

**REMAINS, HISTORICAL & LITERARY,
CONNECTED WITH THE PALATINE
COUNTIES OF LANCASTER AND
CHESTER. PUBLISHED BY THE CHETHAM
SOCIETY. VOL. LXXX, PP. 325-550**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649689804

Remains, Historical & Literary, Connected with the Palatine Counties of Lancaster and Chester.
Published by the Chetham Society. Vol. LXXX, pp. 325-550 by Chetham Society

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Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

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M.DCCC.LXIX.



STALL IN THE GREAT STABLE AT PEYER,
FROM A DRAWING BY MISS HENRIETTA E. MAINWARING.



THE
P R E F A C E
TO THE
READER:

[A 3, recto.]

I Received on the 13th. of April, 1675. a very strange kind of Book from Sir Thomas Manwaring, then delivered unto me by his Servant; wherein I expected a Book of Arguing to the point of the Controversie between us: But behold a book of Railing, catching (as his usual manner is) at every small impertinent thing.

That I may the sooner come to the Book it self, I shall observe ^[A 3, verso.] only out of his Epistle, this one thing, How he minceth the Truth, in telling the Reader — that my Servant did (by my Command) signifie unto him in a Letter, that I would write again, and this before Sir Thomas had printed one word of his Reply: So that if he find me thus Stumbling at the first, it is well if he do not take me oft Tripping before I come to my Journeys end.

Whereunto I say, that he deals not clearly in his words, and declareth not the whole Truth: For it is true, that I did command my Servant to write unto him; but what did I command him to write? Was it barely that I would then write again? No: but to let him know, that I had then found some new Precedents which (I conceived) would clear the point between us, and came to my knowledge since I had published my Answer; of which I thought good to give him timely notice, that I would add them to my Answer

[A 4, recto.] *already Printed, which were omitted therein; and this before his Reply was Printed, as Sir Thomas here confesseth: This was rather an amendment of my former book, then writing again de novo; for as yet he had published no book against it, but this part of the Truth he conceals; and if my Servant writ otherwise than to this effect, I utterly disown it to be written by my command: But before I could get my Addenda Printed, he Published a Reply to my Answer; wherein were so many Crimes charged upon me, that I was forced to a Vindication of my self, which I did then put into my Addenda, yet not so fully as I might have done: See my Addenda, p. 8. and also p. 27.*

And whatsoever I have also written more, then what I first intended and declared, I have been forced thereunto in my own defence.

[A 4, verso.] *And so I will now briefly come to his Book, and hope to shew clearly who Trips most in the Journey, he or I; and wherein I do Trip, it shall be readily confest: I think mine will not be found many, nor material to the main point; but I believe his will be found Fundamental Errors: And I could wish that Sir Thomas would as freely confest his Trips as I shall confest mine, then the whole business would soon be at an end.*

And herein I shall endeavour all along to avoyd all obloquies, wherewith he aboundeth as much as I can; for Calummies and Slanders will find no place among Wise and Good Men, and are ever inconsistent with those excellent Christian Graces of Humility and meekness.

Mobberly,

May the 18th. 1675.



'A Second Reply.

[Page 1.]

Pag. 1. *Of his Answer to my two Books.*



Ere he saith, that I affirm several times, that *Glanvil* saith that Lands may be given with any Woman *in liberum maritagium*: whereas he saith only, they may be given *cum quolibet muliere in maritagium*.

My Reply.

I did, and do yet affirm it; and have proved it too; see pag. 54. of my former Reply, which yet he hath ²not answered: nor do I believe that he can rationally answer my Argument there: For though *Glanvil* hath not these very words—Lands may be given with any Woman *in liberum maritagium*]; yet he saith it by Consequence, drawn clearly out of his words, *lib. 7. cap. 18.* which is the same in effect.

[Page 2.]

Nor doth Sir *Thomas* repeat *Glanvil's* words aright; and yet he is ready upon all occasions to tax me with the like: the words of *Glanvil*, *lib. 7. cap. 1.* are—*quilibet liber homo, terram habens, quandam partem terræ suæ cum filiâ suâ, vel cum aliquâ aliâ quolibet muliere, potest dare in maritagium...* &c. not barely *cum quolibet muliere*.

Pag. 2. *Of his Answer to my two Books.*

Here he faith, I tell him that I have proved *Geva* to be a Bastard out of an Historian Contemporary; by which *Ordericus Vitalis* is meant, and yet *Ordericus* faith no such thing.

[Page 2.]

My Reply.

'Tis true, I said so, and have proved it too: See my Answer to his Defence of *Amicia*, pag. 34, 35. for though he hath not these very words [*Geva is a Bastard*], yet by sure Consequence it follows out of the words of *Ordericus*, that she was a Bastard, which is all to one effect; and here is another trip of a fallacy in *Sir Thomas*.

Pag. 2. *Of his Answer to my two Books.*

1. Here he also faith, that I affirm the Common Law is now altered otherwise than by Act of Parliament, without quoting any Author.

2. And also that I brag of several Precedents where Lands were given in free Marriage with Bastards; and yet I prove not these necessary words of *liberum maritagium* (as the Lord *Cook* calls them) were used in any of those grants, or that any of those Persons, with whom such Lands were given, were Bastards.

[Page 4.]

My Reply.

Here is another Trip of *Sir Thomas*; for I have quoted the Lord *Cook* himself in several Cases for it: See my Answer to his Defence of *Amicia*, pag. 23, 24, 25, 26. and yet he is not ashamed to say here, I quoted no Author for it: And I could yet produce a number of Cases more, wherein the Law is altered without any Act of Parliament, if it were necessary.

2. To the Second: I produced those ancient precedents to

show, that those words [*in liberum maritagium*] were not anciently so necessary in grants of free Marriage, as the Lord *Cook* would now have them to be; and then Sir *Thomas* saith, that I have not proved any of those Persons with whom such Lands were given (in free Marriage) were Bastards: *Sit liber judex*, as to that of *Geva*: See also my former Reply, pag. 38. where *Joan Princess of Wales* is clearly proved to be a Bastard by the Testimony of most of our Historians; but none saying she was a lawful Daughter, and that she had Lands given her in free Marriage by King *John* her Father: See my Advertisement to the Reader, at the end of my two said Books; also my *Addenda*, pag. 3, 4. and my former Reply, pag. 25. [Page 5.]

Pag. 3. *Of his Answer to my two Books.*

Here he saith, I tell him *Lewellyn* Prince of *North-Wales* was Divorced from his Wife *Joan*, for which I can neither shew Author, nor Record.

My Reply.

I do not positively affirm it: the words in my former Reply, pag. 44. are these — if she were Re-married to *Audley*, anno 14. *Hen.* 3. then it is a sure Argument that she was Divorced; and whether she was so Married or no, 14. *Hen.* 3. let the Record Vouched by *Vincent*, be the Judge. [Page 6.]

Here is another Trip of Sir *Thomas*; for he saith, that I can neither shew Author, nor Record: indeed *Vincent* doth not say she was Divorced; but he saith, she was Re-married to *Audley*; and so by consequence she must needs be Divorced, *Lewellyn* being then alive.

But I have now published an Advertisement to the Reader at the end of my two said Books, where I have set forth the Copy of that Record; and do find that *Vincent* hath clearly mistaken the Record; for it proves *Robert de Audley* did Marry *Joan*,