

ART. X.—*The Marriage of Charles West and Mary Hudleston in 1677.* By C. ROY HUDLESTON.

*Communicated at Carlisle, April 22nd, 1926.*

ONE of the most serious errors in Nicolson and Burn's\* pedigree of the Hudlestons of Millom is the statement on p. 13 that Mary, only child of Ferdinand Hudleston, and Dorothy his wife, was married to Charles West, Lord Delaware. It is unfortunate that nearly every subsequent writer should have been content to accept this statement without investigating its truth. Hutchinson's pedigree† (1794) contained it and the mistake was repeated in Playfair's *British Family Antiquity*,‡ (1811), in Burke's *Commoners* (p. 582; 1831), in Jefferson's *History of Allerdale Ward* (1842), in *Baronia Anglica Concentrata*, by T. C. Banks (vol. ii, p. 94; 1843), in Whellan's *History of Cumberland* (p. 405; 1860), in every edition of Burke's *Landed Gentry*, in *The Genealogist*, 1 (N.S.)§ and in the pedigree given in Mr. Cowper's paper on the Hudlestons of Millom in these *Transactions*, N.S. xxiv. It therefore seems desirable to place on record the true facts which may be useful when the time comes for the compilation of the badly needed pedigree of the Hudlestons of Millom.

When Sandford gave a description of Millom he said "And the noble fferdinando [Hudleston] Lorde of Millome Castle hath on Candlemas day last at Millom Castle married his only daughter to the sone and heir of Lord

\* *History of Cumberland and Westmorland*, ii, (1777).

† *History of Cumberland*, i, 528.

‡ Appx. Vol. 6, clxviii.

§ p. 138. Pedigree of Faulkner. An even worse mistake occurs here, for it states that the last Hudleston of Millom succeeded to the estates "on the death of Lady Delawarr"—who had never owned them.

De la . . . . . of famous . . . . .”\* Now the registers of Millom record that on Feb. 2 (*i.e.* Candlemas Day) 1676-7,† “Charles West and Mrs. Mary Huddleston d. of Ferdin: Huddleston, Esq<sup>r</sup>” were married. Collins’ Peerage of England (Brydges ed. 1812, vol. 5, p. 24) gives the following under De la Warr: “Charles, fifth Lord De la Warr . . . . married Anne, daughter and heir of John Wild,‡ of Droitwich . . . and . . . had issue, 1. Charles, his son and heir, who married — daughter of — Hudleston, Esq. and secondly Elizabeth, daughter and co-heir of Sir Robert Pye, of Bradenham, in com. Bucks, Bart., but died without issue on June 22nd, 1684. 2. Horatio, who also died in the lifetime of his father . . . . . 3. John Lord de la Warr . . . . . Charles Lord de la Warr departed this life . . . . Dec. 22nd 1687, and was succeeded by John his only surviving son.” G. E. C. tells us that the 5th Baron De la Warr’s marriage to Anne Wild was at Highgate, Middlesex, in 1642, and that she died in 1702-3.§ The account adds that he was succeeded in 1687 by his son John, whose elder brother Charles married in 1678, Elizabeth, d. of Sir Edmund Pye, Bt.|| Thus it is clear that the husband of Mary Hudleston was never Lord De la Warr, but was plain Charles West. It will not be out of place here to quote an interesting chancery suit,

\* *A Cursory Relation of all the Antiquities and Familyes in Cumberland* by Edmd. Sandford (Tract Series, No. 4, pp. 7-8).

† Sandford is said to have written *circa* 1675 “Mr. Blennerhassen then Sheriff of Cumb.,” but this proves that he wrote a couple of years later. William Blennerhasset was sheriff of Cumberland 1676-7.

‡ A descendant of the Hudlestons of Millom—thus Sir Edmund Hudleston of Sawston, Cambridge, (4th in descent from Sir John H., 7th lord of Millom), b. c. 1540, d. 1606, leaving Frances, m. George Wild of Droitwich, serjeant-at-law, and d. 1630, leaving John Wild, chief baron of the exchequer, b. 1590 d. 1669, leaving Anne, d. and h. married Charles, 5th Baron De la Warr.

§ G. E. C. Complete Peerage, ed. Hon. V. Gibbs, Vol. 4, p. 161.

|| Reg. of St. Dionis Backchurch, London, (Harl. Soc. Vol. 3., p. 39). 12 Dec., 1678. Charles West, son and heir of the Right Hon’ble Charles Lord De la Warr and Elizabeth Pye, daughter of Sir Edmund Pye, Kt. and Baronett of Brandeham in the county of Bucks by lic.

which throws a little light on the matter and adds to our knowledge of the Hudleston pedigree. It is from Chancery Proceedings (Bridges Division), Bdle. 164, No. 78.

12 July, 1688. Bill of Thomas Dowse of Wollop co. Hants., committee of Dorothy Hudleston, widow of Ferdinando H. late of Millam Castle, co. Cumbd, esqre, decd., a lunatick. Sir William Hudleston, Knt., heretofore of Millam Castle, father of the said Ferdinando and the said Ferdinando were in 1649, engaged in a treaty of marriage intended between the said F. and Dorothy one of the daus and co-heirs of Peter Hewkeley then late of London, merchant, decd.,\* who was entitled to a fortune in real and personal estate of £5,000 and upwards.

By a settlement dated 10 Oct., 1649,† Sir William and Ferdinando H. conveyed the manor etc. of Millam and manors etc. of Kirkby Santon als. Satterston, Carney Wel (?) als. Walatts als. Ulsa als. Ulfa Weynham (? Whicham) and Whitebott (? Whitebeck), co. Cumberland; Thwaites als. Thunderthwaites, and Cuttreston als. Cudeston, co. York; and Haseley als. Haseley Court co. Oxon, to trustees to make a jointure for the said Dorothy and provision for her if she outlived her husband.

But she is now kept out of this jointure by a combination of John, Lord Awar,‡ Sir John Cutler,§ Sir Robt. Dashwood, Sir Wm. Cooper,|| Sir Thomas Travell, George Hutchins,¶ Wm. Wogan, Robert Clinton, Arthur Onslow, Joshua Lush (?) Wm.

\* Nicolson and Burn perpetrated another blunder in calling him Peter Huxley. Hutchinson, Playfair, and Banks all follow suit. Burke's *Commoners* calls him Hunley, an example followed by Jefferson and Whellan. Burke's *Landed Gentry* has in its 1921 edition got the name correct.

† It may be noted that St. Paul's Covent Garden, Register of Burials (Harleian Soc. Vol. 36, p. 12) contains this entry "1657, Dec. 26. A still borne Childe of Fardinand Hudlestone."

‡ John, 6th Baron De la Warr, brother of Charles West. It may be noted that on April 14, 1745, was buried at Millom (8 days after the burial of the last Hudleston of Millom) "Thomas Pagan right-hand man of one of his Majesty's first troop of Horse Guards, commanded by the Right Honourable John, Lord de Laware."

§ D.N.B. XIII, p. 364 says of him "a wealthy merchant of London, whose avarice, handed down by tradition and anecdote to Pope, has become immortal." He was a friend of Pepys.

|| 2nd baronet, died 1706. He was nephew of Dorothy Hudleston, his father John Cooper, having married her sister Joyce. His son was Lord Chancellor Cowper, died 1723.

¶ King's serjeant, called to the bar at Gray's Inn in 1667, knighted 1689, and d. 1705.

. . . . . Edward Allen, Edward Huddleston\* and others unknown to your orator.

16 Jan., 1688. †

Answer of Joseph Hudleston, esqre.

Sir Wm. Hudleston was this deft's father ‡ And by indenture made 10 Oct., 1649§ between, 1. Sir Wm. Hudleston of Millom Castle co. Cumberland, knt. & his son and heir appart. Ferdinando Hudleston esqre., 2. Robert Clinton of St. Giles in the Fields co. Midd. esqre, John Travell of the City of London, merchant and Dorothy Hewkley daur. of Peter Hewkley late of London, merchant, decd., 3. John Travell and Alexander Travell of London, gents., sons of the said John Travell the elder, in consideration of an intended marriage between Ferdinando H. and Dorothy Hewkley and of her portion of £3,457 in money & securities; & the moiety of certain houses in London and Middlesex, Sir Wm. and Ferdinando H. conveyed lands etc. in Cumberland, Yorks and Oxfordshire [mentioned in the bill] in trust to make a jointure and provision for the said Dorothy if she outlived her husband, but after the death of Sir William and Ferdinando H. lands not appointed for the dower of the said Dorothy and lands in co. Oxon so appointed were to remain to the use of the heirs male of the said F. & D., then to that of the heirs male of Ferdinando by any other wife, then of this deft. Joseph H., younger son of Sir William, then of John H. brother of Sir Wm. & his son Richard H., then of Ferdinando H., brother of Sir Wm., John H., son of Richard H., (brother of Sir Wm., decd.). Ingleby H., brother of Sir Wm., Edward H. & Joseph H., brothers of Sir Wm. in turn. This deft. can produce a true copy of the above indenture itself or the counterpart.

About Michaelmas Term, 1677, Ferdinand & Dorothy Hudleston

\* Younger brother of Sir William H. of Millom.

† It is curious that the bill neither cites Joseph Hudleston as defendant nor raises any of the points to which answers are given. It is possible that the bill is not the original one.

‡ Here I may point out that Sir William's marriage was at Muncaster in 1624 (the Marriage indenture date of 1605 is wrong). Further, Thomas and Albina were not children of Sir William but of William H., his grandfather,—see his will, 1628. Albina was bur. at Millom in 1653 as d. of Wm. H., armiger, whereas Sir Wm. was a knight by 1645. The Albina bur. at Millom in 1626 was d. of Anthony H. (See p. 183 of the recently published *Registers of Millom*).

§ Barely a month later the Calendar of the Proceedings of the Committee for Compounding contains the information that Sir William's fine for delinquency was paid or secured. In March, 1650, it was reported that his eldest son had paid a moiety of the fine.

& Mary their only child and her husband Charles West esqre., levied a fine in the Common Pleas on the manors of Thwaites als. Thunder Thwaites, Cotherton als. Cotherston and other lands in co. York and of the manor of Haseley als. Haseley Court co. Oxon to uses explained by indenture made 26 Nov. 1677 between 1. Ferdinando & Dorothy H., Charles West & Mary his wife, 2. Sir Thomas Byde\* & Richard March of London, merchant, by which the annual charge of £140 payable to the said compt., after the death of her husband became extinguished and annulled. This deft. never agreed with his late brother Ferdinando in charging this annuity for compt.'s life on lands in Cumberland and he does not think his brother ever did so, as compt. has set forth she was to receive £3,000, from the purchasers of the Oxford lands in lieu thereof—and his brother could not do so as he had only a bare estate for life in the Cumberland lands; & this deft. did never promise to be responsible for the payment of the annuity.

The compt. did cohabit with this deft. for a space of one year or so during which he provided all necessaries for her, her nephew and visitors and his expenses on this account amounted to about £60.

He did not refuse to allow her to remove to her friends and so contribute to her indisposition and he has not in his possession any clothes, rings, jewells or other goods of value belonging to her except:—1 chest locked and a carpitt over it, 1 trunk locked; he has never seen the contents of these and never had the keys of them, also 1 open trunk with one paire of Brancketts [*sic*], 1 shift, 1 wastcote, 1 old Mantue, 4 petticoats and 1 nightgowne: 1 little table, 2 stands, 2 looking glasses, 1 bedd, 1 bolster, 1 pillow, 3 blancketts, 1 rugg and a suit of Hangings and her maid's bedd, 1 boulster, 2 blanketts, 2 ruggs and a pair of Hangings, 6 chaires and stoles and a wanded chaire, 1 chamber pott, 1 paire of bellowes, a paire of tongs, 2 andirons, 2 brasse candlesticks, left behind by her at Millom and all of which he is and has been ready to deliver to her.

The only evidences concerning her he possesses are

(1). Indenture made 26 Nov., 1677 between (1) Ferdinando H., of Haseley, co. Oxon, esqre (son and heir of Sir Wm. H. late of Millom, co. Cumbd. knt., decd.) and Dorothy his wife the Honble. Charles West esqre. (s. and heir appt. of Charles, Lord Lewarr) and Mary his wife, daur. & only child of the said Ferdinando, (2) Sir Thomas Byde of Ware Park co. Hertd., knt. & Richard March of

---

\* Sir Thomas Byde, of Ware Park, Herts., a London brewer, died, 1704.

London, merchant, by which in considern. of £2,350 paid to Edw. Witham, John Cropley and Benjamin Cropley and £150 to Ferdinando H. (the consideration money mentioned in a deed of the same date made betw. (1) F. H. & C. & Mary West and John Holt\* esq., (2) Witham and the Cropleys, (3) Byde and March) it is agreed to levy a fine of the manors of Haseley Court, Thwaites and Cotherston.

(ii). An indenture of 12 Feb., 1677 between (1) Sir Thos. Byde, (2) Richard March, (3) Ferdo. H. reciting the above indre. and one of the same date between (1) F. H. and the Wests, (2) John Holt, Dame Dorothy Smythson and Anthony Smythson (exors. of Sir Hugh S. bt., decd.), (3) Byde and March, (4) Everard Byde and John Forster esqr., by which the Smythsons assigned to Byde and March a recognisance for £600 and a statute staple of £3,000 and a judgment for £2,500 and another indenture of 8 Feb., 1677, by which in considn. of £1,500 he confirmed to Byde and March all the lands in cos. Oxon and York.

(iii). Indentures of lease and release made 22 and 23 Feb., 1677, between (1) Ferdinando H., (2) Sir Wm. Cowper of Charterhouse Yard co. Midd., bt., William Wogan of Grays Inn, esqre., George Hutchins of Grays Inn esqre., Thomas Travell of Oxford University, esquire., and Richard Hawkins, Citizen, and Grocer, of London, by which the lands mortgaged for £4,000 to Byde and March, the jointure of Dorothy Hudleston, are conveyed in trust for Ferdinando for life and then to be sold to pay, (1) the mortgage, (2) debts of Ferdinando up to £1,000, (3) Dorothy Hudleston £3,000.

It only remains to give this generation of the Hudlestons of Millom as it should be, viz:—

Ferdinando H. of Millom Castle, d. in the King's Bench Prison, Southwark 7 March, 1686/7, bur. in St. George's, Church, Southwark, 10 March, 1686/7, having m. *circa* 1649, Dorothy, d. and co-h. of Peter Hewkeley, of London, merchant, and by her (who was living 12 July, 1688) had issue:—

Mary, only surviving child, m. at Millom, 2 Feb., 1676/7, the Hon. Charles West (son and h. of Charles, 5th Baron De la Warr) and died *s.p.* before 12 Dec., 1678, when he m. 2ndly Elizabeth, d. and co-h. of Sir Edmund Pye, Bt. of Bradenham, Bucks., who also d. *s.p.*

---

\* The judge, knighted, 1685-6. He married, 1675, Anne, d. of Sir John Cropley, Bart., of Clerkenwell. He became Lord Chief Justice in 1689.