

Museum (Add. MS. 6358) there is a minute description of the nine shields of arms which formerly decorated this brass, and which bore the arms of Mautravers with others.

————— In third descent, *under* "Elizabeth dau. of Sir John Scargill," *add* "she remarr. circa 1419, Ralph Frank, and ob." &c.

————— In same descent, *under* "Joane wife of Sir Thomas Arundel," *for* "Thomas Vaughan," *read* "John Burdens."

P. 337, in fourth descent, *under* "John, Earl of Arundel," *for* "nat. 1407-8," *read* "nat. 14 Feb. 1408."

————— In same descent, *under* "Eleanor Arundel, wife of Sir Thos. Browne," *after* "Thos. Vaughan," *add* "an Esquire of the Body to King Edw. IV."

————— in fifth descent, *under* "Humphry Earl of Arundel," *after* "nat." *add* "30 Jan."

B. W. G.

*Shirley, Southampton,  
February, 1854.*

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GRANT OF ARMS IN 1499, AND OF A CREST IN 1565, TO THE FAMILY OF SMITH, *alias* HERIZ, OF THE COUNTY OF LEICESTER.

The family of Smith, to which these documents relate, at a subsequent period made pretensions to very high and illustrious descent, which is thus proudly set forth in the epitaph<sup>a</sup> of Sir Roger Smith, in the church of Edmondthorpe in Leicestershire :

"Here lieth the grave and religious Sir Roger Smith, knight, Lord of this Manor, and formerly one of the Justices of this County ; whose worthy parts are adorned with the worth of his descent ; whose greates-grandfather William Smith, *alias* Herez, descended of the ancient family of Herez of Wiverton in the county of Nottingham, is by females passinge throw the names of Ashby, Burdet, Zouch, and Conan Duke of Brittain, descended from Henry the First, Kinge of England. He dyed Anno Domini 1655, aged eighty-fower yeares."

It is the same "greates-grandfather" who in the following document appears in the reign of Henry the Seventh as plain "William Hares, otherwyse called Smyth, of the countie of Leicester, gentelman," and actually in want of a coat of arms. How shall we reconcile so unexpected a fact ?

In an account of the family (written during the last century by Thomas Lord Dacre, and printed in the History of Leicestershire, ii. 182), we find an explanation suggested for this anomaly in a "tradition "

<sup>a</sup> Nichols's History of Leicestershire, vol. ii. p. 180.

which stated that "William Heriz assumed the name and arms of Smith, in consideration of the manor of Withcock, in the county of Leicester, which was bequeathed to him on that condition by some relation of that name.<sup>b</sup> He still, however, (it is added,) as did all his posterity, bore the arms of Heriz in the second quarter."

But neither of the assertions thus made are confirmed by more authentic records. It appears that "William Hares *alias* Smith" obtained his footing at Withcote by his marriage with one Katharine Ashby. "Withcote was long since divided into two manors; one of which, called Ashbyes manor, having continued for several generations in that family, was, 8 Hen. VII. [1492] given by William Ashby of Loseby, esq. to William Smith, *alias* Heriz, with Katharine Ashby (his daughter) in marriage. The other (formerly called the King's manor) was in 1462 granted by king Henry IV. to John de Daunton for his life, and was purchased by the before-mentioned William Smith, *alias* Heriz,—a younger branch (adds the writer) of the antient family of Heriz of Wiverton, co. Nottingham, as appears by a genealogy extracted from an antient vellum roll in colours, and proved by antient evidence."<sup>c</sup>

It will be observed that it was through this marriage with Ashby, and not from any earlier alliance, that the Smiths descended from Burdet, Zouch, and the Dukes of Bretagne.

It further appears that William Smith gentleman, as lord of Withcote, presented to the rectory there in 1495. This was three years after his marriage, and four years before he received the following grant of arms. He commenced the rebuilding of the church of Withcote, and it was finished by Roger Ratcliffe esquire, who married his widow. The arms of Smith are cut in stone on the south door of the church, but they do *not* quarter Heriz.<sup>d</sup> Nor was any coat quartered for Heriz on the monument at Withcote of John Smith esquire, the son of William, erected by his widow in 1582; nor on that of Ambrose Smith esquire, his grandson, who died 27th July, 1584;<sup>e</sup> nor, again, on that, at Husband's Bosworth in the same county, of Erasmus Smith esquire, who died in 1616, another son of John Smith of Withcote.<sup>f</sup>

To all appearance it was the son of Erasmus, Sir Roger Smith, first mentioned, who, having acquired a taste for gentilitia antiquities, was the first of his family to affect a connection with the ancient race of Heriz

<sup>b</sup> This "tradition" was in fact nothing more than a conjecture "reasonably presumed" by Morant, in his History of Essex, 1768, vol. i. p. 119, under the manor of South Weald, which belonged to the family of Smith.

<sup>c</sup> Chetwynd MS. quoted in Hist. of Leicestershire, ii. 387.

<sup>d</sup> Hist. of Leic. vol. ii. pl. lxxi. fig. 6.      <sup>e</sup> Ibid. figg. 11, 12, described p. 393.

<sup>f</sup> Ibid. vol. ii. p. 469.

of Nottinghamshire, and to adopt the quartering of their arms. In his epitaph the family is designated as "Herez of Wiverton," and we find in Thoroton's History of that county, that there was *one* William de Heriz of that place, to whom Sir Ralph Basset, of Drayton, who died in 13 Ric. I., made a grant of lands in frank-marriage; but the said William established no family, Joan his daughter and heir being married to Sir Jordan le Bret. The main stock of the family is more fully noticed by Thoroton under the manors of Widmerpole and Gunholston; and it is there shown that they became extinct in the male line in 3 Edw. III., their representation devolving to the families of Swillington and Pierpoint.<sup>§</sup>

Their arms were, Azure, three hedgehogs or—a canting coat, that animal being in French *herison*, and in low-Latin *hericus*, of which the old-English, and correct heraldic, synonyme is *urchin*. Sir Roger Smith varied this bearing by a difference, quartering with his own arms, for "Herez of Wiverton,"—Azure, *a fess argent between* three hedgehogs or. Finding that he made this difference, we might imagine that he did not act without the authority of the College of Arms; but for this there is no evidence, and no such coat of Heriz appears in the Visitations. The worthy knight had evidently a vivid imagination in matters of pedigree; for his second wife, the daughter of Thomas Goodman of Aldgate, in the county of Middlesex, esq. was supposed to be descended from ancestors who, "throw a long-continued virtuous lyne, gave being to the famous family of the Goodmans, *alias Goosman*, in Spaine!"<sup>h</sup>

He had a family connexion with that great amateur genealogist, William Lord Burghley; for his father Erasmus Smith, of Somerby and Husband's Bosworth, co. Leicester, married for his second wife Margery widow of Roger Cave of Stanford, co. Northampton, sister to the Lord Treasurer.

His descendants made alliances of unquestionable rank. His son Edward, by Elizabeth, daughter of Sir Edward Heron, K.B., had issue Sir Edward Smith, of Edmondthorpe, created a Baronet in 1660-1. This dignity became extinct on the death of Sir Edward the second Baronet in 1720-1. But Erasmus Smith, son of Sir Roger by his second wife Anna Goodman (*alias Goosman*), married the Hon. Mary Hare, daughter of Hugh Lord Coleraine; and his son, Hugh Smith, by Dorothy Dacre, daughter of Dacre Barrett Lennard, esq. had issue two daughters and coheiresses, who were married into noble families of high

<sup>§</sup> In the Visitation of Nottinghamshire, 1614, by St. George Norroy, the arms of Pierpoint are tricked quartering Mannours and Heriz (without the fess), and the crest for Heriz there given is a hedgehog or. MS. Harl. 1555, p. 43.

<sup>h</sup> Hist. of Leic. vol. ii. p. 181.

distinction. This Mr. Smith, who died in 1745, by his will bound his daughters' husbands and their children to take the name of Smith, and to bear the arms of Smith and Heriz. Dorothy, the elder daughter, was married to John Barry, esq. fourth son of James fourth Earl of Barrymore; and Lucy, the younger, became the wife of James Lord Strange, eldest son of Edward eleventh Earl of Derby. Both these gentlemen complied with the conditions of their father-in-law's will by prefixing the name of Smith to their own. Mrs. Smith Barry died in 1756: and her descendants have now for three generations borne the names of Smith-Barry, the present James Hugh Smith-Barry, esq. of Foaty Island, county of Cork, and Marbury Hall, Cheshire, being her great-grandson.<sup>1</sup> Lady Strange died in 1759, and her husband Lord Strange in his father's lifetime in 1771; but his son Edward the twelfth Earl of Derby continued to bear the name of Smith. It appears, however, to have been dropped by the illustrious house of Stanley after the death of that nobleman in 1831.

There are full pedigrees of Smith, *alias* Heriz, in Nichols's History of Leicestershire, vol. ii. pp. 184, 185.

To all true cristen people these presentes Letters heryng, seying, or redyng. I, Xpofor Carlyl, otherwise called Norrey Principall Herauld and Kyng of Armes of the northe parties of this realme of England, sende due and humble recoñmendacion as it apperteyneth to all honour and nobles, and accordyng to the auctoritie of my said office, by virtue of the kyng's lres patents, yeven unto me in that behalfe in every cause concernyng my said office. For asmouche as a wise and discrete pson of sufficient possession to use and enjoy all thinges apperteynyng to nobles, and over that cōmen of good progeny as is notarely knowen in the countree wher his dwellyng is and ellys wher, whos name is called William Hares otherwyse called Smyth of the countie of Leicester, gentilman; the whiche William hath desired me, by vertu of my said office, to order and devyse for him suche armes as may be convenyent to him and to his yssue of his body begoten, without preiudice or damage dooyng to any other pson. And for the same knowleche that I have well proved in his vertu and substance, I, the

<sup>1</sup> See the pedigree in Burke's Landed Gentry (edit. 1843), p. 60; where it is stated that Dorothy Smith brought to her husband large estates in the cos. of Tipperary, Louth, and Huntingdon. Mr. Smith-Barry now bears his paternal coat in his first and fourth principal quarter, and Smith and Herix quartered in the second and third quarters.

said Kyng of Armes, have devysid unto the same Witm these armes folowyng, as it apperteyneth to myn said office without reproche or demaunde of any pson, that is to say, *he berith, Gowlys, a cheveron golde betwixt three besaunts, upon the cheveron three crosses forme pyched sable*, which armes in the mergyn more playnly doth appierin. And for asmoche as the said William is daily avanced in konnyng and vertue, I, the said Norrey, ratifie and conferme the said armes to hym and to his posteritie for ev<sup>n</sup>more. In witness wherof, I, the said Kyng of Armes, have signed these presentes with myn owne hande and sealled the same with myn seale of auctoritie, the viii<sup>th</sup> day of february, in the yere of oure Lord God Mccccclxxxix. and the xv<sup>th</sup> yere of the reigne of oure soverayn Lord Kyng Henry the VII<sup>th</sup>.

(Loc. sig.)      XP'OFER NORREY.

In composing the arms above described, Carlyl alias Norroy appears to have combined the crosses fitchée found in other coats of Smith with besaunts, in allusion to the grantee's descent from Zouch.

Roger Smyth, gentelman, the recipient of the following grant of a Crest, was the grandson of William, who received the previous grant of Arms. He resided at Withcote, and died in 1603: having married Frances, daughter of Sir Thomas Griffin of Dingley, co. Northampton. The griffin's head appears to have been granted to him in allusion to this alliance; by which he had three daughters only. (Hist. of Leic. ii. 184.) It was not adopted by other branches of the family; but their usual crest was a goat or antelope's head rising out of a coronet. This is variously described as, "out of a ducal coronet, a goat's head," when appearing on the monument of Erasmus Smith esquire, at Husband's Bosworth, 1616 (Ibid. p. 469); as "an antelope's head coupéd argent, corned or," on the monument of "the grave and religious Sir Roger Smith," at Edmondthorpe (Ibid. p. 180); and as, "out of a ducal coronet a goat's head argent," on a hatchment at Frolesworth (Ibid. vol. iv. p. 186).

To all nobles and gentles these presant tres redyngge or seinge, &c. Gilbert Dethicke, knight, a<sup>t</sup>s Garter Principall King of Armes, sendeth diewe and humble cōmendaciōs and greatyngge. Equite willeth and reason ordayneth that men verteuus and of noble corage be by ther dymmerets and good renowne rewarded, not all only ther persons in this mortall lyffe so breffe and trans-

sitory, but also those that shalbe of ther bodies descended, to be in all places of honnor with other nobles and gentils accepted and taken by sarten ensignes and demonstrances of honnor and nobilnes, that is to saye, blason, healme and tymber: and for as mouche as one Roger Smyth, gentilman, is descended of one Williã Hares, otherwise called Smyth, of the countie of Leicester, gentilman, longe tyme bearing armes, hathe earnestly required me, the saide Garter, to devise and appoynte to his armes a creast diewe and lefull to be borne, I, seinge his requeste bothe juste and reasonable, by the authorite and power givin to me and to my saide office of Garter Principall Kinge of Armes, under the moste noble Greate Seale of England, have devised and sett fourth to his saide armes a creast diewe and lefull to be borne, that is to saye, *uppon his helmet, on a torse golde and geules, an arme couppé, the sleve party per pall golde and geules, holding in his hande a griffin's hedd rased asure, beked gold, lungeud, eyed, and ered geules, manteled geules, dobled sylver*, as more playnely appereth depicted in this margent: to have and to holde the said creaste to the said Roger Smyth, gentilman, and to his *brothers and there posterity*, and they it to use and enjoye for evermore. In witness whereof, I, the saide Garter Principall King of Armes, have sett unto my hand and seale with the seale of the office. Given and graunted at London, the xvi daye of Maye, in the vii<sup>th</sup> yere of the raynge of ower Soveraiyne Lady Elizabeth, by the grace of God Quene of Englande, Ffraunce, and Irelande, Deffender of the ffayth, and in the yere of our Lorde God 1565.

(Loc. sig.) P me G. DETHICKE ats  
Garter Principall King of Armes.

This patent enterlyned and confirmed in the tyme of my visitacõ of the citie of London, in A°. 1568.

ROB<sup>T</sup> COOKE alias Clarencieux Roy Darmes.

The Editor is indebted to Richard Caulfield, esq., B.A., of Cork, for copies of these patents, of which the originals were found by him in the possession of Michael Green, esq., of Middleton, whose mother was a Smith, of the family of Smith of Rathcourcy, co. Cork, which bore for arms as blazoned in the first patent. It would seem, therefore, that a branch of the family of Smith alias Heriz had settled in Ireland some generations before their coheiress was married to Mr. Barry.