

## CHAPTER TWENTY

NICHOLAS DE PESHALL

Eighth in Ancestry

*Section 1, Nicholas de Peshall—Section 2, Ancestry of Helen Malpas—Section 3, Richard de Peshall.*

### SECTION 1.

8. NICHOLAS DE PESHALL, son of Sir Thomas de Peshall, Chapter 19, Section 1, married Helen, daughter and coheir of Hugh de Malpas, Chapter 20, Section 2. Child:—

1. \*7. HUGH DE PESHALL, Chapter 21, Section 1.

Nicholas de Peshall was sheriff of Staffordshire, 14 Henry VI (1436). He was actively engaged in the warfare then rampant in Staffordshire-Shropshire. Of course he was an important factor in the party composed of his family and their associates. His brother Richard appears to have been the family leader in this generation, but Nicholas was as deeply concerned as anyone. To get the full story the reader will have to take up all that was written in the preceding chapter, and also the story of Richard Peshall in this chapter, section 3.

The seizure of the Crown by Henry IV. (1399) divided Staffordshire into two camps. A violent affray took place on the Trent. Sir Robert Malveysin of Ridware armed in his favor and slew the Lord of Hansacre, who had joined the Earl of Northumberland's rebellion. [Counties of England, by P. H. Ditchfield, vol. 1, page 222.]

As a fact the war between the house of Lancaster and Northumberland, which later developed into the War of the Roses, continued to divide the gentry of Staffordshire for a long time after the accession of the Lancaster dynasty, and as a result the county was a place where the factions were divided upon the most marked lines of political and family division, and where a considerable number were openly hostile to the reigning king.

Though the last few years of the reign of Henry IV. were peaceable so far as the Kingdom as a whole was concerned, this was far from being the case with Staffordshire. What was practically civil war broke out there early in 1408. Hugh Erdeswick, Thos. Swynnerton, and the brothers Myners raised men in Cheshire, and Staffordshire to kill Sir John Blount, Constable of Newcastle, who was making some sort of effort to put down the robbery and murder in which they indulged. Sir John Blount was son and heir of that Sir Walter Blount who, clad in the King's surcoat, was slain by Douglas on the field of Shrewsbury. On one side were the officers of the Duchy of Lancaster and of the Crown; while Venables, Delves, Stanley, and Edgerton on the other side supported Erdeswick and the Myners. All the latter were adherents of the Earl of Northumberland, and Hugh Erdeswick of Sandon headed a faction which particularly sought to

destroy John Blount of Barton Blount. The latter was steward to the king in the Duchy of Lancaster. The unrest thus developed, eventually shaped itself into a quarrel and fight between Sandon and Chartley. [Staff. Hist. Col. The Counties of England, by P. H. Ditchfield, vol. 2, page 222.]

On February 26th, 1409, Sir N. Montgomery, Sir R. Fraunceys, Sir T. Gresley and Sir W. Newport, all ex-sheriffs and all be it noted men from outside Staffordshire, are ordered by Letters Patent to arrest the rioters. Nothing followed, except a challenge from Erdeswick to Blount, to fight at Rocester man to man, six to six, or twenty to twenty. On Feb. 16th, 1410, the House of Commons moved in the matter, and thereafter, one by one, the malcontents came in and gave themselves up. On February 10th, 1411, free pardons are issued to the following:—John Delves of Doddington and Apedale, Hugh Erdeswick of Sandon, Hugh Dampart, Roger Milnes of Cheadle, Thos. Swynnerton of Swynnerton, and Wm. Egerton of Wrinehill. The Myners and the lesser men still held out, and on Aug. 8th, 1411, they were ordered to be arrested by a Commission consisting of—Sir W. Newport, Sir Adam Peshale, John Burley, Thos. Newport, John Delves, Thos. Giffard, Humphrey de Halghton, Ric. de Greneway, Ric. Chetwynd and Ralph de Marchington.

This produced little effect and on Dec. 1st, 1411, an even stronger Commission took up the work. This consisted of Edmund Ferrers, Baron of Chartley, Sir W. Newport, Sir Roger Leche, Sir Adam Peshale, Sir Thos. Tamhorn, Nic. Bradshaw, J. Delves, John and Thos. Swynnerton, Nic. de Rugeley, John Meverel; and this apparently achieved its object; for, on May 10th, 1412, the Myners, Ric. de Draycot, and their lesser followers received pardons also. Edmund Ferrers, then head of the Commissioners, came in later on for the full vengeance of the pardoned rioters. But notwithstanding all this show of peace upon the public records the quarrel between the followers of the House of Lancaster and Northumberland went on almost as fiercely as before. It was no longer safe for a man or woman to travel unarmed anywhere in the county, and even then one was likely to meet with misfortune unless he was part of an armed force of sufficient numbers to offset the armed forces of the opposition.

It is a well known fact in history that Henry V. of England was one of the fairest men who ever sat upon the throne of that country. He punished friend and foe alike for disorderly conduct. His enemies did not believe this, and therefore they were disposed to overwhelm him with petitions reciting the misdeeds of the King's supporters, expecting of course that these petitions would be ignored and hence they would thereby have a positive grievance against the King, which they could repeat to the ears of those who were inclined to be against this dynasty. In this they were mistaken as history has so fully recorded. It was only to be expected, therefore, that the names of the Staffordshire friends of the King should appear in these petitions and that the name of Nicholas Peshall should be among the rest.

In the Calendar of Patent Rolls, for Henry V. under the date of 1413, July 18: 'Commission to Hugh Erdeswick and Thomas Giffard on complaint of William Yong of Charnes, co. Stafford, that he is threatened with loss of life and mutilation by Richard de Peshale and Nicholas his brother, to cause these to appear

before them and find sufficient mainpernors under penalty of £100, that they will not do bodily harm to William or any other of the King's people, and to imprison them if they refuse, and to certify therein to the King in Chancery. [Staff. Hist. Col., vol. 17.]

1411-12. Staffordshire. The juries of divers Hundreds had presented before the King at Lichfield, that whereas Thomas Giffard, Esq., had received a commission from the King to produce Nicholas Persale, Esq., and Richard Persale, of Blore, in co. Stafford, Esq., before the Justices of the Peace, of Co. Stafford, to find security to keep the peace, the said Nicholas and Richard had refused to appear, and with a certain John Jurdan, of Fossebrok, and others, had resisted the said Thomas and his servants with all their might, and has beaten and wounded them until the said Richard, with the assistance of one Robert Erdeswyk, Esq., who had come up, had been arrested and handed over to the custody of John Bagot, knight, then Sheriff of the county, and committed to prison for contempt of the King's mandate. [Staff. Hist. Col., vol. 15, page 26.]

The Jury of Shropshire, 1 Henry V. (1413) made a presentment against Roger Corbet of the vill of Shrewsbury, Esq., and Nicholas Peshale of Webenbury, co. Chester, Esq., son of Thomas Peshale, chivaler. [Shropshire Arch. & Nat. Hist. Soc., vol. 7, 3rd series, page 370.]

The fact of the matter really was that these were incidents in the rebellion against Henry IV., for example, Erdeswick, at the head of his Cheshire mercenaries, had marched on Chartley from Sandon, but had been met and stopped by Ferrer's men at Amerton where a fight had taken place and at least one man had been killed.

Thereupon, on his side, Hugh Erdeswick petitioned that whereas divers jours d'amour had been arranged between him and Ferrers, the latter had failed to keep the appointment, and had raised a strong force to waylay and kill him. While Erdeswick said he had been champion for Dame Joan Malveysyn in a dispute with Sir John Bagot of which affair the Rolls give a very clear account reading as follows: Petitions to Parliament, 2 Henry V.

In September 1414; whereas a jour d'amour had been taken between Sir John Bagot, knight, and Dame Joan Malveysyn at Ruggeley, and Hugh Erdeswyk had been selected to be present with the said Dame Joan on that day, Esmond Ferrers, Esq., knowing that he would be there, had ordered his brothers, Thomas Ferrers and Edward Ferrers, and Richard Peshale, and others of his men, arrayed as for war, to lay in wait on the road by which he had to pass, in order to kill and murder him, and of which design Hugh had been warned by his friends, and in place of going himself had sent one William Hyde, the vicar of Sonson, to acquaint the said Dame of the cause of his absence; and when the said William had come to the house and given his message, the said Thomas and Edward and Richard, and other malefactors, had taken him to Weston on Trent as a prisoner, and had illtreated him and despoiled him of his horse and harness, to the value of 4 marks. [Staff. Hist. Col., vol. 16, page 3-4.]

Also, that when the said Esmond had arrayed men in the manner of war and taken the field against the King's peace, Hugh had sent divers worthy men of the co. of Chester to ask him why he laid in wait for him with such an array near his

house, and Esmond had sent answer, that he had no cause of quarrel against him; but notwithstanding this answer, he and his brothers, and men arrayed as for war, had stopped several of the King's lieges and detained them till they had made an oath that they were not his servants; and upon this the said Hugh had sent to the said Esmond by other prudhones, viz., by Sir William Neuport, knt., Walter Bullok, clker, Thomas Griffyth, Robert Babbethorp, and Thomas Stanley, esq., to tell the said Esmond that if he had any grievance against him, he was ready to do him justice, upon which the said knight and others had arranged a jour d'amour between them, and Esmond had assured them he would keep it loyally. And after the said assurance, the said Esmond had sent his brothers, and other armed men to the number of 200, who rode in the early morning towards the house of the said Hugh in order to kill and murder him in his bed, of which he had been warned by Sir Thomas Gresley, knt., and at that time, by the mediation of the said Sir Thomas, they had retired; but notwithstanding which, Esmond from that day to this had given liveries to divers lieges of the King, some of the greatest malefactors of the county, whom he maintained to destroy the said Hugh.

Also, that when Sampson Erdeswyk, the brother of Hugh, an apprentice of the law, had taken counsel with Hugh to pursue divers writs in the King's Chancery, Esmond had procured a number of malefactors to intercept the said Sampson on his road back from Westminster, and they had beaten and wounded him and maimed him in a horrible manner, having cut off his toes and put them into his mouth, and left him for dead, with wounds on his arms and legs, by which he will be maimed for life, &c.

This state of affairs could not long continue without spreading the war to the rest of England, as the parties on both sides were related to the greatest families in the kingdom, so on the receipt of these petitions, Henry V. decided to proceed in person to the Midland Counties. At Easter, 2 H. V. i.e. in April, 1414, he was at Leicester with his new Chief Justice, Sir W. Haukeford (Gascoigne having been dismissed). At this place he heard in person a civil action against Thomas Dethek, late Sheriff of Staffordshire, for an act of oppression under color of his office. From Leicester he proceeded to Lichfield, where he obtained presentments from all the Hundreds of the County of Stafford, and called for all the Coroners' Rolls of the last year. These still exist in the Public Record Office, and fill over forty large membranes of parchment. A selection of the more important presentments have been published in the Staffordshire-Shropshire collections, but they are not a tenth of the crimes brought before the King on this occasion, and this will give an idea of the state of Staffordshire during the reign of Henry IV. The King remained at Lichfield for over two months, during which he heard every kind of plaint brought into his Court, including the Common Assizes of novel disseisin, mord-ancestor, &c. and a Gaol Delivery. He personally heard and directed the settlement of the quarrels, both sides professing allegiance to the King. [Staff. Hist. Col. & The Counties of England, by P. H. Ditchfield, vol. 1, page 222.]

The King was not altogether a welcome visitor as we find Staffordshire petitioning another grievance common enough then. The royal courts were

ubiquitous and were preceded by a crowd of purveyors seizing provisions and demanding services, but paying little or nothing. Every old woman trembled for her poultry, and the archbishop trembled for his household and stud until the king went by. In 1362 Edward III. had renounced the right of purveyance except on behalf of the king and queen, and promised to make payments in ready money, but the promises were not kept. Staffordshire with other counties complained that the purveyors of the King had taken cattle, sheep, pigs, corn, litter, and hay without paying, and the poor commons of the county had applied day after day to the treasurer of the king's household for their money, but only received sticks and tallies and promises to pay, to their utter destruction and ruin, so that they had nothing to live on and were becoming beggars. The king graciously answered that he was always willing that payment should be made by his purveyors, and they would find no fault in him in that respect for the future, and all the statutes previously made were to be observed. This promise was made by Henry IV. but not entirely kept by his successor Henry V., as these were merely the usual hardships attendant upon the passage of the king through the western counties. [Victoria History of Staffordshire, by Wm. Page.]

It will be noticed that the Plea Rolls say nothing about the rebellion. The prudent young king shut his eyes to that and preferred to investigate only the actual items of disorder. The king, however, well knew that this local civil warfare was nothing but simply the refusal of a certain section of the Staffordshire squires to forget their old patron, the Black Prince. They had rallied round him as bowmen and won his warm approval. They were proud both of their skill with the bow and their famous leader. One of them had chosen the celebrated Cheshire bowman for him; and though Henry IV. was Duke of Lancaster, and as such their chief lord, yet so fond were they of the father of Richard II. that they clung to the son, with all his faults, when their chief lord, Henry IV. rebelled against him and had him done to death at Pontefract. [Counties of England, by P. H. Ditchfield.]

But Henry V. was the Prince Hal of Falstaff, and now, coming to the throne, he determined to act firmly and yet show mercy. So the offenders got off, for war with France was coming on, and the turbulent spirits were needed there. All, therefore, began to go well again for a time.

The Plea Rolls disclose that in this warfare the sons of Sir Thomas Peshall like their father, were on the side of the Lancaster King, although then, or subsequently, they married daughters of the house of Egerton, who were notoriously associated with the party of Northumberland. The association of Nicholas Peshall and his brother Richard with this war is well told in the words of the Plea Rolls, where, Staff.

In the suit of Edmund, Lord Ferrars, of Charteley, against Walter Bullok, clerk, to deliver up to him two bonds, by which he and Hugh Erdeswyk were mutually bound in a sum of 500 marks; Hugh Erdeswyk appeared, and pleaded that the bonds should not be given up to Edmund; and he stated that discord and strife having arisen between him, and Robert, Sampson, and Roger, his brothers, on the one part, and the said Edmund and Thomas and Edward, his brothers, and Richard Peshale, arm., on the other part; and likewise between the

said Edmund, on the one part, and Thomas de Tommenhorn, knight, and Thomas Gyffard, armiger, on the other part; by the mediation of friends who had intervened to appease the strife, each of them, viz. the said Edmund and Hugh, had been mutually bound over in a sum of 500 marks, and the bonds had been given to Walter Bullok for safe custody upon certain conditions, viz., that the said Edmund and Hugh, on the monday after the Translation of St. Edward the Confessor following, should come to a certain meadow between Amberton and Gaton each with fifty persons, and no more, of whom four should be knights, twenty gentlemen, and the rest valets, and that there should be appointed arbitrators on each side, viz., on the part of Edmund, Humfrey Stafford, John Bagot, knights, and John Savage, armiger; and on the part of Hugh, Thomas Gresley and John Cokayn, knights, and William Venables, armiger, or others of similar status and rank in the place of the said arbitrators, if any should not be able to attend; provided always, that the arbitrators should be of that number; and in case the arbitrators could not agree, Richard, Earl of Warwick, had been elected by Edmund and Hugh as an odd number in nonparem electum in casu quo predicti arbitratore non concordarent, and that the arbitration should be completed before the Feast of All Saints; and that the said Edmund and his brothers, and Richard de Peshale, and all of their kinsmen, or of their affinity, friends and servants, and the said Hugh and his brothers, and Thomas de Tommenhorn, and Thomas Gyffard, and all of their kinsmen, affinity, friends, and servants, should in the meantime keep the peace and do nothing, nor procure anybody to perform anything, which would tend to break the peace; and if one side was willing to fulfil the above conditions and the other side would not do so, the bonds should be given up to the party which was willing to perform them. And likewise the said Robert, Sampson, and Roger, his brothers, Thomas de Tommenhorn, and Thomas Gyffard, and all of their kinsmen and affinity, friends and servants, should faithfully observe the same conditions. [Staff. Hist. Col., vol. 17, page 17-51.]

And Hugh stated, further, that Nicholas Peshale, the brother of the said Richard Peshale, on the Sunday after the said Feast of All Saints, had insulted and beaten and illtreated, at Neuport, co. Salop, one John Swetnam, chaplain, the servant of Thomas Gyffard; and therefore, as the said Richard Peshale and his kinsmen had not kept the peace according to the conditions, the bond should be delivered up to him.

Edmund denied that Nicholas Peshale had beaten and illtreated the said John Swetnam, or that he and his brothers and Richard Peshale had always been ready to fulfil the conditions of the bonds as stated above by Hugh, but that neither the arbitrators, nor the nonpar had made any award, and nevertheless Robert, the brother of Hugh, and one John Golborne, the servant of Robert on the Thursday after the Translation of St. Edward the King and Confessor, 1 H. V., had insulted his servant, John Grey, at Tyxhale, and would have beaten and killed him, and had chased him beyond the heath called Tyxhale Heath, and that the said John was so fatigued and depressed by the chase that he nearly died and his life was despaired of and therefore, as the kinsmen and servants of Hugh had not fulfilled the conditions of the bonds, they ought to be given up to him.

It will be easily seen by one who examines the Plea Rolls of this session of the King's bench, that Henry V. adopted a view that all this turmoil and warfare, whether made by his friends or enemies, was detrimental to the peace of the kingdom and therefore it must be stopped. The names of those arrested gives a very good census of the leaders, both for Lancaster and Northumberland, as the Plea Rolls disclose:

Coram Rege Trinity 2 Henry V. Staffordshire. The sheriff was ordered to produce Coram Rege, at this term, William Bakewell, chaplain, of the church of Stowe; Thomas Ferrers, of Chartley, armiger, and upwards of 300 others of co. Stafford, to answer for divers transgressions, extortions, and contempts, and none of them appeared. He was therefore ordered to distrain those who had found bail, viz., Ralph de Marchyngton, of Careswell; Hugh Erdeswyke, of Sondon; William de Bermyngham, of Bermyngham; William Newport, of Abenale, near Lichfield; John Alot, of Stone; John Meverel, of Throwley; Edmund Bassette of Blore; Ralph Bassette of Chedle; John Draycote, of Paynesley, John Wynnesbury, of Pylletnate; William Lychefeld, of Lychefeld; Ralph Aleyn, of Chartley; Thomas Gryffyth of Whychenore; Thomas Stokes, the elder, of Stotfold; Thomas Stokes, the younger; Thomas Gyffard, of Chylyngton; Thomas Marchyngton, of Careswell; John Myners of Uttoksather; John Ayleston, of Bysshelbury; Thomas Swynarton of Swynarton, and Richard Pershale, of Newport, and to arrest the others, and produce them on the Octaves of St. John the Baptist. The names of most note on this list, besides those above named, are Robert, brother of Hugh Erdeswyke, of Sondon; Sampson Erdeswyke, gentelman; Roger Erdeswyke, brother of Robert; John Shelley, of Stafford; Thomas Bulkeley, of Stone; Thomas Sturdy, of Ruggeley; John Pewlesdon, of Bromley Abbots; Roger Glasmon of Rugeley; John Hunte of Teene, esq.; Nicholas Persale, of Blore, squier; Richard Persale, of Blore, squier; Robert Bernevyle, of Draycote. [Staff. Hist. Col., vol. 16, page 20.]

At the same time this was happening in Staffordshire, King Henry V. was facing an incipient rebellion which was fostered by Sir John Oldcastle, a member of his own household, who was acting through the lollards to undermine the King and encourage opposition. A large meeting of Lollards from various parts of the kingdom had been secretly arranged to meet by night in St. Gile's Fields near London. Thousands of apprentices from the city were expected to join it. The design was said to be to seize, if not put to death, the King and his brothers, to proclaim Oldcastle Regent, and to destroy the monasteries of Westminster and St. Alban's, St. Paul's, and the houses of the friars in London. Oldcastle himself was expected to be present at the muster and to put himself at the head of the insurgents. The world, perhaps, had yet to be convinced that the young king was competent to rule with a strong hand and maintain the House of Lancaster upon the throne of England. But Henry was fully equal to the emergency. The meeting, he learned, was to take place on Sunday night after Twelfth Day. He quietly removed from Eltham, where he had been keeping his Christmas, to the palace at Westminster, and there ordered a body of followers under arms to accompany him by night to the place of meeting. He at the same time commanded the gates of the city to be securely kept, so as to prevent any one from leaving. On the news

of his approach the rebels were thrown into consternation. A number of them were killed, and others taken prisoners. What became of Oldcastle, or whether he had actually been there, no one knew. The King offered a reward of 1,000 marks for his apprehension; but he was a popular hero, and no one could be induced to betray him. His unhappy followers were speedily put to execution; and some, who had been condemned for heresy as well as sedition, were not only hanged, but burnt at the same time, with the gallows from which they were suspended. It appears that some of the disturbance in Staffordshire was fomented by the Lorilards as Sir Adam de Peshall was appointed to see that these mischief makers were suppressed in that county. [The Houses of Lancaster and York, by James Gairdner, page 95-96.]

At this time there were great political disturbances in France and both parties appealed to the King of England for support.

Henry, for his part, saw his advantage in the divided state of the country, and negotiated with both parties at one and the same time. He even sent and received embassies to and from both parties on the subject of his own marriage, proposing on the one hand to ally himself with a daughter of the Duke of Burgundy, on the other, with a daughter of the King of France. At length he suddenly revived the claim made by Edward III., asserted his own right to the French crown, and required Charles at once to yield up possession of his kingdom, or at least to make immediate surrender of all that had been ceded to England by the treaty of Bretigny, together with the duchy of Normandy, Anjou, Maine, and a number of other provinces. [The Houses of Lancaster and York, by James Gairdner, page 97-98 and 99-100.]

The claim made by Edward III. to the French crown had been questionable enough. That of Henry was certainly most unreasonable. Edward had maintained that though the Salic law, which governed the succession in France, excluded females from the throne, it did not exclude their male descendants. On this theory Edward himself was doubtless a true heir to the French monarchy. But even admitting the claims of Edward, his rights had certainly not descended to Henry V., seeing that even in England neither he nor his father was true heir to the throne by lineal right. A war with France, however, was sure to be popular with his subjects, and the weakness of that country from civil discord seemed a favorable opportunity for urging the most extreme pretensions.

At length in the summer of 1415, the king had collected an army and was ready to embark at Southampton. But on the eve of his departure a conspiracy was discovered, the object of which was to dethrone the king and set aside the House of Lancaster. The conspirators were Richard Earl of Cambridge, Henry Lord Scrope of Masham, and a knight of Northumberland, named Sir Thomas Grey. The Earl of Cambridge was the King's cousin-german, and had been recently raised to the dignity of knighthood by Henry himself. Lord Scrope was, to all appearances, the King's most intimate friend and counsellor. The design seems to have been formed upon the model of similar projects in the preceding reign. Richard II. was to be proclaimed once more as if he had been still alive; but the real intention was to procure the crown for Edmund Mortimer, Earl of March, the true heir of Richard, whom Henry IV. had set aside. At the same time



the Earl of March himself seems hardly to have countenanced the attempt; but the Earl of Cambridge, who had married his sister, wished, doubtless, to secure the succession for his son Richard, as the Earl of March had no children. Evidently it was the impression of some persons that the House of Lancaster was not even yet firmly seated upon the throne. Perhaps it was not even yet apparent that the young man who had so recently been a gamesome reveller, was capable of ruling with a firm hand as king.

But all doubt on this point was soon terminated. The commissioners were tried by a commission hastily issued, and were summarily condemned and put to death. The Earl of March, who, it is said, revealed the plot to the King, sat as one of the judges of his two brother peers, and was taken into the King's favor. The Earl of Cambridge made a confession of his guilt. Lord Scrope, though he repudiated the imputation of disloyalty, admitted having had a guilty knowledge of the plot, which he said it had been his purpose to defeat. The one nobleman, in consideration of his royal blood was simply beheaded; the other was drawn and quartered. We hear of no more attempts of the kind during Henry's reign.

With a fleet of 1,500 sail Henry crossed the sea and landed without opposition at Chef de Caux, near Harfleur, at the mouth of the Seine. The force that he brought with him was about 30,000 men. The campaign in France promised to be a great disaster to the English king, but his indomitable will, his undoubted military ability, and his power of securing the faithful adherence of his followers under the most adverse circumstances finally brought a great victory that is celebrated in English history as the battle of Agincourt.

The main army of the French only overtook them when they had arrived within about forty-five miles of Calais. On the night of the 24th of October they were posted at the village of Maisoncelles, with an enemy before them five or six times their number, who had resolved to stop their further progress. Both sides prepared for battle on the following morning. The English, besides being so much inferior in numbers, were wasted by disease and famine, while their adversaries were fresh and vigorous, with a plentiful commissariat. But the latter were overconfident. They spent the evening in dice-playing and making wagers about the prisoners they should take; while the English, on the contrary, confessed themselves and received the sacrament. Heavy rain fell during the night, from which both armies suffered; but Henry availed himself of a brief period of moonlight to have the ground thoroughly surveyed. His position was an admirable one. His forces occupied a narrow field hemmed in on either side by hedges and thickets, so that they could only be attacked in front, and were in no fear of being surrounded. Early on the following morning Henry rose and heard mass; but the two armies stood facing each other for some hours, each waiting for the other to begin. The English archers were drawn up in front in form of a wedge, and each man was provided with a stake shod with iron at both ends, which being fixed into the ground before him, the whole line formed a kind of hedge bristling with sharp points, to defend them from being ridden down by the enemy's cavalry. At length, however, Henry gave orders to commence the attack, and the archers advanced, leaving their stakes behind them fixed in the ground. The French cavalry on either side endeavored to close them in, but were soon obliged to retire

before the thick showers of arrows poured in upon them, which destroyed four-fifths of their numbers. Their horses then became unmanageable, being plagued with a multitude of wounds, and the whole army was thrown into confusion. In a very short space of time the French were defeated and their army in disorderly retreat. Never was a more brilliant victory won against more overwhelming odds.

Altogether, the slaughter of the French was enormous. There is a general agreement that it was upwards of 10,000 men, and among them were the flower of the French nobility. That of the English was disproportionately small. Their own writers reckon it not more than 100 altogether, some absurdly stating it as low as twenty or thirty, while the French authorities estimate it variously from 300 to 1,600. Henry called his victory the battle of Agincourt from the name of a neighboring castle. The army proceeded in excellent order to Calais, where they were triumphantly received, and after resting there a while recrossed to England. The news of such a splendid victory caused them to be welcomed with an enthusiasm that knew no bounds. At Dover the people rushed into the sea to meet the conquerors, and carried the King in their arms in triumph from his vessel to the shore. From thence to London his progress was like one continued triumphal procession; the capital received him with every demonstration of joy.

At Agincourt the county was represented by many valiant soldiers, the following barons and bannerets displaying banners:—Edmund Lord Ferrers of Chartley, Hugh de Stafford Lord Bouchier, and Sir John Blount. In the king's retinue were Sir John Gresley, Sir Thomas Gresley, Sir John Bagot, Ralph de la Pole, of Newborough, John Chetwynd. In the retinue of Lord Ferrers of Chartley were William Handsacre, William Draycote, Walter Yonge, John Bromshelf, and John Walker. These are described as 'lances,' that is, esquires or men-at-arms, and there were with them nine mounted archers. In the retinue of Sir John Blount were Richard Stafford, Thomas Gifford of Chillington, Giles Gifford, Thomas Newport, and Robert Whitmore, men-at-arms. In the retinue of Hugh de Stafford, lord of Bouchier in right of his wife, were Richard Hampton, Roger Snede, Nicholas Pershale, John Acton, and John Bromley, men-at-arms. In the retinue of Lord Grey were John Cokayn, William Bromley, Thomas Fitz Herbert, and John Curson, men-at-arms. [Victoria History of the County of Stafford, by William Page.]

Thus the records disclose that our ancestor fought at Agincourt. It was subsequently enacted in England that those who bore arms at Agincourt should have their coat of arms accepted by the College of Heraldry without question.

The Plea Rolls are silent as to the events in the life of Nicholas Peshall subsequent to the Battle of Agincourt. But in 14 Henry VI. (1436) he became sheriff of the county of Stafford. The sheriff or shire-reeve (Vice-Comes or viscount) represented the King in the county. He collected the crown rents and accounted for them; collected the fines of litigants, or the amercements of offenders, which had been imposed by the Royal Justices; executed the King's writs; seized escheated estates and gave seisin to the heirs when of age; sat as judge in the county and hundred courts and generally acted as the King's agent. [Staff. Hist. Col., vol. 1912, page 272-273.]

The great age of the sheriffs ceased when Edward I. came to the throne. Till then they ruled the county; thereafter they administered it according to order. At one time, for a short period, local feeling, and no doubt resentment at firm directions from Westminster, so far forced the King's hand that the sheriff became elective, and the county in full court assembled obtained the right to elect, (1300-1315). If the sheriff so elected was not satisfactory to the King a new election would be ordered by a writ issued making this necessary.

During the fourteenth century, the sheriff was still a power in the county, less so in Staffordshire possibly than elsewhere owing to the dominance of the Earls of Derby and Stafford. If they had lost part of their administrative power to the escheators, and even more of their judicial power to the Justices of Gaol Delivery and Justices of the Peace, their position as recipient of the King's writ in every case, and their consequent power as nominator of the salaried knight member of Parliament, preserved their importance.

Till it was forbidden by law in 1372, they had a habit of nominating themselves to Parliament, chiefly. Even when this was stopped it was the friend of the sheriff who secured that acclamation by the whole county which effected the election to Parliament. When towards the end of the fourteenth century there arose keen competition to represent the county at Westminster, there was a certain secrecy about the receipt of the writ and date of acclamation that would have been the delight of a modern party organizer.

Then, too, even in Lancastrian times, it was the sheriff who raised the posse comitatus and repressed disorder. Whether his responsibility for the safe custody of prisoners was regarded by him as an honor or a burden may be doubtful, but it enters very largely into the business records of the mediaeval sheriff. Gradually, however, the position of the sheriff sank. The rise of the Justices of the Peace, and of Quarter Sessions, did away imperceptibly but surely with both the administrative and judicial powers of the Sheriff, and by the time that the House of York had thoroughly centralized the government, the position of sheriff had ceased to be one of power and had become one of purely honorary and honorable distinction. But at this time it was, in the hands of a capable man, the means of the exercise of much power for whichever side the sheriff advocated in the Staffordshire-Shropshire local warfare.

## SECTION 2.

Ancestry of HELEN AND MARGARET MALPAS. Chekley, included in the original vill of Blakenhall. . . . appears to have been triply divided between families of Penreth, Brescy of Wistanston and Praers. . . . The remaining third is stated by Dr. Williamson to have passed with the daughter and heir of Robert Praers to Hugh de Blakenhall, and subsequently with Ellen, daughter and heiress of Richard de Blakenhall, to Hugh de Malpas, whose daughters and co-heiresses, Margery and Ellen, brought it to the Peshalls of Chetwynd and Horseley, brothers. [History of Cheshire, vol. 3, page 264.]

The following chart gives the ancestry of Helen and Margaret Malpas.

*1. . . . =Robert Fitz-Hugh, baron of Malpas at the time of the Domesday Survey, witness to the foundation charter of the Abbey of St. Werburgh, 1093		John Le Belward, according to the pedigree= . . . liv. in the reign of Wm. Rufus & was perhaps one of the 5 knights mentioned in Domesday as holding of Robert Fitz-Hugh.	
Letitia=Richard Patric, living in the time of *2. Mabella=William Le Belward, of Malpas, lived 12 Henry I.			
Rancle Meschines, Earl of Chester.			
William Patric, witness to a . . . charter of John, constable of Chester, to Adam de Dutton of lands in Halton, circ. 1178. qu whether identified with the previous William.	*3. William Belward,=Tanglust, natural daughter and coheir of Hugh Kevelioc, lord of a moiety of the Barony of Malpas including Egerton.	Palatine earl of Chester, (but according to the family roll, Beatrix 6th dau. of Randall, earl of Chester.)	
Robert Patric, witness to a . . . charter of Richard Fitz Alpais, of lands in Guilden Sutton, circ. 1200	*4. Sir David de Malpas, als Le Clerc,=Catharine Vaughn, daughter of Owain knt. son and heir, Lord of half the barony.	Vaughn, lord of Meilor. Some say Margaret, daughter of Ralph ap Eynon.	
William Patric gives= . . . to Nicholas his brother a burgage in Malpas, circ. 1230	Beatrix, dau. of Montalt, seneschal of the Earl of Chester	William=Margaret died 2nd mar. without legitimate issue.	*5. Philip (de Malpas, surnamed)=Katharine (als. Goch, sec. son of David de Malpas, surnamed le Clerk which David was lord of a moiety of the barony of Malpas, liv. temp. Ric. I. & King John. Heir-at-law to his brother.
Robert Patric, Lord of a moiety= . . . of Malpas, witness to Richard de Aldford's grant of Thornton granted to David de Malpas a moiety of Malpas, circ. 1230-40. Sea; three Phoons	Sir David de Mallo=Constance, Passu, als The Bastard alias Le Clerk, intruder into his father's moiety of Malpas.	*6. David de Malpas,=Cecily, dau. of alias de Eggerton, Lord of Eggerton, son & heir by deed s. d.	Sir Randle le Roter, kt. Lord of Thorneton (in le Moor) by deed s.d.
William, son of= . . . William Patric, Lord of a moiety of Malpas.	Beatrix, had on=Roderic ap partition, 44 Hen. 3 a fourth ap Llewellyn. living of Malpas, living. 17 Ed. I.	*7. Philip de Eggerton, alias de=Margaret, dau. of Malpas, temp. Hen. III. Lord of Eggerton; son & heir, sheriff of Cheshire 23 & 24 Ed. I. (ob. circ. 10 Edward II.)	Richard de Wrenbury, by Catharine his wife, by deed s.d. (Margaret sued for dower 10 & 11 Ed. II.)
Isabella, daughter of Richard de= . . . Fulleshurst, lord of Crewe		*8. David de Eggerton, Lord of Eggerton, eldest son & heir; sheriff of Cheshire 7 Ed. III.	
Matilda=Philip de Egger=Ellen, dau. of John de St. Pierre, marr. covenant dated 9 Ed. 2, liv. 20 Ed. 3.	*9. Urian de=Amelia dau. of John de Warburton esq. qu. Matilda wid. of Rich. de Cholmundeley	David de Eg=son, liv. 1369-70 & 29 Ed. 3, (1st in entail of Eggerton. 37 Ed. 3. o.s.p. ante 19 Ric. 2.	Bryan Robert Margaret both probably died young. liv. unmarried 29 Edw. III.
David de Eg=son & heir married before 20 Ed. 3, Isabell, dau. of Sir Hugh Venables of Kinderton, kt. o.s.p. (35 Ed. 3)	Ellen, sister & finally sole heiress; wife of Sir William Brereton, Kt. claimed a moiety of a fourth of the barony of Malpas against John Sutton in 1368, and another moiety of a fourth against Sir Walter Cokesay, in 1379.	Isabell, sister & coheir, wife of Robert de Bulkley 2dly, of John Venables; and 3rdly, of Sir John Delves, kt. recovered a moiety of a fourth of the barony of Malpas from John de Brunham, trustee of the Cokesays in 1363; & another moiety of a fourth from John, son of Sir John de Sutton in 1368. o.s.p. 19 Ric. 2.	Alice=Philip de Eg=Matilda, dau. of Eggerton lord of Eggerton &c. Hen. by entail, son & heir, succeeded to a portion of the Estates of Isabella Delves, viz. Eggerton, Malpas, &c. 20 Ric. 2. (ob &) Inq. p.m. 24 Hen. VI.
Ellen de Eggerton, 3rd in entail of Malpas, 1382.		*11. Hugh de Malpas=Margaret Blackenhall	
Nicholas de Peshale=		*12. Margaret de Malpas	

The numbers represent the division of the text which follows.

### \*1. ROBERT FITZ HUGH, Baron of Malpas.

The township of Malpas, which gives name to the parish and derives its own designation from the ancient difficulty of the pass, was distinguished before the Conquest by a British name of similar signification, Depenbech. From this circumstance of local strength, produced partly by the yielding nature of the soil, and partly by the inequality of surface, but more particularly from its position on the enemy's frontier, Malpas was selected by Hugh Lupus, the first Norman





earl, as the site of one of the numerous fortresses, with which, at regular intervals, he strengthened his Welsh border, and was bestowed by him on Robert Fitz Hugh, whose possessions are recited in Domesday, immediately subsequent to those of the earl himself. This Robert Fitz Hugh was one of the eight barons of the earl's parliament, and obtained from him an extensive grant, consisting of the following townships, principally taken from the forfeited estates of earl Edwin, and forming the original barony of Malpas. In this parish, Malpas, Bickley Bickerton, Broxton, Cuddington, Cholmondeley, Duckington, Edge, Hampton, Larton, Overton, and Tushingham; the entire parish of Shocklach; in Bunbury, Bunbury, Beeston, Burwardsley, Pecforton, Spurstow, Teverton, and Tilsston Fearnall; in Coddington, Chowley; in Christleton, Christleton, comprehending Row Christleton, and Little Christleton; in Tilston, Tilston; in Eastham, Sutton; in Prestbury, Butley; in Wales, Worthenbury, and Bettisfield, and the unknown vill of Burwardestone and Craeneche. [*Ibid.*]

In Domesday Book, which, by the Conqueror's order, contains a survey of all England, except the four counties of Westmoreland, Cumberland, Northumberland and Durham, it is testified, that Robert Fitz-Hugh, baron of Malpas, held the manor of Calmundelei (vulgo Cholmondeley), and twenty-nine others, in Cestreshire, or Cheshire, which are therein specified. [Bank's Dormant Baronetages, vol. 1, page 203-205.]

But the said Robert dying S. M. P., his interest in the barony of Malpas devolved on his daughter, 1. Lettice, married to Richard Patrick, and a daughter

\*2. MABEL, married to William, son of John le Belward, who lived in the time of William Rufus; and by him (who was living 12th Henry I.) had

\*3. WILLIAM LE BELWARD DE MALPAS, possessed in her right of half the barony of Malpas, who married Tanglust, a daughter and co-heir of Hugh Kivilioc, the fifth earl of Chester, and by her had issue three sons; viz., David, of whom hereafter; Robert, who having the lordship of Calmundelei, or Cholmondeley, by gift of his father, and fixing his residence there, assumed that surname, which his spreading and flourishing descendants have ever since retained, and Richard, the third son, was seated at Duckenton.

\*4. DAVID, the eldest son, beforenamed, was styled Dan David; and from being clerk or secretary, to the earl of Chester, sometimes was written Le Clerk, and sometimes de Malpas, where he succeeded his father, and was sheriff of Cheshire, 36th Henry III. of which county he was also justice, and held three knights' fees in the said King's reign. He married Margaret, daughter and heir to Ralph ap Enyon, a person of great note, by his wife Beatrix, sister to the aforesaid Hugh earl of Chester, and thereby is said to have become possessed of the entire barony of Malpas; viz., the one half by descent, the other in right of his wife, by whom he had four sons; viz., Sir William de Malpas, who died without legitimate issue, but had a natural son, David, who by Constance, daughter of Owen Kevelyoc, prince of Powis, left two daughters; whereof Beatrix married Rotheric, the son of Griffin; and Idonea, Sir Bryan de St. Pierre.

\*5. SIR PHILIP, the second son, surnamed Gogh (or the red), having obtained the Manor of Egerton, near Malpas, from Wion de Egerton and residing there, according to the custom of that age took the surname of Egerton, and was

lineal ancestor to many eminent and flourishing branches; from the chief whereof descended Sir Rowland Egerton, who was created a baronet 15th James I. and married Bridget, daughter and coheir of Arthur, the last lord of Grey de Wilton (of that surname); which Sir Rowland was progenitor to Sir Thomas Egerton, Baronet, since created earl Wilton.

Peter, the third son of David (Le Clerc), was surnamed De Thornton; at which place his descendants are represented to have been seated for divers generations, till they terminated, temp. Edward III. in six coheirs; viz. Ellen, married to Sir Thomas Dutton, of Dutton; Elizabeth, to Hamon Fitton; Maud to Henry de Beeston; Margaret, to Sir William de Golbourne; Beatrix to Thomas de Shamesbury; and Emma, to Hugh de Weverham.

David, the fourth son, was lord of Golbourne, from whence he took his surname; and left posterity, of whom was Sir William just mentioned.

From this period to the commencement of the Inquisitions, the descent of the Malpas share of the barony is preserved by deeds, and by the pleas relative to the contests between the right heirs of David de Malpas and his illegitimate descendants. From these it appears that his son William dying without lawful issue, left his brother Philip Gogh, surnamed de Egerton, his heir but that David le Clerc, base issue of William by his concubine Beatrix de Montalt, intruded himself into the barony, and left possession of it to his daughters and coheirs, Beatrix and Idonea, the wives of Roderic ap Griffyn and Urian St. Pierre, between which co-heirs a partition was made in the 44th of Henry the Third, (Beatrix being then wife of William Patrik). The share of Beatrix passed to Isabella, the issue of Beatrix, by her first husband, (William Patric, not) Richard de Sutton, lord of a moiety of Malpas, (and which share Isabella brought in marriage, together with her father's moiety to Richard de Sutton) in which family of Sutton three-fourths were thus vested; and the other fourth, which Idonea brought to Urian de St. Pierre, passed after four generations, in marriage to Sir Walter Cokesay, with Isabella, daughter and heiress of another Sir Urian de St. Pierre. [History of Cheshire, by George Omerod, London 1882, vol. 1, page 593-595.]

During his lifetime, David de Malpas had acquired a legal title to the other half interest. In the reign of King John or early in that of Hen. III. Gilbert le Clerc was lord. Gilbert le Clerc cannot be identified, but was possibly a Patric or a Belward. He occurs in the enrollment in the last Domesday roll or book of the Palatine, of a grant of the moiety of Malpas, &c. formerly belonging to Gilbert le Clerc, from Robert Patric to David de Malpas. This David de Malpas was the bastard who is often found written David de Malo Passu. And Robert Patric was the father of William, who was married about this time to Beatrice the daughter and coheir of David de Malpas. This moiety was the Patric moiety, the consequence of this grant was the vesting of the entire barony in David the Bastard, the other moiety being in his seizin by his unwarranted entry to the exclusion of the right heirs.

From the plea of Edward Sutton, lord Dudley, to a quo warranto, 15 Hen. VII. it appears that the barons of Malpas possessed at that period a capital jurisdiction within the limits of their barony, and also that their punishment, contrary to what has been usually stated, was inflicted by the gallows.



The beheading, called in old documents the custom of Cheshire, was part of another jurisdiction, possessed indeed by the Suttons and St. Pierres, but possessed by them not as barons of Malpas, but serjeants of the peace of Cheshire in fee. A document has been disclosed in which the husbands of the coheirs of David de Malpas are described as exercising this office over the whole of Cheshire, except the hundreds of Macclesfield and Wirral. The serjeancy was attached to the moiety of the barony which was possessed by the Malpas family, and on a temporary interruption of it by Reginald de Grey, a commission was issued to William de Tittley, 18 Edw. I. to inquire into its origin and powers, when it was ascertained to be held hereditarily by the two coheirs and to have been anciently executed by twenty subservients.

The perambulations and duties of the subservients and their numerous attendants, were analogous to those of the earl's foresters. Among the Harl. MSS. are several documents relative to the performance of their rigid duties, which show even the subservients to have been representatives of the most respectable families of the county. 6 Edw. (II. not) III., Hugh Cholmondeley occurs as presenting at the castle of Chester the head of David Cooper, beheaded for burglaries in Cholmondeley and Burwardsley. David de Bulkeley and Robert de Woodhull, subservients of Richard Sutton, occur also as presenting the head of Thomas Fox, a felon and fugitive. In the same collection is a writ of prince Edward to Richard Sutton, as serjeant of the peace, dated 4 Edw. II. Dec. 3, directing a greater attention to the preservation of the peace within his bailiwick, under penalty of incurring a forfeiture thereof.

The present customs of the manor do not vary from those of other courts leet. Mr. Drake claims a paramount jurisdiction over many townships of the ancient barony. The marquis of Cholmondeley had discontinued his court upwards of twenty years. A paramount jurisdiction over other townships is also claimed by the courts of Ridley and Shocklach, which have been severed from this barony at a distant period, and a paramount jurisdiction of the manor of Egerton over many townships of this barony most probably grew out of the connection of that family with the ancient lords of Malpas.

The castle of Malpas, the original head of the barony, as well as the castle of Shocklach, has long been destroyed. Like all the other Cheshire fortresses on the Welsh border, it was situated immediately adjacent to the church, which it most probably comprehended within its ancient works. The only remains consist of the circular mount of the keep on the north side of the church, measuring about 40 yards in diameter on the summit, and considerably elevated above the level of the church-yard. In some recent alterations, the ditch was traced to a considerable depth by the variation between the natural soil and the mud which has accumulated in it for centuries.

In 1363, Isabella, one of the two sisters and co-heirs of David Egerton, the right heir of the second moiety of the barony, as heir of Philip Goch before-mentioned, instituted a suit against John de Brunham, trustee of the Cokesays, by which she recovered a moiety of their fourth share. In 1368, by another suit she recovered a moiety of another fourth from John de Sutton. Sir William Brereton of Brereton, the husband of her sister, failed in similar attempts to

wrest his moieties of the two-fourths from John de Sutton, in 1368, and from Sir Walter Cokesay in 1379; but Sir William de Brereton, his son, under settlements by Isabella Delves, of one-fourth of the manor succeeded in the 19th of Ric. II. to a share of the fourth part of the Manor, meaning, no doubt, barony, which Isabella Delves had recovered: another small share descending from her to Hugh son of David de Malpas: and a third part of one moiety of this fourth share to Philip de Egerton of Egerton. This acquisition was the commencement of the extensive interest the Breretons subsequently obtained in Malpas. [History of Cheshire, by George Omerod, London, 1882, vol. 1, page 573-575 and 620-621.] The Domesday Survey omits mention of this township of Egerton, but there can be no doubt of its being comprehended within the limits of the original barony of Malpas.

In the preceding account of that district it has been stated that according to the most probable tradition, the Norman grantee, Robert Fitz Hugh, left two daughters, the younger of whom, Mabilia, brought a moiety thereof in marriage to William Belward, on the decease of whose descendant, William de Malpas, without legitimate issue, his base son David possessed himself of the barony, to the prejudice of his eldest uncle, Philip, surnamed Goch, (the legitimate brother and heir-at-law of the third William de Malpas). Philip Goch received from his brother the manor of Egerton, but it is clear that a considerable portion of his lands were the gift of another family, (the issue of the natural David de Mallo passee). David, son of Wyan de Eggerton, by deed without date, granted lands here to Philip, son of David de Malpas. "Test Willielmo de Malo passu et David filio suo;" and by another deed he afterwards granted to the said Philip all his lands "infra has divisas de Egerton, scilicet de rivulo de Hanton, usq. ad rivulum molendini de Egerton." From the designation of David the witness, it seems as if the Egertons had not ventured on questioning his legitimacy in the life of his father. The said Philip de Malpas, son of David de Malpas, by deed without date, gives all his lands in Cheshire to David his son, except the lands which he has settled on his son Hova, and also to the same David all his lands of Egerton, and Sandhull. Witnesses, Alan le Zouche, just. Cest. David de Malpas, and Hamo de Mascy. Seal, an arrow with the point downwards between two pheons. (Philip de Malpas also, about the time of Ric. I. grants lands in Burwardesley, to his daughter Mabel, by charter s. d. penes the duke of Westminster.)

\*6. DAVID DE MALPAS, son of Philip Goch by Catherine de Hulton, received by deed without date from Amicia, widow of Randle de Thorneton, all her lands in Crowton, in frank marriage with Cecelia her daughter.

\*7. PHILIP DE EGGERTON, issue of this marriage, and sheriff of Cheshire 23 & 24 Edw. I. married Margaret daughter of Catherine de Wrenbury, with whom he had lands in Wordhull, in frank marriage, by deed of the said Catherine without date. Philip de Eggerton, as Philip de Malpas, temp. Hen. III. had a grant, and also a release, of lands in Burwardesley, from William, son of Robert Patric, by charter s. d. the original at Eaton Hall. This Philip died in or about 10 Edw. II. In 11 Edw. II. his widow sued Randle, son of David de Eggerton, for dower of Larketon and Edge.

\*8. DAVID EGGERTON, son of Philip de Eggerton, contracted with John de St. Pierre, that his son and heir, \*1. Philip, should marry Ellena, daughter of the said John. Marriage portion 80 marks, to be returned if Ellena died before consummation. Dated at Egerton, 9 Edw. II. Monday after the Epiphany. \*2. Urien. \*3. David. \*4. Bryan. \*5. Robert. \*6. Margaret.

\*9. URIEN DE EGGERTON, son Philip.

Philip de Eggerton, son of David, obtained by Fine, tenements in Eggerton, from John, son of William, son of Modoc de Eggerton, and Matilda his wife; also tenements in the same township, of William son of Richard del Wode, and Alice, his wife, 12 Edw. III. Plea Rolls. He, after the death of (his wife) Ellena de St. Pierre, married Matilda, daughter of ———, and vested his lands in trust in William, son of Stephen Dodd, of Edge, who makes the following settlement, which identifies Urien, ancestor of the present line of Egerton, as a younger brother of this Philip.

Ego Willielmus filius Stephani Dodd de Edge, dedi Philippo de Egerton et Matild. uxori suae, et hered. masc. de corp, p'd'to Philippi, tot. terr. quae tenent. ex dimiss. mea in Edge, &c. reman. David fil. David de Egerton, fr'i d'ci Phi. et pro defectu reman. Uriano de Egerton, fr'i d'ci David et post mortem p'd'corum Phi. Matildi's, Davidis, Uriani, remanere Margarete sorori p'd'ti Phi. remanere rectis heredibus anted'ci W'i. fil. Stephani Dodd. Dat. apud Egerton, 29 Edw. III. (Translation: I, William, son of Stephan Dodd of Edgerton, give to Philip de Egerton and Matilda his wife and the heirs male of the said Philip, all the land which they hold from me, in Edgerton, I having given it &c. David son of David de Egerton, &c.)

The said Philip de Egerton, 20 Edw. III. gives to Geoffrey de Denston, and John de Wygynton, chaplains, the manor of Egerton and Wychehalgh, with all his lands and tenements in Bykerton, Malpas, Chydelowe, Wygelond, Chester, Hole, and Over. Seal, a lion rampant between six pheons, circumscribed Sigillum Philippi de Egerton; which manors and estate the said chaplains release, to David, son of Philip de Egerton, and Isabel his wife, in the same year. And in the following year, Philip de Egerton gives to David his son, and Isabella his wife, daughter of Hugh de Venables, £20 rent. Seal as before.

(30-31 Edw. III. Philip de Eggerton occurs, with many others, including Hugh de Malpas, parson of Bertumlegh, Roger de Malpas, and Philip, son of Randle de Eggerton, in a recog. to the earl in £366 13s. 4d. for the farm for 10 years, of moiety of Fourwich. And same year this Philip had a grant of lands in Rudheath, at 26s. 8d. rent. Recog. Ro.)

Inq. Post Mortem. 36 Edw. III. Philip de Egerton died seized of 15 acres of land in Wordhull, which he bought from Hugh de Wordhull, and had settled the preceding manors and estates, except Wichlagh, on himself for life, remainder to David his son, and the heirs of his body by Isabella his wife, remainder to the heirs of Philip; and had settled the manor of Wichalgh on himself for life, and Ellen his wife, remainder as before. (The said David obiit sine her' de corpe suo exeunt' sint in feodo tatt vel in feodo simplic'. David de Eggerton also held land in Rudheath, of the earl, by the service of a 20th part of a knight's fee, 35-36 Edward III. and also a piece of moorland called Widdeheth, by the service of the

400th part of the barony of Malpas, and probably died shortly after this date. Recog. Rolls.)

David de Egerton dying issueless, was succeeded by his sisters, Ellen and Isabella, the latter of whom also dying issueless, after recovering a fourth part of the barony of Malpas from the heirs of David the Bastard, her property underwent a triple division. A part vested in her sister Ellena, wife of Sir William Brereton, in whose right the Breretons became representatives of the Egertons, as far as concerned the barony of Malpas, and finally recovered their entire moiety; another small share went to \*11. HUGH DE MALPAS, son of \*10. DAVID DE MALPAS. This Hugh was the father of \*12. HELEN and \*12. MARGARET DE MALPAS. The manors of Egerton and Wichalgh, with other estates, by virtue of a settlement, 37 Edw. III. passed to Philip, son of Urian de Egerton.

### SECTION 3.

RICHARD DE PESHALL, son of Sir Thomas Peshall, Chapter 19, Section 1, married Margaret Malpas, daughter of Hugh Malpas and his wife Margaret Blackenhall. Children:—

1. Isabella Peshall, who married, 8 Henry VI., Sir Thomas le Grosvenor of Drayton, co. Salop, by whom he had Bellaport in Salop. Child, Randolph le Grosvenor, who married Margaret Mainwaining.
2. Jocosa or Joyce Peshall, who married Richard Pigot, of Butley in Cheshire, temp. Henry VII. who had with her Chetwynd, and from whom the Pigots of Chetwynd are descended.

Richard de Peshall was the oldest son and consequently the history of this generation would revolve around him.

The warfare, which resulted in placing Henry of Lancaster on the throne of England as Henry IV., continued in Staffordshire long after the rest of England was peacefully accepting the new king. The followers of Northumberland controlled the courts of this county until the visit of Henry V. in 1414. Hence the local Plea Rolls are filled with the most scandalous charges against the King's friends. No doubt these charges are in the main true when read in the light of their commission as acts of the war of suppressing the King's enemies, but the latter tried to make it appear that they were committed against the King's peace by common malefactors and criminal law breakers. At the same time these ins were not only absolutely disloyal and engaged in undermining the King's authority, but they resorted to the most open warfare in order to accomplish their purposes. For some reason they seem to have had a special grudge against Richard Peshall, the son of Sir Thomas Peshall, who was so largely instrumental in placing the Lancaster Earl upon the throne of England. A recital of the charges against Richard Peshall will therefore serve to expose the cruel manner in which the war was conducted by both sides, for all that is alleged against Richard Peshall can with greater truth be asserted against his accusers. Richard Peshall, like his brother Nicholas, had married a daughter of Egerton, one of the most violent supporters of the Northumberland Earl. This, no doubt, added to the feeling of enmity against the Peshall brothers. However, when King Henry V. came into

Staffordshire, he was apprehended along with the other disturbers of the King's peace. This king was no weakling; even when a prince, Henry had distinguished himself by his bravery in the war against Glendower, and more particularly in the battle of Shrewsbury, where he was wounded in the face with an arrow. His attendants would have carried him off the field, but he insisted on being led to the front of the battle to animate his followers; and it was probably his personal prowess that day that determined the issue. The Welsh, who had been so troublesome to his father, admired his valor and claimed him as a true prince of Wales, remembering that he had been born at Monmouth, which place was at that time within the principality. They discovered that there was an ancient prophecy that a prince would be born among themselves who should rule the whole realm of England; and they saw its fulfilment in King Henry V. [The Houses of Lancaster and York, by James Gairdner, page 90-92.]

He was popular for other things than bravery. Young and handsome, with abundance of animal spirits, he delighted in feats of agility and strength. He was tall and slender in person, with rather a long neck and small bones—a frame admirably adapted to nimble exercises. So swift was he in running that he could run down and capture a wild buck in a park without dogs, bow, or weapon of any sort. His mental endowments, too, were above the average, and he had received an excellent education. He delighted in songs and music, was very affable, and mixed readily with the people; nor could he be restrained by the dull decorum of the court, like the heir-apparent of a long-settled dynasty. On many occasions he had displayed a love of frolic which gave rise to some degree of scandal. Sometimes he and his companions, in disguise, would waylay his own receivers and rob them of the rents they had collected from his tenants. When the receivers came to account with him afterwards he would enjoy their mortification in telling how they had lost the money, until he declared by whom they had been robbed and gave them a full discharge, with special rewards to those who had offered him the most valiant resistance.

At another time one of his riotous comrades was brought before the Chief Justice for transgression of the law. The prince attended at the trial, and demanded that the offender should be set free. The judge refused to comply, observing that the Prince might be able to obtain a pardon from the King his father, but that for his own part he must administer justice according to the laws. Young Henry, who was not satisfied to adopt such a roundabout method of procedure, threatened to rescue the man and laid his hand upon his sword, or, as some writers say, struck the Chief Justice with his fist. The judge, however, showed himself unmoved, and committed the prince to prison for contempt of court. This firmness produced a marked effect. The prince, who had a real respect for authority, became at once submissive and allowed himself to be taken into custody. And the King his father, being informed of the incident, thanked God for having given him so upright a judge and so obedient a son.

When he came to the throne he at once made it evident that it was from no insensibility to his high future destiny that he had indulged so freely the frolicsome humors of his youth. The men who had been the companions of his pleasures he immediately dismissed, giving them presents, but at the same time com-

manding them never again to come within ten miles of the Court. On the other hand, he took at once into his confidence the ministers of his father and showed a sagacity in the discussion of state affairs which they had not expected to find in a young man who had shown himself so fond of amusement. Every one perceived that he was altogether an altered man, and every one was loud in the praises of his wisdom, modesty, and virtue.

Moreover King Henry appreciated the advisability of promoting peace among his subjects, no doubt hoping to allay the hostility of his father's enemies. While the king no doubt gained the support of those who had been opposed to his dynasty, he thereby at the same time visited great hardship upon his friends. The enemies of the house of Lancaster continued to control the Courts of Staffordshire-Shropshire and they used all the forces of the so-called means of Justice, to annihilate their enemies, particularly the Peshalls. But the latter were fighters and not easily overcome, so we can well understand that the civil warfare in this section, although secretly carried on, produced results that would rank with the most open warfare. We can also appreciate that his enemies being armed with the power of the Courts of Justice, all the misdeeds of Richard Peshall would be spread upon the Plea Rolls of the court over which the King was then presiding, as Richard, beyond a doubt, was the most valiant fighter of all the King's friends in Staffordshire, and no escapade that had been laid to the credit of the King as a prince, but what could find in Richard Peshall a like act of bravery or bravado.

From the records it would appear that even the women took part in this strife, as, *Coram Rege*, Trinity, 3 Henry V. Salop. It had been presented before the King at Salop, at Trinity term, 2 Hen. V., by divers Hundreds of the county, that Richard Peshale, armiger of co. Salop, on the Monday before the Purification, 12 Hen. IV. had feloniously assaulted Alice, the wife of John Wallesley, at Wemme; and that Nicholas Peshale, the brother of Richard; John Bocard, of Salop, and many others, were aiding and abetting the felony.

The reader does not want to take this statement too seriously as Alice was with a large party of the King's enemies. The others were so badly beaten that they were ashamed of their defeat. It happened that Alice was hurt, so that made a good excuse for prosecuting the leader of the opposite party. It would be useless to try to tell the story of this warfare in better terms than the enemy has itself set forth upon the court records, keeping in mind that each event represents a battle between these opposing forces, with the disclosure only of the misdeeds of the outs, who at this time happened to be the Peshalls and their associates.

It had also been presented, at the same date, that Richard Peshale, of co. Salop, gentleman, and others, on the Friday the 28th August, 11 Hen. IV., had assembled armed in the manner of war and had pulled down the house of John Wydeford, which had been newly built, and had robbed him of goods and chattels to the value of £20. It had also been presented, that Richard Peshale, son of Thomas Peshale, knight, of co. Salop, esq., on the Thursday after the Feast of St. Luke, 12 H. IV. had taken and thrown down Margeret Smyth, widow, in her house at Chesewardyn, and had wounded her so she had afterwards died.

It had also been presented, that the said Richard and others, on the Monday after the Feast of Easter, 12 H. IV., had feloniously killed an unknown man in the fields at Longeford. It had also been presented, that Richard Persale, of Chetewynd, in co. Salop, gentleman, on the Monday before the Feast of the Nativity of the Blessed Mary, 1 H. V. had arrested without authority one John Bokard, at Drayton, and had threatened him with the loss of life or mutilation of his limbs until one Giles de Sheynton, in order to save his life, had become surety that he would not leave the county until he had made a concord with the said Richard; and afterwards, when the friends of John had taken him into Staffordshire for fear the said Richard should kill him, he had so threatened the said Giles that for fear of his life he had been afraid to leave his house for two weeks, and the said Richard had afterwards extorted from him 5 marks, and that the said Richard was a common extortioner and oppressor of the people. [Hist. Col. of Staff., vol. 17, page 31.]

It had also been presented, that Richard Peshale, of Chetwynd, armiger, on the Tuesday before the Feast of the Assumption of the Blessed Virgin, 1 Hen. V. had come to Tunstall, in co. Salop, and had expelled William Thikeness, clerk, vi et armis, from a messuage and 60 acres of land and 6 acres of meadow, and had feloniously robbed him of goods and chattels to the value of £10; and afterwards on the Monday after the Feast of St. Michael, in the same year, had driven him by force out of the county, so that by cause of the treatment he received the said William had afterwards died at Chekley, in co. Stafford, on the Friday before the Feast of the Annunciation. It had also been presented, that the said Richard had feloniously robbed Roger Callerhall, of Tunstall, of 13s. 4d., at Drayton, in 2 Hen. V. and that he had feloniously robbed Roger Knyghton, at Knyghton, of 13s. 4d., in 10 Hen. IV. It had also been presented that the said Richard Peshale, at Christmas time, 10 Hen. IV. had given liveries of cloth to John Jurdan, frankelyn, and five others, at Drayton, and in 1 Hen. V. had given liveries of cloth to Humfrey de Tittley, of Bloure, co. Stafford, and seven others, at Drayton. It had also been presented, that Richard de Peshale, son of Thomas Peshale, of Chetewynd, esq., had collected 400 Welshmen and others, arrayed in manner of war, on the Tuesday after the Feast of St. Mary Magdalene, 12 Hen. IV. in the fields of Wenlok, and had announced to the prior of Wenlok that they intended to enter the vill of Wenlok by force and destroy the said prior and all his tenants, and the prior had been forced to send messengers to Edward Sprenchose, the Sheriff, who had raised the posse of the county in order to relieve him, and at this term the said Richard appeared after he had been put in exigend, and was committed to the custody of the Marshal. [Staff. Hist. Col., vol. 17, page 31.]

All acts above enumerated were those then common to the warfare of the time. It would make interesting reading could one have gained a knowledge of the names of those composing the adverse party on each of the above occasions. It only shows how skin deep was the allegiance of those who had opposed the accession of the house of Lancaster to the English throne, and that the War of the Roses really began with the death of Richard II. We shall see the same parties lined up in opposition for all succeeding generations of our family in England down to the time our ancestor came to America. It was on these lines that the

English politics divided until after the Commonwealth. A word should be said as to the giving of liveries.

The object of this was to retain certain people to engage in the quarrel between the two political factions then at war in Staffordshire. Men were in the habit of giving liveries to those who were not of their own family for this purpose. This giving of liveries for maintenance of quarrels was strictly forbidden by Statutes of Richard II. and Henry IV., under penalty of imprisonment and forfeiture to the King. The question of livery was one of the most important of the later Middle Ages, and the Statute Book is full of Acts on the subject. Livery was granted by great lords to many besides their servants in order to swell the number of their adherents, who were only too glad to avail themselves of the protection of the powerful at a time when the law was for the rich. If a man wore a lord's livery the lord would maintain his suit for him in the law courts, and liveries had also become the uniforms of factions. Previous legislation having proved ineffective, a statute was passed in 1399 enacting that the lords might only give livery of cloth to their menial servants and officers, and to them that be of their council. [Victoria Hist. of Staff., by Wm. Page.]

As has just been related, amongst those who were indicted, and ordered to appear before the King in Trinity Term, 1415, to answer for their transgressions, was Richard Peshall. As, however, he had found bail, and did not appear, the sheriff was ordered to levy a distress. The King's Chancellor had sent to Thomas Giffard, of Chillington, a commission to arrest Richard Peshall, to answer to the King for divers insurrections and felonies. Accordingly, on the first Friday in January, 1414-15, Thomas Giffard attempted to arrest him at Stafford. Giffard reported his troubles to the Court, the record reading that it is presented that, whereas, Thomas Giffard, of Chylyngton, had a certain commission from the King's Chancellor to arrest Richard de Persale, of Newport, in co. Salop, armiger, to answer to the King for divers insurrections and felonies, and by virtue of which commission the said Thomas, on the Friday before the Feast of Epiphany, 1 H. V. attempted to arrest him at Stafford, the said Richard, together with John Jurdan, of Fossebrok, and other malefactors, refused rebelliously to submit, and arrayed in manner of war, viz., with swords, bows, and arrows, had rescued the said Richard from the custody of Thomas, and would have killed the said Thomas unless the constables of the town of Stafford, and other lieges of the King, had not rescued him; and afterwards the said Richard had been pursued and taken and delivered into the custody of John Bagot, the sheriff. It had likewise been presented, that John Jurdan, fraunkelyn, of co. Salop, and others had received from Richard Pesale, at Drayton, a livery of cloth on the Monday before Christmas Day, 10 H. IV. against the Statute; and John Jurdan now surrendered, and produced Letters Patent, dated 10th February, 2 H. V. by which the King pardoned him under the name of John Jurdan, frankeleyn, of co. Salop, alias John, son of Thomas Jurdan, of Fossebroke, alias John Jurdan, of Adbaston, for all felonies and other offences perpetrated before the 8th December previous. [Staff. Hist. Col., vol. 5, n.s. page 107.]

Thomas Giffard was himself a malefactor although at this time he was apparently with the court faction. He served the office of sheriff of the county in



11 Hen. IV. (1409-10). Several presentments made against him on the occasion of the King's visit to Lichfield in 2 H. V. will be found in the Staff. Hist. Col. He was one of the faction of the Earl of Northumberland, who with the Erdeswicks and Venables and others had attacked Edmund de Ferrers, the lord of Chartley, with a large force in that year, and had destroyed his park palings and killed one of his servants. At the same date a presentment was made against him for giving liveries to seven persons against the Statute, the persons to whom he had given the liveries not being members of his household.

As to Richard Peshall, he on being afterwards brought before the Court and questioned, produced Letters of Patent of the King dated 8th February, 2 H. V. pardoning him for all felonies, &c. perpetrated before the preceding 8th December. He was therefore allowed to depart in peace. For some reason or other the enmity against Richard Peshall continued long after the rest of the old contestants had made a more or less sullen peace. For, as a fact, it was many years before there ceased to be more or less open warfare, and always there was secret warfare, between the Barons of Staffordshire, until the end of the war of the Roses had removed the cause. The Court appears to have placed Richard de Peshall under bonds to keep the peace, and later when attacked he defended himself, and, as usual, the woman in the opposing party was hurt or claimed to be. This was used as an excuse for forfeiting the bail of Richard de Peshall, as witness the following entry on the Plea Rolls. *Coram Rege* Easter 4 Henry V. 1417. Fines & Chattels forfeited, London, Stafford, & Salop. [Staff. Hist. Col., vol. 17, page 32, and vol. 16, page 34.]

From Richard Peshall of co. Salop, armiger, who had been bound over in a sum of £400 to keep the peace towards all the King's subjects and who had afterwards insulted, beaten and illtreated Joan Boydell in Staunton in co. Stafford, so that her life was despaired of and who had been summoned by the King's writ to appear at the term to answer for the same and had not appeared, so his £400 were forfeited.

It would seem that the proper remedy, had the charge been true, would have been to try, convict and punish Richard de Peshall for the assault. It really is funny to see how his opponents hid behind their women's petticoats. They were determined to get Richard if possible and they continued the warfare.

Five years later, in 1422, he was indicted for divers felonies. On this occasion he appeared in person, and was bound over in a sum of 500 marks to keep the peace towards all the King's subjects and especially towards William Hulle, of Newport. Thomas Corbet, John Esthope, Hugh Cresset, and John Leighton of Leighton, all well-known Shropshire men, entered into a recognizance of 100 marks each for the good behavior of Richard Peshall, Esquire, of Chetwynd. Richard, however, could not keep quiet, for in July, 1427, he was at Mere, near Newport, and there he insulted, beat, and wounded William Lee, John Thikene, John Hancockson, and William Davidson. Proceedings were consequently taken at Michaelmas, 1431, to estreat the recognizances of his four sureties. [Shropshire Arch. & Nat. Hist. Soc., vol. 6, new series, page 225-226.]

From a document quoted in Duke's Antiquities of Salop, it would appear that he must have been outlawed about 6 Hen. VI. (1427-8) when John Bruyn had

orders to enquire what lands were held by him at the time of his outlawry at the suit of the king. When he was apprehended, he must, as usual, have produced the king's pardon as we find a record of his subsequent actions against the supporters of Lancaster in the Court records and in the Plea Rolls.

Coram Rege Michaelmas 10 Henry VI. 1432 Salop. Proceedings to estreat the recognizances of Thomas Corbet, John Esthope, Hugh Cresset, and John Leighton of Leighton who had found security of 100 marks each for the good behavior of Richard Peshale, armiger of Chetwynde who had been indicted for divers felonies in 9 Henry V. to keep the peace towards all the king's subjects and especially towards William Hulle of Newport and the said Richard with 24 men on the Wednesday after the Feast of St. Mary Magdalene 5 Henry VI. having insulted, beaten and wounded at Mere near Newport William Lee, John Thickenne, John Hancockson and William Dandson. The sheriff is ordered to levy the money on their lands and chattells. Thus we see that already the war between Lancaster and York was looming over the political horizon of England, and Richard Peshall had armed a goodly sized force and was fighting for his lord the king, of the house of Lancaster. [Staff. Hist. Col., vol. 3, n.s. page 129.]

Richard Peshall was alive in 1439, as in 17 Henry VI. Richard Webb vicar of Albrighton and Nicholas Wiston feoffees of Joan Lee limited the entail of the manor of Worley Parva to Joan for life and after her decease to Richard Peshall son of Sir Humphrey Peshall and the heirs of his body, and in default of such issue to Richard Peshall, son of Sir Thomas de Peshall, knt. and the heirs of his body. Richard, son of Humphrey Peshall, had issue who survived him, hence the manor of Wirley Parva did not come to Richard son of Sir Thomas or his heirs under the above entail. [Hist. of Staff., by Rev. Stebbins Shaw, vol. 2.]

Richard de Peshall's two daughters and coheirs married, and with his death, his line ceased to exist as a male branch of the Peshall family. [Shropshire, by Augustus J. Hall, London, 1898, page 257.]