

This transcript is of the 'Complete Peerage' Volume 12 part 1 pages 53 to 61 inclusive. A number of abbreviations have been expanded these expansions are shown in **blue text** Tag numbers as used in Audley Family Z are shown in **red text**

Revisions

Date	Drtails
1 st January 2020	Retagged to current tagging system.

TUCHET or TOCHET¹

{ZT3} JOSCELIN held of the Earl of Chester in 1086 the manors of Ashwell, Rutland, and Mackworth, co. Derby,² of which the Tuchets were tenants in the 13th and 4th centuries.

{ZT16} HENRY TUCHET, **son** and heir,³ was, circa 1124-29, lord of Long Clawson, co. Leicester, and a man of this name granted, temp. Henry I, a tithe of his demesne at Hose, near Long Clawson, to the abbey of Belvoir, co. Leicester.⁴ He was also a benefactor of Darley Abbey, co. Derby.⁵ He **died**. some time before 1143-49 ⁶

{ZT17} HENRY TUCHET, **son** and **heir**, in 1143-49 was confirmed in the possession of all his lands by the Earl of Chester.⁷ Before 1156 he granted a virgate of land in Ashwell to the abbey of St. Mary de Pré, Leicester; and in 1166 he was fined 4l. in co. Derby. He was also a benefactor of Darley Abbey **aforesaid**.⁸ He **married** Maud and **died** probably in 1178. Maud survived him.⁹

- 1 A fine illuminated ped. of this family on vellum was drawn up in 1597 for George, Lord Audley, afterwards 1st Earl of Castlehaven [Ireland], and was (1877) *penes* Sir Richard Brooke, 7th Bart., of Norton. A copy was made by J. P. Rylands in that year and is printed in the *Genealogist*, N.S., vol. xxxvi, pp. 9-21. Any pedigree drawn up by the Elizabethan Heralds is of course open to suspicion; so as this pedigree. differs materially from the proved descent of Tuchet and in the main is not backed by record evidence, no attempt has been made to correlate it with the account given here. **A copy of this document has been transcribed and is available on www.audleyfamilyhistory.com**
- 2 V.C.H., Rutland, vol. i, p. 139; Derbyshire, vol. i, p. 335.
- 3 The relationship of Henry to Joscelin is shown by a charter, granted between 1143 and 1149, in which the Earl of Chester confirmed Henry de Tuchet in possession of all the lands of Henry, his father, and Joscelin, his grandfather (*Genealogist*, N.S., vol. xxxvi, pp. 10, 20). See also J. Tait, *The Chart. or Reg. of the Abbey of St. Werburgh, Chester*, Chetham Soc., pt. i, pp. 122-23.
- 4 J. H. Round, *Feudal England*, pp. 202, 211, 214; V.C.H. Leicestershire, vol. i, p. 354; Cal. Charter Rolls, vol. iv, p. 295. Henry was tenant of lands which had been held by Robert the Usher in 1086.
- 5 *Cart. of Darley Abbey*, ed. R. R. Darlington, pp. Xxxiii, 72, 499-500, 599-600.
- 6 The Earl of Chester's charter, 1143-49, was addressed to Henry, son of Henry. See note "c" above. **Note "c" in this transcript is note "3" above**
- 7 Idem. His sister m. Hugh, Dean of Derby, whose s. Henry describes Henry Tuchet the younger abovenamed as his uncle (*avunculus*) (*Cart. of Darley Abbey*, pp. xxxv—vi, 72).
- 8 Cal. Charter Rolls, vol. iii, p. 380; Dugdale, *Mon.*, vol. vi, p. 466; *Pipe Roll*, 12 Hen. II, p. 54.; *Cart. of Darley Abbey*, p. xxxiii et passim.
- 9 In 1178-79 Simon Tuchet paid 20s. in Rutland that Maud, widow of Henry Tuchet, should be allotted only

{ZT5} SIMON TUCHET, son and heir,¹⁰ was fined I m. in Nottinghamshire in 1178.¹¹ In 1187, when the Honor of Chester was in the King's hands, Simon collected scutage and other moneys due to the Crown therefrom, being for his service excused his own scutage of 60s. from that Honor. He also answered for the rent of Tackley, co. Oxon., and was custodian of the lands of Robert FitzNeel, a tenant of the Honor in that year.¹² At some time within the years 1188-97 Abbot Nicholas of Burton Abbey confirmed him in the tenure of the Abbey's manor of Willington, co. Derby, which John de Cumbrai had granted to Simon.¹³ He witnessed a charter of Richard de Curzon concerning Kedleston, co. Derby, 1198-99, and essoined himself at the Lichfield assizes in 1203.¹⁴ Simon was a benefactor of Darley Abbey afsd.¹⁵ He m. Pernel (Petronilla),¹⁶ probably daughter of Roger de CUMBRAI and coheir of another Roger of that name.¹⁷ He appears to have died circa 1203—05.¹⁸ His widow was living in 1218.¹⁹

reasonable dower (*Pipe Roll*, 25 Hen. II, p. 72). It is possible that she was Henry's 2nd wife. See S. P. H. Statham, in *Derbyshire Arch. and Nat. Hist. Soc., Journal*, N.S., vol. ii, p. 95 ; but cf. Darlington, *op. cit.*, vol. i, p. xxxiii. Although Statham (*loc. cit.*) suggests that Maud m., 2ndly, William Falconer, having by him two daughters, Maud and Idonea, C. T. Clay proves that the Lady who m. William the falconer, of Bilbrough and Moor Monkton, co. York, and Scawby, co. Lincoln, was the h. (probably the da.) of Simon Tuschet, of the same, whose family held lands from an early date of the Paynel fee in Lincolnshire. He adds that it "seems probable that this [latter] family was connected with the Tuschet family, tenants of the honour of Chester, descended from Joscelin"; and that Simon who held 3 knights' fees of that Honor in 1187 (see note "f" below) must not be confused with Simon, the Paynel tenant (*Early Yorkshire Charters*, vol. vi, pp. 107-08).

10 The relationship between Henry and Simon is proved by charters in the Cart. of Darley Abbey, pp. 72, 598.

11 *Pipe Roll*, 24 Hen. II, p. 52.

12 *Idem*, 33 Hen. II, pp. 28, 49, 119. The 60s. scutage represented a holding of 3 knights' fees.

13 The Burton Abbey Cartulary, in *Hist. Coll. Staffs*, William Salt Arch. Soc. (hereinafter referred to as H.C.S.), vol. v, pt. I, p. 43. For the date cf. *Cart. of Darley Abbey*, p. xxxiv.

14 Jeayes, *Derbyshire Charters*, no. 1499; Assise Roll 5 John, in H.C.S., vol. iii, p. 89.

15 *Cart. of Darley Abbey*, pp. 500-01

16 B.M. Add. MS. 6032, f. 114.

17 This latter Roger, son and heir of John de Cumbrai, died circa 1213-14, when he was a minor. His heirs were Pernel and Agnes de Cumbrai, whose ancestry is not clear (see *Rot. de Oblat. et Fin.*, p. 562, and *Derbyshire Arch. and Nat. Hist. Soc., Journal*, N.S., vol. ii, pp. 96-98, 103). It was from the de Cumbrai family that the Tuchets inherited the manor of Lee Gomery, Salop (Eyton, *Antiq. of Shropshire*, vol. vii, pp. 340-42; Farrer, *Honors and Knights' Fees*, vol. ii, p. 29). The facts that Simon Tuchet married a Pernel, that John de Cumbrai granted him the manor of Willington, county Derby, that Pernel de Cumbrai was eventually heir of Roger de Cumbrai, and that the Tuchets inherited lands from the de Cumbrai family, suggest that Simon's wife was Pernel de Cumbrai.

18 He essoined himself as stated above in 1203, but Thomas Tuchet, Simon's successor, appears in 1205 as a tenant of the Earl of Chester (see note "f" below in this transcript note 21 below). He had a brother Matthew and probably another brother Henry. Two brothers so named witnessed one of Simon's charters, while Simon and Matthew his brother witnessed a charter of the Abbot of Darley (*Reg. Antiquissimum*, Lincoln Rec. Soc., vol. iii, p. 105; *Cart. of Darley Abbey*, pp. 44-45). Matthew is possibly identical with Matthew de Tuschet, parson of Mackworth and Simon's contemporary. "Petronilla" (Pernel), da. of Matthew Tuchet, is mentioned *temp.* Henry III (*Idem*, pp. xxxiv—v, 232, 500).

19 Eyton, *op. cit.*, vol. vii, p. 342, citing *Pipe Roll* for 1218, Salop membrane. In the inquisition post mortem held after the death of Robert Tuchet in 1248 it was said that three ladies had dower in Lee Gomery; but it is very probable that Pernel was not one of these (see p. 57, note "b" below in this transcription note 37 below).

{ZT7} THOMAS TUCHET, son and heir,²⁰ appeared in 1205 as a tenant of the Earl of Chester and was in control of Ashwell in 1209.²¹ He was a Commr. to survey the forest in Derbyshire in 1219, a collector of the fifteenth in counties Nottingham and Derby in 1225, a justice of novel *disseisin* and jail delivery in the same counties in 1227, 1228 and 1229, and a Commr. of array in co. Derby in 1230.²² About 1218 he presented to the living of Ashwell church, he made a gift of lands to Wombridge Priory, Salop, 1215-24, and was in litigation with the Abbot of Burton in 1224 and 1226.²³ He appears in 1221, as lord of Lee Gomery, Salop, which he probably inherited from his mother Pernel.²⁴ He married Elizabeth²⁵ and died before 2 Jan. 1234/5.²⁶ Elizabeth was living in 1245, when she presented to Ashwell church,²⁷ and she was probably still living in Sept. 1248.²⁸

{ZT19} HENRY TUCHET, son and heir, did homage for his father's lands shortly before 2 Jan. I 234/5.²⁹ He may be the Henry Tuchet who, with his wife Basilea, entered into an agreement with the Abbot of Burton in 1226.³⁰ If this is so, Basilea must have died before the end of 1241, for at Henry's death his wife was Emma,³¹ daughter of Henry DE AUDLEY (or ALDITHLEY), of Heleigh, Staffs, by Bertred, daughter of Ralph MAINWARING, Steward of Chester.³² He died s.p. (without issue) shortly before 8 Jan. 1241/2.³³ His widow married Gruffydd MAELOR II, who died 7 Dec. 1269.³⁴ She was living, Feb. 1264/ 5.³⁵

20 Thomas granted to Darley Abbey the land called Hascow with the adjacent meadow "pro salute anime mee et pro anima patris mei Simonis de Tuschet" (*Cart. of Darley Abbey*, p. 502).

21 Pipe Roll, 7 John, p. 64; 11 John, p. 107. In 1209-28 he witnessed a charter of the Earl of Chester (Jeayes, *Charters*

22 *Patent Rolls*, 1216-25, pp. 213, 560; 1225-32, pp. 160, 223, 285, 312; *Close Rolls*, 1227-31, p. 400.

23 *Rot. Hugonis de Welles*, Canterbury and York Soc., vol. i, p. 79; Eyton, *op. cit.*, vol. vii, p. 343; *Bracton's Note Book*, nos. 914, 974; *H.C.S.*, vol. v, pt. 1, pp. 51, 60.

24 Eyton, *op. cit.*, vol. vii, pp. 342-43, citing Assize Roll, 6 Hen. III, m. 4d; see p. 55, note "b" above. (in this transcript this is note 17)

25 In 1285 Thomas, grandson of Thomas (died 1234), mentions Elizabeth his grandmother (*Plac. de Quo Warranto*, p. 673). The same lady is also called Isabel (*Cal. Inquisition post mortem*, vol. i, no. 156).

26 *Exc. e Rot. Fin.*, vol. i, p. 271. He had a sister Sarra, who married David de Herthall (Chester Plea Roll, 17 Edw. I, m. 19d. printed in *Genealogist*, N.S., vol. xv, p. 220). Simon Tuchet, possibly a 3rd son of Thomas, was rector of the church of Mackworth in 1238 but his parentage has not been ascertained (*Cart. of Darley Abbey*, pp. Xxxv, 502-04).

27 *Rot. Roberti Grosseteste*, Canterbury and York Soc., p. 221.

28 Very probably she was one of the 3 ladies who had dower in Lee Gomery in 1248 (see p. 57, note "b" below in this transcription note 37 below).

29 *Exc. e Rot. Fin.*, vol. i, p. 271; cf. *Cart. of Darley Abbey*, p. 502. On 12 Sep. 1233 Henry Tuchet, holding knights' fees in Derbyshire and half a knight's fee in Rutland, was ordered to be obedient to the heirs of the Earl of Chester (*Close Rolls*, 1231-34, p. 263).

30 *H.C.S.*, vol. v, pt. i, p. 60.

31 *Close Rolls*, 1237-42, p. 383; 1242-47, p. 158; *Exc. e Rot. Fin.*, vol. i, p.390.

32 Emma's parentage is proved by statements in charters of her 2nd husband, Gruffydd. See note "k" below. (In this transcript it is note 34)

33 *Close Rolls*, 1237-42, p. 383.

34 *Idem*, 1264-68, p. 100 ; see *Dict. Nat. Biog.* Gruffydd ruled the two Maelors, east and west of the River Dee, in the 2nd half of the reign of Henry III. He held a third part of Lee Gomery as dower of his wife of the inheritance of the heir of Henry Tuchet (*Cal. Inq. Misc.*, vol. i, no. 239; see p. 57, note "b" below Note 37 in this transcript). Charters in which he mentions his wife as Emma, legitimate daughter of Henry de Aldithley, are printed by F. Seebohm, *The Tribal System in Wales*, App. pp. 103-05.

35 *Close Rolls*, 1264-68, p. 100. She is probably the Emma de Bromfeld whose name appears in the Pleas of the Forest in 1286 (*H.C.S.*, vol. v, pt. I, p. 170; cf. N.S., vol. ix, p. 261)

{ZT9} ROBERT TUCHET, brother and heir, paid 10 m. relief on 20 Nov. 1242 to obtain his inheritance; and was granted respite of knighthood in 1244.³⁶ He married Alice and died 13 Oct. 1248. Alice survived him.³⁷

{ZT11} THOMAS TUCHET, son and heir, born 1244,³⁸ was a ward of John Mansel.³⁹ He witnessed a deed in the law courts at Derby, 1281; claimed in 1285/6 view of frank pledge and waif in Ashwell; and was a Commr. of the Peace in county Derby, 1287.⁴⁰ The King summoned him for foreign service, 1297, and against the Scots, 1301 and 1314; and on 16 Sep. (1297) 25 Edw. I he was summoned to a Military Council, which was to meet in London on 6 Oct.⁴¹ Thomas made grants to Wombridge Priory afsd., circa 1269.⁴² He married Margery⁴³ and died shortly before 1 May 1315.

{ZT13} ROBERT TUCHET, son and heir, probably born Christmas 1264,⁴⁴ was given seisin of his father's lands on 13 June 1315.⁴⁵ He was summoned against the Scots in 1316 and 1322; was appointed, 4 July 1323, Keeper of the soke and castle of Melbourne, county Derby; and in Mar. 1324 was Keeper of forfeited lands in the same county. On 9 May (1324) 17 Edw. II he was summoned to a Great Council, which was to meet at Westminster on 30 May in the same year.⁴⁶ He

36 *Exc. e Rot. Fin.*, vol. i, p. 390; *Close Rolls*, 1242-47, pp. 247, 347. In 1242 he held 1½ knights' fees at Markeaton, county Derby (*Book of Fees*, p. 995).

37 *Close Rolls*, 1247-51, p. 209; *Cal. Inquisition post mortem*, vol. i, no. 156. He held Lee Gomery and Uppington, Salop, of the Crown by serjeanty and a small holding in the town of Tattenhall, co. Chester. It was stated that 3 ladies had dower in Lee Gomery; presumably they were Robert's mother Elizabeth, Emma, widow of Robert's brother Henry, and Alice, Robert's widow. Robert confirmed to Darley Abbey all the gifts, &c., made by his ancestors, also the grant thereto of Simon Tuchet, rector of Mackworth (see p. 56, note "c" above (note 26 in this transcript). He himself granted in alms to the Abbey, "*cum corpore meo*," William, son of Alice of Allestree, his villein, with all his brood (*sequela*) and the bovate of land which William held (*Cart. of Darley Abbey*, pp. 504-05).

38 Robert's heir was 5 years old in 1249 (*Cal. Inq. p.m.*, vol. i, no. 156).

39 *Close Rolls*, 1247-51, p. 485; 1256-59, pp. 201-02; 1264-68, p. 533; *Cal. Patent Rolls*, 1247-58, pp. 105, 627; *Cal. Inq. Misc.*, vol. i, no. 239. The grant made to him in 1251 of rights of free warren in Markeaton was probably, in view of his minority, a mark of royal favour to John Mansel (*Cal. Charter Rolls*, vol. i, p. 371; cf. vol. ii, p. 477). The statement made in 1255 that Robert, who died 1248, then held lands in Lee Gomery, is a mistake, probably arising from the fact that Robert's heir was a minor (*Rot. Hundred.*, vol. ii, p. 57).

40 *H.C.S.*, vol. v, pt. 1, p. 101; *Plac. de Quo Warranto*, p. 673; *Cal. Patent Rolls*, 1281-92, p. 265.

41 *Parl. Writs*

42 Eyton, *op. cit.*, vol. vii, p. 345, citing the Wombridge Cartulary; Dugdale, *Mon.*, vol. vi, p. 388. A transcript of the Cartulary may be seen in the Public Library, Shrewsbury, and much of it has been printed in the Shropshire Arch. and Nat. Hist. Soc., *Journal*, 1st Ser., vols. ix and xi; 2nd Ser., vols. i, ix, x, xi, xii.

43 See Eyton, *loc. ult. cit.*

44 In May 1315 he was said to have been 50 years old at Xmas 1314. In other parts of the same inquest he was said to be 40 and more (*Cal. Inquisitions post mortem*, vol. v, no. 515)

45 *Cal. Fine Rolls*, 1307-19, p. 251. He paid 12½ m. relief: 2½ m. for Ashwell and 10 m. for Lee Gomery (*Black Prince's Reg.*, pt. iv, p. 337).

46 *Parl. Writs*; *Cal. Fine Rolls*, vol. iii, pp. 220, 268; *Cal. Close Rolls*, 1323-27, p. 140. In June 1328 he was called upon to surrender any surplus cash from Melbourne (*Idem*, 1327-30, p. 292). He complained in 1318 of robberies made on his lands at Mackworth and of attacks on his bailiff, Walter Skil, and in 1323 he acknowledged a debt of 150l. to Roger Beler (*Cal. Patent Rolls*, 1317-21, p. 280; *Cal. Close Rolls*, 1318-23, p. 693)

married., firstly, Agnes;⁴⁷ and secondly, Joan.⁴⁸ He died probably before Dec. 1341.⁴⁹ Joan survived him.⁵⁰

{ZT14} THOMAS TUCHET, son and heir, by first wife,⁵¹ was ordered in Dec. 1341 to find archers in Derbyshire for service in Scotland and France; and in 1342 he was trying to obtain the right of view of frank pledge at Markeaton.⁵² He was called upon to supply a man-at-arms for Ashwell, but was represented in France during the campaign of 1346-47 by his son. John.⁵³ He married Joan.⁵⁴ He died 18 Aug. 1349.⁵⁵

{ZT18} JOHN TUCHET, son and heir, born 25 July 1327,⁵⁶ was given seisin of his father's lands on 24 Feb. 1350/1.⁵⁷ He represented his father in France in 1346-47, serving as a knight in the retinue of William de Bohun, Earl of Northampton, and campaigned in Gascony, 1355-56, with the household of Thomas de Beauchamp, Earl of Warwick.⁵⁸ He had returned to England by the autumn of 1357.⁵⁹ Between 11 and 25 Aug. 1361 he presented to Middlewich afsd.⁶⁰ He married **{ZA14}** Joan, second daughter of James (DE AUDLEY, or ALDITHLEY), 2nd LORD AUDLEY, by his 1st wife, Joan, daughter of Roger (DE MORTIMER), 1st EARL OF MARCH.⁶¹ He died shortly before 10 Jan. 1361/2.⁶²

47 Chester Pleas, 28 Edw. III, in *H.C.S.*, vol. xvi, p. 13; Chester Pleas, 2 Hen. IV, in *Genealogist*, N.S., vol. xv, p. 26.

48 See note "g" below.(note 50 in this transcript)

49 The fact that Thomas Tuchet was ordered, before Dec. 1341, to find archers from Derbyshire suggests that Robert was dead (*Cal. Close Rolls*, 1341-43, p. 370). Robert may have had 2 brothers, Edmund and Richard, who was parson of Middlewich, county Chester (Mixed Fines, *H.C.S.*, vol. xi, pp. 184-85; *Cal. Patent Rolls*, 1292-1301, pp. 123, 412). The Tuchets had the advowson of Middlewich (*H.C.S.*, N.S., vol. x, pt. 2, p. 158).

50 At the Easter term of 1344, before the King's Bench, Robert's widow Joan sued Thomas for her dower in Markeaton and Mackworth (*H.C.S.*, vol. xii, p. 28).

51 In 1333 Edmund Tuchet granted the manors of Ashwell and Markeaton to Robert (died 1341) for his life, with remainder, to Robert's son Thomas (*Idem*, vol. xi, pp. 184-85; see note "d" above).(note 47 in this transcript)

52 *Cal. Close Rolls*, 1341-43, p. 370; *Cal. Inquisition post mortem*, Rec. edn., vol. ii, p. 108. In 1322 a Thomas Tuchet was going to Scotland with Oliver de Ingham (*Cal. Patent Rolls*, 1321-24, p. 199). This may be Thomas abovenamed, for, as his father Robert was born 1264, Thomas could have been old enough in 1322 to go on military service.

53 *H.C.S.*, vol. xviii, p. 152, citing Memoranda Roll, Queen's Remembrancer, 22 Edw. III

54 *Idem*, vol. xi, p. 185 ; vol. xii, p. 28. If she were his 1st wife the marriage must, in view of the age of their son John, have been before 1327

55 *Cal. Inquisition post mortem*, vol. ix, no. 250; *Cal. Fine Rolls*, vol. vi, p. 128. He held Lee Gomery of the King by serjeanty.

56 His father's inquisition post mortem.

57 *Cal. Fine Rolls*, vol. vi, p. 283. In 1348 John Tochet, knight, and another acknowledged a debt of 40l., to be levied in county Derby (*Cal. Close Rolls*, 1346-49, p. 486).

58 *H.C.S.*, vol. xviii, p. 152; *Black Prince's Reg.*, vol. iii, p. 208. A suit against him in the King's Bench, Mich. 1355, was postponed because of his absence abroad (*H.C.S.*, vol. xii, p. 136).

59 When he was appointed a Keeper of the Peace in county Derby, as he was again in the spring of 1358 (*Cal. Patent Rolls*, 1354-58, p. 553; 1358-61, p. 69).

60 *H.C.S.*, N.S., vol. x; pt. 2, p. 158.

61 *Cal. Fine Rolls*, vol. xi, pp. 31-33; *Cal. Close Rolls*, 1389-92, pp. 467-68; ante, vol. i, pp. 339-40, sub AUDLEY; V01. v, p. 501, note sub FITZWARIN.

62 When his heir was a minor (*Black Prince's Reg.*, vol. iv, p. 410; cf. pp. 421, 548). Sir John Tuchet was charged relief for Lee Gomery on 26 Nov. 1359, but this was probably a demand for an old debt owing by him, as his son

{ZC1} JOHN TUCHET, son and heir, was a minor at his father's death.⁶³ He served under the Earl of Pembroke in Poitou and Anjou in 1369, being present at the affair of Puirenon in that year; and in June 1372 he sailed with the Earl from England with reinforcements for Aquitaine.⁶⁴ He married, before 1371, Maud.⁶⁵ He was slain in the naval battle off La Rochelle, 23 June 1372, when the Earl of Pembroke's ship was captured by the Spaniards, the Earl himself being taken prisoner.⁶⁶ His widow married, before 31 Aug. 1381, John DABRIDGECOURT,⁶⁷ and died, before 3 Nov. 1405.⁶⁸ He never held the title of Baron Audley or Lord Audley.

BARONY BY WRIT.

I. 1405;1. **{ZC2}** JOHN TUCHET, son and heir, born 23 Apr. 1371,⁶⁹ was one of the 3 coheirs of Nicholas, Lord Audley, who died s.p. (without issue) 22 July 1391.⁷⁰ He was appointed in 1394 on a Commission of Enquiry and in 1401 was a Commr. of Peace in Derbyshire.⁷¹ During the Welsh wars against Owen Glendower he was ordered to muster at Hereford, 27 Aug. 1402, and was in the Prince of Wales's muster at Shrewsbury, 1403, with 20 squires and 10 archers. After that battle (21 July) he was app., 23 July 1403, with 4 others, to govern the marches towards Wales and resist

John was a minor in 1359 (*Idem*, p. 337)

63 See preceding note.

64 Froissart, ed. Kervyn de Lettenhove, vol. vii, p. 401; vol. viii, p. 121.

65 Her son was born. 23 Apr. 1371. For evidence that Maud was mother of John, born 1371, see *H.C.S.*, vol. xvi, pp. 87-88.

66 Froissart, vol. viii, pp. 129-30; Y.C.H., Rutland, vol. ii, pp. 108-09 (where he is confused with his father); cf. Clowes, *Royal Navy*, vol. i, pp. 282-83; *ante*, vol. x, sub PEMBROKE [1348]. In the spring of 1372 a John Tuchet was associated with a group of people who were interested in the appointment of the Master of the Hospital of Burton Lazars, county. Leicester (*Cal. Close Rolls*, 1369-74, pp. 432, 437-38). The John Tuchet of Derbyshire, who was of full age in 1385 and 1387, is clearly not of the senior line of the Lee Gomery Tuchets (*Idem*, 1381-85, p. 606; 1385-89, pp. 422, 433).

67 In 1381 Maud and her 2nd husband, who was possibly her son's guardian, presented to Mackworth (*H.C.S.*, N.S., vol. x, pp. 99-100). In 1378-79 Ashwell was said to be administered by John Dabridgecourt (*V.C.H.*, Rutland, vol. ii, p. 109).

68 *H.C.S.*, vol. xvi, pp. 87-88.

69 *Ante*, vol. v, p. 501, note sub FITZWARIN; *Cal. Close Rolls*, 1389-92, pp. 394-95. He was a minor in Dec. 1391, but had reached his majority by 20 May 1392 (*Idem*, pp. 426, 467-68; Jeayes, *op. cit.*, no. 2667). This reference is to Volume 5 of the Complete Peerage

70 *Ante*, vol. i, note sub A UDLE Y [1386]; Vol. v, p. 501, note sub FITZWARIN. This reference is to Volume 5 of the Complete Peerage At the end of the 14th century the moiety and third share of the Audley lands held by Margaret Hillary, one of the coheirs, was conveyed to Margaret for life, with remainder to John Tuchet (d. 1408), to Thomas Tuchet, who had been presented to the living of Mackworth in 1381, and to John, son of Richard Tuchet of Mackworth. John son of Richard also had a brother Thomas, who was not parson of Mackworth (*Cal. Close Rolls*, 1392-96, p. 137; 1409-13, pp. 160-6i, 254.-55; *Cal. Patent Rolls*, 1391-96, pp. 137, 272; *H.C.S.*, vol. xi, p. 209; vol. xvi, pp. 87-88; N.S., vol. x, pt. 2, pp. 99-100. Shropshire Arch. and Nat. Hist. Soc., *Trans.*, 4th Ser., vol. iii, pp. 65-66, 77). The abovenamed Tuchets of Machworth perhaps descended from John (d. 1361/2) and Joan Audley, his wife. If so Thomas, the parson, and Richard of Mackworth must have been younger brothers of John (killed at La Rochelle, 23 June 1372), as stated, re Richard only, in the ped. of Tuchet afsd. (*Genealogist*, N.S., vol. xxxvi, p. 15; see p. 53, note "a" above).

71 *Cal. Patent Rolls*, 1391-96, p. 519; 1399-1401, p. 558

Glendower; and was also Keeper of Llandovery Castle, 8 Sep. 1403.⁷² He was **summond**, to **Parliament** on 20 Oct. (1403) 5 Hen. IV, by writ directed Johanni Tochet,⁷³ and from 25 Aug. (1404) 5 Hen. IV to 26 Aug. (1407) 8 Hen. IV, by writs directed Johanni Tuchet, whereby he is held to have become LORD TUCHET or TOCHET. However, he was never so called but was frequently styled LORD AUDLEY in official documents.⁷⁴ He was Joint Keeper (with the Earl of Warwick) of Brecknock Castle, 24 Oct. 1403-19 Feb. 1403/4, and sole Keeper thereof, 14 Oct. 1404.⁷⁵ On 10 Oct. 1404 he was at Coventry with 30 squires and 60 archers; and he was present at the surrender of Aberystwith, 12 Sep. 1407.⁷⁶ He **married** Elizabeth (or Isabel)⁷⁷ and d. 19 Dec. 1408, aged 37.⁷⁸ His widow, Elizabeth, was to be assigned dower, 3 May 1409, but nothing was done.⁷⁹

II. 1408. 2. **{ZC3}** JAMES (TUCHET), LORD TUCHET or TOCHET, **son** and **heir**, **born** about 1398. He was never so styled, but he was **summond** to **Parliament** on 26 Feb. (1420/1) 8 Hen. V, by writ directed Jacobo de Audley, whereby, according to modern doctrine, the Barony of Audley, supposed to be cr. by the writ of 8 Jan. (1312/3) 6 Edw. II, was called out of abeyance in his favour⁸⁰ and he became LORD AUDLEY. He and his successors continued to be **summond** to **Parliament** by that title and were always styled Lord Audley, never Lord Tuchet or Tochet. According to modern doctrine, however, all later Lords Audley have also been de jure Lords Tuchet or Tochet. See AUDLEY.

This part of the publication (volume 12 part2) does not continue past **{ZC3}** as the descendants of **{ZC3}** are covered under AUDLEY in volume 1

72 Rymer, vol. viii, pp. 272, 329; Wylie, *Hist. of England under Henry IV*, vol. iii, p. 287; vol. iv, p. 243; *Cal. Patent Rolls*, 1401-05, p. 294; cf. Nicholas, *Proc. P.C.*, vol. i, p. 174.

73 This spelling—"Tochet"—was repeated in the writ notifying the prorogation, dated 24 Nov. following. The seal of John "Tochet" was appended to the exemplification of the 2nd Act of **Parliament** entailing the Crown on the 4 sons of Henry IV, 22 Dec. 1406; and on the same day, as John "Touchet," he swore to support the said inheritance of the Crown (*Rolls of Parl.*, vol. iii, pp. 582-83). On 2 May 1409 he is referred to in Letters Patent as John Tochet chivaler deceased (*Cal. Patent Rolls*, 1408-13, p. 76).

74 Cf. Rymer, vol. viii, pp. 272, 329, 497; *Cal. Patent Rolls*, 1401-05, pp. 311, 370, 504. The statement *ante*, vol. i, p. 340, *sub* AUDLEY, This reference is to Volume 1 of the Complete Peerage that "the *abeyance* of the Barony of Audley was probably terminated in his favour" by a writ "directed (merely) Johanni Tuchet" is incorrect. The theory of abeyance had not then been invented and even according to modern doctrine an abeyance could not be ended by a writ addressed to a coheir under another name; cf. note "g" below.

75 *Cal. Patent Rolls*, 1401-05, pp. 311, 370, 504.

76 Wylie, *op. cit.*, vol. iv, p. 245; Rymer, vol. viii, p. 497.

77 *Ante*, vol. i, *sub* AUDLEY [1405 sic] This reference is to Volume 1 of the Complete Peerage; see note "f" below. In this transcript this is note 79

78 *Ch. Inquisition post mortem.*, 10 Hen. IV, no. 47

79 *Cal. Close Rolls*, 1405-09, p. 438.

80 This of course is a legal fiction, as the theory of abeyance was a much later invention