sister of Petronilla for half a virgate of land in Doreslow. John and Petronilla and Margaret acknowledged the land to be of Reginald to be held by him and his heirs of them and their heirs by the service of 16d. yearly. [Staff. Hist. Col., vol. 3, n.s. & vol. 3, part 1, page 168.]

On the Assize Roll of 5 John (1203) four knights, Walter de Witefield, John Sautcheverell, Ralf de Blore, and Ralf de Knutton, are summoned to make recognition between Robert de Suggenhull and John de Suggenhull concerning three virgates of land with appurtenances in Suggenhull, whereupon the said John de Suggenhull puts himself on the Great Assize of the Lord the King for an inquest as to which of the two has the greater right in that land. The Final Concord is not extant, a separate entry merely showing that John de Suggenhille, in order to have it, fined half a mark by the pledge of Osbert de Witindon, the Bishop's seneschal. Here the case closes. The piece of land in dispute was claimed by Robert de Sugnall as a portion of Magna Sugnall, as on the occasion of a similar

dispute, perhaps over the same land, in the reign of Edward I. [*Ibid.*, vol. 3, n.s., part 1, page 75.]

Assize Roll 5 John (1204) De Johanne Suggenhull pro licence concordance per plegim Osberte de Witindor Seneseall Episcopa domeridian Marcan. [*Ibid.*, part 1, vol. 2, page 101.]

*2. JOHN DE PARVA SUGGENHULLE DE PESHALE DE SWINNER-TON. (This is the John de Swinnerton named by Erdeswick as being the father of Richard de Peshale.) He married first Eleanor de Peshale, daughter of Stephen de Peshall. Married second Margery Swinnerton, daughter of Robert de Swinnerton and his wife Margaret de Audley. Children of first marriage:—*1. John de Swinnerton d.s.p. *2. Stephen de Uselwell de Aspley. *3. Robert de Parva Sugnall. *4. Alice de Swinnerton. *5. Nicholas de Aspley. Children of second marriage:—*6. Roger de Swinnerton. *7. John de Swinnerton. (This is the John de Swinnerton now named by the Staffordshire genealogists as father of Adam de Peshale, senior.)

Staffordshire Assize Roll. 12 Henry III. (1228) Assize if John of Little Suggenhill had disseised Gilbert son of Swen of his tenements in Little Suggenhull. Verdict for John. [Staff. Hist. Col., vol. 4, page 17.]

Return of Fees and Tenants. (1243) Barony of the Bishop of Chester, Robert de Suggenhull, half fee in Suggenhull (Sugnal), Thomas de Peshall, one eighth fee in Peshall; John de Suggenhull, one eighth fee in Suggenhull. 1243. The heirs of Robert de Sogenhulle, one half fee in Sogenhull. Thomas de Peshale, $\frac{1}{8}$ fee in Peshall; John de Little Sogenhull $\frac{1}{8}$ fee in Sogenhill (including Dorslow in 1284-5). These are very interesting records as they disclose that Parva Sugnall was a divided manor, and that John was tenant of the portion belonging to the Bishop of Chester. [Staff. Hist. Col., vol. 1912, page 296.]

27 Henry III. 1243 John of Sogenhul was a member of the inquisition to inquire what lands Roger de Burcerardesley held of the king in Capite in Apsley and by what service and what they are worth per year. [Staff. Hist. Col., vol. 1912, page 117.]

Robert de Swynnerton, brother of John, was succeeded by an heiress, Margery who became the second wife of John. In 32 Henry III. (1247-8) John de Swynnerton and Margery his wife are complainants in a suit against Vivian de Standon with respect to common of pasture in Swynnerton; and a final concord was made at Lichfield on 3rd February 1248, by which the said John and Margery grant, for themselves and the heirs of Margery, that Vivian and his heirs may have common of pasture for all kinds of cattle in the heath of Swynnerton, and their villeins of Standon for all kind except swine. And for this acknowledgement Vivian granted for himself and his heirs that the said John and Margery might assert and cultivate the moiety of the heath towards the north, &c.; and Vivian and his heirs will pay to John and Margery and the heirs of Margery 4s. at Swynnerton yearly. The terms of this fine clearly show that Margery and not her husband was the heir of Swynnerton. In 33 Henry III., John de Swynnerton and Margery his wife give 20s. for an assize to be taken before Master Simon de Wanton for

which the King's license is dated 5th May of that year. [*Ibid.*, vol. 7, part 2, page 7-9.]

Among the pleas at Westminster, before Henry de Mara, in the Octave of St. Michael, 35 incipiente 36 Henry III., 6th October, 1251, Philip de Pres sues Margaret, wife of John de Swynnerton, together with John de Swynnerton her husband, for a debt of 100 marks. Margaret did not appear, and the Sheriff is ordered to distrain her to appear in the Octave of the Purification. As John de Swynnerton had issue by Margery his wife, therefore in the event of his surviving her, he would certainly have continued to hold her lands for life by the courtesy of England. There can be no doubt that they were both dead in 40 Henry III., (1256) when Roger de Swynnerton (the son and heir of Margery) is entered among those who held fifteen librates of land and upwards in the county of Stafford, and are not Knights. He is there rated at twenty librates, and would thus appear to have been in possession as head of the family at that time. [Staff. Hist. Col., vol. 3, n.s., page 99.]

In the Liber Albus of Lichfield is preserved a quit-claim, without date, from the executors of Margery de Swynnerton, late Lady of Swynnerton, to Roger (de Weseham) Bishop of Coventry and Lichfield, of all the right which the said Lady Margery, had, by concession of the Lord Bishop, to the custody of the heirs and lands of the late Robert de Sugenhull in Espel (Aspley) and Sugenhull, and also to the marriage of the heirs of the said Robert. From which it would appear that the Lady Margery had survived her husband John de Swynnerton.

Canon Bridgeman does not mention the names of Margery de Swynnerton's executors. They were:—

1. Roger, Prior of Trentham. 2. Nicholas de Aspley, Prior of St. Thomas, near Stafford. 3. Stephen de Hunteback, chaplain. Nicholas de Aspley was a brother of Stephen de Aspley, and one of Margery's stepsons. Great Sugnall came back to the Swynnertons from Roger de Waure, who acquired it from Robert de Sugnall de Swynnerton.

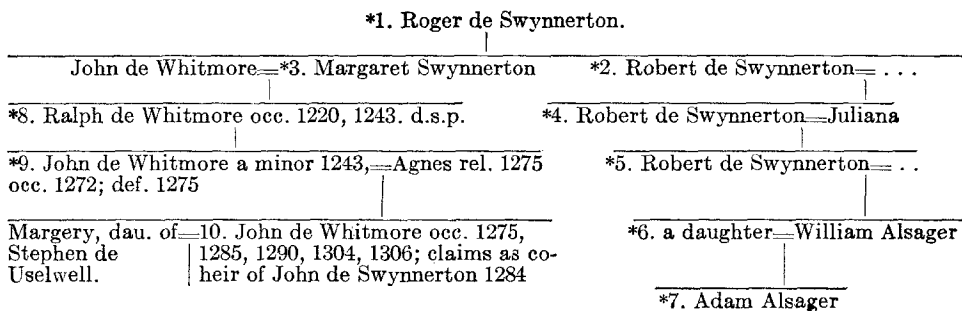
The Swinnertons say that John de Swynnerton de Parva Sugnall, of Dorslow, and of Peshal, had married Eleanor the sister and one of the heirs of Robert, the son of Stephen de Peshal, in Eccleshall, and with this the evidence available certainly agrees, for John named one of his sons Stephen and another Robert. The history of Peshal, then a divided manor, is also in accord. Thus Chetwynd, the Staffordshire historian, says that the whole of Peshall not pertaining to Thomas de Peshall and his sister Dorea, together with the royalty was purchased by Sir John de Swynnerton, knight, of Robert son of Stephen de Peshall, who sold him all his own lands there, and all too that he had purchased of Thomas, son of Thomas de Peshall aforesaid, together with all rents, homages, &c.; and the learned annotator says (Erdeswick's MSS., British Museum, p. 26): The whole of the persons who figure in this deed can be shown from the Plea Rolls to have been living early in Henry III. and the authenticity of the deed cannot be questioned. It is also worthy of note that Thomas de Peshall is sometimes named in the Plea Rolls "Thomas de Golden." [Staff. Hist. Col. vol. 3 n.s. page 99.]

They are wrong as to the whole of Peshale being vested in John Swinnerton by this deed. The manor of Peshale was divided into two main parts, namely:

one having the Staffords for overlord and the other being held under the Bishops of Chester. As to the former, Robert de Peshale did not hold under any circumstances more than his father's share, which was one fourth of the manor, while as to the interest he acquired in the Bishops manor, it is certain that the Broughtons, Whetales and perhaps others bought parts of this manor from the other descendants of John Peshale, and these parts never passed to the Swinnertons or to the Peshales, as the Broughtons continued to hold their part for several centuries, and the Whetales part was held by John Whetales and at his death without male heirs passed to his daughter, and through her to her heirs. It is true that they bought of Dorothy de Peshale, a sister. Another part passed to the Chatculns through a marriage with another sister, so that at the best John Swinnerton by his deed from Robert de Peshale only held one third of the Bishops manor of Peshale. Thomas de Peshale, who called himself le Golden, was son of Doctor Walter de Peshale and only related very distantly to the Peshales of the Bishops manor of Peshale, they having a common ancestor in John de Lumley de Peshale.

As all the present day suppositions are predicated upon John Swynnerton, junior, namely, the son of John Swynnerton and his second wife Margery, having left right heirs of his body to succeed to his landed estates, it will therefore serve no good purpose to set out here the proof of the existence of any of the children of John Swinnerton, senior. But on the contrary such a presentation, involving as it would the reprinting of many public and private documents, would only divert the reader's attention from the main issue, which is—Did John Swinnerton, Junior, who was lord of Swinnerton in 1256-1284, leave children or the descendants of children to survive him? So far as the ancestry of Alice Swinnerton is concerned it of course begins with her father John Swinnerton senior. The reader will therefore kindly accept the descendants of Sir John de Swinnerton and his wives, namely Eleanor de Peshale and Margery de Swinnerton, to be as stated in the chart at the beginning of this section, as they are all, except Alice, there stated exactly as they appear in the before mentioned Swinnerton genealogies. Alice Swinnerton, as we have said, is dependent upon the Pearsall chart of Rev. Sir John and the Willsbridge chart in Burke's Founders of Royal Descent.

The following chart gives the pedigree of the descendants of Roger de Swinnerton.



The numbers refer to the division in the text which follows.

*1. ROGER DE SWINNERTON ALS ROGER DE SUGGENHULL DE SWINNERTON married ———. Children:—

*2. Robert de Suggenhull de Swinnerton. *3. Margaret de Swinnerton married John de Whitmore.

The Swinnerton charts overlook Roger de Swinnerton the third son of the first Robert de Swinnerton, although the Assize Roll 5 John Staffordshire (1204) gives Roger de Suggenhull, tenetum in Suggenhull.

Whereas it appears that in 1284 John de Whitmore and Adam son of William Alsager were the heirs of Roger de Swynnerton, and therefore each entitled to one-sixth interest in the landed estate of Robert de Swynnerton, the brother of the said Roger.

*2. ROBERT SWINNERTON son of Roger de Suggenhull de Swinnerton. [Staff. Hist. Col. vol. 2, part 1, page 106.]

The town of Newcastle in the hundred of Pirehill, appeared by twelve jurors at the inquisition to determine if William son of Richard de Stafford, Alan de Novo Burgo and Walter de Derby killed Richard the nephew of William de Bodelan and his groom and they were taken at Stafford and hanged by the judgement of the county court, and the bailiffs of the king had first sought them out as accused of hundred, to put them into the king's prison but were prevented by the bailiffs of the Earl of Chester, viz. Richard de Sandeback and William de Erdenston. They are therefore in misericordia and the vill is in misericordia. The sureties of Richard are Robert de Mere and Henry de Aneston. The sureties of William are Robert de Suggenhull and Robert de Swinnerton. [Staff. Assize Roll. 12 Henry III 1228. *Ibid.* vol. 4, part 1, page 72.]

*3. MARGARET SWYNNERTON daughter of Roger, married John de Whitmore. Child: 1. Ralph de Whitmore.

In the Whitmore pedigree given in Chetwynd's History of Pirehill Hundred a marriage is shown between a John de Whitmore the great-grandfather of the claimant in the suits against Roger de Swynnerton in 1285, and Margareta fil. Roger dom. de Swinerton. [Staff. Hist. Col. vol. 3, n.s. page 102.]

*8. RALPH DE WHITMORE. In a deed of about 1225, by which John son of Ralf de Cnotton confirms to Ralf son of John de Wytemore all the tenements in Wytemore which John de Wytemore, father of Ralf, held of Ralf de Cnotton, father of John, among ten witnesses, the first two in order are the Lords Henry de Haudeley and Robert de Swynnerton. [*Ibid.* vol. 3, n.s. page 102.]

*9. JOHN DE WHITMORE son of Ralph de Whitmore and his son—

*10. JOHN DE WHITMORE.

In the account of a domestic cartulary of the early fourteenth century (Staffordshire Historical Collections, vol. 1913, page 239) appears the following: John Lord of Whitmore.—He succeeded his father John in or before 1275 as in that year his mother Agnes was suing for dower. The Hatfield copies of Whitmore deeds give Margery daughter of Stephen de Swynnerton as his wife. This Stephen was called of Isewall in Eccleshall and his son Roger, the brother of Margery, was that lord of Swynnerton who seems to have died in the Flanders expedition

of 1297-8. They must have been married before 1274-5, the date of John the father's death, as an original deed is in existence which could not have passed after that date, and may belong to circa 1270, in which John the father, lord of Wytmore, appears as second witness, the first being John lord of Swynnerton, and in which John de Whitmore the younger and Margery, the grantees of all the lands of Robert son of Thomas of the Churchyard of Whitmore, occur as already married. John de Whitmore was succeeded by Ralph his son and heir in or about 1303.

*2. *4. and *5. ROBERT DE SWINNERTON.

Plea Rolls 1 Henry III. co. Derby 6 October, 1230. Robert de Suggenhill gives a mark for license of concord with Ralph Grim in a plea of land. [Staff. Hist. Col. vol. 4, pt. 1 page 80.]

The three Roberts are determined by the following suit for dower by the widow of the second Robert.

Pleas Rolls 17 Henry III. Staff. Oct 27, 1233. Juliana, widow of *4 Robert, son of *2 Robert (de Sugnall), sued Robert de Waure for a virgate and a half of land in Suggehull (Sugnall) as her dower, and Robert called to warranty *5 Robert, son of Robert, who is under age, and in ward to the said Juliana; and Juliana put in sureties to produce him at fifteen days from Hillary. And because she says that the said Robert holds nothing of the inheritance of his father, the Sheriff is commanded to inquire on the oath of twelve men, of what tenements the said Robert her husband was seised as of fee on the day he married her &c. [*Ibid.*, vol. 4, part 1, page 85.]

The minor children of Robert, who were daughters, were in ward to Margery wife of John de Swinnerton. In the Liber Albus of Lichfield is preserved a quitclaim (without date) from the executors of Margery de Swynnerton, late lady of Swynnerton, to Roger de (Weseham), Bishop of Coventry and Lichfield, of all the right which the said Lady Margery had, by concession of the Lord Bishop, to the custody of the heirs and lands of the late Robert de Sugenhull in Espel (Aspley) and Sugenhull, and also to the marriage of the heirs of the said Robert. This custody must have been conceded to Margery as a right; and her right must have been under the usual feudal law the right of the nearest of kin who could not inherit; which would be precisely the position she would occupy with regard to the heirs of the last Robert de Sugnall. It is apparent that the nearest of kin who could inherit was John de Whitmore and the nearest of kin who could not inherit would be Margery de Swinnerton, Geoffrey de Walton, Robert de Walton and Gilbert le Mareschall. Giving preference to the male line, the Bishop was clearly right in awarding to Margery the custody of the heirs of Robert de Sugnal. [*Ibid.*, vol. 7, pt. 2, page 8, vol. 3, n.s. page 99 & vol. 1913, page 191.]

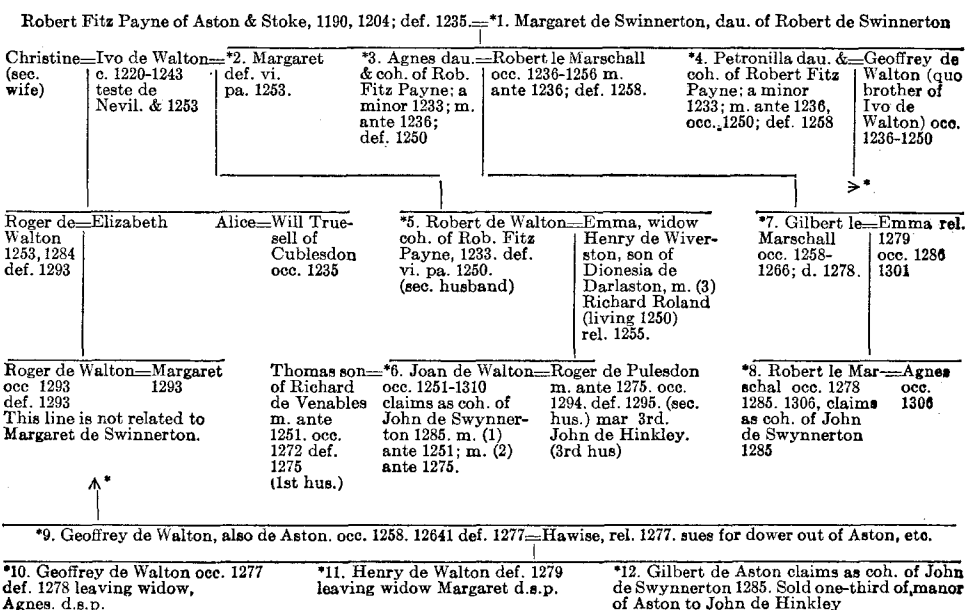
It appears that only one of Robert de Swinnerton's children married. She became the wife of William Alsager. In 1284 they were all dead and Adam Alsager their son was one of the plaintiffs in the action against Roger de Swinnerton. According to Ormerod there was an Adam de Alsacher son of Julian or Gilian (William) de Alsacher whose sons Thomas and Randle held lands in Alsager in 26, 27, and 31 Edward I. (1290, 1299, and 1303), and he probably was the claimant to the share of the Swynnerton estates in 1285. It will be noticed that

in 1284 Adam, son of William Alsager, and John de Whitmore were the right heirs of Roger de Swinnerton. [Staff. Hist. Col., vol. 1913, page 189. History of Cheshire, vol. 3, page 321-322.]

***1. MARGARET DE SWINNERTON**, married Robert Fitz Payne of Aston & Stoke. Children:—

***1. Petronilla Fitz Payne**, married Geoffrey de Walton. ***2. Agnes Fitz Payne**, married Robert le Marschall. ***3. Margaret Fitz Payne**, married Ivo de Walton as his first wife.

The following chart will show the pedigree of the descendants of Margaret de Swinnerton, who married Robert Fitz Payne.



The numbers refer to the divisions of the text which follows.
From this it appears that in 1284, Joan de Walton, wife of Roger de Pulesdon, Robert le Marschall and Gilbert de Walton, were the heirs of Margaret de Swynnerton and therefore each entitled to one-ninth interest in the landed estate of Robert de Swynnerton, the brother of the said Margaret.

Robert Fitz Payne was a member of the Northumbrian colony at Stone Priory as witness the follow deed: Sciant &c. Rogerus Vigilis dedi &c. xii acras in Tysho. Testes: Robertus filius Pagani, Ivo de Walton, Willelmus de Hildulvestre, Radulphus Braal, Ricardus armiger. (Translation: Be it known &c. that I, Roger Vigil have given &c. twelve acres in Tysho. Witnesses: Robert Fitz Payne, Ivo de Walton, William de Hildulvestre, Ralph Braal, Richard the armour bearer.)

The following genealogy has been gleaned from an article called "Notes on the Manors of Aston and Walton, near Stone, in the thirteenth and fourteen centuries," which appears in the Historical Collections of Staffordshire. In the Liber Niger, A.D. 1166, we find that Robert Fitz Payne then held under Robert de Stafford two knights' fees, viz., one fee held by himself in his demesne, at Aston

and part of Stoke, and the other fee held of him, half by Nicholas de Stoke at Tittensor and part of Stoke, and half by Nicholas de Werleston, identified as Burston and the name corrected to Nicholas de Berleston. This Robert Fitz Payne appears to have been the second consecutive lord of Aston of that name, and to have been succeeded by a son also bearing the same name, who was living in 1205, who had a wife of the name of Sibil. She was the wife of the second Robert Fitz Payne and hence mother of the Robert Fitz Payne who married Margaret de Swinnerton. [Hist. Col. of Staff., vol. 1913, page 181-183; vol. 1, page 149, 173; vol. 12, n.s., page 116, note; vol. 3, page 32, cf. page 33, 129.]

In his Notes to the Liber Niger General Wrottesley goes on to state that Robert de Aston, son of Robert Fitz Payne (i.e. the third and last Robert Fitz Payne of Aston and Stoke), appears to have left two daughters, coheiresses, Agnes and Petronilla, married to Robert Marshall and Geoffrey de Walton, for which statement he cites Feet of Fines, Stafford, 20 Henry III. (1236) since extracted and referring to land in Blakelowe. Without other records this fine certainly does suggest that there were only two coheiresses, and the same inference might naturally be drawn from an entry on a Plea Roll of 17 and 18 Henry III. (1233) in which Robert son of Ivo appears as suing Agnes and Petronilla, daughter of Robert Fitz Payne, in a plea of land; and this will account for Mr. Parker adopting the same view in his Notes to Chetwynd's History of Pirehill Hundred. Nevertheless there were three coheiresses and not two, and the third coheiress was in 1233 represented by the plaintiff, Robert son of Ivo (de Walton). This is quite consistent with the Plea Roll of 1233, whilst the fine of 1236 should be compared with a later fine of 1306 which apparently deals with the same land at Blakelowe, and which shows clearly that Robert le Marshall's share of the manor of Aston was one third and not one half. [Hist. Col. of Staff., vol. 1, page 173; vol. 4, page 83, 232, 233; vol. 12, n.s., page 116; vol. 1911, n.s., page 66-67.]

The last Robert Fitz Payne also called himself de Aston, as witness the following deeds from the Stone chartulary:—

Dionisia de Dorlaveston concessi, &c. Robertum filium Ranulfi de Dorlaveston cum tota sequela sua &c. quem clamavi pro nativo meo in Comitatu de Stafford per preceptum Domini Regis. Pro hac &c. dederunt mihi predicti Canonici v. solidos et xliid. in Comitatu de Stafford Thoma de Erdinton tunc Vicecomite. H.T.: H. de Verdun, R. de Eston, et alii.

(Translation: Dionesia de Dorlaveston cedes &c. to Robert son of Ranulf de Dorlaveston, and all his successors, etc. that (land) which I claim on account of my position as a native of the court of Stafford by the rule of our lord the king. For this &c. the aforesaid Canons of Stone are to pay me five solidos and 13 pence, in the court of Stafford, by Thomas de Erdinton at that time Viscount. Witnesses: H. de Verdun, R. de Eston, and others.)

Robert de Eston, or de Aston, was son of Robert Fitz Pagan, the tenant of Robert de Stafford at Tittensor, Aston, Burton, and Stoke in Stone, A.D. 1166. [Staff. Hist. Col., vol. 1914, page 8.]

Dionisia de Dorlaveston filia engenulfi de Gresele dedi &c. Johanni de Camera et heredibus suis vi selliones de de crofto quod Gilbertus tenuit &c. H. T.: R. de Eston, P. de Draicote, et alii. [Ibid., vol. 1914, page 9.]

(Translation: Dionisia de Dorlaveston, daughter of Engulf de Greseley, deeds &c. to John de Camera and his heirs 6 selliones of the field which Gilbert held, &c. Witnesses: R. de Eston, P. de Draicot and others.)

Ormus filius Uvieti de Dorlaveston dedi &c. duas waras terrae in Dorlavestona et vi acras in eadem villa de in-

cremento illas videlicet waras et acras quas Domina Alina de Derlavestona mihi dedit et concessit pro homagio meo &c. H. T.: R. de Eston, Ivone de Waletton, N. filio ejus, Radulfo Braal, et alii. [Ibid., vol. 1914, page 10.]

(Translation: Orm the son of Uviet de Dorlaveston gives &c. two waras of land in Dorlaveston, 6 acres in the same village more or less, that is to say those waras and acres which Lady Alina de Dorlaveston gave and ceded to me in return for my homage &c. Witnesses: R. de Eston, Ivo de Walton, N. his son, Ralf Braal and others.)

Hardly had Richard I. left for the East when his brother John began to undermine his authority and to exercise tyranny. The result was seen in provincial disturbances. In Staffordshire there appears to have been an insurrection, and

the Pipe Roll of Michaelmas, 1191, which deals with the events of the previous twelve months, shows that large sums had been expended by the Sheriff in the maintenance of men-at-arms, who had been called out for the preservation of the peace. At Newcastle a strong garrison of knights was maintained at large expense. Offenders had been imprisoned in the King's gaol at Stafford. Among the latter apparently was Nicholas de Tittensor, a neighbor and a kinsman of Robert de Peshale de Swynnerton. Tittensor was related to Robert de Peshale de Swynnerton through the marriage of his great great grandfather Alan to a daughter of Tittensor by which Beech came to be a part of Swynnerton. [Staff. Hist. Col. vol. 3, n.s. page 114-116.]

Tittensor adjoined Swynnerton so closely that one of its members, Beech, was included within the boundaries of Swynnerton Parish. Nicholas de Tittensor, apparently too advanced in years to go himself, had sent his son and heir, Richard de Stoke, on Crusade with Robert de Stafford his lord. He was mesne lord of both Tittensor and Stoke (in Stone), and he appears to have put his son Richard in seisin of Stoke, as well as of Aston, a portion of Stoke, long before King Richard's accession. All these places were in the great parish of Stone, adjoining the parish and manor of Swynnerton. It was during his son's absence over sea with the King that Nicholas de Tittensor was found a prisoner in the royal castle or gaol of Stafford. He was allowed to compound his offence, whatever it was, for a round fine. To obtain the full sum necessary he was compelled to part with a portion of his son's inheritance. Half the whole vill of Stoke, with its appurtenances, namely, two virgates of land, with half of the demesne, he sold to his superior, Robert fitz-Payne, for 100s. of silver, and a gold ring to Sybil his wife, which fixes this Robert Fitz Payne as contemporary with Robert de Peshale de Swynnerton. A similar grant, of the other half, with the half service which Robert fitz-Payne owed him for 100 acres and a virgate in Aston (*Quas tenet de dominio meo de Stoke*) he gave to the Prior and Canons of Stone. And this he did, as he says himself, as a return to the monks for the sum of xv marcs (100s.), which they gave him "*ad redemptionem meam dum captus eram apud Stafford,*" for his deliverance when a captive at Stafford.

The latter transaction is comprised in three deeds in the Stone Chartulary, which passed after the news of Robert de Stafford's death on Crusade had arrived in England, and after Hervey Bagot, the husband of Milisent, Robert de Stafford's sister and heir, had offered 100 marcs for seisin of the Barony of Stafford in right of his wife, that is, some time in the year 1191-2. And the point to note is this,—that the monks of Stone, to establish their right in the property as firmly as possible, in the absence of the heir, scoured the country round about Stone and Swynnerton for substantial witnesses, whom they brought together to the enormous number of eighteen. In this list, conspicuous by its absence, the name of Robert de Swynnerton does not appear, because he was dead. Quite a few more interesting details of this Crusade were presented in relating the story of this Robert Swynnerton, in Chapter 13, Section 3. This record, however, fixes quite clearly that Sibil was the mother, and not the wife, of Robert Fitz Payne de Aston, who married Margery de Swynnerton. [Staff. Hist. Col. vol. 3, n.s. page 114-116.]

*2. MARGARET DE ASTON, married Ivo de Walton as his first wife. Child:—

1. Robert de Walton.

The following deeds are from the Stone Chartulary:

Sciant &c. ego Helyas sacerdos quietum clamavi totum jus quod habui in mesuagio illo quod tenui in villa de Stanes &c. H.T.: A. Sacerdote, Willielmo Decano, Roberto de Eston, H. de Verdon, Willielmo filio Nicolai de Titneshovere, Willielmo filio Yvonis de Waleton, Rogero Milcsopp, Matheo fratre ejus, Thoma filio Brien. [Staff. Hist. Col., vol. 3, part 1, page 16.]

(Translation: Be it known &c. that I, Helyas, the priest, proclaim complete and peaceful justice, which I have had in the manor that I have held in the vill of Stone, &c. Witnesses: A. the priest, William the dean, William son of Ivo de Walton, Roger Milcsopp, Mathew his brother, Thomas son of Brien.)

Sciant &c. ego Nicolaus de Titneshovere dedi &c. medietatem de Stoke cum medietate bosci et prati ejusdem villae anima patris mei et matris meae &c. et pro anima Roberti de Stafford domini nostri in puram et perpetuam elemosinam salvo forinseco servitio. Hanc autem donationem feci gratuito assensu Herveii Bagot Domini mei et Liliis uxoris suae &c. Hii sunt testes: Rogerus Bagot, Willielmus Bagot de Blumenelle, Ivo de Waleton, Robertus filius ejus, Henricus de Verdon, Nicolaus de Coltona, Ricardus de Eston, () filius Ranulfi, Hugo de Burchis, Willielmus de Hilduveston et Rogerus frater ejus, Petrus Venator, Herveus frater Domini, Gerardus de Leya, Alexandrus Griffin, Enoch filius Adae Decani, Radulphus de Braal, Willielmus de Hacheburgata, et multi alii. [Ibid., vol. 3, part 1, page 16.]

(Translation: Be it known &c. I, Nicholas de Tieneshovere give, &c. the half of Stoke, together with the half of the woods and meadows of the same village for (the repose of) the spirit of my father and my mother &c. and

for (the repose of) the spirit of Robert de Stafford our overlord, in holy and perpetual alms, for my safe service beyond the seas. I have made this gift, however, with the kind consent of Hervey Bagot my overlord and Milisent his wife, &c. These are the witnesses: Roger Bagot, William Bagot of Blemenelle, Ivo de Walton, Robert his son, Henry de Verdon, Nicolas de Colton, Richard de Eston (Aston), . . . son of Ranulf, Hugo de Burchis, William de Hilduveston and Roger his brother, Peter Venator, Hervey the brother of my overlord, Gerardus de Leya, Alexander Griffin, Enoch the son of Ada the Dean, Radulphus de Brall, William de Hacheburgata and many others.)

Sciant &c. ego Helyas filius Ranulfi quondam prepositi de Stanes remisit &c. illud essartum in villa de Stanes quod pater meus tenuit &c. H.T.: Henrico de Verdon, Ricardo de Titneshovere, Ivone de Aston, Ivone de Waleton, Rogero Milcsopp, et multi alii. [Staff. Hist. Col., vol. 3, part 1, page 17.]

(Translation: Be it known &c. I, Helyas, son of Ranulf, having had at one time possessions in Stone, give back &c. that which I have in the village of Stone, which my father held &c. Witnesses: Henry de Verdun, Richard Tittensor, Ivo de Aston, Ivo de Walton, Roger Milcsopp, and many others.)

Ivo de Walton was married twice. The title to the manor of Walton discloses that he had three children, Robert, Roger and Alice, and they all had living descendants in 1288. Robert the father of Joan de Paulson was the only child by the marriage with Margaret Fitz Payne. His second wife was named Christine.

*5. ROBERT DE WALTON, married Emma, widow of Henry de Wiverston, son of Dionisia de Darlaston. Robert de Walton was her second husband. Child:—

1. Joan de Walton, married (first) Thomas son of Richard de Venables, and second Roger de Pulesdon, and third John de Hinkley.

"Essononia de malo veniendi in Octabis Sancti Michalis, anno regni Regis XVII., incipiente XVIII." Staff. Robert, son of Ivo (de Walton), versus Agnes and Petronilla daughters of Robert fitz Pagan, in a plea of land, by Stephen, son of Richard; and let it be known that Simon de Vernay is the attorney of Agnes by writ of the Lord the King, and Richard de Hekstall is the attorney of Petronilla by writ of the King. Agnes and Petronilla were the daughters and coheirs of the last Robert fitz Pagan, of Aston and Burston, who held two knights' fees of the Barony of Stafford. They were apparently under age at this date and in ward to the King. [Staff. Hist. Col.]

From the Curia Regis Roll of 40 Henry III. (November 1255) we find that Emma, the widow of Richard Rolaund, sued Robert le Mareschall for half a virgate of land in Eston (Aston), and half a Virgate in Bureweston (Burston), her reasonable dower which she had of the gift of Robert de Walton, her second husband, and in which Robert had no ingress except through Richard Rolaund her third husband; and she sued the same Robert for an acre of pasture in Dorlaweston as her dower by another writ de ingressu. The same Emma sued Thomas de Venables and Joan his wife for twelve acres of land in the same vill. The plaintiff in these suits, Emma the widow of Richard Rolaund, had been married three times (1) to Henry (de Wiverston) son of Dionysia (de Darlaston), (2) to Robert son of Ivo de Walton, and (3) to Richard Rolaund. Her second husband was Joan's father; she herself was Joan's mother, and the fact that she

claimed dower out of her second husband's lands in Aston and Burston shows conclusively that he owned them in his own right and not in right of any former wife of his. [Staff. Hist. Col. vol. 6, page 133.]

In February, 1256, a fine was levied by Emma widow of Richard Roulant, by which she remitted in favor of Robert le Mareschall her claim to dower out of forty acres of land and an acre of pasture in Derlaston, which she claimed of the gift of Henry son of Dionysia, her first husband, and out of half a virgate and ten acres of land in Eston and half a virgate in Boreweston which she claimed of the gift of Robert de Walton her second husband. [Staff. Hist. Col. vol. 4, page 248-9.]

*6. JOAN DE WALTON, married 1st Thomas de Venables; 2nd Roger de Pulesdon; 3rd John de Hinkley.

In the Curia Regis Roll of 38 Henry III. (April, 1254) we find Thomas de Venables and Joan his wife suing Robert Mareschall for waste and destruction in the lands, houses, and gardens, &c. which the said Robert holds in custody of the said Joan in Aston. Thomas and Joan were at this time probably both minors, and Robert le Mareschall may perhaps have been in actual possession of the manorial residence at Aston in right of his deceased wife Agnes, as the senior representative of the coheirs who was then *sui jure*. On the Assize Roll of 36 Henry III. (1272) Thomas de Venables' name appears as a juror of the Hundred of Pirehill, and this is the last mention we have of him. [*Ibid.*, vol. 1913; vol. 4, page 132 and 208.]

Three years later, in 1275, Joan was married to her second husband, Roger de Pulesdon; for in that year Roger son of Jordan de Pyvelesdon levied a fine of three carucates of land and twenty-two and a half marcates rent in Aston, Burweston, Stoke, Wyllanescroft, Levedalle, Chatewelle, Waleton, and Burton in favor of Roger de Pyvelesdon and Joan his wife. This accounts for the statement in Kirby's Quest (c. 1284-5) that Roger de Pyveslesdon, Robert Mareschellus, and Gilbert de Aston held one knight's fee of Nicolas, Baron of Stafford, in Aston and Burceston. This mention in Kirby's Quest, of Roger de Pulesdon as one of the joint holders, would be unintelligible upon the hypothesis that the third Fitz Payne co-heiress was the wife of Richard de Venables, for in that case on the death of their son Thomas de Venables the lands would have descended to William the son of Thomas, and Roger de Pulesdon the second husband of Thomas's widow would have had no interest whatever in them. [*Ibid.*, vol. 1911, n.s. page 28-29.]

On the Staffordshire Assize Roll of 21 Edward I. (1293) it is recorded that Roger de Peulesdon and Joan his wife sued the Prior of Stanes (Stone) for ten acres of meadow in Stanes as the right and purparty of Joan, and they said that one Robert her ancestor was seized of the tenement in the time of King Richard, and from Robert the right descended to one Ivo as son and heir, and Ivo to Robert as son and heir, and Robert to Joan who now sues as his daughter and heir. The Prior denied the seisin of Robert the ancestor and put himself on a great assize. It is stated that a concord was afterwards made. This must have been the concord referred to on an earlier membrane (possibly the dorse), for license of which the Prior of Stanes gave half a mark. [*Ibid.*, vol. 6, part 1, page 231, 237, 238; vol. 1911, n.s., page 50-1.]

On the same Roll (1293) is recorded an assize to inquire if the Prior of Stanes and three others named had unjustly disseised Roger de Peulesdon and Joan his wife of common pasture in eight acres of heath in Walton. The defendants stated that Roger and Joan never had common of pasture in the heath, but only a right of way for their cattle; but the jury found in favor of Roger and Joan. The Prior afterwards gave 20s. for a jury of twenty-four to convict the last jury of a false verdict. We find from this same Assize Roll that the Prior of Stanes gave half a mark for license of concord with Roger de Pywelesdon and Joan his wife. By this fine, which was levied accordingly 27th February 1293, in respect of 13 nokes and 2 acres of land, 10 acres of meadow, 8 acres of wood, and 1 acre of pasture in Walton, Stanes, Stoke, and Aston by John, Prior of Stanes, as complainant against Roger de Pywelesdon and Joan his wife as deforciant, the latter acknowledged these tenements to belong to the complainant and to the Church of St. Wulfred de Stanes. In consideration of this acknowledgement the Prior undertook that prayers should be offered daily for the souls of the deforciant and for the soul of Thomas de Venables, Joan's former husband.

These suits and fine are important for the present inquiry first, because the pleading in the first suit sets out Joan's descent from her great-grandfather Robert de Walton, who was the son of Ivo FitzErnald (de Walton) of the Liber Niger, and from whom the lands at Walton and Stone have descended to her; secondly, because the fine indentifies Joan's former husband as Thomas de Venables: and thirdly, because the fine includes also lands at Aston and Stoke, to which she derived title through her descent from Robert Fitz Payne. In Mr. Parker's pedigree of the Waltons he gives "Christina fil. Roberti Fitz Payne" as the wife of Ivo de Walton of the Liber Niger, which makes her the second wife of Ivo. [Staff. Hist. Col., vol. 1, page 178-179, and vol. 12, n.s., page 112.]

Roger de Pywelesdon died in 1293-4, at which time he attempted to levy in Wales the taxes necessary for the French war. The insurrection of Madoc ensued and the infuriated Welsh hanged and beheaded the English king's collector. [Shropshire, Its Early History & Antiquities, by John Corbet Anderson.]

*3. AGNES FITZ PAYNE, married Robert le Mareschall. Child:—

*1. Gilbert le Mareschall.

Agnes, one of the three daughters and coheirs of the last Robert Fitz Payne of Aston and Stoke, was a minor in 1233, married to Robert le Mareschall in 1236, and dead in 1250. Her husband, Robert le Mareschall, was living in 1254, 1255 and 1256, but apparently dead in 1258, when his son Gilbert (le Mareschall) was sued by Geoffrey son of Geoffrey (de Walton) for twelve acres in Aston. [Staff. Hist. Col., vol. 4, page 83, 119, 132, 133, 138, 232, 248.]

The Testa de Nevill (A.D. 1242-3) states that the Prior of Stones (Stone) and Robert Mareschall held two knights' fees of the Barony of Stafford in Eston, Burweston and Stanes. But this statement was clearly not exhaustive, and Robert Mareschall must have been here given as representing not only himself in right of his wife Agnes but also the other coheirs. See accordingly the second and somewhat fuller Return of Fees and Tenants, A.D. 1243, where Robert Mareschall "and partners" are mentioned as holding fees in Aston, Boreweston and Stanes. [*Ibid.*, vol. 1, page 179; vol. 1911, n.s., page 394 and 397.]

The following deeds appear in the Staffordshire Chartulary:

(c. 1245-50.) Sciunt presentes et futuri quod ego Eudo de Verdone dedi et concessi et hac presenti carta confirmavi Henrico de Verdone juveni et heredibus suis unam bovatum terre cum pertinenciis in villa de Bidulf illam scilicet quam emi de Henrico Franceys filio Radulfi de Astbury, tenendam et habendam sibi et heredibus suis vel assignatis libere et quiete et honorifice in bosco et plano, in pratis et pascuis in molendinis et in omnibus aliis locis et liberis communis sicut carta domine Aline de Derlastona purportat quam Ranulfo patri dicti Henrici et heredibus suis pro homagio et servicio suo fecit, et sicut carta dicti Henrici similiter purportat. Reddendo inde annuatim pro me et heredibus meis ipse et heredes sui vel assignati duos denarios quadrentem ($\frac{2}{4}$ d.), scilicet Thome de Letton (Leighton) et Felicie uxori sue et heredibus eorum tres quadrentes, et Thome filio Rogeri de Bidulf et heredibus suis tres quadrentes in festo Sancti Michaelis et de residuis tribus quadrentibus adquebit servitium pertinens ad Aufeton (his service at Alton Castle) in festo Sancti Andree pro omni servicio seculari et demanda. Pro hac autem donatione et concessione dedit mihi dictus Henricus de Verdone tres marcas et dimidiam argenti. Ego vero Eudo et heredes mei predictam bovatum terre cum pertinentiis dicto Henrico et heredibus suis vel assignatis contra omnes homines et feminas imperpetuum warrantizabimus. In conjus rei testimonio huic scripto sigillum meum apposui. Hiis testibus Yuone de Waletona, Roberto Marescallo de Eston, Rogero filio Hervici de Derlastona, Willielmo filio Simonis de eadem, Thome filio Henrici de Bidulf, Willielmo de Kniperslee, Stephano filio Siwardi de Bidulf, Ricardo de nemore de eadem, et aliis. [Staff. Hist. Col., vol. 1911, page 418-419 & vol. 2, page 14.]

(Translation: Be it known to those present and to those to come, what I, Ivo de Verdon have given and ceded, and I have confirmed by this paper to Henry de Verdon, the younger and to his heirs, one bovat of land with all appurtenances in the vill of Bidulf, that is, that which I purchased from Henry Franceys son of Ralph de Astbury, to have and to hold by him and his heirs and assigns freely, quietly and honorably, in the wood and the plains, in the meadows and pastures, in the mills and in all other places and free communities as the deed from Lady Aline de Dorlaston intends, which she made with Ranulf the father of the aforesaid Henry and with his heirs in return for his homage and service, and as the deed of the aforesaid Henry likewise intends. In return he himself and his heirs and assigns shall pay to me and my heirs $\frac{2}{4}$ d. to wit from Thomas de Leighton and Felicia his wife and their heirs three quadrantes ($\frac{3}{4}$ d.) and Thomas son of Roger de Bidulf and his heirs $\frac{3}{4}$ d. at the feast of Saint Michael and he will pay the remaining $\frac{1}{4}$ d. tendering service at Alton Castle at the feast of Saint Andre for all secular services and demands. For this gift and concession, however, the aforesaid Henry de Verdon gave to me 3 marcas and dimidiam in Silver. Truly I, Ivo, and my heirs will warrant the aforesaid bovat of land with its appurtenances to the aforesaid Henry and to his heirs and assigns against all men and women forever. In witness to these things I have affixed my signature to this paper. Witnesses: Ivo de Walton, Robert Mareschall of Aston, Roger son of Hervey de Derlaston, William son of Simon of the same place, Thomas son of Henry de Bidulf, William de Knipersley, Stephan son of Siward de Bidulf, Richard of the grove of the same place, and others.)

(1244-50) Notum sit omnibus presens scriptum visuris vel audituris quod cum lis mota esset inter Henricum de Verdone sequelam curie sue exigentem (demanding suit of court) ex una parte et Thomam filium Rogeri de Bidulf

resistentem ex altera; eadem lis in hunc modum quievit. Videlicet, quod predictus Henricus remisit et quietam clamavit omnimodam sequelam curie pro se et pro heredibus suis predicto Thome et heredibus suis; salvis tamen predicto Henrico et heredibus suis de dicto Thome et heredibus suis duabus sequelis per annum, una videlicet proxima post festum Sancti Michaelis et alia proxima post Pascha; salve etiam dicto Henrico et heredibus suis sequela curie sue de dicto Thome de heredibus suis si forte contingit quod breve Domini Regis fuerit in dicta curia (if it happen that the king's writ be in the said Court) donec breve terminetur. Salva etiam dicto Henrico et heredibus suis de dicto Thome et heredibus suis sequela curie sue si aliquis liber homo de curia fuerit in curia placitatus et allegaverit se nolle subire iudicium sine presencia parium suorum, et etiam si aliquid iudicium in dicta curia positum fuerit in respectum per forciammentum (deforcement). Ad omnes predictas sequelas dictus Thomas et heredes sui, per se aut per rationabilem aturum suum, et per rationabilem summonicionem, comparebunt. Pro hac autem remissione et quietclamacione dedit dictus Thomas dicto Henrico unam dimidiam marcam argenti. Et ut hec conventio et quietclamacio robur firmitatis in perpetuum optineat utrique illorum sigillis suis utrimque appositis hoc presens scriptum roboraverunt. Hiis testibus, Domino Ricardo de Draycot, Ricardo de Venablis, Roberto Marescallo, Yvonne de Waletona, Roberto de Chavernes (Charnes), Eudone de Titnihour (Tittensor), Galfrido de Waletona, Rogero filio Hervici de Derlastona, Willielmo filio Simonis de eadem, et multis aliis. [Staff. Hist. Col., vol. 1911, page 418-419 & vol. 2, page 14.]

(Translation: Be it known to all who shall see or hear this document because of the litigation between Henry de Verdon of the first part demanding suit of court, and Thomas son of Roger de Bidulf, defendant of the second part; it has stopped the controversy in this way. Namely, that the aforesaid Henry withdraws and quits all the judgements in his favor in that court for himself and his heirs, obtained from the aforesaid Thomas and his heirs. For all that the aforesaid Henry and his heirs, as long as they shall live, (shall be paid) by the aforesaid Thomas and his heirs 2 sequelis yearly, namely one just after the next feast of Saint Michael, and the other just after the next Easter; also the whole shall be paid to the aforesaid Henry and his heirs in the following court by the aforesaid Thomas and his heirs, if it happen that the King's writ be in the said court and the writ is not terminated. Also the whole shall be paid to the aforesaid Henry and his heirs by the aforesaid Thomas and his heirs at the following court if some other free man of the court will be in the court of common pleas and will assert that he is unwilling to undergo trial away from the presence of his people and also if some other trial has been placed in the aforesaid court in regard to the deforcement. For all the aforesaid sequelas the aforesaid Thomas and his heirs shall settle either through those to whom the homage and service is transferred or through those who are called to the position. In consideration of this withdrawal and quitclaim the said Thomas gives to the said Henry one dimidiam mark in silver. And as you establish the strength of this agreement and quitclaim that it may remain in perpetuity to both parties they strengthen this present paper by placing their own seals opposite each other: Witnesses: Lord Richard de Draycot, Richard de Venables, Robert le Mareschall, Ivo de Walton, Robert de Charnes, Eudo de Tittensor, Galfrid de Walton, Roger son of Hervey de Derlaston, William son of Simon of the same place and many others.)

*7. GILBERT LE MARESCHAL, married Emma ——. Child:—

1. Robert le Mareschal.

Gilbert le Mareschall's name occurs occasionally between 1258 and 1266; he was dead in 1279, leaving a widow Emma, who was still living in 1286 and apparently also in 1301, and it appears from the evidence given by his son Robert le Mareschall on the proof of age of Edmund, son and heir of Nicholas Baron of Stafford, in 1294 that the date of Gilbert's death was 2 February 1278. [Staff. Hist. Col., vol. 3, page 61; vol. 8, part 1, page 5; vol. 6, part 1, page 93, 161; vol. 1911, n.s., page 235.]

Essoins taken at Stafford before the same Justices on Monday the Vigil of the Nativity of the Blessed Mary, 27 Edward I. Robert son of Hugh de Borweston (Burstons) and Roysia his wife versus William de Stafford, in a plea of mort d'ancestor by John son of William. Peter Seman and Margaret his wife in the same by William son of John. Joan de Venables in the same by Henry Jordan. The Prior of Stone in the same by Geoffrey Cok. Emma le Marechale in the same by William Hamond. Robert le Marechal in the same by Henry Bek. Gilbert son of Geoffrey de Aston in the same by William de Weston. [Staff. Hist. Col., vol. 3, page 61.]

*8. ROBERT LE MARESCHALL, married Agnes.

Robert le Mareschall's name occurs frequently on the Plea Rolls between the years 1285 and 1306, when he was married to a wife of the name of Agnes. In 1306 Robert le Mareschal of Aston and Agnes his wife gave half a mark for licence of concord with Nicholas FitzHerberd respecting the third part of the Manor of Aston near Stone. And by this fine, which was levied 6th October 1306 by Robert le Mareschal and Agnes his wife as complainants against Nicholas FitzHerberd as deforciant, the latter acknowledged a third part of the manor of Aston by Stone 1 messuage and 1½ virgates of land, 6d. rent and the rent of a pair of spurs in Blakelowe to belong to Robert, to hold to the complainants of the chief lords, for which the complainants gave him 100 marks. The object of the fine was to settle the property, which already belonged to Robert le Mareschall, upon Robert and his wife, Agnes. [*Ibid.*, vol. 6, part 1, page 160; vol. 7, part. 1, p. 9; vol. 7, part 1, page 150; vol. 1911, n.s., page 66-67.]

The Staffordshire Chartulary has the following deed:

Noverint universi has literas visurival audituri quod ego Hasisia filia Henrici de Verdoyn dedi et concessi et quieteclammavi Henrico fratri meo et heredibus suis et assignatis suis totum jus meum et chamum quod habui et habere potui in tota illa terra cum omnibus pertinentiis quam predictus Henricus pater meus dedi mihi in villa de Bidolf, ita, videlicet, quod ego predicta Hawysia et heredes mei nunquam decetero jus nec clamum in predicta terra exigere possumus nec debemus. Et quare volo quod hec mea concessio et quieteclamacio rata sit it in perpetuum rubur optineat firmitatis presentes literas sigilli mei impressione corroboravi. Hiis testibus, Domino Roberto tunc tempore Abbate de Lillishul, Domino T. de Chetwynd, Domino Rogero de Piuelisdon, Magistro Thome filio suo, Domino Philippo persona de Northbury, Roberto Marescallo, Rogero filio Orm de Derlastona et multis aliis. [*Ibid.*, vol. 1911, page 421.]

(Translation: Be it known to all who shall see or hear these letters that I, Hawisia daughter of Henry de Verdon have given and ceded and quitclaimed to Henry my brother and his heirs and his assigns all my right and title which I have had and have the right to have in all that land with every appurtenance which the aforesaid Henry my father gave to me in the village of Bidulf, namely that which I, the aforesaid Hawysia, and my heirs will never demand any right or title in the aforesaid land, nor ought we to do it. And thereby I desire that which is stated in my concession and quitclaim, and that it may continue strong forever, I have corroborated the strength of these letters by the impression of my seal. Witnesses: Lord Robert at that time Abbot of Lillishall, Lord T. de Chetwynd, Lord Roger de Piuelisdon, Master Thomas, his son, Lord Philip, a vassal of Northbury, Robert le Mareschall, Roger son of Orm de Derlastona and many others.)

In Hilary term, 22 Edward I. (1294), Robert le Mareschal appeared against Roger le Pywelesdon and Joan his wife and Gilbert son of Geoffrey de Aston in a plea that, whereas the said Robert, Roger and Joan, and Gilbert receive the issues of a certain mill in Aston near Stanes by equal portions, and the mill was destroyed the said Roger, Joan and Gilbert refused to contribute to re-establish it. We may note in passing that this entry, even if it had stood alone, would have been almost sufficient to show that there were three coheirs, and not two only, of the last Robert FitzPayne of Aston, but the cumulative effect of all the evidence already adduced and hereafter to be adduced on this point is overwhelming. Robert le Mareschal, the plaintiff in this suit, was the son of Gilbert, and grandson of the Robert le Mareschall who married Agnes, the FitzPayne coheir. [Staff. Hist. Col. vol. 1913. vol. 8, part 1, page 9.]

Lastly we come to the Mareschall share, the devolution of which has already been traced from Agnes Fitz Payne, who was married to Robert le Mareschall about 1236, to her grandson Robert son of Gilbert le Mareschall, who in 1306 was also married to a wife of the name of Agnes, and who is the same person as the Robert le Mareschall named in the *Nomina Villarum* in 1316 as one of the joint lords of the vill of Aston. In Easter term 10 Edward II. (1317) John de Hastang sued Robert le Mareschall for a debt of £100 which is the last we hear of this Robert le Mareschall. [*Ibid.*, vol. 1911, n.s., page 410; vol. 9, part 1, page 68.]

*4. PETRONILLA FITZ PAYNE DE ASTON, married Geoffrey de Walton.

Child:—

1. Geoffrey de Walton.

Petronilla, a Fitz Payne coheir, was a minor in 1233, and was married in or before 1236, was living in 1250, but apparently dead in 1258. [*Staff. Hist. Col.*, vol. 1913, page 192; vol. 4, page 83, 119, 232.]

9. GEOFFREY DE WALTON; married Hawisa. Children:—

*1. Henry de Walton married Margaret. *2. Gilbert de Aston. *3. Geoffrey de Walton married Agnes.

In 1258 Geoffrey son of Geoffrey sued Gilbert son of Robert le Marescall for 12 acres in Aston. It would be this Geoffrey son of Geoffrey de Walton who gave a messuage and noke at Aston juxta Stanes to John de Houton and Alianore his wife some time before 1267 and it would be this Geoffrey the son who under the name of Geoffrey de Aston was in arms against the king in 1269. [*Ibid.*, vol. 1913, page 193-4; vol. 4, p. 172; vol. 8, part 1, page 5; *Eyton's Ant. of Shropshire*, vol. 11, 279-280.]

In the year 1277 Hawise, the widow of Geoffrey de Waleton, sued Geoffrey de Waleton her son for a third of a messuage and two carucates of land and a water-mill in Aston near Stanes. Geoffrey de Walton the husband of Hawise was the son of Geoffrey and Petronilla. In this same year (1293) there was an assize to inquire if Geoffrey de Waleton and Geoffrey his son, Gilbert de Aston, Henry de Aston, Hugh de Wendoure and Adam de Burgheston had unjustly disseised Joan the wife of Roger de Pywelesdon of her common of pasture in 3 acres in Aston near Stanes appurtenant to her free tenement in the samè vill. Gilbert only appeared, and the assize was taken in the absence of the other defendants; and Gilbert stated that a certain Geoffrey his grandfather held the said meadow in severalty all his life, and after his death Geoffrey his son, father of Gilbert, held it, and he appealed to a jury. The jury say that Joan was in seisin of common of pasture in the land in question until Adam de Burgheston had unjustly disseised her. This also is an important link in the chain, for it gives the pedigree of Gilbert de Aston, the person of that name who was one of the parties to the suits against Roger de Swinnerton, from his grandfather Geoffrey, which Geoffrey de Walton married Petronilla, one of the daughters and co-heirs of Robert Fitz Payne. Mr. Wedgwood also says that this Geoffrey de Walton, who married Petronilla, was the brother of Ivo de Walton. [*Staff. Hist. Col.*, vol. 6, part 1, page 241, and vol. 1911, n.s., page 420.]

In 1278 we find Agnes, the widow of Geoffrey de Walton, suing in respect of her husband's death. This is the third Geoffrey and he died shortly after his

father without leaving issue. In 1279 Margaret, the widow of Henry, son of Geoffrey de Walton, sued John de Houton and other tenants in respect of dower out of lands in Aston, Stoke, Stone, Burston and Oulton, but she did not appear to prosecute her claim and the suit was accordingly dismissed. The deduction from this claim and its failure is that Henry son of Geoffrey had become entitled to Petronilla's share of the Aston estates, but had died without getting seisin of them; and he must have been the next younger son of the second Geoffrey de Walton and have also died without issue shortly after his brother Geoffrey, whereupon the inheritance devolved upon a third son Gilbert, son of Geoffrey son of Geoffrey, generally known as Gilbert de Aston, whom we find in possession in 1285 and 1293 and also afterwards in 1294. [*Ibid.*, vol. 7, page 9.]

It is clear that in 1284 the interest of Margaret de Swynnerton de FitzPayne in the lands of her brother Robert de Swynnerton vested in her heirs Gilbert de Aston, Robert le Mareschal, and Joan de Peulesdon, and likewise through the same line of ancestry at the beginning of the fourteenth century we find the manor of Aston still held in third shares between the representatives of the coheirs of Robert Fitz Payne, who were then represented by their respective grandchildren, viz., John de Walton, the wife, or rather now the widow of Roger de Pulesdon, Robert le Mareschall, and Gilbert de Aston.

*1. ROBERT DE SWYNNERTON, married first Margery de Audley, having Great Chelle in frank marriage. He married second: Petronilla de Dorlaves-ton, daughter and coheir of Engulf de Gresley and Alina Fitz Orm. Children (by 1st marriage):—

1. Robert de Swinnerton. 2. Richard de Chell. 3. Margery de Swinnerton, who married John de Swinnerton, son of John. There were no children by the second marriage.

The following chart gives the pedigree of the descendants of Robert de Swinnerton.

Petronilla, dau. & coheir of Engulf de Gresley and Alina Fitz Orm his wife. d.s.p. (second wife)		*1. Robert de Swynnerton—Margery de Audley, having Great Chelle in frank marriage. (first wife)	
no issue.		*4. Margery—John de Swyn- (second wife) nerton son of John de Swyn- nerton.	*2. Robert de—Mabel Swynnerton rel. in ob. 1224 1225
			*3. Richard—Pavia rel. de Chell in 1251 dead 1251
Alice—*6. Roger rel. de Swyn- nerton lord of S. 1255	*7. John de Swyn- nerton, lord of S. d.s.p. 1284. He having settled his estate without barring the entail, on Roger, son of his half-bro. Ste- ven de Uselwall. He was the last of his line.	Muriel rel. 1284.	*5. Robert de Swynnerton died 1246 without issue and unmarried
no issue			*8. Margery—Robert de de Chell. Mere, had dau. and Great heir. died Chell jur. 1263 ux. dead in 1263
			*9. Robert de Mere dead 1263.—Isolda. inherited Great Chell. rel. 1275 Died without issue.

The numbers refer to the divisions of the text.

The Audleys were descended from Adam, son of Ligulph, the grandfather of Ormunda, who married Robert de Peshale. They were part of the Northumbrian colony in Staffordshire, Shropshire. So much has been written concerning them that it is not necessary at this time to do more than call attention to the intermarriage between these old Northumbrian families, particularly those descendants of Ligulph. The Audley genealogy will be found in Chapter 14, Section 4.

In 1284 there were no living heirs of the body of this Robert de Swinnerton.

In 1199 Robert de Swinnerton de Suggenhull was in litigation with one Walter de Cherleton concerning a pool in Swynnerton, which Cherleton asserted that Robert had raised unlawfully to the detriment of his free tenement in the same vill after the second coronation of King Richard, that is in 1194. The vill of Cherleton was adjacent to Swynnerton. [Staff. Hist. Col. vol. 7, part 2, page 3, 4.]

In the same year Stephen de Hamton claimed against Robert de Swynnerton four virgates of land with the appurtenances in Hamton, which his father had mortgaged to Robert for a term which has expired. Robert came and defended his right, and said that he did not hold that land in demesne, for that Philip Baggot and Hugh de Hatton held it of him, and it was needless for him to give him any further answer unless the Court required it. And Hugh came and said that the father of Stephen gave him the land which he holds, namely, one virgate; and he ought to hold it of him (Stephen). And Stephen acknowledged this and took his homage for it. And Robert de Swynnerton, of whom Stephen ought to hold it, took the homage of Stephen for it. And Philip is summoned to appear at Westminster after the Feast of St. Michael, to show by what warrant he holds the land which his father, i.e. the father of Stephen, mortgaged to the father of Robert. The final concord was dated at Westminster, 4th of May, 1200, concerning three virgates of land in Hampton. Philip acknowledged the land to be the right of Stephen and his heirs, and Stephen granted the land to Philip to hold for the five years next following the second Ascension Day after the coronation of King John, and this agreement was made in the presence of Robert de Swinewarton the chief lord. [Staff. Hist. Col. vol. 7, part 2, page 3-4.]

Assize Roll 1 John 1199 Staff. Robert de Suggenhull.

Final Concordes or Dedes Finum Staffordshire Temp. Richard I & King John. #19. Lichfield 4 October 1199. Walter Venator complainant Robert de Sungehull and Petronilla his wife; for 6 bovates of land in Leredale; Robert and Petronilla acknowledged the land to be the right of Walter to be held of them and their heirs by him and his heirs for 18d. yearly.

Curia Regis Roll A.D. 1202 Staffordshire. Henricus de Verdon et Hawise uxor ejus. Robert de Suggenhill et Petronilla uxor ejus et Dionisia de Derlaveston.

Thomas, filius Ricardi vil Alanum de (sic) de planto terro ad lucrandon. #35 Westminster 3 February, 1203, Henry de Verdun and Hawise his wife, Robert de Sugenhull and Petronilla his wife and Dionesia de Derlaveston and Thomas son of Richard put in their place complainant Alan Cuinee (Ceyney), deforciant of six bovates of land in Hulm. Alan acknowledged the land to be the right of Hawisia, Petronilla and Dionisia for which Henry and Hawisia, Robert and Petronilla, and Dionisia grant the land to Alan and his heirs to hold to them

and to the heirs of Hawise, Petronilla and Dionisia by the free service of 85d. yearly. These ladies were coheirs of Engulf de Gresley and Alina his wife, daughter of Ralph FitzOrm. [*Ibid.*, vol. 2, part 1, page 170.]

Orm de Derlaston married a daughter of Nicholas de Beauchamp, the sheriff of Staffordshire and left 2 sons, Ralph and Robert. Ralph left an only daughter Emma married to Adam de Audley. Robert left an only daughter Aline married to Engenulph de Gresley, younger son of William de Gresley. Chetwynd names in addition 3 other sons of Orme on the authority of deeds in the possession of Richard Biddulph Esq. These sons were named Edward, Thomas and Aldred or Alured and according to Chetwynd the Biddulphs descended from Edward, whose son Roger assumed the name of Biddulph. [Staff. Hist. Col. vol. 5, part 1, page 13.]

Orme de Derlaston was probably the builder of St. Chads Church, Staff. In the Stone Cartulary, Henry, son and heir of Dionysia de Darlaston, grants to Stone Priory half a virgate in Darleston, which they hold of the gift of Rob. de Suggenhall, and that which they have also of the gift of Petronilla (Robert of Suggenhall's wife). [*Ibid.*, vol. 12, page 13.]

At the Shropshire Assizes of 1203 Adam Forester essoigned the attendance of Robert de Swynnerton, who was included in the general summons. This will have been in consequence of his tenure of Peplow in that county. In King John's wars with the Barons, the Lord of Swynnerton evidently took part with the latter; for in November, 1217, the Sheriff of Lincolnshire is ordered to restore the lands of Robert de Swynnerton who has returned to his allegiance, from which he had receded in the time of King John. In a record of about the same date he is stated to hold one Knight's fee in Swynnerton, in the county of Stafford. [Antiquities of Shropshire vol. 8, p. 255; Staff. Hist. Col. vol. 3, page 158; Rot. Claus 2 Hen. III; & Extract de Lib. Feod Milit, 1 Hen. III.]

In Michaelmas term, 2 Henry III. (probably in November, 1217) an assize of last presentation was taken to the Church of Swynnerton, the advowson of which the King claimed against the Prior of Kenilworth, who appeared and pleaded the Church was not vacant, because he and the Canons had presented to it, and he produced a charter of Robert de Swynnerton, by which it was testified that Robert, for the soul of his father, &c., had given to the Church of St. Wulfade of Stanes, &c., all the right he had in the Church of Swynnerton, &c.: and he produced the charter of Hugh, the Bishop of Coventry, which testified that at the presentation of the Prior and Canons of Stanes, he had given the Church to Adam, the Chaplain, saving a pension of 2s. to the said Canons. And Robert de Chelves, Clerk, who had been presented to the Church by the King, stated that the King had presented him by reason of his possession of the land of Swynnerton, inasmuch as Robert de Swynnerton, the son of the aforesaid Robert, who is lord of that land, was at that time in sententia, and at the present time was suing for the presentation; and he produced letters patent of the said Robert, which testified that he confirmed the presentation by the King. And because Robert de Swynnerton, who now holds the land, was not present in Court, and the King could not claim any right except through the said Robert, it is decided that he should be summoned to show what right he claimed in the said advowson. A day

was given to the Prior in banco, and the present suit is to remain over until that day. This grant by Robert de Swynnerton to the Church of Stanes is probably a confirmation of the deed of his father Robert, which took place between 1155 and 1159. The confirmation must have passed before 1198, for Bishop Hugh died in that year. [Staff. Hist. Col. vol. 7, part 2, page 3-5.]

As the regnal of Henry III. commenced 28th October, the session of the Michaelmas Term 1 Henry III. may have extended to the end of October, which would have fallen in the second year of his reign. It is difficult to account for the concord of 20th May, 1218 (hereafter to be mentioned) which must surely have followed and not preceded the present suit, except on the supposition that there was some defect in the previous conveyance.

On 20th May, 2 Henry III. (1218), there is a final concord between Robert de Swinnerton, complainant, and William Prior of Kenilworth, deforciant, concerning the advowson of the Church of Swinerton. The Prior acknowledged the advowson to be the right of Robert, and the said Robert granted to the Church and Canons of Stanes two marks of silver to be received annually by the said Canons from the Parson of the Church of Swinnerton, and this agreement was made with the assent of William, Bishop of Coventry.

Plea Rolls of Reign of Henry III. Hilary, 6 Henry III. 1221, Staff. Robert de Sugenhulle and Petronilla his wife put in their place Thomas de Peshale in a plea against Roger de Bidun. [Staff. Hist. Col. vol. 4, part 1, page 18.]

Plea Rolls 10 Henry III. Staff. 1226. William de Duston sued Thomas Coynie for services owing from the tenements he holds of him in Ulmo (Hulmo) for 8s. per annum for 6 bovates of land and of which he only rendered to him 3s per annum and was now in arrears for four years 20s. and Thomas called to warranty Walter Coyne who was in seisen of said services, and Walter appeared and stated that said William had no claim to the said service because Alan (Coynie) the father of said Thomas held the lands of him in the time of King John until William de Duston the father of William had disseized him of said service and he had arranged an assize of nine disseizen against William the father of William before the Justices Itinerant at Lichfield and William had by a concord rendered to him the service in question. And William denied this and stated his father had died in seisen of the service and that there was a suit in the court of King John at Westminster in which Henry de Verdun and Hawise his wife and Robert de Suggenhulle and Petronilla his wife and Dionesia de Derlaveston sued the said Alan the father of Thomas and the said Henry and others had given him the fee and the service after this suit by a fine to his father William de Duston and William held it all his life by their gift and died seized of it and he produced the chirograph of the fine in question. [*Ibid.*, vol. 4, part 1, page 39.]

*2. ROBERT DE SWINNERTON, married Mabel. Child:—

1. Robert de Swinnerton.

Staff. Assize Roll 12 Henry III. 1227. An assize if Roger de Waure had disseized William son of Muriel of his common of pasture in Aspeley (Aspley). Roger called to warranty Robert de Suggenhille who warranted &c. The Jury says that the close, of which they had made the view, was a close in the time of the father of the said William and that this William was never seized of that pas-

ture and therefore Roger had not disseized him of that, but that he had disseized him of a common of pasture cordia and William to have seisure of it and William is in misericordia for his false claim to the aforesaid close. [Staff. Hist. Col. vol. 4, part 1, page 57.]

In 1227 an assize was taken at Salop to try whether Stephen de Hadton (Hatton) father of William, was seized in his demesne as of fee, when he died, of four virgates of land in Hadton, which land Robert de Swynnerton holds.

An assize &c. if Felicia daughter of Robert, mother of Thomas was seized of a virgate of land in Mat Keen when she died which is held by Thomas de Aspeley who called to warranty Robert de Sugghenhill who appeared and warranted the land to him and stated that an assize ought not to be taken because the said Thomas had given the land to him for his homage and service, and he produced the charter of said Thomas, and Thomas acknowledged the charter but stated that it had been given when he was under age and in ward to him, and as Robert could not contradict this he is in misericordia. His sureties are William Chatulme and Stephen de Peshale. [*Ibid.*, vol. 4, part 1, page 55.]

Pleas Rolls Staffordshire, Assize Roll, 12 Henry III. 1227. Roger de Mulinret, Robert de Sugghenhill, Hugh Bagot, John de Acton, four knights summoned to elect twelve to make the great assize between Robert de Swinnerton plaintiff and Richard de Titterhovere (Tittensor), tenant of one third of twenty acres of wood in Wilstanswoode, and elected: Philip de Asselegh, Milo de Verdun, John Santcheveral, Roger de Mielewich, Richard Sumerville, Robert de Grendun, Philip de Luteley, Robert de Esenton, Robert de Sugghenhill, Henry Mauvessen, Robert Maulevel, William Hernville, and William de Duston. [*Ibid.*, vol. 4, part 1, page 48.]

Pleas Rolls Henry III. Staffordshire 1228. The verdict of twenty-four Knights of the County of Stafford, by whom an Inquisition was made by order of the Lord the King, respecting the liberties and rights of the King subtracted in the aforesaid county, viz., by the oath of Geoffrey de Greseleg, Roger de Rideware, William de Stafford, Henry de Deneston, Robert de Sogenhull, Hugh Baggod, Milo de Verdun, Robert de Mere, Henry de Verdun, Henry Mauveisin, John de Saut, John de Acton, Stephen Meverel, Roger de Mulewich, Robert de Esington, Roger de Vernay, Henry de Blithefeld, Robert de Sumerverton, Richard de Titneshovere, Henry de Hulle, Richard de Onne, Robert de Badenhale, Robert de Wiston, and Robert de Dudinton. It is evident that some of the above Sugghenhill records may refer to the son of Roger de Swinnerton, but it is believed that it is better to present them all under one grouping. [Staff. Hist. Col. vol. 3, part 1, page 73-74.]

Prior to the reign of Edward II. charters very rarely have a dating clause. Without a date, determined as exactly as possible, their value for genealogical or historical work is small. A determination of the date of one charter helps in the determination of others. It is this which lends a fascination to charter-dating. Some of these charters are supplied by the Rev. C. Swynnerton, and to these he has added valuable notes; others are from copies of deeds of Sir Smith Child's; others are from Loxdale's note book in the William Salt Library; others from Sleight's Leek; but most have been copied from charters or copies of charters in

the British Museum. [Staffordshire Cartulary 1200-1327 in Staff. Hist. Col., vol. 1911, page 416-418.]

There is a deed dated 1205-10 between Hugo de Slendona and Isenda his wife and Henry de Verdun, to which are the following witnesses.—William Panton, Robert de Sugenhul (the father), Robert de Swinnerton (the son), Robert de Walton, Walter Coine, Richard de Tithneshoure, Philip Panton, William de Scirelee, William de Hazeburzeate, John de Harpur, Thomas de Mere, Davit de Chokeneche, Radulfo his brother, Hugo son of Mauricus, Simon son of Eitropi, and many others.

In a Curia Regie suit of 1190, Robert de Sugnall sues Hugh de Levedale for one virgate of land in Levedale, of which place the Standons were the mesne lords holding of the Barons of Stafford. To that same virgate Henry de Verdon also puts in a claim in right of his wife Hawise de Gresley, one of the three coheirresses of Eugenulf de Gresley and Alina de Darlaston. We add that Robert de Sugnall's wife was Petronilla, another of these three heiresses. [*Ibid.*, vol. 3, page 52.]

A deed in the Stone Priory Chartulary of Dyonisia de Darlaston, daughter of Engenoulph de Gresele, conveys all her land in Wulfcestre (which is called the 'Buri') extending from the vill of Darlaston as the boundaries are shown which lie between me, and Henry de Verdun and Robert de Suggenhull to the wood of Titneshovre, &c., to the Priory, and 27 Edward I.; a verdict was given in favor of the Priory against Henry de Verdon for disseisin them of 26 acres of heath here. Henry had claimed it as chief lord of Darlaston; the Prior proved the vill had been divided between Henry's ancestor, and two coparceners; and that these two had enfeoffed one of his predecessors in it. [*Ibid.*, vol. 1911, page 116-118; vol. 6, page 10.]

This Robert de Swynnerton died about 1224, and in January, 1225, his widow Mabel was suing her son Robert in Banco for her dower. Robert de Swinnerton undoubtedly died shortly after the death of his father. [*Ibid.*, vol. 3, page 231; vol. 4, page 32.]

*5. ROBERT DE SWINNERTON, son of Robert and Mabel; no children.

In November of the same year Robert de Swynnerton is plaintiff in a suit against Richard de Titteshovere (Tittensor), tenant, of one-third of twenty acres of wood in Wilstanswude. Robert afterwards gave two marks for license to accord by which he remitted all his claim, except common of herbage in the wood for all manner of cattle; and Richard gave to Robert a certain piscia in the wood of Northwude, saving to Richard his common (of pasture) in the same wood; and saving to Mabel the mother of the said Robert de Swynnerton the third part of the said wood which she holds in dower. [Staff. Hist. Col., vol. 7, page 2 and 6; vol. 6, page 43; vol. 4, page 48, 239; vol. 1, page 174; Antiquities of Shropshire, vol. 8, p. 256.]

By fine of 25th November, 1231, Ralph Fitz Odo surrenders to Robert de Swynnerton, plaintiff, three virgates of land, and a mill in Peppelawe (Peplow, in Shropshire). In return Swinnerton guarantees him an annuity of 40s. receivable half-yearly at Swinnerton, with power to distrain upon that manor in case of arrears. He further pays him ten marks down, and he is fined one mark for

license to make the accord. In a list of Knights' fees given in the Testa de Nevill, between 1240 and 1243, it is stated that Robert de Swynnerton holds one Knight's fee in Swynnerton of Nicholas, Baron of Stafford.

Robert de Swinnerton *2. died 1246, unmarried, and his estate devolved upon his aunt.

*4. MARGERY SWINNERTON who married her cousin John de Swinnerton de Sugnall. She was his second wife. By this marriage there were two children: 1. Roger de Swinnerton who died 1267-8. 2. John de Swinnerton who died 1284.

*6. ROGER DE SWINNERTON, son of John and Margery, married Alice. No children.

In 41 Henry III. (1256-7) Roger de Swynnerton fines half a mark of gold to have respite of his knighthood, and the sheriff of Staffordshire is ordered to take his security. [Staff. Hist. Col. vol. 7, part 2, page 9; vol. 14, page 156, 157; & Rot. Fin. 41 Henry III.: Rot. Pat. 52 Hen. III.]

In June, 1263, Isolda the widow of Robert, son of Robert (de Mere?), sued Roger de Swyneforton (Swynnerton) for one-third of two virgates of land in Atton (Hatton) and Selfton (Shelton), and one-third of a rent of 8 marks in Chelle, which she claimed as her dower. Roger did not appear, and had previously made default, and the Sheriff had been ordered to take the land into the King's hands, and had done nothing in the matter, returning that the said writ had reached him too late. He is therefore commanded to execute it as before, and to summon Roger for the Octaves of St. John the Baptist.

Roger de Swynnerton died without issue in or before 52 Henry III. (1267-8), when justices were assigned to take the assize which Alice who had been the wife of Roger de Swynnerton, arraigned against William, the Clerk, of Newcastle, concerning a tenement in Acton. He was succeeded by John de Swynnerton his brother.

*7. JOHN DE SWYNNERTON married Muriel. No children.

In October 1265, John de Swynnerton and Henry de Swynereston, together with William de Trumwyne and many others were impleaded by Odo de Hodenet for having entered the manor of the said Odo, on the occasion of disturbances in the kingdom, and taken away his goods and chattels. The defendants did not appear, and the Sheriff is commanded to distrain them, &c., and to produce them in the Octaves of Hillary. [Staff. Hist. Col. vol. 7, part 2, page 9-11.]

In 52 Henry III (1267-8) John de Swynnerton gives 1 mark to have an assize, and on 22nd April, 1268, an assize of novel disseisin (which had been removed by certiorari into the King's Court at Westminster), between John de Swynnerton and William le Clerk, of Newcastle, and others, respecting a tenement in Acton, was respited to the quinzaine of Trinity through default of the recognitors. John de Swynnerton fines for an assize in 54 Henry III., as also in 1 Edw. I. and 2 Edw. I. At the assizes at Lichfield on the morrow of Holy Trinity, 56 Henry III. (1272), John de Swynnerton appeared and conceded to Hugh de Beumeys and Isolda his wife a third part of three virgates and 7s. 6d. of rent in Shelton, Acton, and Chelle, as the dower of Robert de Mere, the first husband of Isolda, and kinsman of the said John, whose heir he is. In the same year an

assize was taken at Stafford to try if John de Swynnerton, Robert Bocharde, and thirteen others named, had unjustly disseised Robert de Cotes of his free tenement in Cotes. Robert subsequently withdrew his claim, and he and his sureties are in misericordia. A convention was made between them, whereby John conceded to Robert and his heirs the tenement, saving to John and his heirs common of pasture therein for all cattle throughout the year. And upon this the bailiff of the Bishop of Lichfield appeared and said that the tenement belonged to him, and he put in his claim to it. In the same year (1272) John de Swynnerton is one of the jurors for the Hundred of Pyrhill. In August, 1274, an assize is taken to try if Henry de Enwordon, Richard de Bromle, and Robert his brother, had unjustly disseised John de Swynnerton of forty acres of land in Swynnerton; when a verdict is recorded for John. On Saturday, the Vigil of St. Michael, 1275, an assize is taken at Eccleshale to try if Roger, Bishop of Coventry, and Lichfield, had unjustly disseised John de Swynnerton of common of pasture in Eccleshale, appurtenant to his free tenement in Suggenhull. [Staff. Hist. Col., vol. 7, part 2, page 9-11.]

In Hillary term, 4 Edward I. (1276), Robert de Staundon sued John de Swynnerton in a plea that he should carry out the terms of a fine levied in the Court of King Henry the father of the present King, before the Justices Itinerant at Lichefeud, between John de Swynnerton and Margaret his wife, the mother of the said John, whose heir he is (complainants), and Vivian de Staundon, the father of the said Robert, whose heir he is, respecting common of pasture which the said Vivian claimed in Swynnerton. John did not appear, and the Sheriff is ordered to distrain and produce him at Trinity term. On the Sunday after the Ascension, 4 Edward I. (17th May, 1276), John de Swynnerton was one of the jurors at the inquisition taken after the death of Henry de Audley, together with Stephen de Uselwalle (de Swinnerton) his half-brother and others. [Staff. Hist. Col., vol. 7, part 2, page 9-11.]

At Michaelmas, 8 and 9 Edw. I. (1280), John son of Elias de Cherelton (Chorlton) appeared against John de Swynnerton in a plea that he should permit him to raise a certain stank (i.e. a pool or pond of standing water) in Cherleton to its lawful and ancient state, and which Roger de Swynnerton, the brother of the said John, whose heir he is, had unjustly raised to the injury of the free tenement of the said John son of Elias in the same vill. The suit was adjourned to Easter term, but does not occur again on the Banco Roll. It was probably decided by the Justices of Assize who were in Staffordshire this year. By fine levied in Trinity term, 1281, John de Swynnerton, impediens, recognizes the right of Richard son of Eudo de Hodenet, plaintiff, to a mill and 20s. rent in Peppelowe (Shropshire). In return Richard allows that John de Swynnerton and the heirs of his body shall hold the premises by payment of a penny rent to Richard and his heirs, and by performance of all capital services. In default of heirs of the body of John de Swynnerton, the premises were to revert to Richard and his heirs, to hold of the lords of the fee. And this remainder seems to have taken effect.

On the Friday next before the Feast of St. Lawrence, 9 Edw. I. (August, 1281) an assize was taken at Stafford to try if John de Swynnerton and seven

others named had unjustly disseised John de Cherleton of his common of pasture in Swynnerton, appurtenant to his free tenement in Cherleton, viz., in eighty acres of heath. John stated that John le Cherleton had no common of pasture in Swynnerton except by agreement, viz., that so long as he ground his corn at the mill of Swynnerton he should have common of pasture there. John le Cherleton denied this, and stated that he had held common of pasture in Swynnerton, without any condition of the kind, until he had been disseised of it by the defendant. The jury say that Swynnerton and Cherleton are of different baronies, and that the common of pasture in one vill is not appurtenant to the other, and that John de Cherleton was in seisin of common of pasture in Swynnerton by reason only of the multure of his corn there. [Staff. Hist. Col., vol. 7, page 2, page 9-11; vol. 6, page 149; and page 138.]

This is the last time we meet with John de Swynnerton, Lord of Swynnerton. He was dead in 12-13 Edw. I. (1284), when his widow Muriel was suing Adam le Chapeleyn for a third of ten acres and a half of land in Swynnerton, and Elyas de Pays for a third of ten and a half acres of land, and two others for a third of their holdings in the same vill, as her dower. The defendants appeared and prayed a view. The suit was adjourned to the Quinzaine of Hillary. With John de Swynnerton expired the issue of John and Margery de Swynnerton. He left a widow Muriel surviving, who had her dower, or lands in lieu of it, at Swynnerton and elsewhere. In his lifetime he attempted a settlement by which Roger, son of his half brother Stephen de Uselwell, was to be placed in seisen of his land, supposing no doubt that thereby he made Roger his heir in tail, and ancestor of the future lords of Swynnerton.

To return to the other son of Robert Swinnerton and Margery de Audley.

*3. RICHARD DE CHELL, married Pavia. Child:—

1. Margery de Chell, who married Robert de Mere.

The Swynnerton holding at Chell, as we learn from a suit of 14-15 Edw. I. (1286), consisted of four messuages and four bovates of land with appurtenances at Great Chelle, which they held as arriere tenants under the Audleys, who had obtained the chief rents and the seignory of that place from Engenulf de Gresley and Alina. By way of parenthesis it may be well at this place to call attention to the numerous records that have appeared in this Swinnerton genealogy relating to the intermarriages of the Northumbrian colonists in Shropshire-Staffordshire, and to the interdependence they maintained toward each other through all these generations. [Staff. Hist. Col., vol. 3, n.s., page 101-102.]

*8. MARGERY OR MARGARET DE CHELL married Robert de Mere. Child:—

*9. ROBERT DE MERE, married Isolda.

On the Octaves of Michaelmas, 6th October, 1251, Margaret, the wife of Robert de Mere, put in her place her husband, or Robert de Weston, versus Pavia, widow of Richard de Chell, in a plea of dower. To a concord, dated the Feast of St. Peter ad Vincula, A.D. 1242, between the Abbot of Hilton of the one part, and the Prior of Trentham, of the other, the witnesses in order are: the Lords Simon then Abbot of Combermere, Henry de Audley, James de Audley his son, Robert de Swinnerton, William Pantulf, Geoffrey Griffin, Robert de Mere, Robert de

Badenale, Ralf de Waure, Ranulf de Beville, and others. In June, 1263, Isolda, the widow of Robert son of Robert de Mere, sued Roger de Swynnerton for one-third of two virgates of land in Acton and Shelton (in Swynnerton), and one-third of a rent of 8 marks in Chelle, which she claimed as dower. [*Ibid.*, vol. 4, page 122; vol. 9, page 314, 315; vol. 4, page 156-157.]

At the assize at Lichfield on the morrow of Holy Trinity, 56 Hen. III. (1272) John de Swynnerton appeared, and conceded to Hugh de Beumeys and Isolda his wife a third part of three virgates of land and 7s. 6d. of rent in Shelton, Acton, and Chelle, as the dower of the same Isolda, which she had of the gift of Robert de Mere her first husband, the cousin of the aforesaid John, whose heir he is. By which it appears that in 1272 the line of Richard de Chelle had become extinct by the death of the second Robert de Mere and his property vested in his collateral heir, John Swinnerton, Junior, as the sole representative of his mother's blood. Roger de Swynnerton died without issue before 52 Henry III. (1267-8) and his brother John succeeded to his title and estates. This John de Swinnerton died in 1284. [*Ibid.*, vol. 4, page 192.]

By 1284 the line of descent from Robert Swynnerton was extinct. The last representative had been John de Swinnerton, son of Margery, who had married her cousin John de Swinnerton. The De Chelle-Swynnerton branch having become extinct in 1263, it passed to Margery's son, Roger de Swinnerton, and from him to his brother, John de Swinnerton, the last surviving descendant of Robert de Swinnerton, from which it appears that owing to the want of collateral heirs subsequent thereto the land of Robert Swinnerton would go to the heirs of the brothers and sisters of that Robert Swinnerton who married Margery de Audley. Of course John de Swinnerton, Jr. could have barred the old entail and made a new order of inheritance had he proceeded in the usual and regular manner, but he attempted by an instrument in the nature of a will or post mortem settlement to vest the inheritance in his half-nephew, Roger de Swinnerton, son of his half-brother Stephen de Uselwell de Swinnerton, by appointing Philip de Mutton his attorney to put Roger into seisen of this land after the death of him the said John Swinnerton Junior. It is evident that all the rights under the power of attorney would cease with the death of the principal and that, even though the power was then of any value, the rights of the heirs under the entail would have intervened before the power could be exercised. Roger was, however, placed in possession of the land. Then there ensued a series of lawsuits by the collateral heirs of John Swinnerton, Junior.

The question involved was a new one and the heirs of Roger and Margaret seem to have thought that as they represented two out of the four children of Robert de Swinnerton, they would be entitled to one half of the inheritance. Whereas they were entitled to two-thirds. Having now proven the lines of inheritance and named those who would inherit, stating also how they would inherit, we are ready to consider the lawsuits.

The conditions of descent in 1284 can be more clearly shown by the following chart which is a summary of the several charts which have preceded

in this section in setting out the pedigree of the several branches of the Swinnertons.

Robert de Swinnerton (the first of the name)

John, his interest vested in the children of John Swinnerton, through his wife Margery Swinnerton, the father and mother of the decedent John Swinnerton, Junior	Robert, his line extinct in 1284 by the death of John Swinnerton, Jr.	Roger, represented by John de Whitmore 1/6 and Adam, son of William Alsager, 1/6	Margery, represented by Joan de Paulson 1/9, Robert le Mare-schall 1/9, Gilbert de Aston 1/9.
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The children of John de Swinnerton and his first wife Eleanor de Peshale would be the half-brothers and sister of the said John Swinnerton, Junior, and therefore only collaterally related to John the son of the original Robert de Swinnerton.

In Midsummer term, 13 Edward I. (1285), Roger de Pywelesdon and Joan his wife, John de Whytemore, Adam son of William de Alsacher, Robert le Mare-schal, and Gilbert son of Geoffrey de Aston sued Roger son of Stephen de Uselwell for half the manor of Swynnerton (excepting 160 acres of wood in the said manor) and for two parts of 14 messuages and 5 virgates of land with appurtenances (excepting 20 acres of wood) and 50s. of rent in Beche, of which John de Swynnerton their kinsman, whose heirs they are, was seised in demesne as of fee when he died. Roger denied that John de Swynnerton died seised of the tenements in question, because long before his death he had given the said tenements to him (Roger) and had made Philip de Mutton his attorney to put him into seisin of them. There were various adjournments of this suit through defect of juries, and it does not appear that any verdict was given. Probably the suit was compromised by the fine of 1288 mentioned below. [Staff. Hist. Col., vol. 1913, page 186-187; vol. 6, part 1, page 160.]

In the same term the same plaintiffs sued the same defendant and Muriel, the widow of John de Swynnerton, for 180 acres of wood in Swynnerton and Beche. A similar defence was put in, and after several adjournments a verdict was given in the following year in favor of Roger and Muriel on the ground that they were in good seisin of the tenements during the lifetime of John, and the plaintiffs were amerced for a false claim. The lands claimed in this suit would be the 160 acres in Swynnerton and the 20 acres in Beche excepted from the first suit. [Staff. Hist. Col., vol. 1913, page 187-188; vol. 3, n.s., page 105.]

This judgment was reversed, for in Michaelmas term, 14 Edward I. (1286), the Sheriff was ordered to take with him four discreet and lawful knights of his county and in propria persona to proceed to the Court of Edmund of the king's brother at Newcastle-under-Lyme, and in full Court there to cause to be recorded the suit, which was in the Court by the King's writ between John de Wytemore, Adam son of William de Allesager, Roger de Pyveslesdon and Joan his wife, Robert de Mareschal, and Gilbert son of Geoffrey de Aston, plaintiffs, and Roger son of Stephen de Uselwell, tenant of 4 messuages and 4 bovates of land with appurtenances in Great Chelle, and in which the said Roger son of Stephen complained a false judgment had been given. In Hilary term of the next year (1287)

owing to the default of appearance by Roger son of Stephen de Uselwall, his suit, i.e. on the writ of false judgement, was dismissed.

The judgement against Roger stood as final and he thereupon proceeded to settle with the lawful heirs of John Swinnerton, deceased, and obtained deeds of conveyance for their respective interests. One of the settlements was made by a conveyance by fine as in Michaelmas term, 16 Edward I. (1288) Roger son of Stephen de Swynnerton gave 40s. for license of concord with Roger de Pyvelesdon and Joan his wife, and they have a chirograph, i.e. the official record of the final concord which is given out to the party in whose favor a fine is levied to hold as a document of title. By this fine, which was levied on the 27th of October, 1288 in respect to the ninth part of the manor of Swynnerton, Beche, and Chelle, Roger de Pyvelesdon and Joan his wife acknowledged these tenements to belong to Roger son of Stephen de Swynnerton, and remitted their claim to them in his favor. The final judgment being against Roger, he appears to have settled out of court with the lawful heirs of John Swinnerton, junior. Some of these settlements reached, as we have seen, final concords, which appear in the Plea Rolls. Of the five plaintiffs, or rather sets of plaintiffs, who concurred in the above mentioned suits, three, viz., Roger and Joan de Pulesdon, Robert le Mareschall, and Gilbert, son of Geoffrey de Aston, represented the three Fitz Payne coheirs. Robert le Mareschall and Gilbert de Aston also each settled in respect to one-ninth, which together represents the one third coming to the heirs of Margaret Fitz Payne. The remaining plaintiffs, viz., John de Whitmore and Adam son of William de Alsager, together claimed in respect of another one-third share coming to the heirs of Roger de Suggenhill. [Staff. Hist. Col., vol. 1913, page 187; vol. 3, n.s., page 105.]

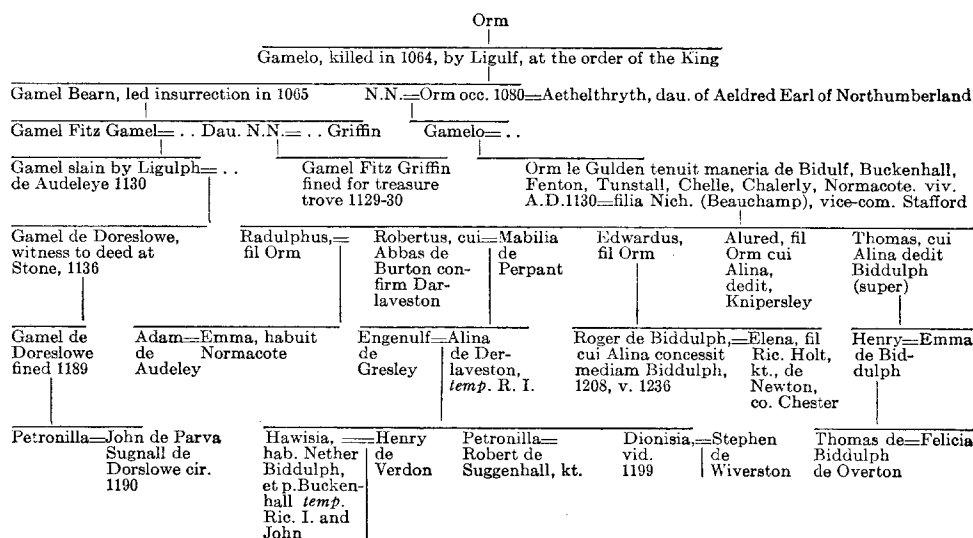
These lawsuits and the quitclaims executed in pursuance thereof settle three related and important points:

1. John de Swinnerton, Junior, had no heirs of his body begotten, hence his effort to settle the inheritance of his lands upon his half-nephew Roger.
 2. The collateral heirs of John de Swinnerton, Junior, were able to successfully maintain a suit for the inheritance of his lands, which they could not have done had there been a surviving child, or the descendants of a surviving child, male or female, of John de Swinnerton, Junior.
 3. John Swinnerton, Jr., living in 1271, did not have a son or a surviving brother called Adam or Richard or any other name; hence even the basis for a supposition of Swinnerton male ancestry for the Peshall family is not in any way tenable.
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As to the line of ancestry of Alice de Swinnerton, the wife of Adam de Peshall, senior, we shall, to complete as far as possible the records of the Northumbrians in Staffordshire, briefly notice the marriage of her Swinnerton ancestors.

The first John de Swinnerton married Margery de Audley. She was the daughter of Adam de Audley and his wife Emma, daughter of Randulphus fil Orm. We have already presented the story of the Audleys, and for the same the reader is referred to Chapter 14, Section 4. The second wife of the first John de Swinnerton was Petronilla de Dorlaveston. She was descended from Orm, who married Aetheltryth, Chapter 11, Section 3, Division 4.M., the daughter of Earl Ealdred of Northumberland, which made him brother-in-law to both Siward and Ligulph.

The following will give the genealogy of Petronilla de Derlaveston who married John de Swynnerton de Suggenhulle and of Petronilla de Derlaveston who married Robert de Swynnerton.



[Staff. Hist. Col., vol. 12, page 17; Freeman Norman's Conquest.]

SECTION 3.

THOMAS DE PESHALE, also called LE GOLDEN, son of Walter de Peshale,
Chapter 15, Section 1. Child:—

1. Thomas de Peshale.

Final Concord, July 1, 1281, Westminster. Robert Bishop of Bath & Wells by William de Middleton his attorney complainant, Thomas son of Walter de Peshale, deforciant, one messuage and a caricate of land in Golden which the defendant acknowledged to belong to the complainant and granted to defendant the said premises to hold at length with the performance of the services appertaining and if defendant shall die without heirs then the said premises shall revert to complainant. [Staff. Hist. Col., vol. 1911, n.s., page 36.]

Banco Roll Easter 8 Edward I. (1280) Staff. Thomas de Peshale sued William de Sogenhulle (Sugnall) and Dora his wife for 100 pounds owing to him.

and they did not appear. The Sheriff was ordered to attach them and to produce them at Trinity. [*Ibid.*, vol. 6, part 1, page 105.]

Coram Rege Michaelmas 9-10 Edward I. (1281) Staff. Thomas de Goldene sued William de Sogenhull and Doryee his wife for 100 pounds owing to him and they did not appear and they were attached by Thomas Brian of Pesehall and Adam de Pesehall, they, i.e. the sureties, are therefore in misericordia, and the sheriff is ordered to distrain and produce them on the morrow of the Purification. [*Ibid.* vol. 6, part 1, page 120.]

2. THOMAS DE PESHALE. Notes from the French Roll of 16 E. III., A.D. 1342. A writ to Richard Earl of Arundel, Justice of North Wales, Roger Trumwyne and others, orders them to collect and array 600 Welshmen armed with lances and other fit arms; to be uniformly clothed, and arrayed by hundreds and twenties; every centenary to be horsed, and to be ready by the Feast of the Ascension to proceed with the King, at his wages; the Chamberlain of North Wales to find the wages for them till they arrive at their destination. Dated from Westminster, 1st March. [*Ibid.* vol. 8, part 1, page 67.]

Similar writs were issued to John de Cherleton Lord of Powys to collect 500 men. To John de Warenne Earl of Surrey to collect 400 men. To William de Montagu Earl of Salisbury to collect 300 men. Richard Earl of Arundel 300 men from his lands of Chirk and Oswestry. Joan Countess de la March, Lady of Wygemore, 100 men. Thomas Bishop of Herefore, 50 men. Edward Prince of Wales, 40 men from Hope and Monhaut (Mold).

A writ to Philip ap Rees and Miles Pichard orders them to array 200 Welsh archers. Dated 10th April. A writ to the Sheriff of Kent ordering him to collect ships at Sandwich for the passage of Ralph de Stafford into Brittany, to be provided with pontes, claias, bordas and other necessities for the Quindene of Easter. Dated Eltham. 2nd April. Thomas de Passele, in the retinue of Ralph de Stafford, had letters of general attorney, dated 6th July. The following, who were abroad in the King's service in the retinue of Ralph de Stafford, had letters of protection, dated 22nd August, and to last till Easter, viz.:—Robert de Lye, Philip de Chetewynde, John de Stafford, John de Weston, Walter de Stafford, Hugh de Wrottesleye.

SECTION 4.

ROBERT DE PESHALE, son of Walter de Peshale, Chapter 15, Section 1, married ——. Children:—

1. John de Peshale.
2. Thomas de Peshale, killed 1293.
3. Robert de Peshale, killed 1293.

*1. Robert de Peshale= . .

Robert de Peshale killed 1293 Thomas de Peshale killed 1293 John de Peshale= . .

Elizabeth=*3. William de Peshale *2. Robert de Peshale=Milicent

. . =*5. Walter de Peshale Dionesia=*4. Thomas de Peshale

Thomas de Peshale

The numbers refer to the divisions of the text which follows.

*1. ROBERT DE PESHALE appears upon a Roll of Henry III. circa 1271.

Assize Roll 21 Edward I. 1293 Staffordshire. John de Pessale and Thomas and Robert his brothers disputing with Geoffrey del Wal and Hugh the groom of the constable of Eccleshall in the fields of Chychefeld, a quarrel ensued, and John killed the said Geoffrey and immediately afterwards he fled. His chattels are therefore confiscated for his flight. He had no chattels but was in the decanna of Robert son of Walter de Pessale. It is therefore in misericordia. It afterwards appeared from the coroner's rolls that one Adam del Wel appealed in the county court, the said John, Thomas and Robert for the death of said Geoffrey his uncle and had prosecuted his appeal against them to the fourth county court, and at the fourth court John neither came nor was bailed. So he was outlawed at the suit of Adam. And at the same court Adam withdrew his appeal against Thomas and Robert and Adam did not appear. (At the present iter), he is therefore to be arrested and his sureties are in misericordia. The Jury afterwards testified that Thomas and Robert were dead and that Hugh had also died.

*2. ROBERT DE PESHALE, son of John, married Milicent ———.

De Banco Trinity 18 Edward III. (1345) Staffordshire. Milecent formerly wife of Robert de Peshale sued John de Whitmore in a plea that he should give up to her a deed which he unjustly detained. John did not appear and the Sheriff was ordered to attach him for the Octaves of St. Michael. [Staff. Hist. Col., vol. 12, page 30.]

Grant by Henry son of Robert atte Wode, to Robert de Peshale of Madeleye-subtus-Lyman, etc., messuage and all lands and tenements once belonging to Robert atte Wode my father in Whitmore and Cnotton, viz., 2 acres in the Grene between the land of Richard de Bromeleye, clerk, and the waste called the Whitmor, and extending in length from the land of William son of Elyas de Bosco to the said waste: and 2 acres in the Grenesciches between the land of Richard de Bromeleye, clerk, and that of John Burgiloun, and in length from Adam de Sidewaye's land to the land of the said John, together with all lands, &c. in 2 crofts, adjoining the said messuage in a certain placca of land called the Ladyhurst within the fee of Knottoun. To have, &c., of the capital lords, &c., by the services pertaining thereto. Witnesses: Richard de Verneye, Richard de Bromeleye, clerk, John son of Robert atte Wode, Adam de Sideweye and others. Given at Whitmore, Tuesday before Feast of SS. Philip and James, 7 Edw. III. 1333. [Staff. Hist. Col., vol. 1913, page 228-229.]

Robert de Peshale of Madeley, as we have seen above, was dead by 18 Edw. III. 1344, in which year his widow Millisent was suing John de Whitmore for a deed which he had detained. At Easter, 1347, William de Bromley had as assize of novel disseisin against Milisent and others concerning tenements in Cnutton and Whitmore. [Staff. Hist. Col., vol. 1913, page 228-229.]

Ladyhurst, called in a deed of John de Legh of Knutton and Alice his wife temp. Hen. III., a wood, (particulum bosci quod vocatur Lawedihurst), of which wood one-half of the third part by that deed was confirmed to John son of Ralph de Wytemor.

Robert de Peshale of Madeleye gives to William son of William, clerk, (clerico) de Bromleye all lands, &c., with buildings, &c., within fee of Whitmore and Cnot-

ton, formerly owned by Robert de Tofts, of Whitemore in perpetuum. To hold of the capital lords. Witnesses: Richard de Verney, of Madeleye, John, lord of Whitemore, Richard de Bromleye, clerk, Roger de Burgynion, Ralph de Bromleye and others. Given at Whitemore, Thursday, after St. Agnes, 8 Edward III., 1334. This deed treats apparently of the same lands as in the former deed.

De Banco Hillary 21 Edward III. 1348 Staff. William de Bromleye who brought an assize of novel deseissen against Milisent formerly wife of Robert de Peshale and others respecting tenements in Cnutton and Whitmore did not appear and prosecute it and was in misericordia. [Staff. Hist. Col., vol. 12, page 16.]

*3. WILLIAM DE PESHALE.

Shawbury. Temp. 3 Edward III. 1336. John de Wytheferd died seized of lands here. He left three daughters, of whom Elizabeth married William Pershall. [Antiquities of Shropshire by Thomas F. Dukes, page 146.]

*4. THOMAS DE PESHALE, married Dionisia.

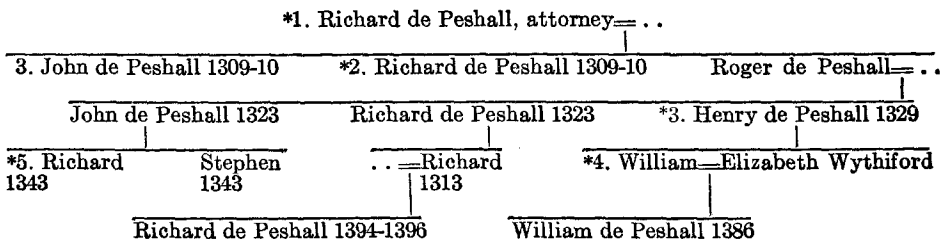
De Banco Trinity 32 Edward III. 1359. Staff. Thomas de Peshale and Dionisia his wife sued William le Smyth du Thomas for forcibly taking goods and chattels belonging to the said Dionisia from Hyntes to the value of 100s. William did not appear and the sheriff returned that he held nothing &c. He was therefore ordered to arrest and produce him on the Quindene of St. Michael. [Staff Hist. Col., vol. 12, page 174.]

*5. WALTER DE PESHALE, married — — —. Child:—1. Thomas de Peshale.

De Banco 34 Edward III. 1361 Staff. William son of Ralph Tymmer was attached at the suit of Thomas, son of Walter de Peshale for beating, wounding and ill treating him at Fissherwyk on the Monday before the Feast of Pentecost, 33 Edward III. and for which he claimed 100s. damages. William appeared by attorney and denied the trespass and injury and appealed to a jury. According to the note book of Rev. John Pershall this branch of the family settled permanently in County Bucks where they became ancestors of the Parcells. [Staff. Hist. Col. vol. 12, page 16.]

SECTION 5.

The following chart gives the pedigree of the descendants of Richard de Pershall. The numbers refer to the divisions of the text which follows.



*1. RICHARD DE PESHALL, attorney, son of Walter de Peshale, Chapter 15, Section 1.

26 May 1269 Staffordshire. Philip Mannyun by his attorney appeared against Jordan de Pulesdon, Roger Bagot, Thomas de Peshale, Geoffrey de Gresele, Roger de Walton, Geoffrey de Aston, Richard de Flotetrove, Bertram de Burgo, Henry de Wyleston, Thomas de Donne, and eight others named for entering his manor of Northbury vi et armis and committing damage &c. The defendants did not appear and the sheriff was ordered to attach them and sent word that Roger Bagot was attached by John Bagot of Suston, Richard de Peshale, Bertram de Burgo by Thomas de Wilbrinton and another. The sheriff is ordered thereupon to arrest them and produce them at fifteen days from St. John the Baptist. [Staff. Hist. Col., vol. 4, part 1, page 172.]

De Banco Michaelmas 2 Edward II. 1309. Roger de Swinnerton by Richard de Peshale his attorney sued Walter de MonteGomery for a debt of £40 which he unjustly detained. Walter did not appear and the Sheriff was ordered to attach him for the morrow of the Purification. [*Ibid.*, vol. 9, part 1, page 71.]

De Banco Michaelmas 9 Edward II. 1316. Anna formerly wife of Adam de Whethales by Richard de Peshale her attorney sued Elias de Broughton and Margaret his wife for the third of a messuage and caricate of land in Podemore and she sued William Bogot the Custos of the land and heir of Simon le Goldsmyth of Stafford for the third of a rent of 6d. in Berton as her dower. [*Ibid.*, vol. 9, part 1, page 56.]

Assize Roll 2 & 3 Edw. II. Staff. (1309-1310). An assize if Richard son of Simon de Verney of Great Madelegh-under-Lynn, Richard de la More of Great Madelegh-under-Lynn, and Milisent his wife and Richard Pasell and John his brother had unjustly deseized William de Verney of Great Madelegh of a messuage and 6 acres of land in Great Madelegh. The jury found in favor of William. [*Ibid.* vol. 9, part 1, page 15.]

De Banco Michaelmas 14 Edward II. 1321 Staffordshire. Richard de Peshall sued John son of Adam de Whethales and Adam brother of John, William de Stretton and Thomas le Parent of Horselye for breaking open vi et armis a coffer (cofrun) of the said Richard at Eccleshale and taking his goods and chattels to the value of £20 and for abstracting certain deeds and bonds (scripts obligatore) to the great damage of the said Richard and against the King's peace. None of the defendants appeared and the Sheriff was ordered to detain and produce the said John and William on the morrow of the Purification and respecting Adam and Thomas, the Sheriff returned they held nothing within his bailiwick by which they could be attached. He was therefore ordered to arrest them and produce them at the same date. [*Ibid.*, vol. 9, part 1, page 82.]

Banco Roll. Easter 14 Edward II. Staff. 1321. Richard de Pessale appeared against Thomas Parent and Robert his brother, Adam son of Adam de Whethales, John son of Roger de Peshale and Richard son of Roger de Peshale and two others for breaking vi et armis into his house at Pessale and taking his goods and chattels to the value of £20. None of the defendants appeared and the Sheriff was ordered to distrain those who had been attached and to arrest the others and produce them at the Octaves of St. Michale. De Banco Roll Trinity 16 Edward II. Staff. The Sheriff reported that they had nothing by which they

could be attached. He was therefore ordered to arrest them and produce them at three weeks from Michaelmas. [*Ibid.* vol. 9, part 1, page 84 and 92.]

*2. RICHARD DE PESHALL.

Coram Rege Roll for Trinity Term 25 Edward I. (1296) Salop, Johannes Honald sued Robert de Haggeleye and Richard son of Richard Peshall and others in breve de Placito transgressionis. [Edition by W. P. W. Phillimore, page 261.]

Plea Rolls. de Banco 17 Edward II. 1323 Staff. Richard de Peshale sued John son of Roger de Peshale, Thomas Parent and Robert his brother, Adam son of Adam de Whethales, Richard son of Roger de Peshale and three others for forcibly breaking into his house at Peshale, and taking his goods and chattels to the value of £20. None of the defendants appeared and the Sheriff returned they held nothing by which they could be attached. He was therefore ordered to arrest and produce them at three weeks from Michaelmas. [Staff. Hist. Col., vol. 9, part 1, page 92.]

Coram Rege 18 Edward II. 1325 Staff. John son of Adam de Whethales appeared in Court and acknowledged he owed to Richard de Pessale 20 marks to be paid at the next Feast of the Purification, and if he failed, he consented that the Sheriff might levy the sum from his goods and chattels.

Coram Rege 18 Edward II. 1325 Staff. Richard de Chelle appeared in Court and acknowledged he owed to Richard de Pessale 100s. to be paid at the next Christmas Day, and if he failed he consented that the Sheriff might levy the sum from his goods and chattels. [Staff. Hist. Col., vol. 10, page 57.]

*3. HENRY DE PESHALL. 2 Edward III. 1329 Staff. Henry De Peshale one of the Inquisition concerning the lands and inheritments held by Theobald de Verdun on the day of his death, taken in May, 2 Edward III. [*Ibid.* vol. 1913, page 15.]

*4. WILLIAM DE PESHALL. Tempo 3 Edw. III. (1330) John de Wythford died seized of lands here. He left 3 daughters. Elizabeth married William Pershall. [Antiquities of Shropshire by Thomas F. Dukes, page 146, from an old manuscript of Edward Lloyd, Eng. of Drenevild.]

De Banco Easter 9 Richard II. (1386) Staff. William Walsale late Sheriff of Staffordshire sued in person Richard Pakeman, Simon Moller, Edward de Waller, Thomas de Dadlond, William de Waller, William de Pesale and 3 others in a plea that they should render a reasonable account for the time they were receivers of his money. [Staff. Hist. Col., vol. 13, page 196.]

None of the defendants appeared and the sheriff returned they could not be found. He was therefore ordered to arrest them and to produce them on the Octaves of Holy Trinity. [Staff. Hist. Col., vol. 1913, page 196.]

*5. RICHARD DE PESHALL; De Banco Trinity 16 Edward III. 1343 Sussex. Thomas de Breosa chivaler appeared by attorney against Richard de Peshale, Stephen de Peshale, John Richards, sergaunt of Peshale and Robert Richards sergaunt of Peshale for taking by force from Tyndons Wassegington and Clophem 60 oxen, 40 steers, 30 cows, 25 calves, and 800 sheep, worth 100 pounds which belonged to him and other goods and chattels to the value of 60 pounds. The defendants did not appear and the Sheriff had done nothing and

made no return to the writ. He was therefore ordered to arrest and produce them on the morrow of the Ascension. [Staff. Hist. Col. vol. 12, page 1.]

De Banco Michaelmas 26 Edward III. 1353 Staff. John de Melbourn prebendary of the Prebend of Eccleshal in the church of St. Cedd in Lichfield sued Richard de Peshal of Eccleshale, Adam Iveson of Eccleshal, John de Whethales and three others for forcibly entering his close at Eccleshal and taking fish to the value of 20 pounds. None of the defendants appeared and the Sheriff is ordered to distrain those who had found bail and to arrest the others and produce them at the Quindene of St. Michael. [*Ibid.* vol. 8, page 117.]

De Banco Michaelmas 17 Richard II. 1394 Staff. John Delves sued Roger Swinarton and Richard Peshale of Eccleshall for a debt of 20 pounds. The defendants did not appear and the sheriff was ordered to attach them for the Quindene of St. Hilary. [*Ibid.* vol. 15, page 59.]

De Banco 43 Edward III. 1370 Staff. William le Beutillier of Lichfield, cotelir, sued Richard de Peshale the younger for insulting, beating, wounding and ill treating him in Eccleshall and for taking his goods and chattels to the value of 100s. Richard did not appear and the Sheriff was ordered to distrain and produce him on the Octaves of St. Michael. [*Ibid.* vol. 1913, page 74.]

Writ of Diem clausit extremum upon the death of John de Benteley.—Langele 12 December, 13 Edw. III. (1339). [*Ibid.* vol. 13, page 76.]