The Bloody Stone & Mabs Cross Legend

Contributed by Steven Dowd

Members of the Lancashire and Cheshire Antiquarian Society visited Winwick in June, 1909, and were shown the Bloody Stone by the leader, Captain Arthur Doggett. The report of the visit states that the stone lay on the edge of the footpath of the road leading from Newton to Winwick Church and close to the bridge crossing the railway. The local tradition then was that the Welsh knight was overtaken and killed by Sir William de Bradshaigh "on the Bloody Stone."
THE MYSTERIOUS MURDER OF SIR WILLIAM DE BRADSHAIGH

A SEQUEL TO THE MABS CROSS LEGEND

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Few Lancashire legends, if any, have attracted as much critical attention as the story of Mabs Cross. In a former paper the historical basis of the legend has been examined. It has been shown that the chief characters in the story, Sir William de Bradshaigh* and his wife, Dame Mabel, were real persons not mythical figures, and that they were actually separated for a long period. Sir Williams death was presumed by his wife and asserted in a court of law ; but after about seven years absence he returned home in 1322. The legend asserts that the cause of Sir Williams absence was the Crusades. He may possibly have been engaged in fighting non-Christians while away from home ; but it is now proved that the real reason was outlawry for non-appearance in court when summoned, and, in addition, the hostility of powerful enemies, especially that of Robert de Holland, a friend and favourite of Thomas, Earl of Lancaster.

No documentary basis has been found as yet for the assertion in the legend that during Sir Williams absence, Dame Mabel married a second time, and that she after-wards did penance for this by walking barefoot at stated intervals to Mabs Cross. It may be conceded, however, that the early mention (in 1403) of the cross by that name, and possibly also her charitable acts in the founding of chantries may appear to lend colour to a story of expiation.

* The contemporary spelling of the name varied, but the usual spelling was Brad(e)shaghe ; the modern spelling Bradshaigh has been adopted here, except in quoting records, as in the former paper--see vol. Iv, pp. I-40. All the footnote ref. to Mabs Cross Legend "which follow are to this vol.

Another doubtful point in the legend is that on his return Sir William fought with his rival and slew him near Newton Park. The identity of the rival is left uncertain. If Bradshaigh caused the death of Sir Henry Teuther or a Welsh knight, it does not appear to be charged against him in the courts. His pardon from the king, said to be for this offence in the Norris version of the story, is now known to be for other matters.

His real enemy, as already mentioned, was Robert de Holland, who seems to have robbed Sir William of his lands and goods, though not of his wife, while Sir William was away. Holland was actually slain by followers of Henry, Earl of Lancaster, on 15 October, 1328, six years after Bradshaighs return home. Holland had incurred the anger of Earl Henry by deserting his brother, Earl Thomas, at the Battle of Boroughbridge. He had never forgiven this act of ingratitude ; the murderers sent Hollands head to the Earl. Sir William was a follower of Earl Henry ; but it cannot be proved that Bradshaigh had any part in the murder. Holland may have been on his way to Parliament ; but there is no evidence that Bradshaigh was in the locality where the crime was committed, or that he was present at this Parliament at Salisbury which met on the following day.(1)

Hollands death, therefore, can hardly have occasioned the story of the duel ; both the lapse of time after Sir Williams return, and the probable scene of the unfor?tunate mans murder are against this. The only authorities available say that Holland was killed at Henley near Windsor or beheaded by Sir G. Wyther and his men near Harrow. The legend states definitely that the rival was slain at Newton Park side (Norris version) or near Newton Park (Haigh version), i.e., Newton-in-Makerfield. Holland was not killed there; but the remarkable fact is that Sir William himself was murdered at Newton.

The date of this crime was Monday 16th August, 1333, and the place where it was committed is variously described in the records of the Kings Court as " near the park of Newton-in-Makerfield," or " at Winwick," or more particularly as " at Newton in a certain place called Haukestone egge." We may reconcile these statements by saying that the parish was Winwick, the township Newton, and the exact spot Hawkstone Edge.

When one considers how closely the wording in the court records corresponds to the description in the legend of the place of the rivals death near Newton Park, it is difficult to resist the conclusion that Sir Williams violent end ten or eleven years after his return home has been somewhat confused in the legend with that of the alleged intruder knight.

The name Hawkstone Edge has gone out of use locally, but there is a stone which we may tentatively identify with the Hawkstone of the records. It is clearly marked on the Geological Survey sheet No. 108, and the name there given is the Bloody Stone.

In 1853 this landmark was described as a large red boulder on the parapet of the highway opposite the house called Newton Park. The local tradition then ran that the boulder derived its colour from the blood of a Welsh prince who was slain upon it.(2)

As regards the place name Hawkstone Edge. The first element may possibly derive from a person: Thomas Hauk was one of the Holland faction in the attack on Blackrod mansion-house in 1323. More - probably it derives from the bird of prey. One has sometimes seen a large boulder on the moors covered with blood and feathers, evidently the stone where the hawk devours its victims. Such a boulder could easily gain the title of " the hawk stone." There is a place called Hawkstone in Shropshire. Edge may signify hill or cliff, but one of its meanings is boundary. Whinny Edge was a space of boundary common land partly claimed by Blackburn and partly by Lower Darwen. It may be surmised that Hawkstone Edge was a common on the southern border of Newton about eight miles from Wigan and four from Warrington on the main road ; the fields at this point have the appearance of enclosures.

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The reddish colour of the stone has helped to keep alive the tradition of a death near the place ; and though the stone has changed its name and the folk-tale has got somewhat warped, there is little doubt that the Bloody Stone is one and the same as the ancient Hawkstone, and that it marks the place close to which Sir William de Bradshaigh was slain in 1333

We are indebted to Mr. John Walmsley, Engineer and Surveyor of Newton-le-Willows U.D.C., for his interest and care in locating the stone and obtaining Mr. J. P. Hindleys excellent photograph.

According to Shakespeare there are " sermons in stones." What a tale this stone with the ghastly name could tell, if it had a tongue ! It is dumb ; and the court rolls (or at any rate those so far discovered and consulted) (4) are not sufficiently communicative about this mysterious murder. We should like to know exactly whose hand did the fell deed, and at whose instigation, actuated by what motive ; for the only man known to have been punished out of the many accused was

probably only a tool of others who escaped the penalty.

PLATE III
THE SCULPTURED PANEL AT THE HEAD OF THE BRADSHAIGH TOMB IN THE WIGAN PARISH CHURCH.
From the drawing by Leonard T. Howells, A.R.C.A., 1944,

Traditionally supposed to represent the slaying of the intruding knight of the Mabs Cross Legend, it may originally have been intended to depict the murder of Sir William Bradshaigh in 1333. The sword and the chargers hind leg ace broken off.

The clerks of the Kings Court at this period appear to give chiefly the findings of juries, with no testimonies on oath.

In some less important cases the plaintiffs case is set out in detail, as when Dionisia, widow of Richard Bimson, accused William Blundell of the death of her husband " killed in her arms." He was in the peace of God in his own house in the Morehouses at Ince, where Blundell who was lying in wait struck him with a sword of Cologne (worth 2S.) on the right side of his head, two thumbs of a mans hand above his right ear, etc., etc.(5) In contrast with all this we are told nothing about the affray in which Bradshaigh lost his life, whether it was at Newton Fair, or while- he was journeying, or viewing his farm (for he appears to have had land or pasturage for horses in Newton Wood?six horses were stolen from him there (6), nor whether he was alone or in company. Is it possible that there was a 14th century equivalent to our modern practice of " keeping it out of the newspapers " ? Were the clerks bribed or afraid of incurring the wrath of the violent men involved ?

Several long lists of men accused of being concerned in the death of Sir William de Bradshaigh are available. One of the earliest is the order issued by Edward III from Waltham in Essex to the Sheriff of Lancaster, 10 October, 1333, within two months of the knights murder. Forty-four men are accused of complicity. There had already been proceedings against the accused in the county courts, and they had withdrawn from Lancashire to avoid being judged. Their goods and chattels were to be taken into the Kings hands without delay. They were to be arrested and imprisoned until further order. John Biron, John de Standish, and William de Worthington were to assist the sheriff, who was to take with him if needs be the " posse " of the county.(7)

A further order from the King at York, 2 March, 1334, enumerates men accused of the same crime. According to a petition exhibited before the king and council they had broken into the park of Ightenhill (near Burnley), hunted therein and carried away deer, and in various places broken the peace to the great terror of the people, threatening those whom they had injured so that they dare not pursue an action against them in the Kings Court.(8)

Dame Mabel herself, however, the widow of Sir William, found courage to accuse the miscreants. In May or June of the same year, 1334, when the Kings Court was held at Wigan, she appeared in her own person and " appealed " 33 men of the death of her husband. The number is fewer than that of the lists already mentioned ; but several other names occur in the legal proceedings which followed.

In all three schedules John de Radcliffe appears as a principal offender, presumably he was of Ordsall, Manchester, for he was the most prominent man of the name at that time. Six other Radcliffes are included, and the rest of the company are for the most part friends and relatives of various branches of the Radcliffe family.

This is surprising ! What has become of the Holland and Norley faction who were the chief foes of Bradshaigh in 1323 and later ? Were they daunted by the fines already imposed upon them for violence ? Only one Holland is included in the alleged murderers ; their relatives, the Hindleys, however are mentioned. Why should the Radcliffes make this sudden appearance as enemies of Sir William ? Perhaps some more immediate occasion for the quarrel may come to light.(9) The leading motive, both of the Holland and Norley enmity against Sir William, and also of this fatal assault by the Radcliffes knight ; nor did the contingent of the rebels who slew him receive orders to do so. Adam Banaster and his co-leaders are stated to have been " consenting to commit the said felony " and knowingly to have received after-wards those who committed it. The latter statement is no doubt true, but the former goes beyond the orders given to the party sent to Bury. They were commissioned to bring to the leaders of the rising a certain Adam de Radcliffe and his brothers. They took Adam at the house of the parson of Radcliffe (Roger de Freckleton), then went to the house of Henry de Bury to find the brothers. They could not find them, but took Sir Henry ; and John de Croston, Stephen Scallard, William Tegg, and Richard son of Roger of the Ashes, killed him, and stole a horse of his and other goods, for which crime they were hung. This was the finding at the Kings Court in Wigan, 1323.(12) Another record quotes the proceedings at an earlier trial. A few days after the murder, Edward II appointed justices to enquire into the matter. This mandate was issued 16 October, 1315, while the insur?rection was still in progress. The rising was quelled on the 4th November, and Adam Banaster was put to death on the 12th. Robert de Latham and his fellows, the justices commissioned to hear and determine the case, sat at Lancaster 24 November. The jury found that John de Walton (possibly another name for John de Croston), Stephen Shaw (query same as Scallard) and Adam son of Adam de Freckleton slew Henry de Bury in his manor ; and they recorded the verdict quoted above as to consent and receiving on the part of the leaders.(13) This roll gives the names of a number of men who were in force and aid to kill the said Sir Henry. They include William son of Richard de Bradeshagh and John his brother. The former of these cannot be Sir William, for he is regularly described as knight in the records, and is separately named in the verdict ;but the presence of this man at the murder, and the identity of the name, may have lent colour to the notion that Sir William was chiefly responsible. Henry of the Castle of Blackrod was also present in force and aid.

A curious circumstance has come to light, namely, that a certain Adam de Radcliffe together with John and Roger his brothers are enrolled among the followers of Sir William de Bradshaigh in the feuds and forays of 1322-3.(14) It can hardly be doubted that these are the same three men that the leaders sent for in 1315. The messengers were not ordered to harm them, but " to bring them before the aforesaid knights." Were they sympathisers who had promised to join Adam Banaster, but had held back or been restrained by their friends ? In this case we can understand the fight at Bury manor-house, and may opine that Sir Henry was slain in resisting the purpose of the messengers. At any rate, the resent?ment of the heads of the Radcliffe clan would be increased then or later by the seduction and perversion of three kinsmen who had joined their adversaries. The brothers are described as sons of Adam de Radcliffe. Adam the son was in prison in 1323, but afterwards acquitted. John and Roger were in custody for felonies at the same time.(15)

It seems evident from the particulars given that no special guilt attached to Sir William de Bradshaigh for the death of Sir Henry de Bury above that of his co-leaders in the rising ; and that, so far as we can judge, they gave no command for the killing of Sir Henry. Several men were hanged for the crime. These considerations make the action of the Radcliffes more blameworthy, if they were responsible for the tragedy at Newton in 1333.

Perhaps it was the large number of Lancashire cases, due to the prevalence of disorder in the county, which sons of Johns brother Robert. John son of Robert was rector of Bury, appointed in 1331 by his aunt Margery already referred to, widow of the Sir Henry de Bury killed by the insurgents. Ten years after this accusation against him by Dame Mabel, he was in trouble for his part in the murder of Adam de Lever at Liverpool. He secured a pardon by offering to serve the king abroad at his own cost. His descendants were manorial lords of Chadderton.(21)

Another of the accused, Thurstan son of William de Holland, was the illegitimate half-brother of the three sons of Robert de Radcliffe just mentioned. His father was Sir William de Holland (probably brother of the oft-mentioned Sir Robert), founder of the Hollands of Denton. The mother of these four men was Margaret de Shoresworth, an heiress several times married.(22) It is not clear whether this is the same Thurstan who was parson of the church of Preston, appointed to that benefice in 1321 by Thomas, Earl of Lancaster. He had been formerly rector of Hanbury. (23) It is certain, how-ever, that Thurstan de Holland, parson of Preston, was one of Richard de Hollands confederates in 1323 in assaults on Sir William de Bradshaigh.(24)

Several of the other defendants, including Roger son of Roger Barlow, John son of Adam de Hindley (William de

Radcliffe the elder had married Johns sister Margaret), Jordan de Tetlow,. John and Thomas de Strangeways, and Henry son of Richard de Reddish were all related to the Radcliffes.(25)

Richard le Skinner, whom Mabel also accused, had been formerly parker of Ightenhill, and an associate of the Hollands. He had turned against some of his former companions ; for on Sunday, 24 August, 1330, he came to Prescot church with a band of thirty armed men. He dragged Richard de Holland, Thomas de Hale (a coroner), and John Walthew from the church and made assault on them, and took a haketon from the said John and would have beheaded him there, had he not had the refuge of the said church. (26)

Recent photo supplied courtesy of Marianne Barlow.

During the session of this court there was a gaol delivery at Wigan on Thursday after St. Barnabas (16 June, 1334). Hereupon Adam le Hunt indicted for the death of Bradshaigh " at Wynquyk (Winwick) feloniously slain," and a certain William Mose similarly indicted, were tried. Hunt was found not guilty. Mose was found guilty and sentenced to be hanged. It was also ordered : Let enquiry be made of the chattels of William Mose and also of Adam le Hunt, because he withdrew himself when indicted.(27) Mose is the only man out of the forty-four charged with complicity in the murder who was capitally punished, so far as is yet discovered. In two lists of accused he is said to be of Westleigh. Of this place the Bradshaighs held a fourth part of the manor, so there may have been some local quarrel between the assailant and his victim. The name Mose impresses one as a soubriquet rather than a surname. It may be the equivalent of O.E. mus, mouse ; a certain Adam Cat is named in these records. (28)

A more formidable person, not mentioned by Dame Mabel, appeared before the court at Wigan, accused, not of complicity in the death of Sir William, but of sheltering from justice and aiding the escape of some who were charged with the offence. This was Robert Foucher, then under-sheriff (Henry, Earl of Lancaster was sheriff). Foucher was appointed to this office 16 May, 1332, and ceased to hold it before Easter, 1335 ; he has already been mentioned in connection with repairs to the "hall or place" where the Kings Bench at Wigan was in session.

Foucher is an unusual name in Lancashire records, no local tenant or lord of that name is known. If it is a provincial spelling of Fulshaw, the family occurs at Wigan and Whittle-le-Woods. A Fucher was prior of Lancaster, 1305.(29) Another suggestion is that the word is a soubriquet, and possibly descriptive of a violent character, from. the French faucheur, mower. Once in the records he is called Robert le Foucher, which supports this view. One charge against him speaks of his relatives in Lancashire, but he was probably a Derbyshire man. He farmed lands in co. Derby in 1326, and was collector. of an aid there twenty years later.(30)

Early in the proceedings he was at Wigan, for he was the first witness in a writing which Thomas de Langtree proffered, renouncing to Robert son of John de Langton, lord of Makerfield, all his claim in the advowson of Wigan church. " Robert Foucher then sheriff of Lancashire " signed the deed, which was dated at Wigan, Saturday before Holy Trinity 8th year Edward III (21 May 1334).(31)

During the session of this court the jurors of divers wapentakes presented that Robert Foucher, sheriff, had committed various offences, including the following:

Item, he took of John de Radcliff and Jordan de Tettlow, indicted before the coroner for the death of William de Bradshaigh feloniously slain . . . 20 marks of silver for having his maintenance, favour and aid, and afterwards by his assent they escaped.

Another charge was that he received at Liverpool the same Jordan, Richard his brother, Richard le Skynner of Durham, Geoffry de Holt, William son of Robert de Radcliff and others indicted for the death of Bradshaigh, knowingly after the

felony, etc., at different times in the present kings 7th and 8th years (1333, 1334) and did not attach them, but freely allowed them to escape.

Again, he brought with him through the county, especially at Whalley field on Thursday, 16 Sept 1333, the said Holt and William and the latters brother Adam similarly indicted, and did not attach them but permitted them to escape. He allowed certain confederates bound by oaths, who had been indicted to come to the sheriffs tourn at Whalley field, about Michaelmas 7th year (29 September, 1333) to assemble there with armed power ; and, because they bribed him, allowed them to terrify the jury and cause them to indict Sir Adam de Clitheroe of a felony of which he was innocent. Then they entered Adams manor of Salesbury and destroyed his goods.(32)

Foucher was found guilty of taking 40s. from John de Hale, chaplain, and on that account committed to the marshal (33) The other charges were not determined. His defence for shielding the men indicted for the death of Sir William de Bradshaigh was that " there is none of them yet convicted of the felonies aforesaid." He asked for bail, which was allowed. He was demitted by mainprise of William de Worthington, Gilbert de Ince, William de Anderton, Matthew de Southworth, Henry de Fetherby, and John Lawrence, to have him before the king on the quindene of Easter (34)

Another significant accusation against Foucher was that of receiving William Mose, the man already men?tioned, a felon convicted of the death of William de Bradshaigh, knight, and hanged for that offence.

It was alleged that the sheriff often, after the said felony was perpetrated, knowingly received the said William at Liverpool and Whalley field and elsewhere

(32) Coram R.R. 297, Rex m. 19, Rex 19d.
(33) This was a case of extortion. The sheriff had refused bail unless he was bribed for consenting. A similar case to the following : Emma widow of Robert de Hale accused Simon son of William de Walthew of the death of her husband. The sheriff, scheming to extort money from Simon, summoned him to Liverpool Castle, making him find bail at the next court under penalty of 100 marks. He took from Simon five marks, and let him go away where he wished, making return to the coroners of the county that Simon was not to be found.
(34) Coram R.R. 297, Rex in. 19d.
in the county, in the 7th year (1333-4) of the now king. Foucher comes and says that he is nowise guilty, and puts himself upon (trusts his case to) the jury. They say he is nowise guilty. Let him go quit.(35) Similar charges however were brought against him at a later date. (36) Among the many accusations levied against him in 1334 was that of sending his clerks or relatives by affinity to Parliament instead of having representatives elected at the county court, and retaining part of their expenses.

There was another gaol delivery at Wigan before the rising of the court. This took place on Saturday after the Translation of Thomas the Martyr, 8th year (9 July, 1334). Roger son of David de Bolton taken for the death of William de Bradshaigh, knight, at Newton-in-Makerfield was tried by a jury of the vicinage of Newton. They said on oath " He is nowise guilty, let him go quit.(37) Henry son of Adam le Taillour of Blackburn and Richard de Turton, who had been indicted before the coroners for the same offence, were acquitted by jurors of the wapentake of West Derby. (38)

When the Kings Bench sat at York in Hilary term (January and February) 1334-5 several of the accused persons were still absent ; the sheriff was commanded to take John son of Robert de Radcliffe, parson of the church of Bury, Thurstan son of William de Holland, Holt and Tetlow. Meanwhile a new defendant appeared. Jurors of divers wapentakes had deposed on Trinity term 8th year (i.e. at Wigan, 1334) that Elias de Parva Bolton had been at Bury with John de Radcliffe and Adam de Radcliffe, and others, indicted for the death of Bradshaigh, after the said felony, and there ate with them, and is their favourer and maintainer knowingly. He had surrendered but pleaded not guilty. Bail was admitted. The case was to be heard at the Easter court.(39)

At the same court, at York, on 30 January, 1334-5, it is interesting to note, a man was tried, who was out?lawed for his share in the Banaster rebellion, nearly 20 years before. This was John son of Henry de Bolton, one of Banasters adherents. He pleaded that the out?lawry was invalid, for at the date of that sentence and long before and after, he was detained in the kings prison in Dublin Castle, Ireland. The appearance of this man and his alleged outlawry revived the whole business of the insurrection of 1315, and the proceedings of the commission appointed by Edward II to hear and determine the affair were recalled and recorded on the roll. Incidentally it transpires that sentence of outlawry upon those who absented themselves from the court of Oyer et terminer was not pronounced until they had been put in exigent and demanded or called in five successive county courts. It follows from the details given that the offenders, including, one supposes, Sir William de Bradshaigh, were not outlawed immediately after the insurrection, and not until the Monday after the Nativity B.V.M., 10 Edward II (13 September, 1316.)

Returning to our claimant John de Bolton, who wished to be freed from the taint of outlawry, after a great deal of ` red tape, demanding of documents and correcting of documents, and demanding of others as to his innocence, his imprisonment, his service for the king, and his pardon from the king, the court granted his request. He had lands in Preston.(40) The reason given for Johns im?prisonment in Dublin Castle will amuse those interested in dialect. In June 1316, the Scots led by Bruce had invaded Ireland, and John de Bolton was in the service of the English king resisting them. John was arrested by the mayor and commonalty of Dublin because they thought that John was a Scotsman and a spy in the employment of Bruce. The ground of their suspicion was " because he spoke with a northern accent (lingua boriale) and for no other cause." (41) The poor mayor of Dublin could not distinguish between the Lancashire Doric and the Scottish !

This is a diversion. We return to the murderers of Sir William de Bradshaigh ; but there is little more to be said. The Kings Bench at York, Easter term (3rd to 29th May, 1335), had before them again Robert Foucher and others accused of the maintenance of Bradshaighs murderers. They were admitted to bail (because " the court is not yet advised whether they should be arraigned or not ") to be coram rege in the octaves of Trinity. Some of the accused, but not Robert Foucher, appeared and were acquitted. (42) The scene of the crime is now described as at Newton " in a certain place called the Haukestonesegge." Robert de Heaton is accused of aiding William Mose, who was hanged, in the felony. Several of the accused come led by the sheriff ; two of them, Henry son of Roger de Barlow, and William son of Emma de Penker (? Penketh), are pronounced not guilty and acquitted. (43)

At York in Michaelmas term (October and November), 1335, it was stated that Adam son of William de Radcliffe, and John parson of Bury, took venison from Mosebury (Musbury) park where they had hunted for two years past. Other Radcliffes were accused of forest offences, and the same charge of riding armed to fairs and markets to the terror of the people, preferred against William de Bradshaigh, and against his adversaries twelve years before, in 1323, was now laid against them. Those indicted for the death of Bradshaigh and before this acquitted, being asked anew why they were acquitted say they are not guilty. (44) By order of the king, the court at York in Hilary term 11th year (January and February, 1336-7) released on bail John de Radcliffe and William son of William de Radcliffe imprisoned in the Marshalsea. 4 s

As far as the records have been examined, we find the same tale of violence and rapine repeated again and again, trials deferred from time to time, fines occasionally made with the king, but no adequate penalty inflicted on the persons accused.

Enumerating the ills of life, Hamlet included " the laws delays." In the 14th century these were notorious ; and that is one reason why people who were wronged often took the laws into their own hands. Moreover, there was often unequal justice. An unknown wrong-doer, a mere tool in the hands of others, such as William Mose probably was, could be dealt with promptly ; but the influential Radcliffes escaped punishment. In those so-called good old times, officials were corrupt, juries . suborned, verdicts misleading. There has been a great improvement ; we can thankfully say that British justice has reached a high standard of fairness.

We have also seen the decline of feuds based on relationship, such as the enmity of the Hollands and of the Radcliffes towards Sir William de Bradshaigh. In Lancashire they had a long run, witness the Langton-Hoghton quarrel, as late as 1589, sometimes described as " A manor for a murder." (46) Speaking on the subject of kinship and tracing its development into citizenship, Professor Daryll Forde says, " In early and primitive societies of small size and simple economy the rights and duties of men in society could be organised very largely on the basis of descent and in the group

activities of kinsmen." But such ties proved inadequate to meet the needs of large ` technically advanced societies. Here we may interpolate that kinship was not only inadequate, but could be anti-social, if carried to excess. From being a kinsman, the scientist quoted argues rightly, man has become a citizen ; yet the kinship tie remains a powerful secondary factor. Both are basic in the relations between man and man.
"Whitaker, Hist. of Whalley, ed. 1876, ii, 334.

I have to thank Mr. L. T. Howells, headmaster of the Wigan Art School, for the excellent drawing he has made of the panel from the Bradshaigh tomb. This is tradi?ditionally supposed to represent the slaying by Sir William Bradshaigh of the intruding knight as described in the Mabs Cross Legend ; but since the Chantry (or Chapel) in which the tomb still stands was founded by Dame Mabel as a memorial to her husband (see next paper) the scene may depict the murder of Sir William himself in 1333. As I have shown, Dame Mabel was well aware of the circumstances of his death.

APPENDIX A

The following men were accused of the murder of Sir William de Bradshaigh. They are here arranged alpha?betically. In the records the name of John de Radcliffe stands first.

Robert son of Robert de Ainsworth, Roger son of Roger de Barlow, Henry his brother, Richard son of Geoffrey de Birches, Adam son of Robert de Bolton, Robert de Cattlelow, Roger (or Richard) Conne of Radcliffe, John del Ewode, Gilbert le Flechere, John Fox of Radcliffe, Roger de Harewode, John son of Adam de Hindley, Thomas his brother, Richard Hogyldogyl, Thurstan son of William de Holland, Geoffrey del Holt, John his brother, Robert de Horneclyve, William son of William Hovel, Adam le Hunte, Roger de Little Bolton (Parva Bolton), Elias of Little Bolton, Nicholas de Medecroft, William Mose of Westleigh, William son of Emma Penker, John son of Alexander de Prestwich, John de Radcliffe, Adam, Richard, and William, sons of William de Radcliffe, John (parson of Bury), Robert, and William, sons of Robert de Radcliffe, Henry son of Richard de Redich, John son of Henry le Sergeant of Greenhalgh, Richard le Skinner, John de Strangeways, Thomas his brother, Henry son of Adam le Taillour of Blackburn, Jordan de Tetlow, Richard his brother, Thomas Thurlewynd, Richard de Turton, Jordan de Walkden.

Many of these men were indicted for other offences, and the record of their misdeeds would make a long story.

APPENDIX B
Additions to and corrections of The Mabs Cross Legend.

(Trans. L. and C. Antiq. Soc., lv, 1-40.)

` Monsieur Thomas Banaster, accused of complicity in the Banaster rebellion, 1315, and a member of Bradshaighs company in 1323, is also called ` Sir John Thomas le Banaster, which seems to be an early instance of ` Sir John designating a parson (Assize R.425, mm. 24, 25). At the trial of the insurgents in 1315 he claimed that he was a clerk and could not answer without his ordinaries. No ordinary came to demand him ; he was therefore committed to gaol. Coram R.R. 299, Rex m. 20. See Mabs Cross Legend, p. 13.

A ` pair of paternosters, ibid. p. 14 ; a pair may mean a set ; see `pair in Oxford Dictionary. Unum par precum, meaning a rosary, occurs in the Register of Wykeham, Hants Record Society. Grant from William de Worthington, p. 17, n. 32. The original of this deed is now in the County Record Office, Preston. It is a lease for their lives to Edmund de Nevill and Mabel de Hagh of land in Worthington which William de Bradshagh held (tenuit) of me. The date is Monday defore the feast of St. Bartholomew II Edward II. If St. Bartholomew the Confessor is intended the date is 21 June, 1318, which agrees best with the fine ; if St. Bartholomew the Apostle is intended the date would be. 22 Aug., 1317. Dame Mabel believed her husband to be alive, 8 Feb., 1317-18. See Mabs Cross Legend, p. 20.

Date of outlawry. The statement on p. 11 suggests that Sir William was outlawed immediately. The legal procedure is described, and the actual date of the sentence, 13 September, 1316, given in Coram R.R. 299, Rex m. 20.

Blackrod Castle, Mabs Cross Legend, p. 24. Henry of the Castle of Blackrod was outlawed at the date just given.

Sir Williams estates, ibid. p. 25, were restored by an order of Edward III, to the keeper of forfeited lands in the county, dated 21 August, 1324, the date of the fine mentioned on p. 25. This order was not limited to his lands at Blackrod, but probably included Haigh as well. His lands and goods, taken into the Kings hands on his conviction by the Kings court and imprisonment for certain trespasses, were to be restored to him, as he had made fine with the King, who had caused him to be released from prison. Among those who stood surety for him in penalties of ?200 on the preceding day was Robert de Holden, parson of the church of Halton, co. Lincoln (Cal. Close R., pp. 213, 308). Several days later he acknowledged that he owed Robert de Haliwel, clerk,

5 marks, 3S. 4d., lent on the security of lands and goods in co. Lanc. In Nov., 1325, he owed the same man loos. (Ibid. pp. 309, 331.)

Place of imprisonment. The sheriff of Warwick and Leicester was to be paid by an order dated to Aug., 1325, for his costs in sending William de Bradeshagh and certain other prisoners, the Kings rebels, in the castle of Kenilworth, from there to Pontefract Castle (Cal. Close R., p. 331). Rebels describes the other prisoners, probably adherents of Thomas, Earl of Lancaster, taken at the Battle of Boroughbridge, 1322. Bradshaigh was not one of these, for he was free in 1322 ; the order to arrest him for breaking the peace was given 2 Oct., 1323, Mabs Cross Legend, pp. 24, 25. Moreover, he stood surety in ?loo for one of the prisoners taken at this battle, Bevis de Baiocis, otherwise Bego of Bayouse, one of the knights of the shire for co. York (Cal. Fine R., 1319-27, p. 294. Cal. Close R., 1323-27, p. 399).

Disputes between the King and Henry, Earl of Lancaster. The quarrel is described in the account of the Earl in Dict. Nat. Biog. Edward ravaged the]ands of Lancaster and his followers ; Holland had done much damage to Earl Henrys lands. On page 33, line 13, Mabs Cross Legend, insert the date of the murder of Holland, 1328, for the sake of clearness. During this disturbance Edward ordered all castles, manors, etc., of Earl Henry to be seized, and the lands of William de Bradeshawe and of all their adherents, for opposing the king contrary to the statute ; this order was given 16 Jan., 1329 (Cal. Fine R. 1319-27, p. 116). The order to arrest Bradshaigh for riding armed, mentioned on p. 33, Mabs Cross Legend, was dated 3rd Feb. the same year. Earl and King were reconciled in March.

Ibid. p. 36, line 10. In place of Johns grandson Roger read Sir Williams brother Roger.

Last years of Dame Mabel de Bradshaigh. There are few references to Dame Mabel after the founding of her chantries, pp. 36, 37. On 4 Nov., 1341, Richard de Langtree leased to her for life an attachment on the water of Douglas in his part of the vill of Standish for a rent of 2s. at St. Martin in Winter (Cal. Standish Deeds, No. 57). On 2 Feb., 1347-8, the same Richard gave extensive rights on Douglas to John de Standish, to make mills or attachments at will including diversion of water from Worthington Mill to Haigh Mill. This comprehensive grant (No. 62) indicates that the lease to Dame Mabel had expired ; and taken with the data given on page 37 appears to settle approximately the date of Dame Mabels death.

(1) V.C.H. Lancs., ii, 203. See Mabs Cross Legend, (32)

(2) J. G. Nichols, Topographer, 360.

(3)Trans., vol. xxvii, p. 164 ; a portion of the map is reproduced here.

(4)Many documents at the P.R.O. are not available during the war ; but the officials have very kindly looked up some

details.
The writer is indebted also to the extracts from Coram R. Rolls in the Farrer MSS. now in the Manchester Reference Library.

(5) Coram R.R., 296, m. 8, 9.

(6) Coram R.R., 254, m.47.

(7) Cal. Close R.,133-37 p.p 178, 179

(8)Cal. Let. Pat., 1330-34, p. 573.

(9) I am indebted to Mr. John Barlow for the suggestion that there may be some connection between the crime and the issue of a warrant on the preceding day for the arrest of eight of the accused men for a prior offence. Was the petition for the warrant signed by Bradshaigh ? Three Radcliffes were implicated. Cal. Let. Patent, 1330-34, p. 498.

(12) Mobs Cross Legend, p. 10.

(13) Coram Rege R., 299. Rex m. 20.

(14) Coram R.R., 254, Rex m. 44, M. 49 d., m. 65 ; Assize R., 425, M. 25.