

THE ORIGIN OF THE FINCHES.

BY THE LATE J. HORACE ROUND, LL.D.*

WINCHELSEA—"New" Winchelsea—that town set upon a hill, was as yet in the springtime of its glory when the earliest ancestors of the Finches was a dweller within its walls. He saw the building of these walls, the rising of that great church which was destined to commemorate the name of St. Thomas, the slain archbishop, till a king arose in whose haughty eyes the "martyr" had deserved his fate. It was more than three centuries later when Winchelsea gave its name to the Finches' elder earldom, but their home was then in a Kentish park, and Winchelsea itself was a place of desolation, peopled only by the ghosts of its grandeur. Like the dead cities of the Zuyder Zee, the "Antient Town" lived upon its past, its race of warrior seamen, the ships that were once its pride. Bereft of its harbour its doom was sealed, for it drew its life-blood from the sea.

"The name of the Finches," Leland wrote, "hath bene of ancient tyme in estimation in Southsex about Winchelesey, and by all likelyhod rose by sum notable merchaunte of Winchelesey." In his shrewd conjecture, we shall see, the old topographer was right. He also noted down that "the Finches that be now" [*i.e.* temp. Henry VIII.] "say that their proper name is Herbert, and that with marriage of the Finchs' heir

* The late Dr. Round left a mass of MSS., in various stages of completion. By the courtesy of Mr. W. Page I have been allowed to see those connected with Sussex. Only two were in a state suitable for publication in the Society's Collections, and it is hoped to publish the second of these next year.—*Editor.*

they took Finch's name." There is nothing improbable in this story, if for "Herbert" we substitute the form "Herberd," a not uncommon surname. The Sussex historian of Winchelsea, indeed Mr. Durrant Cooper,¹ claimed to have discovered in the town records that the name of Herberd was replaced by that of Finch in or about 1342 (15-16 Edward III).² It would seem to be at least equally possible that a Finch married the heiress of a Herberd, but the point of interest is that Finch was not originally a Winchelsea name; it belonged to Rye, which lay the other side of the estuary. At least as early as the days of Edward I. there were Finches—originally Vynches—in the rival "Antient Town."³

The peerage books discreetly begin the pedigree with "Vincent Herbert *alias* Finch who lived at Netherfield in Sussex about the end of Edw. II.'s reign," thus starting with a country squire, living at a safe distance from Winchelsea and its trade.⁴ But the real founder of the family was a Winchelsea burgess, about whom it is possible to gather some information. When King Edward's new town of Winchelsea, in his manor of Iham, had been laid out in rectangular blocks like a modern American city, a careful survey of these blocks was made in 1292. This survey shows us the holding of every burgess, and in it the name of Vincent "Herberd" is found in four places.⁵ When Winchelsea was called upon to send her contingent of the Cinque Ports fleet to help the King against the Scots, in the summer of 1306, Vincent "Herberd" was one of her "jurats" who made the return of these ships.⁶ But most interesting of all is an entry on the Close Rolls, which records a

¹ *History of Winchelsea* (1850).

² The first occurrence of "Finch," he wrote, was a "John Fitz Henry Finch in 16 Edw. III."

³ *5th Report on Historical MSS.*, pp. 503-4.

⁴ Netherfield lies north-west of Battle.

⁵ See Mr. Inderwick's *King Edward and New Winchelsea* (where the survey is printed in full), pp. 168, 210, 215.

⁶ Durrant Cooper's *History of Winchelsea*.

new fact about him. From it we learn that he was one of these wine merchants of Winchelsea from whom the King had purchased wine in 30 Edward I. (1301-2), for which he was paid in April, 1303.⁷ Its import trade in Gascon wines is believed to be the cause of those vaulted cellars with which its sandstone rock is still so strangely honeycombed.

His Christian name recurs in that of Vincent Finch, who was bailiff of Winchelsea 30-32 and 36-40 Edward III.,⁸ and in that of Vincent "Vynch," who held office as its mayor early in the fifteenth century. This was probably the Vincent "Fynch" who was one of the local notables appointed to examine the ordinances for Pevensey marsh,⁹ and some other places in 1401 and 1403, and the Vincent Finch who was returned as a member for Winchelsea in 1395, 1402 and 1419. His son William also represented it in 1432. By this time the family had acquired the adjoining manor of Icklesham, and there they had a seat.¹⁰ From it they may have seen the "antient town" in flames when the French sacked it for the last time in 1418.

According to Mr. Durrant Cooper, "Henry Herbert *alias* Finch" appears in 15 Edw. III. (1341) as holding a knight's fee in the Rape of Hastings under John, Duke of Brittany.¹¹ But reference to the Inquisition on the Duke proves that the holder was styled "Henry Fynch" only. The correction is important because the "alias" has been interpolated in the family name from early days by the pedigree maker. The earlier name was "Herberd" simply. Evidently this Henry "Finch" was the father of "John Fitz Henry Finch,"

⁷ *Cal. of Close Rolls*, 1302-7, p. 25.

⁸ Durrant Cooper's *History of Winchelsea*.

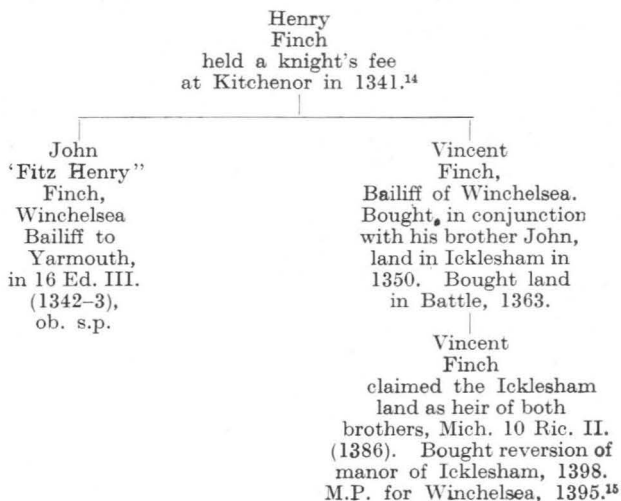
⁹ *Cal. of Pat. Rolls*, Hen. IV. (II.), 66, 277, 282.

¹⁰ In 1428 Vincent Fynch was holding half a fee in Catsfield, etc., and William Fynch a twelfth of a fee in Icklesham (*Feudal Aids*, V., 150-151).

¹¹ It was at Kitchenor ("Kechenore") in Peasmarsh, some three miles north of Winchelsea. Not long afterwards, an "extent" of knight's fees in the Rape of Hastings (21 June, 1343) similarly states that "Henry Fynche holds 1 fee in Kichenore." *Inquisitions Miscellaneous* (1916), II., p. 463.

who was bailiff from Winchelsea to Yarmouth in 16 Edward III.,¹² and the predecessor of that "heres Henrici Fynch" who occurs in 1428.¹³

The early "Finch" pedigree would seem to be this:—



From the middle of the sixteenth century the Finches rose steadily. The marriage with a Moyle heiress brought them their seat of Eastwell Park in Kent, and in the next generation the Heneage heiress brought them further possessions together with the Viscounty to which she was raised in 1623 and the earldom of Winchelsea, which she received in 1628. A baronetcy also had been acquired by her husband, Sir Moyle Finch, at the institution of the order (1611). It was time that so fortunate a family should be provided with an origin more illustrious than that which was theirs in sober fact.

In the days of the British Solomon there were

¹² Durrant Cooper's *History of Winchelsea*.

¹³ *Feudal Aids*, V., 150.

¹⁴ I leave uncertain his relationship to Vincent Herbert, 1292-1303. Chronologically he might be son or son-in-law.

¹⁵ The pedigree becomes a little uncertain at this point, as most of the family lands were held by a Vincent Herbert in 5 Hen. IV. and 1428, which suggests a third Vincent in succession, contrary to the accepted pedigree.

members of the Heralds College who were able happily to supply exactly what was wanted. Philipot, whose true character is revealed to us by his Pelham pedigree,¹⁶ set himself in 1620 to invent for the house of Finch a descent in the male line from the baronial Fitzherberts. It was no easy task. The only foundation that he had on which to raise his structure was that in the chancel of Brabourne church (in Kent) an inscription of the time of Henry VI. records the name as "Finch aut Harbert" (or "Harbard").¹⁷ He had to account for the fact that the family first appears at Winchelsea in a district with which the Fitzherberts were wholly unconnected. But for a daring herald difficulties did not exist. Pitching on Mathew Fitzherbert, a well-known favourite of John, he made him the founder of the family, and asserted that

His possessions lay for the most part in Sussex in the Rape of Hastings, some part whereof being given unto him by King Henry third for his faithful service, continueth yet in the possession of some of his successors. videlicet Watlington Manor, with the hamletts of Empsworth, Estney and Middleton in the county of Sussex.

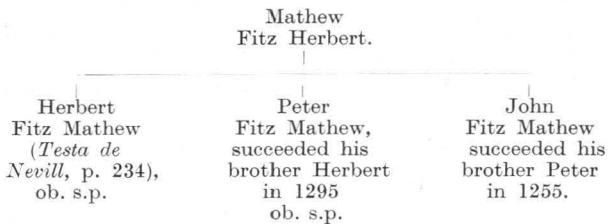
Now the record cited by Philipot for this statement sets them forth as the manor of *Warblington*, with the hamlets of Emsworth, Estney, Middleton, and Watlington, and he, as an almost local man, must have known quite well that Warblington with its hamlet of Emsworth was *not* in the rape of Hastings, but actually stood in Hampshire, though close to the Sussex border. The whole length of Sussex divided it from that district in which the Herberds, afterwards Finches, first appear.

In thus exposing his first device I am anxious to explain that I do so from the evidence of the actual pedigree which he constructed for the family, and which is printed in *Miscellanea Genealogica et Heraldica*

¹⁶ See p. —. [This probably refers to a paper on the Pelhams, on which Dr. Round was certainly working, but which does not seem to have come to light.—*Ed.*]

¹⁷ See p. — above. Weever, in his *Funeral Monuments* (1631) gives the form "Harbard" in both cases, which is probably right.

(II., 325–337).¹⁸ It is from this pedigree that Collins worked for his *Peerage*, and he speaks of it as “in the custody of Heneage, late Earl of Winchilsea.” The wily Pursuivant of Arms (as Philipot then was) headed his chart pedigree—which included the no less spurious descent of the Herberts, earls of Pembroke—with the statement that he found the origin of the Herberts, down to Mathew FitzHerbert, set out as he gave it by (his wife’s uncle) Glover, Somerset,¹⁹ on whose high reputation as a herald he thus traded. Mathew FitzHerbert is a known member of the baronial house: it is only when we come to his descendants that doubt arises; and Collins uneasily admits that Dugdale and “Mr. Philipot . . . differ much in their following accounts of the posterity of this Baron Matthew.” Now the succession to Mathew FitzHerbert is known from the public records, and is this²⁰:



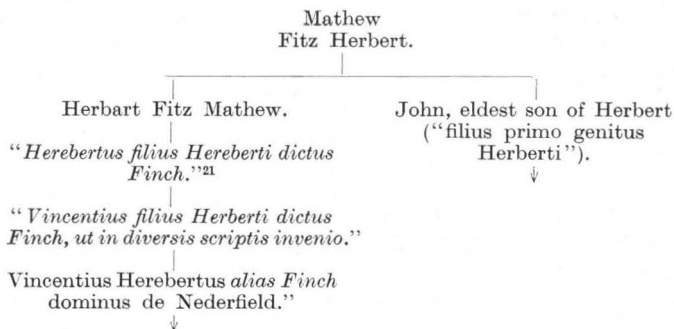
Very different is that which the rascally Philipot invented to connect this baronial house with that “Vincent Harberd alias Finch,” who, according to him, “lyved at Netherfeild in Sussex about the end of King Edward the seconds raigne.” But his chart pedigree does not tally with his narrative genealogy, nor was the latter, he admitted, consistent with chronology.

¹⁸ “Copied from the original MSS. in the possession of the Earl of Winchilsea and Nottingham.”

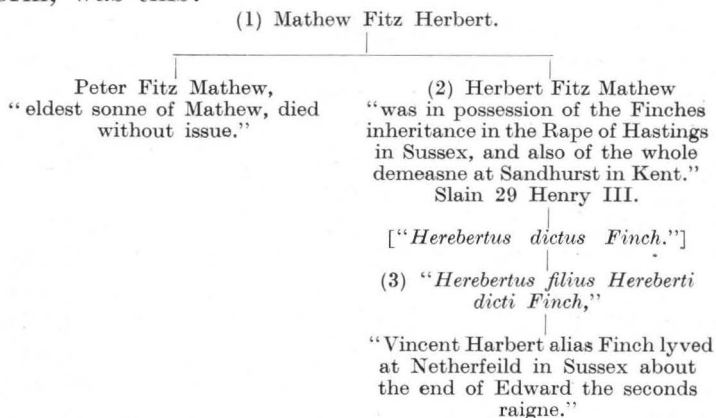
¹⁹ “Hanc Genealogiam de’ origine et antiquitate fundatissæ (?) florentissimæ que familiæ Herebertorum usque ad Matheum filium Hereberti . . . patrem originalem modernæ familiæ de Finch [olim Herebert nuncupatæ] . . . a Roberto Glovero alias Somerset Heraldio regio Armorum et Thoma Talbotto . . . in hac forma (summa cum fide et diligentia) delineatam reperio.”

²⁰ This is also the version given in Eyton’s *Shropshire*, VII., 348.

The chart pedigree ran thus:



But the narrative genealogy, when put into chart form, was this:—



In a note to the name which I have marked with a “(3)” —and of whom he writes “The third in this catalogue is Herbert the son of Herbert, thus written in the Latin records ‘*Herebertus filius Hereberti dicti Finch*’”—Philipot observed that “This is the 4th, for the 3rd is not known as yet, for Herbert who is the next to Mathew was slaine in the warres in Wales, 29 Henrici 3 [1244–5], and this [‘third’] you see a warde near 60 yeares after and sonne to another Herbert, as appears by the record followinge.” He had, in fact, to bridge the gap between Herbert fitz Mathew, “slain” in 1244–5, and “Vincent Harbert

²¹ I have italicised the portions concocted by Philipot.

alias Finch" about the end of Edward II.'s reign (? 1320-1327), and there was not a scrap of evidence to fill it or, indeed, to connect the two.

With almost incredible daring he invented a record for the purpose. It supplied, not only a father, "Herebertus dictus Finch"—"by which it is understood when first the addition of Finch entered into this family"—but his son "Herbert" as well. Here were two generations that might just span the gap. He introduced this record by observing of "Herbert" the son: "This man put up a petic'on in the Chauncery to be releved of certaine scutage money, the substance of which recorde is heere subscribed at large."

Now this, I wish the reader to observe, is a very serious matter. The pedigree-maker's usual trick was to assert an affiliation for which he had no evidence whatever, but which it is not always easy to prove false. Philipot here did this—did it, indeed, twice—and his affiliation, luckily, can be shown to be false. He also tried, as we have seen, to give verisimilitude to the pedigree by pitch-forking manors from the Hampshire border into the Rape of Hastings. But such devices are far outstripped by this production of the full text, as from the public records, of a document which he had deliberately concocted to serve his own purpose. So serious, in fact, is the charge that it seemed to me most improbable, and it was only after searching investigation that I satisfied myself of its truth.

It is, I believe, a recognised fact that criminals often betray themselves by one fatal slip. I have found this to be true of pedigree makers also. When Philipot gives his document the heading: "Supersedeas de Anno 8^{mo} Ed'ri s'c'di *in Dorso*," he shows us that it purports to be taken from a *roll*, and enables us to identify that roll. It is now "Supplementary Close Roll No. 9," 8 Edward II., and officially is described as "Order to supersede the levy of scutage from the lands of those who have performed their military

service in person.”²² On the dorse (“in dorso”) of its 9th membrane is a document²³ precisely the same in form as that given by Philipot and belonging to the same place and date (20 April, 1315); but his own document will be sought for in vain. What he evidently did was to take the genuine document, in order to give to his concoction the semblance of truth, and then to replace its names by those he required for his pedigree.

To prove this I will now place by the side of the genuine document, as officially calendared, a similar version of Philipot’s “bogus” document, which can be tested by his Latin text as given in my footnote.

THE GENUINE DOCUMENT.

To the collectors for the said years in co. *Somerset*. As it appears to the king by the late king’s rolls of chancery that *Francis de Aldham, son and heir of Baldwin de Aldham*, tenant in chief, was a minor in the late king’s wardship at the times of the said armies, the king orders them to supersede the demand upon *Francis* for scutage in the lands that belonged to *Baldwin*; provided that scutage be levied for the king’s use from the knight’s fees that were then held of the heir. April 16, 1315, Westminster.

THE CONCOCTED DOCUMENT.

To the collectors of the scutage of the armies of Scotland for the 28th and 31st years of the late king’s reign²⁴ in co. *Kent*. As it appears to the king by the late king’s rolls of chancery that his beloved liegeman *Herbert, son of Herbert* [who was] called *Finch*, deceased, tenant in chief, was a minor in the late king’s wardship at the times of the said armies; the king orders them to supersede the demand upon the said *Herbert* for scutage in the lands and tenements which he holds of the inheritance of the aforesaid *Herbert*; provided that scutage be rightly levied for the king’s use from the knight’s fees that were then held of the heir. At Westminster, April 16, 8 Edward II. (1315).²⁵

²² *Calendar of Chancery Rolls: various*, 1277–1326, p. 105. The latter part of this description is erroneous.

²³ *Ibid.*, p. 135.

²⁴ Philipot probably took his opening words from those of the roll itself (p. 105): “To the collectors in co. York of the scutage of the armies of Scotland for the 28th and 31st years of the late King’s reign.”

²⁵ The italics show Philipot’s substitutions. His Latin text is this: “Rex collectoribus suis scutagii de exercitibus Scotiæ de annis regni D’ni Ed’ri

The closing words, "Anno . . . secundi," must be an interpolation by Philipot, for "no indication of the regnal year" is given on the dorse of this membrane.²⁶ Moreover, Edward "the second" was not styled "Secundus" in contemporary documents. Philipot, we see, begins to slip as soon as he goes beyond the text of his exemplar. He also comes to grief over his invented names; in documents of this special form the son's surname would have been given after "Herebertus." Indeed, he seems to have muddled up the Christian name "Herbert" with the surname "Herberd,"²⁷ for his document, after all, contains nothing to show that either father or son had ever been surnamed "Herbert."

In his eagerness to concoct a document that would give him two generations, he seems to have overlooked the fact that if the younger Herbert was in ward to the Crown, under Edward I., and his father was a tenant in chief, holding by military service, there would be ample evidence of it to be found. But the public records will be searched in vain for mention of that wholly apocryphal person "Herebertus dictus Finch." And now I shall show that the affiliation of "Vincent Harbert alias Finch" as Philipot styles him, of Netherfield, as the son of the younger "Herbert," in the concocted document is proved by dates to be false.

(*sic*) quondam Regis Anglie patris n'ri 28mo et 31mo in Com. *Kant*, Salutem. Quia constat nobis per inspectionem rotulor' Cancellariæ ip'ius p'ris n'ri q'd dil'cus et fidelis noster *Herebertus filius Hereberti dicti Finch* defuncti, qui de nobis tenuit en capite, fuit infra etatem et in custodia ip'ius patris n'ri temporibus exercituum prædictorum; Vobis mandamus quod demande (*sic*) quam eidem *Hereberti* (*sic*) fieri facitis pro scutagio ad opus nostrum pro exercitibus prædictis in terris et tenementis suis quæ tenet de hereditate prædicti *Hereberti* supersederi, et ipsum inde pacem haberi permittatis: Proviso q'd scutagium de feodis militum quæ de herede prædicto tunc tenebantur, prout juste fuerit, levetur ad opus nostrum. Teste Rege apud Westmonasterium 16o die, Aprilis Anno 8mo Edwardi Secundi."

²⁶ *Calendar*, p. 134 note.

²⁷ As Professor Freeman pointed out in his article on "Pedigrees and Pedigree-makers," much genealogical fiction has been due to this confusion. The Christian name of early days has been mistaken for a surname, the bearers of the latter in modern times being thus led to claim a bearer of the former as their ancestor.

PHILIPOT.

"Herbert,"
a minor in 28th and 31st Edw. I.
[1299-1302].

Vincent "Harbert alias Finch."

THE TRUTH.

Vincent Herberd,
Burgess of Winchelsea in 1292.
Wine-merchant there 1301-3.

It will be observed that, instead of Vincent being the son of "Herbert," he had been a grown man for years when "Herbert," according to Philipot, was still a minor in ward.

And so we return to Vincent Herberd, burgess and wine-merchant, of Winchelsea, as the true founder of the family.²⁸ A pedigree that covers more than six centuries and that begins amidst historic scenes is, nowadays, a rare possession. Its true interest was only spoilt when Philipot concocted for the house, without a shadow of excuse, this "bogus" baronial descent. Its fate presents a strange contrast to that of the equally fictitious descent from the same baronial race which is claimed for the ennobled "Herberts," and which he set forth with it. For the latter flourished like a green bay tree, and is not only still repeated in Burke, but has given to the earls of Pembroke as their own the old "FitzHerbert" coat. The Finch pedigree at first, indeed, gave promise of a lusty life. Forty years after its birth it obtained—like the "Granville" story and at about the same time—the direct sanction of the Crown; for *Burke's Peerage* reminds us that, at the Restoration, the third earl of Winchelsea was created, "as a special mark of royal favour, and in consideration of his lordship's descent from the ancient house of Herbert, formerly possessors of the manor of Eastwell, *Baron FitzHerbert, of Eastwell, Kent.*" As he was already an earl and a viscount he can only have desired this title as a recognition of his fabled descent, to which it may be added that no Herbert had ever possessed Eastwell, which he had inherited from the Moyles.²⁹

Collins, again, the peerage writer of the eighteenth

²⁸ See p. 20 above.

²⁹ See p. 22.

century, accepted it without question, and assigned to the earls of Winchilea the old baronial coat as quartered with their own. He even quoted the full text of Philipot's "bogus" record.³⁰ A writer in the *Gentleman's Magazine* for 1797 relied implicitly upon it, and came to the conclusion that

It seems clear that there was an "Herbert son of an Herbert called Finch," 16 Edward II., and that the family long continued to write themselves "Herbert alias Finch."

It does seem as if Mathew Fitzherbert had a son Herbert, and it appears very likely that the Finches are his true male descendants.³¹ Yet this writer was eager to reject the claim of the ennobled Herberts. Nevertheless, the latter has survived, while to the Finches *Burke* assigns none but their true coat.³² Nor is any but their true pedigree there set forth. It is headed, however, by the false statement that

It is the opinion of Sir William Dugdale that this family is descended from a common ancestor with the Herberts, Earls of Pembroke.

This statement is obviously derived—like other obsolete statements in the book—from that which heads Collins' narratives:

It is the opinion of Sir William Dugdale and other antiquaries who have wrote of this family, that it had the same ancestor with the Herberts, Earls of Pembroke.

In justice to Dugdale it is right to state that here—and not here alone—that cautious man employed the formula:

Of this family, which *do derive themselves* from Herbert Fitz Herbert, who was in ward to the King in 28 E. I. (and lineally descended from Henry Fitz Herbert, Chamberlain to King Henry the First) . . . (II., 447).

He knew, we see, of Philipot's concoction, but was careful not to assert its truth.³³

³⁰ Ed. 1768, Vol. III., p. 224.

³¹ Vol. 67, p. 648.

³² It appears that the 3rd earl, who was created "Baron Fitzherbert," did actually place the "Fitzherbert" coat in his shield, as its 2nd and 3rd quarters (Doyle's *Official Baronage*, III., 685). But it was the undifferenced coat of the *elder* line, from which he did not trace his descent.

³³ It is true that on the next page (p. 448) he says of Earl Heneage that "being descended from the antient family of Herbert, long since of Eastwell,

But, it may be asked, why should I spend so much time and trouble on exposing that concoction if it is now derelict? The answer is that the result is of very great importance in its bearing on Philipot's work. He deals, I have shown, with Finch precisely as he deals with Pelham. Each of these families could be traced, with a fair amount of certainty, to an undistinguished Sussex man living under Edward I.; for each of them he invented a distinguished pedigree from a far antecedent date, and he did this by deliberately tampering with the evidence of public records.

by reason of his faithful services to our present Sovereign, King Charles the second" (which are duly set out . . . "in acknowledgment of this his signal fidelity, was by Letters Patents, bearing date 26 Junii, in the twelfth year of his Reign, advanced to the dignity of a Baron this Realm, by the title of Lord Fitz Herbert of Eastwell." But it is clear that he is here merely reciting the official preamble.