

Descendants of Jacque Brabacon

Generation No. 1

1. Jacque¹ Brabacon was born 1066 in Flanders or Normandy, and died Unknown.

Child of Jacque Brabacon is:

- + 2 *i. James² Brabancon, born 1133 in Surrey, England; died Unknown.*

Generation No. 2

2. James² Brabancon (Jacque¹ Brabacon) was born 1133 in Surrey, England, and died Unknown.

Child of James Brabancon is:

- + 3 *i. John³ Brabancon, born 1159 in Surrey, England; died Unknown.*

Generation No. 3

3. John³ Brabancon (James², Jacque¹ Brabacon) was born 1159 in Surrey, England, and died Unknown.

Child of John Brabancon is:

- + 4 *i. Adam⁴ Brabazon, born Abt. 1185 in Beachworth, Surry, England; died Unknown.*

Generation No. 4

4. Adam⁴ Brabazon (John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1185 in Beachworth, Surry, England, and died Unknown.

Child of Adam Brabazon is:

- + 5 *i. Thomas⁵ Brabazon, born Abt. 1211; died Unknown in Mowsley, Leicester, England.*

Generation No. 5

5. Thomas⁵ Brabazon (Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1211, and died Unknown in Mowsley, Leicester, England. He married Amicia Mowsley Abt. 1236, daughter of John Mowsley. She was born in Mowsley, Leicester, England, and died Unknown.

More About Thomas Brabazon and Amicia Mowsley:

Marriage: Abt. 1236

Children of Thomas Brabazon and Amicia Mowsley are:

- 6 *i. Roger⁶ Brabazon, born Abt. 1237; died Unknown¹. He married Beatrix le Graunt; died Unknown.*

Notes for Roger Brabazon:

In 1279 Roger le Brabazon held 1/2 virgate and the rents of at least 7 free tenants in Gunley, and the manor of Foxton in the honor of Huntington. Before 1300 he had apparently replaced William de Beauchamp as tenant of the 3 carucates which belonged to the fee of the Earl of Warwick, and he continued to hold also part of the fee of Richard Gobion in the honor of Leicester, but directly from Thomas, Earl of Lancaster, by suit of his court at Knaptoft. Brabazon who began his career as an official of the Duchy of Lancaster and established a chantry in memory of Edmund, Earl of Lancaster,

therefore became the principal manorial lord in Mowsley.

In 1300 he received a grant of free warren for his demesne lands in Mowsley, Gumley, Garthorpe, and Sibbertoft (Northants).

On his death his estate passed to his brother Matthew and Matthew's wife, Sarah, who were the direct ancestors of the Earls' of Meath. After Sarah's death in 1325 it was apparently divided between Thomas le Brabazon, William Curzon and Roger de Oadby. (*A History of the County of Leicester* by R A McKinley)

ATROCIOUS JUDGES.

Atrocious Judges:

Lives of Judges Infamous

as Tools of Tyrants

and

Instruments of Oppression

by

Baron John Campbell,

Lord Chief Justice of England,

(London: John Murray, 1849)

and Edited for American Audiences

by

Richard Hildreth

(New York and Auburn:

Orton & Mulligan, 1856)

CHAPTER I.

ROGER LE BRABACON.

[c. 1306 - 1315]

ROGER LE BRABACON,* from the part he took in settling the disputed claim to the crown of Scotland, is an historical character.

Ed. Note: Remember the movie "Braveheart"? This chapter gives the story behind the movie!

His [Judge Brabacon's] ancestor, celebrated as "the great warrior,"

had accompanied [William] the Conqueror in the [1066] invasion of England,

and was chief of one of those bands of mercenary soldiers then well known in Europe under the names (for what reason historians are not agreed) of Routiers, Cottereaux, or Brabançons.†

Being rewarded with large possessions in the counties of Surrey and Leicester, he founded a family which flourished several centuries in England, and is now represented in the male line by an Irish peer, the tenth Earl of Meath.

*The name is sometimes spelt Brabaçon, Brabançon, Brabason, and Brabanson.

* Hume, who designates them "desperate ruffians," says "troops of them were sometimes enlisted in the service of one prince or baron, sometimes in that of another; they often acted in an independent manner, and under leaders of their own. The greatest monarchs were not ashamed, on occasion, to have recourse to their assistance; and as their habits of war and depredation had given them experience, hardness, and courage, they generally composed the most formidable part of those armies which decided the political quarrels of princes." —Vol. i. 438. In America we have no mercenary soldiers, but plenty of mercenary politicians, almost as much to be dreaded. — Ed.

-37-

The subject [Brabacon] of the present sketch, fifth in descent from "the great warrior," changed the military ardor of his race for a desire to gain distinction as a lawyer. He was regularly trained in all the learning of "Essions" and "Assizes," and he had extensive practice as an advocate under Lord Chief Justice de Hengham.

On the sweeping removal of almost all of the judges in the year 1290,* he [Brabacon] was knighted, and appointed a puisne justice of the King's Bench, with a salary—which one would have thought must

have been a very small addition to the profits of his hereditary estates—of 33£. 6s. 8d. a year.

He proved a most admirable judge;† and, in addition to his professional knowledge, being well versed in historical lore, he was frequently referred to by the government when negotiations were going on with foreign states.

** They were removed because during the king's absence on the continent, they had been guilty of taking bribes, and other misdemeanors. Of De Wayland, one of their number, and the first chief justice of the Common Pleas, Lord Campbell gives the following account:*

When arrested, on the king's return from Aquitaine, conscious of his guilt, he [De Wayland] contrived to escape from custody, and, disguising himself in the habit [clothing] of a monk, he was admitted among friars-minors in a convent at Bury St. Edmund's.

However, being considered a heinous offender, sharp pursuit was made after him, and he was discovered wearing a cowl and a serge jerkin.

According to the law of sanctuary, then prevailing, he was allowed to remain forty days unmolested.

At the end of that time the convent was surrounded by a military force, and the entry of provisions into it was prohibited. Still it would have been deemed sacrilegious to take him from his asylum by violence; but the lord chief justice [De Wayland] preferred surrendering himself to perishing from want [starvation].

He was immediately conducted to the Tower of London. Rather than stand a trial, he petitioned for leave to abjure the realm; this favor was granted to him on condition that he should be attainted, and forfeit all his lands and chattels to the crown.

Having walked barefoot and bareheaded, with a crucifix in his hand, to the sea side at Dover, he was put on board a ship and departed to foreign parts.

He is said to have died in exile, and he left a name often quoted as a reproach to the bench till he was superseded by Jeffreys and Scroggs.

Edward I. [1272-1307], arbitrator [c 1291] by mutual consent between the aspirants to the crown of Scotland, resolved to set up a claim for himself as liege lord of that kingdom, and Brabacon was employed, by searching ancient records, to find out any plausible grounds on which the claim could be supported.

He [Brabacon] accordingly travelled diligently both through the Saxon and Norman period, and—by making the most of military advantages obtained by kings of England over kings of Scotland,

by misrepresenting the nature of homage which the latter had paid to the former for possessions held by them in England,

and by blazoning the acknowledgement of feudal subjection extorted by Henry II. [1154-1189] from William the Lion [1165-1214] when that prince was in captivity, without mentioning the express renunciation of it by Richard I. [1189-1199]—he [Brabacon] made out a case which gave high delight to the English court.

Edward [1272-1307] immediately summoned a Parliament to meet at Norham, on the south bank of the Tweed, marched thither at the head of a considerable military force, and carried Mr. Justice Brabacon along with him as the exponent and defender of his new suzeraineté.

It is a little curious that one of these competitors for the Scottish throne had lately been an English judge, and a competitor for the very place to which Brabacon, for his services on this occasion, was presently [thereafter, p 47] promoted.

From the time of William the Conqueror [1066-1087] and Malcolm Canmore [1058-1093], until the desolating wars occasioned by the dispute respecting the right of succession to the Scottish crown, England and Scotland were almost perpetually at peace; and there was a most familiar and friendly intercourse between the two kingdoms, insomuch that nobles often held possession in both, and not unfrequently passed from the service of the one government into that of the other.

The Norman knights,

having conquered England by the sword, in the course of a few generations got possession of a great part of Scotland by marriage.

They were far more refined and accomplished than the Caledonian thanes; and, flocking to the court of the Scottish kings, where they made themselves agreeable by their skill in the tournament, and in singing romances, they softened the hearts and won the hands of all the [Scottish] heiresses.

Hence the Scottish nobility are [1856] almost all of Norman extraction; and most of the great families in that kingdom are to be traced to the union of a Celtic heiress with a Norman knight.

Robert de Brus, or Bruis, (in modern times spelt Bruce,) was one of the companions of [William] the Conqueror; and having particularly distinguished himself in the battle of Hastings, his prowess was rewarded with no fewer than ninety-four lordships, of which Skelton, in Yorkshire, was the principal.

Robert, the son of the first Robert de Brus, married early, and had a son, Adam, who continued the line of De Brus of Skelton. But becoming a widower while still a young man, to assuage his grief, he paid a visit to Alexander I., then [1107-1124] King of Scots, who was keeping his court at Stirling.

There the beautiful heiress of the immense lordship of Annandale, one of the most considerable fiefs held of the crown, fell in love with him; and in due time he [Adam de Brus] led her to the altar.

A Scottish branch of the family of De Brus was thus founded under the designation of Lords of Annandale.

The fourth in succession was "Robert the Noble," and he raised the family to much greater consequence by a royal alliance, for he married Isabel, the second daughter of Prince David, Earl of Huntingdon, grandson of David I. [1124-1153], sometimes called St. David.

Robert, son of "Robert the Noble" and the Scottish

-40-

princess, was born at the Castle of Lochmaben, about the year 1224. The Skelton branch of the family still flourished, although it became extinct in the next generation.

At this time a close intercourse was kept up between "Robert the Noble" and his Yorkshire cousins; and he sent his heir to be educated in the south under their auspices. It is supposed that the youth studied at Oxford; but this does not rest on any certain authority.

*In 1245, his father died, and he succeeded to the lordship of Annandale. One would have expected that he would now have settled on his feudal principality, exercising the rights of *furca et fossa*, or "pit and gallows," which he possessed without any limit over his vassals; but by his English education he had become quite an Englishman, and, paying only very rare visits to Annandale, he sought preferment at the court of Henry III.*

What surprises us still more is, that he took to the gown, not the sword; and instead of being a great warrior, like his forefathers and his descendants, his ambition seems to have been to acquire the reputation of a great lawyer.

*There can be little doubt that he practised as an advocate in Westminster Hall from 1245 till 1250. In the latter year we certainly know that he took his seat on the bench as a *puisne* judge, or *justiciar*; and, from thence till 1263, extant records prove that payments were made for assizes to be taken before him—that he acted with other justiciars in the levying of fines—and that he went circuits as senior judge of assize.*

*In the 46th year of Henry III., he had a grant of 40*l.* a year salary, which one would have supposed could not have been a great object to the Lord of Annandale.*

In the barons' wars, he was always true to the king; and although he had no taste for the military art, he accompanied his royal master into the

-41-

field, and was taken prisoner with him at the battle of Lewes.

The royal authority being reestablished by the victory at Evesham, he resumed his functions as a puisne judge; and for two years more there are entries proving that he continued to act in that capacity.

At last, on the 8th of March, 1268, 52 Henry III., he was appointed "capitalis justiciarius ad placita coram rege tenenda," (chief justiciary for holding pleas before the king); but unless his fees or presents were very high, he must have found the reward of his labors in his judicial dignity, for his salary was very small.

Hugh Bigod and Hugh le Despencer had received 1000 marks a year, "ad se sustentandum in officio capitalis justitiarum Anglie," (for sustaining themselves in the office of chief justice of England,) but Chief Justice de Brus was reduced to 100 marks a year; that is, 66£, 13s, 4d. Yet such delight did he take in playing the judge, that he quietly submitted both to loss of power and loss of profit.

He remained chief justice till the conclusion [1272] of this reign, a period of four years and a half, during which he alternately went circuits and presided in Westminster Hall. None of his decisions have come down to us, and we are very imperfectly informed respecting the nature of the cases which came before him.

The boundaries of jurisdiction between the Parliament, the Aula Regis, and the rising tribunal afterwards called the Court of King's Bench, seem to have been then very much undefined.

On the demise of the crown [Henry III.], Robert de Brus was desirous of being reappointed. He was so much mortified by being passed over, that he resolved to renounce England forever; and he would not even wait to pay his duty to Edward I., now returning from the holy wars.

-42-

The ex-chief justice [Robert de Brus] posted off for his native country, and established himself in his castle of Lochmaben, where he amused himself by sitting in person in his court baron, and where all that he laid down was, no doubt, heard with reverence, however lightly his law might have been dealt with in Westminster Hall.

Occasionally he paid visits to the court of his kinsman, Alexander III. [1249-1286], but he does not appear to have taken any part in Scottish politics till the untimely [horse riding accident] death of that monarch, which, from a state of peace and prosperity, plunged the country [Scotland] into confusion and misery [e.g., war to repel England's conquest attempts].

There was now only the life of an infant female [Margaret (1283-1290)], residing in a distant land [Norway], between him and his plausible claim to the Scottish crown.

He [Robert de Brus] was nominated one of the negotiators for settling the marriage between her and the son of Edward I., which, if it had taken place, would have entirely changed the history of the island of Great Britain.

From his [de Brus'] intimate knowledge both of Scotland and England, it is probable that the "Articles" were chiefly of his framing, and it must be allowed [admitted] that they are just and equitable. For his own interest, as well as for the independence of his native country, he took care to stipulate that,

"failing Margaret and her issue, the kingdom of Scotland should return to the nearest heirs, to whom of right it ought to return, wholly, freely, absolutely, and without any subjection."

The Maid of Norway [Margaret] having died on her [1290] voyage home, the ex-chief justice [de Brus] immediately appeared at Perth with a formidable retinue, and was in hopes of being immediately crowned king at Scone;—and he had nearly accomplished his object, for John Baliol, his most formidable competitor in point of right, always feeble and remiss in action, was absent in England.

But, from the vain wish to prevent future dis-

-43-

putes by a solemn decision of the controversy after all parties should have been heard, the Scotch nobility in an evil hour agreed to refer it, according to the fashion of the age, to the arbitration of a neighboring sovereign, and fixed upon Edward I. of England, their wily neighbor.

The Scottish nobles being induced to cross the River Tweed, and to assemble in the presence of Edward, under pretence that he was to act only as arbitrator, Sir Roger de Brabacon by his order addressed them in French, (the language then spoken by the upper classes both in Scotland and England,) disclosing the alarming pretensions about to be set up.

A public notary and witnesses were in attendance, and in their presence the assumed vassals were formally called upon to do homage to Edward as their suzerain, of which a record was to be made for a lasting memorial.

The Scots saw too late the imprudence of which they had been guilty in choosing such a crafty and powerful arbitrator. For the present they refused the required recognition, saying that

"they must have time for deliberation, and to consult the absent members of their different orders."

Brabacon, after advising with the king [Edward I.], consented that they should have time until the following day, and no longer. They insisted on further delay, and showed such a determined spirit of resistance, that their request was granted; and the first day of June following was fixed for the ceremony of the recognition.

Brabacon allowed them to depart; and a copy of his paper, containing the proofs of the alleged superiority and direct dominion of the English kings over Scotland, was put into their hands.

He then returned the south, where his presence was required to assist in the administration of justice, leaving the Chancellor Burnel to complete the transaction.

Although
-44-

the body [majority] of the Scottish nobles, as well as the body of the Scottish people, would resolutely have withstood the demand, the competitors for the throne, in the hopes of gaining Edward's favor, successively acknowledged him as their liege lord, and their example was followed by almost the whole of those who then constituted the Scottish Parliament.*

Bruce afterwards pleaded his own cause with great dexterity, and many supposed that he would succeed. Upon the doctrine of representation, which is familiar to us, Balliol seems clearly to have the better claim, as he was descended from the eldest daughter of the Earl of Huntingdon: but Bruce was one degree nearer the common stock; and this doctrine, which was not then firmly established, had never been applied to the descent of the crown.

When Edward I. [1272-1306] determined in favor of Balliol, influenced probably less by the arguments in his favor than by the consideration that from the weakness of his character he was likely to be a more submissive vassal, Robert de Brus complained bitterly that he was wronged, and resolutely refused to acknowledge the title of his rival.

He retired in disgust to his castle of Lochmaben, where he died in November, 1295. While resident in England, he had married Isabel, daughter of Gilbert de Clare, Earl of Gloucester, by whom he had several sons. Robert, the son of Robert the eldest, became Robert I. [1306-1329] of Scotland, and one of the greatest of heroes.

When judgment had been given in favor of Balliol, Brabacon was still employed to assist in the plan which had been

* Just like our northern candidates for the presidency [Millard Fillmore, Franklin Pierce, James Buchanan], and the dough-face politicians [Stephen O. Douglas] who contrive to get chosen to Congress by northern constituencies, whose rights they then barter away and betray.—Ed.

formed to bring Scotland into entire subjection.

There being a meeting at Newcastle of the nobles of the two nations, when the feudatory king did homage to his liege lord, complaint was made, by Roger Bartholomew, a burgess of Berwick, that certain English judges had been deputed to exercise jurisdiction on the north bank of the Tweed [river]. Edward referred the matter to Brabacon and other commissioners, commanding them to do justice according to the laws and customs of his kingdom.

A petition was then presented to them on behalf of the King of Scotland, setting forth Edward's promise to observe the laws and customs of that kingdom, and that pleas of things done there should not be drawn to examination elsewhere.

Brabacon is reported thus to have answered:—

"This petition is unnecessary, and not to the purpose; for it is manifest, and ought to be admitted by all the prelates and barons, and commonalty of Scotland, that the king, our master, has performed all his promises to them.

"As to the conduct of his judges, lately deputed by him as SUPERIOR and DIRECT LORD of that kingdom, they only represent his person; he will take care that they do not transgress his authority, and on appeal to him he will see that right is done.

*"If the king had made any temporary promises when the Scottish throne was vacant, in derogation of his just suzeraineté, by such promises he would not have been restrained or bound."**

Encouraged by this [corrupt] language, Macduff, the Earl of Fife,

**This is the very ground upon which it is attempted, now [1850], to justify the repeal of the Missouri prohibition [1820] of slavery, while Brabacon's defence of English judges in Scotland is a counterpart to the justification by our federal judges of the authority given [by an 1850 law] to slave-catching commissioners.—Ed.*

-46-

entered an appeal in the English House of Lords against the King of Scotland; and, on the advice of Brabacon and the other judges, it was resolved that the respondent must stand at the bar as a vassal, and that, for his contumacy, three of his principal castles should be seized into the king's hands.

Although historians who mention these events designate Brabacon as "grand justiciary," it is quite certain that, as yet, he was merely a puisne judge; but there was a strong desire to reward him for his services, and, at last, an opportune vacancy arising, he was created chief justice of the King's Bench.

Of his performances in this capacity we know nothing, except by the general commendation of chroniclers; for the [English] Year Books, giving a regular account of judicial decisions, do not begin till the following reign.

On the accession of Edward II. [1307], Brabacon was reappointed chief justice of the King's Bench, and he continued very creditably to fill the office for eight years longer.

*He was fated to deplore the fruitless result of all his efforts to reduce Scotland to the English yoke—Robert Bruce [1306-] being now the independent sovereign of that kingdom, after humbling the pride of English chivalry in the battle of Bannockburn [24 June 1314].**

At last, the infirmities of age unfitting Brabacon for the discharge of judicial duties, he resigned his gown; but, to do him honor, he was sworn a member of the Privy Council, and he continued to be treated with the highest respect till his death, which happened about two years afterwards.

**May the pending attempts of the Southern States, countenanced and supported by the federal judges, to establish a "superiority" and "direct dominion" over the north, be met and repelled with similar spirit and success!—Ed.*

More About Roger Brabazon:
Date born 2: Abt. 1256
Died 2: 1317¹
Burial: Unknown, Christ's Church, London, England
Occupation: Judge¹

- 7 ii. *Thomas Brabazon, born Abt. 1238; died Unknown.*
- + 8 iii. *Matthew Brabazon, born Abt. 1258; died Bet. 1317 - 1325.*
- + 9 iv. *Joan Brabazon, died Unknown.*
- + 10 v. *Anabil Brabazon, died Unknown.*
- + 11 vi. *Emma Brabazon, died Unknown.*

Generation No. 6

8. Matthew⁶ Brabazon (Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1258, and died Bet. 1317 - 1325. He married Sarah Unknown. She was born Abt. 1260, and died 1325.

Child of Matthew Brabazon and Sarah Unknown is:

- + 12 i. *Sir William⁷ Brabazon, born Abt. 1280; died Unknown.*

9. Joan⁶ Brabazon (Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) died Unknown. She married Unknown Brabazon. He died Unknown.

Child of Joan Brabazon and Unknown Brabazon is:

- 13 i. *Roger⁷ "The Younger" Brabazon, died Unknown.*

10. Anabil⁶ Brabazon (Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) died Unknown. She married Robert Ondeby, son of John (of Stoke Dry & Saddington) Ondeby. He was born Bef. 1325, and died Unknown.

More About Robert Ondeby:

Name 2: Robert de Outheby

Property: June 03, 1377, lands in Saddington release by Alice Stephenson²

Children of Anabil Brabazon and Robert Ondeby are:

- 14 i. *Roger⁷ Ondeby, died Unknown.*
- 15 ii. *Theobald Ondeby, died Unknown.*

11. Emma⁶ Brabazon (Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) died Unknown. She married William Curzon. He died Unknown.

Child of Emma Brabazon and William Curzon is:

- + 16 i. *Thomas⁷ Curzon, died Unknown.*

Generation No. 7

12. Sir William⁷ Brabazon (Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1280, and died Unknown. He married Joan Trussel. She was born Abt. 1285, and died Unknown.

Children of William Brabazon and Joan Trussel are:

- + 17 i. *John⁸ Brabazon, born Abt. 1302; died Unknown.*
- + 18 ii. *Thomas Brabazon, born Abt. 1304; died Unknown.*
- 19 iii. *Roger Brabazon, born 1306; died Aft. 1345.*

Notes for Roger Brabazon:

In 1345 Roger the son of William le Brabazon of Mowsley granted the whole of his lordship in Mowsley with 12d rent and the homage and services of his freeman to John de Oadby of Stoke Dry, Rutland, but various members of the Brabazon family continued to hold land in Mowsley until at least the beginning of the 17th century. ("A History of the County of Leicester", R A McKinley)

16. Thomas⁷ Curzon (Emma⁶ Brabazon, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) died Unknown.

Child of Thomas Curzon is:

20 i. William⁸ Curzon, died Unknown.

Generation No. 8

17. John⁸ Brabazon (William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1302, and died Unknown. He married Agnes Whatton. She died Unknown.

Child of John Brabazon and Agnes Whatton is:

+ 21 i. Joan⁹ Brabazon, born Abt. 1340; died Unknown.

18. Thomas⁸ Brabazon (William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1304, and died Unknown.

Child of Thomas Brabazon is:

+ 22 i. John⁹ Brabazon, born Abt. 1350 in Leicester, England; died Unknown.

Generation No. 9

21. Joan⁹ Brabazon (John⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1340, and died Unknown. She married William Woodford. He died Unknown.

Child of Joan Brabazon and William Woodford is:

23 i. John¹⁰ Woodford, died Unknown.

22. John⁹ Brabazon (Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1350 in Leicester, England, and died Unknown. He married Unknown Harcourt Abt. 1384. She died Unknown.

More About John Brabazon and Unknown Harcourt:
Marriage: Abt. 1384

Child of John Brabazon and Unknown Harcourt is:

+ 24 i. Nicholas¹⁰ Brabazon, born Abt. 1385 in Eastwell, Leicester, England; died Unknown.

Generation No. 10

24. Nicholas¹⁰ Brabazon (John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1385 in Eastwell, Leicester, England, and died Unknown. He married Unknown Howbert Abt. 1430. She died Unknown.

More About Nicholas Brabazon and Unknown Howbert:
Marriage: Abt. 1430

Child of Nicholas Brabazon and Unknown Howbert is:

- + 25 i. *John¹¹ Brabazon, born Abt. 1445; died August 22, 1485 in Battle of Bosworth Field, Leicester, England.*

Generation No. 11

25. John¹¹ Brabazon (Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1445, and died August 22, 1485 in Battle of Bosworth Field, Leicester, England. He married Matilda/Maude Jervis Abt. 1470, daughter of Nicholas Jervis. She was born Abt. 1449 in Hardby, Leicester, England, and died Unknown.

More About John Brabazon:
Burial: 1485, Eastwell, Leicester, England

More About John Brabazon and Matilda/Maude Jervis:
Marriage: Abt. 1470

Children of John Brabazon and Matilda/Maude Jervis are:

- 26 i. *Roger¹² Brabazon, born 1471; died June 11, 1509.*
- 27 ii. *Adam Brabazon, born 1472; died January 25, 1508/09.*
- + 28 iii. *John Brabazon, born 1474 in Eastwell, Leicester, England; died Unknown.*
- 29 iv. *William Brabazon, born 1476; died Unknown.*
- 30 v. *Alexander Brabazon, born 1478; died Unknown.*
- 31 vi. *Isabel Brabazon, born 1480; died Unknown.*

Generation No. 12

28. John¹² Brabazon (John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born 1474 in Eastwell, Leicester, England, and died Unknown. He married Unknown Chaworth. She was born Abt. 1479 in Witherton, Nottingham, England, and died Unknown.

Children of John Brabazon and Unknown Chaworth are:

- + 32 i. *William¹³ Brabazon, born Abt. 1500 in Dublin, Ireland; died July 09, 1552 in Dublin, Ireland.*
- 33 ii. *Elizabeth Brabazon, born Abt. 1502; died Unknown. She married Richard Neale; died Unknown.*

Generation No. 13

32. William¹³ Brabazon (John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1500 in Dublin, Ireland, and died July 09, 1552 in Dublin, Ireland. He married Elizabeth Clifford Abt. 1539 in Ireland, daughter of Nicholas Clifford and Maria Harper. She was born Abt. 1520 in Holme, Kent, England, and died November 30, 1581 in Ireland.

More About William Brabazon:
Burial: Unknown, Body in Christ's Church, Dublin, Heart in Leicester, England

More About William Brabazon and Elizabeth Clifford:
Marriage: Abt. 1539, Ireland

Children of William Brabazon and Elizabeth Clifford are:

- + 34 i. *Sir Edward¹⁴ Brabazon, born Abt. 1540 in Tamerscourt, Dublin, Ireland; died August 1625.*
- 35 ii. *Anthony Brabazon, born Abt. 1541; died 1597 in Spain, in exile from Cromwell's forces.*

- 36 iii. *Ann Brabazon, born Abt. 1545; died Unknown.*
 37 iv. *Elizabeth Brabazon, born Abt. 1547; died Unknown.*

Generation No. 14

34. Sir Edward¹⁴ Brabazon (William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1540 in Tamerscourt, Dublin, Ireland, and died August 1625. He married Mary Smith, daughter of Edward Smith. She was born Abt. 1545 in Mitcham, Surrey, England, and died August 23, 1625 in Ireland.

More About Sir Edward Brabazon:
 Burial: Unknown, St Catherines, Dublin, Ireland

More About Mary Smith:
 Burial: Unknown, St Catherines, Dublin, Ireland

Children of Edward Brabazon and Mary Smith are:

- 38 i. *Anne¹⁵ Brabazon, born Abt. 1560; died Unknown.*
 39 ii. *Elizabeth Brabazon, born 1568; died Unknown. She married John Bramston; died Unknown.*

Notes for John Bramston:

Bramston, Sir John, the elder 1577-1654 NameBramston, Sir John, the elder Dates1577-1654 Active Date1617 GenderMale Field of InterestLaw OccupationJudge Place of BirthMaldon EducationFree school at Maldon, Jesus College, Cambridge, Middle Temple DeathHis manor of Skreens, in the parish of Roxwell, Essex BurialRoxwell church SpouseBridget, daughter of Thomas Moundeford, Elizabeth, daughter of Lord Brabazon SourcesDugdale's Orig. 219; Croke's Reports, Jac. I, 671;... ContributorJ. M. R. [JAMES MCMULLEN RIGG] Article Bramston, Sir John, the elder 1577-1654, judge, eldest son of Roger Bramston by Priscilla, daughter of Francis Clovile of West Hanningfield Hall, Essex, was born at Maldon, in the same county, 18 May 1577, and educated at the free school at Maldon and Jesus College, Cambridge. On leaving the university he went into residence at the Middle Temple, and applied himself diligently to the study of the law. His ability was recognised early by his university, which made him one of its counsel in 1607, with an annual fee of forty shillings. In Lent 1623 he was appointed reader at his inn, the subject of his lecture being the statute 32 Henry VIII (on limitations), and he was reappointed in the autumn of the same year, this time discoursing on the statute of Elizabeth relating to fraudulent conveyances (13 Eliz. c. 5). Shortly after his reading was concluded he was called to the degree of serjeant-at-law (22 Sept. 1623). His son remarks that this was an expensive year for him, the costs entailed by the office of reader being considerable, besides the fee of 500l. to the exchequer payable on admittance to the order of serjeants. His practice now became extensive, and during the next few years he was engaged in many cases of the highest importance, not only in the courts of common law, but in chancery and in the courts of wards and star chamber. In 1626 he defended the Earl of Bristol on his impeachment. A dissolution of parliament, however, soon relieved Bramston from this duty, by putting an end to the proceedings. Next year he represented Sir Thomas Darnel and Sir John Heveningham, who had been committed to the Fleet for refusing to contribute to a loan then being raised by the king without the consent of parliament, applying unsuccessfully for a habeas corpus on behalf of the one, and bail on behalf of the other. In the following year he was chosen one of the counsel for the city of London on the motion of Sir Heneage Finch, then recorder, who was a close friend and connection by marriage. In 1629 he was one of the counsel for seven of the nine members of the House of Commons (including Sir John Eliot and Denzil Hollis) who were then indicted for making seditious speeches in parliament. Next year the bishop of Ely (John Buckeridge) appointed him chief justice of his diocese, a position he held until his elevation to the king's bench. In 1632 (26 March) he was made queen's serjeant, and two years later (8 July 1634) king's serjeant, being knighted 24 Nov. in the same year. In 1635 (14 April) he was created chief justice of the king's bench. In this position his first official act of historical importance was, in concert with the rest of the bench, to advise the king (13 Feb. 1636-7) that he might lawfully levy ship-money, and that it belonged to the crown to decide when such levy ought to be made. Sir John's son informs us that his father was in favour of modifying this opinion in at least one essential particular: that he would have allowed the levy 'during necessity only,' and that he was only induced to subscribe the opinion as it stood by the representation made 'by the ancient judges that it was ever the use for all to subscribe to what was agreed by the majority.' In July of the same year Bramston was a member of the Star-chamber tribunal which tried the bishop of Lincoln on the charge of tampering with witnesses, and committing other misdemeanors. The bishop was found guilty by a unanimous verdict, and sentenced to be deprived of his office, to pay a fine of 10,000l., and to be imprisoned during the king's pleasure. A similar sentence was passed on him at a later date, Bramston being again a member of the court, on a charge of libelling the archbishop of Canterbury and the late

lord treasurer Weston. In the celebrated ship-money case (*Rex v. Hampden*), decided in the following year (12 June), Bramston gave his judgment against the king, though on a purely technical ground, viz. that by the record it did not appear to whom the money assessed was due, in that respect agreeing with the lord chief baron, Sir Henry Davenport, who, with Crooke, Hutton, and Denham, also gave judgment in Hampden's favour; but taking care at the same time to signify his concurrence with the majority of the court upon the main question. On 16 April 1640, during the indisposition of the lord keeper Finch, Bramston presided in the House of Lords. On 21 Dec. of the same year proceedings were commenced in the House of Commons to impeach the lord keeper Finch, Bramston, and five other of the judges who had subscribed the opinion on ship-money. Next day it was resolved that the message usual in such cases should be sent to the House of Lords. The message was communicated to the peers the same day, and the judges being present (except the lord keeper) were forthwith severally bound in recognisances of 10,000l. to attend parliament from day to day until such time as trial might be had. The lord keeper was bound to the same effect the following day. Bramston was thus unable to attend the king when required without rendering himself liable to immediate committal, and as no progress was made towards his trial, the king terminated so anomalous a condition of affairs by revoking his patent (10 Oct. 1642), sending him shortly afterwards (10 Feb. 1642-3) a patent constituting him serjeant-at-law by way of assurance of his unbroken regard. Meanwhile so far was the parliament from desiring to proceed to extremities with Bramston that in the terms of peace offered the king at Oxford (1 Feb. 1642-3) his reappointment as lord chief justice of the king's bench, not as formerly during the king's pleasure, but during good behaviour ('*quamdiu se bene gesserit*'), was included. From this time forward until Bramston's death persistent attempts were made to induce him to declare definitely in favour of the parliament, but without success. In 1644 he was consulted by the leaders of the party as to the evidence necessary for the prosecution of Macguire and MacMahon, two prisoners who had made their escape from the Tower and been retaken. In 1647 it was proposed to make him one of the commissioners of the great seal, and it was voted that he should sit as an assistant in the House of Lords, 'which,' says his son, 'he did not absolutely deny, but avoided attending by the help of friends.' In the same year a resolution was come to that he should be appointed one of the judges of the common pleas. Even in the last year of his life Cromwell, then protector, sent for him privately, and was very urgent that he should again accept office as chief justice. Bramston, however, excused himself on the ground of his advanced age. He died, after a short illness, in the seventy-eighth year of his age, 22 Sept. 1654, at his manor of Skreens, in the parish of Roxwell, Essex, which he had bought in 1635 from Thomas Weston, the second son of Weston the lord treasurer. He was buried in Roxwell church. In person he is described as of middle height, in youth slight and active, in later years stout without being corpulent. Fuller characterises him as 'one of deep learning, solid judgment, integrity of life, and gravity of behaviour; in a word, accomplished with all the qualities requisite for a person of his place and profession.' His son adds that he was 'a very patient hearer of cases, free from passion and partiality, very modest in giving his opinion and judgment' (he seems to have shown a little too much of this quality on the occasion of the opinion on ship-money), 'which he usually did with such reasons as often convinced those that differed from him and the auditory. Even the learned lawyers learned of him, as I have heard Twisden, Wild, Windham, and the admired Hales, and others acknowledge often.' The following epitaph, attributed to Cowley, was not placed upon his tomb until 1732: *Ambitione, ira, donoque potentior omni Qui iudex aliis lex fuit ipse sibi; Qui tanto obscuras penetravit lumine causas, Ut convicta simul pars quoque victa foret; Maximus interpres, cultor sanctissimus æqui, Hic jacet: heu! tales mors nimis æqua rapit: Hic alacri expectat supremum mente tribunal, Nec metuit iudex Judicis ora sui.*

Bramston married in 1606 Bridget, daughter of Thomas Moundeford, M.D., son of Sir Edward Moundeford, knight, of Feltwell, Norfolk, by whom he had a large family, of whom six survived him, viz. three daughters, Dorothy, Mary, and Catherine, and as many sons, John [see Bramston, Sir John, the younger]; Moundeford, who was created a master in chancery at the Restoration; and Francis [q.v.]. Sir John, the son, describes his mother as 'a beautiful, comely person of middle stature, virtuous and pious, a very observant wife, a careful, tender mother;' 'very charitable to the poor, kind to her neighbours, and beloved by them,' and 'much lamented by all that knew her.' She died in the thirty-sixth year of her age (whilst John was still at school at Blackmore, Essex) in Phillip Lane, Aldermanbury, and was buried in a vault in Milk Street church. Sir John continued a widower for some years, his wife's mother, Mary Moundeford, taking charge of his house.

In 1631 he married Elizabeth, daughter of Lord Brabazon, sister of the Earl of Meath, and relict of Sir John Brereton, king's serjeant in Ireland. Brereton was her second husband, her first having been George Montgomerie, bishop of Clogher. Bramston's marriage with her was the revival of an old attachment he had formed as a very young man, but which Lord Brabazon had refused to countenance. The ceremony was performed at the seat of the Earl of Meath at Kilruddery, near Dublin. His son John, who accompanied Bramston to Ireland on this occasion, was by no means prepossessed by the appearance of his stepmother.

'When I first saw her,' he says, 'I confess I wondered at my father's love. She was low, fat, red-faced; her dress, too, was a hat and ruff, which though she never changed to her death. But my father, I

believe, seeing me change countenance, told me it was not beauty but virtue he courted. I believe she had been handsome in her youth; she had a delicate fine hand, white and plump, and indeed proved a good wife and mother-in-law too.' She died in 1647, and was buried in Roxwell Church.

- 40 iii. *Catherine Brabazon, born 1572; died Unknown.*
- + 41 iv. *Thomas Brabazon, born Abt. 1574; died Unknown.*
- 42 v. *Mary Brabazon, born Abt. 1578; died Unknown.*
- + 43 vi. *1st Earl of Meath William (of Meath) Brabazon, born 1579; died 1651.*
- 44 vii. *Wallop Brabazon, born Abt. 1581; died Unknown.*
- + 45 viii. *Anthony Brabazon, born Abt. 1583 in Tallanstown, Louth, Ireland; died July 01, 1636 in Thomascourt, Dublin, Ireland.*
- 46 ix. *Henry Brabazon, born Abt. 1585; died Unknown.*
- 47 x. *Mary Brabazon, born Abt. 1587; died Unknown.*
- 48 xi. *Pricilla Brabazon, born Abt. 1589; died Unknown.*
- 49 xii. *Susannah Brabazon, born Abt. 1590; died Unknown.*
- 50 xiii. *Ursula Brabazon, born Abt. 1592; died Unknown.*

Generation No. 15

41. Thomas¹⁵ Brabazon (Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1574, and died Unknown.

Child of Thomas Brabazon is:

- + 51 i. *UNKNOWN (1)¹⁶ BRABSTON, died Unknown.*

43. 1st Earl of Meath William (of Meath)¹⁵ Brabazon (Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born 1579, and died 1651. He married Jane Bingley. She was born Abt. 1585, and died 1644.

Child of William Brabazon and Jane Bingley is:

- + 52 i. *2nd Earl of Meath Edward¹⁶ Brabazon, born Abt. 1610; died 1675 in Ireland (Drowned).*

45. Anthony¹⁵ Brabazon (Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1583 in Tallanstown, Louth, Ireland, and died July 01, 1636 in Thomascourt, Dublin, Ireland. He married Margaret Hovenden. She was born Abt. 1590, and died Unknown.

Child of Anthony Brabazon and Margaret Hovenden is:

- + 53 i. *Edward¹⁶ Brabazon, born 1617; died September 1666.*

Generation No. 16

51. UNKNOWN (1)¹⁶ BRABSTON (Thomas¹⁵ Brabazon, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) died Unknown.

Notes for UNKNOWN (1) BRABSTON:

This is undocumented. I have attached these 2 lines simply to make an uninterrupted line to the ancient family.

Children of UNKNOWN (1) BRABSTON are:

- + 54 i. *UNKNOWN¹⁷ Brabston, born Bet. 1680 - 1690 in Ireland; died Unknown.*
- + 55 ii. *John Brabson, born Bef. 1700 in Wales or England or Ireland; died Unknown.*

52. 2nd Earl of Meath Edward¹⁶ Brabazon (William (of Meath)¹⁵, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1610, and died 1675 in Ireland (Drowned). He married Mary Chambre. She was born Abt. 1620, and died 1685.

Children of Edward Brabazon and Mary Chambre are:

- 56 i. 3rd Earl of Meath William¹⁷ Brabazon, born Abt. 1645; died Unknown.
- 57 ii. 4th Earl of Meath Edward Brabazon, born Abt. 1647; died Unknown.
- + 58 iii. 5th Earl of Meath Cambre Brabazon, born Abt. 1649; died Unknown.
- 59 iv. Jane Brabazon, born Abt. 1652; died Unknown. She married Randal Moore; died Unknown.
- 60 v. Mary Brabazon, born Abt. 1654; died Unknown.

53. Edward¹⁶ Brabazon (Anthony¹⁵, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born 1617, and died September 1666. He married Rose Lambart. She was born Abt. 1620, and died Unknown.

Child of Edward Brabazon and Rose Lambart is:

- 61 i. Jane¹⁷ Brabazon, born Abt. 1650; died Unknown.

Generation No. 17

54. UNKNOWN¹⁷ Brabston (UNKNOWN (1)¹⁶, Thomas¹⁵ Brabazon, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Bet. 1680 - 1690 in Ireland, and died Unknown.

Children of UNKNOWN Brabston are:

- 62 i. Thomas¹⁸ Brabston, born Bet. 1710 - 1720 in Co Limerick, Ireland; died Bet. 1760 - 1770 in Co Limerick, Ireland. He married Elizabeth Magee July 30, 1749 in St John's, Limerick, Co. Limerick, Ireland; died Unknown.

*More About Thomas Brabston and Elizabeth Magee:
Marriage: July 30, 1749, St John's, Limerick, Co. Limerick, Ireland*

- 63 ii. Nicholas Brabston, born Abt. 1730; died Bef. 1797 in Lexington, Fayette Co., KY. He married Peggy Unknown; died Unknown.
- 64 iii. Samuel Brabston, born Bet. 1730 - 1740; died Unknown.

55. John¹⁷ Brabson (UNKNOWN (1)¹⁶ BRABSTON, Thomas¹⁵ Brabazon, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Bef. 1700 in Wales or England or Ireland, and died Unknown.

Notes for John Brabson:

Probably came over after 1682 when William Penn established Chester Co., Pennsylvania as a Quaker haven

John Brabson listed in East Nottingham, PA in 1722 as a "Freemen"

More About John Brabson:

Residence: 1722, East Nottingham, PA

Child of John Brabson is:

- 65 i. John¹⁸ Brabson³, born Aft. 1710 in PA; died Unknown.

58. 5th Earl of Meath Cambre¹⁷ Brabazon (Edward¹⁶, William (of Meath)¹⁵, Edward¹⁴, William¹³, John¹², John¹¹, Nicholas¹⁰, John⁹, Thomas⁸, William⁷, Matthew⁶, Thomas⁵, Adam⁴, John³ Brabancon, James², Jacque¹ Brabacon) was born Abt. 1649, and died Unknown.

Child of 5th Earl of Meath Cambre Brabazon is:

66 i. *Chaworth*¹⁸ *Brabazon, born 1686; died Unknown.*

*Notes for Chaworth Brabazon:
1686, Chaworth, future 6th Earl of Meath born.*

1690, William III defeats the forces of the ousted James II at the Battle of the Boyne.

1691, The surrender of Limerick finally defeats James and establishes the Protestant Ascendancy over Catholic Ireland.

1694, Act for the Better Securing of the Government against Papists passed. Under this Act no Catholic (80% of the population) could have any "gun, pistol, or sword, or any other weapon of offence or defence...".

1697-1705, Further Popery Acts follow including one which forbids any Catholic from receiving a gift or inheritance of land from a Protestant. This law and others like it were not strictly enforced against the majority of Catholics who had little enough property anyway. They were all called 'The Penal Laws' and were gradually relaxed from 1778 onwards.

ca 1704 Chaworth marries his aunt's chambermaid. The aunt was either Cecilia who died July 1704 or Dorothea, both the wives of Edward, 4th Earl of Meath who himself died childless.

1707, Chambre, brother of Edward, succeeds him as 5th Earl.

1714, Queen Anne dies and Jonathan Swift accepts Deanery of St Patrick's (Protestant) Cathedral in Dublin.

1715, Chaworth, oldest surviving son of Chambre succeeded as 6th Earl.

1716, John Ellis accepts living of St James, Dublin.

1723, Brabazon, eldest son of John Ellis, born.

1731, Chaworth's first wife dies and he then marries Juliana Prendergast.

1731, Mary Pendarves (Delany) makes her comment on the Earl of Meath's wives.

1740, Brabazon Ellis joins the East India Company.

1747, Swift dies after several years of mental confusion.

1747, Chaworth makes his Will.

1752, John Ellis moves, as Vicar, to St Catherines, Dublin.

1760, Brabazon Ellis returns from India and sets up home in London.

1763, Chaworth dies at Calais and is buried at Canterbury. No children by his second marriage. He is succeeded by his brother, Edward who takes over his properties.

1764, John Ellis issues a Writ in Chancery to find out which of the Meath properties he could inherit but dies later in the year.

1765, Brabazon Ellis continues the Court Case.

Endnotes

1. *A History of the County of Leicester*" by R A McKinley.
2. *History and Antiquities of the County of Leicester* by John Nichols.
3. Purely a guess on the first name