

## HERBERT family of Montgomery, Parke, Blackhall, Dolguog, Cherbury, Aston

The pre-eminence of the Herberts in Mid Wales dates from the settlement at Montgomery early in Henry VIII's reign, of the newly-knighted Sir RICHARD HERBERT (1468 - 1539), protagonist of the Tudor settlement in Mid Wales, son of the Yorkist Sir Richard of Coldbrook (executed with his brother **William**, 1st earl of Pembroke after the Lancastrian victory at Edgecote, 1469), and nephew of **Sir Rhys ap Thomas**. Richard had attached himself to the rising fortunes of **Sir Charles Somerset**, later lord Herbert of Raglan and 1st earl of Worcester, who succeeded to the **Pembroke** estates and influence through his wife Elizabeth Herbert, grand-daughter of the **1st earl** and second cousin of Sir Richard. Having occupied minor offices at court and in South Wales under **Henry VII**, Herbert became his patron's agent in Mid Wales, where the latter, steward of the Crown manors of Montgomery, Kerry, and Kedewain and constable of Montgomery castle (with power to name his own officials), appointed him receiver in most of the forfeited York and Mortimer lands of the area, supporting him against the rival claims of **Walter Devereux**, lord Ferrars. Herbert was an adherent of Thomas Cromwell and a firm advocate of the policy embodied in the Acts of Union, on which he petitioned Cromwell in 1536; his great-grandson **lord Herbert of Cherbury** represents him as using wide powers in 'the East, West, and North Wales' (strengthened by membership of the Council of Wales) for the ruthless but 'just and conscionable' suppression of 'rebels, thieves and outlaws.' By prudent marriages into the leading families of the county he left (without increasing his own fortune) a dominant position there to his descendants, most of whom inherited his exceptional qualities of physique and courage and were notable for longevity and fertility. He died on 23 May 1539, lamented by **Rowland Lee** as ' the best of his name that I know,' whose loss to the cause of order in Mid Wales he felt ' as though I had lost one of my arms.'

WILLIAM HERBERT, of Parke, Parliamentary politician, third son of the above Sir Richard by his first wife, was among the first magistrates appointed for Montgomeryshire (1541) under the Act of Union and first Parliamentary representative of the borough (1541), of which he had been bailiff in 1538; he also sat for the shire in 1545 and 1547, was sheriff of Montgomeryshire in 1547 and of Cardiganshire in 1549.

But the influence of the Herberts of Parke was superseded by that of the children of Sir Richard's second marriage, of whom the eldest, EDWARD HERBERT (1513 - 1593), of Montgomery and Blackhall, attached himself to his second cousin **William Herbert** (died 1570), 1st earl of Pembroke of the second creation and successor to the Raglan influence in Mid Wales, serving under him against the western rebels in Edward VI's reign (1548) and at the head of 500 men of Mid Wales against the French under Mary (1557), and receiving from him the lordship of Cherbury (1553). Through the **Pembroke** connection he gained the patronage of Robert Dudley, earl of Leicester (uncle of **Pembroke's** wife), became keeper of Holt castle and the lordship of Bromfield and Yale in Denbighshire (1570), and, after the purchase of the lordship of Powis by **Pembroke's** younger son **Sir Edward Herbert** (1587), added the stewardship of that lordship and the constableness of Montgomery castle. He was sheriff in 1557 and 1568 and later, *custos rotulorum*, and represented the county in every Parliament but three from 1553 to 1588, when he won the first contested election there, the result of which was challenged in Star Chamber because of alleged partiality of his son-in-law the sheriff. He thus established for his family a domination of the parliamentary politics of the county which lasted till the Long Parliament, impaired only during the years (c. 1597-1629) when it had to be shared with the **Powis Herberts**, before their elevation to the peerage. Despite all this, and his position as squire of the body to queen Elizabeth, he was regarded as late as 1585 as an adherent of Mary, Queen of Scots. He continued his father's drive against 'outlaws and thieves' in Mid Wales, and prospered so well as to be able to found and enrich several new families in the county and to build himself a new mansion (Llys-mawr, Lymore, or Blackhall), where a regal hospitality was kept up.

### RICHARD HERBERT (died 1596)

One of the eleven children of the above Edward Herbert. He entered Middle Temple 1576, represented the county in the 1586 Parliament (his return for the borough in 1580 having been disallowed), and founded the line of Herbert of Cherbury, later united with that of Dolguog, founded by Edward Herbert's second son. The third son CHARLES (born c. 1567), probably of Magdalen College, Oxford, was a Munster planter with his kinsman **Sir William Herbert** (died 1593), sheriff of Montgomeryshire in 1603, and acquired, through his wife, Jane, daughter of Hugh ab Owen, the neighbouring estate of Aston. He was the father of Sir Edward Herbert (c. 1591 - 1657) (vide infra).

Four of Richard Herbert's sons, **Edward, George, Henry** and **Charles**, became famous. The eldest **Edward**, 1st baron Herbert of Cherbury, is noticed separately. His son RICHARD HERBERT (c. 1600 - 1655), 2nd baron Herbert of Cherbury, soldier, sat for Montgomeryshire in the Short Parliament and for the borough in the Long, having been elected while he was fighting in the Bishops' War, in which he performed prodigies of valour in the vain effort to stop the Scots at Newburn (28 August 1640) but later became the object of an unexplained capital charge before a court martial. In Parliament he showed open sympathy with Strafford, but was allowed on the outbreak of the Irish rebellion to go there with a troop of horse (March 1642). On the outbreak of civil war at home, he sat on the commission of array for Salop (where he had been a magistrate since 1634) - thereby forfeiting his seat at Westminster (12 September 1642) - raised (largely at his own expense) a troop of horse and 1,200 foot, and became successively governor of Bridgnorth (17 September 1642), Ludlow (28 September), commander of Aberystwyth castle (19 April 1644), and governor of Newport, Monmouth, (1645), where he produced fresh forces and supplies for the king on his recruiting campaign after Naseby. He escorted the queen to the royal headquarters on her return from Holland in 1643, and was rewarded with an honorary M.A. of Oxford University (21 February 1643). He compounded for £1,000 in 1647, and next year succeeded to his father's estates and titles (6 August 1648), dying on 13 May 1655, at Montgomery, where he lies buried in the church. His wife was Mary, daughter of John, 1st earl of Bridgewater, president of Wales 1631-42. His son EDWARD, 3rd baron Herbert of Cherbury (c. 1633 - 1678), married a daughter of **Sir Thomas Myddelton** (1586 - 1666) and was reconciled to the Protectorate (reputedly through **Philip Jones** (1617 - 1673), serving on the Montgomeryshire assessment committee (1657) but afterwards becoming involved in Booth's rebellion (1659). After the Restoration he became *custos rotulorum* of Montgomeryshire (1660-78) and Denbighshire (1666-78), but before the end of his life fell foul of the designs of the court, and in the Shrewsbury election of 1677 rallied Montgomeryshire voters against the court candidate. He was succeeded by his brother HENRY, 4th baron Herbert of Cherbury (c. 1640 - 1691), soldier, who had joined him in Booth's rebellion. From 1672-8 he fought in the French army, developing a warm admiration for the duke of Monmouth with whom he served and whose claims to the throne (to the exclusion of James II) he supported after returning to England in 1678. This involved him in quarrels with his Roman Catholic kinsman **lord Powis**, whose castle he was authorized to search for hidden arms in 1679, and with the **duke of Beaufort** as president of Wales; hence his exclusion from the Montgomeryshire bench in 1680. Under James II he resisted **Powis's** attempt to remodel Montgomery corporation in the interest of his co-religionists (1687), and on the landing of William of Orange secured for him Ludlow castle, the seat of the Council of Wales. He became Cofferer of the Household to William III and first colonel of the Royal Welch Fusiliers.

**George Herbert**, the poet, was the fifth son of Richard Herbert of Montgomery (died 1596). The sixth son, Sir HENRY HERBERT (1595 - 1673), courtier, went as a youth to France to learn the language; the diplomatic missions ascribed to him there in **Williams** (*The parliamentary history of the principality of Wales*, 140), were really those of **Sir John Herbert** (1550 - 1617), but he went there in 1619 to prepare for his eldest brother's embassy. Introduced to the court by his kinsman **William Herbert**, 3rd earl of Pembroke, he became Master of the Revels 1623-42 and 1660-73. He represented Montgomery in the 1626 Parliament, but spent the rest of his life in England, a wealthy marriage in 1627 enabling him to buy out the share of his brothers Edward and George in the Worcestershire manor of Ribbesford. He served in the Bishops' War of 1639 and sat for Bewdley in the Short and Long Parliaments as well as after the Restoration, but 'deserted' his seat to join the king before the Civil War broke out, and was consequently fined £1,330. His son HENRY HERBERT (died 1738) became baron Herbert of Cherbury (of the second creation) in 1694.

THOMAS HERBERT (1597 - c. 1642), sailor, seventh and posthumous son of Richard Herbert of Montgomery, spent most of his life from thirteen to thirty at sea or under arms, serving in the Low Countries and the Far East, following **Sir Robert Mansel** to Algiers in 1620-21, and commanding the vessel in which the future Charles I went to Spain to woo the Infanta (1623). After 1625 he went into retirement, writing descriptive and satirical accounts (in prose and verse) of life at sea.

Sir EDWARD HERBERT (c. 1591 - 1657), lawyer, was the son of Charles Herbert of Aston and grandson of Edward Herbert (1513 - 1593) above. Educated at Queen's College, Oxford (1608) and the Inner Temple (1609), he was called to the Bar in 1618 and became M.P. for Montgomery in 1620, but subsequently represented English constituencies, mostly under the patronage of the **earl of Pembroke**. A lifelong admirer of Selden, he joined him in the 1626 and 1628 Parliaments in the attacks on Buckingham and the campaign for the Petition of Right, and defended him in the ensuing trial; but he made his peace with the court next year, leading the Star Chamber prosecution of Prynne and his fellow-Puritans (1637), though he also acted as counsel to **archbishop John Williams** in his prosecution by Laud. As solicitor general (with a knighthood, January 1640), he defended royal policy in the Short Parliament, and he left the Commons in the Long Parliament to be attorney general, becoming thus responsible for the arrest of the Five Members, for which soon afterwards he suffered impeachment and a short term of imprisonment at the hands of the Commons. He was at royal headquarters during the war, but was liked neither by the queen (whose solicitor he had been from 1635-40), nor by the king (who rejected the proclamation he reluctantly drafted to dissolve the Long Parliament on the ground that ' He no more understood what the meaning of it was, than if it were in Welsh, which was the Language of the Attorney's Country '), nor by Hyde, his great rival at the Bar, who lost no chance of traducing him. He found a more congenial spirit in prince Rupert, with whom he fled abroad in 1648, to be a further centre of dissension in the exiled court, until Charles II, who tried to satisfy him with the titular office of Lord Keeper (6 April 1653), was driven to accept his resignation within a year (June 1654) and Herbert died at Paris in poverty and exile in December 1657. His strict integrity and his great legal gifts were generally recognized, but his pedantry, together with the pride and combativeness traditional in his house, made him a difficult colleague.

Of his three sons, the eldest, ARTHUR HERBERT (1647 - 1716), earl of Torrington, held naval command under James II till dismissed for opposition to royal policy, convoyed William III to England in 1688, and again commanded the fleet till the action of Beachy Head (1690).

The second son, Sir EDWARD HERBERT (1645 - 1698), titular earl of Portland, followed his father's profession, succeeded Sir George Jeffreys as chief justice of the Chester circuit of Great Sessions (1683) and as chief justice of King's Bench (1685); after losing favour with James II because his legal conscience revolted against the king's more arbitrary designs, he followed him into exile, becoming a titular peer and Lord Chancellor till dismissed as a Protestant in 1692, and dying at S. Germain in November 1698.

The third son CHARLES HERBERT (died 1691) was M.P. for Montgomery boroughs 1684 (winning on an appeal against Sir William Williams, 1634 - 1700, and again 1689; he was dismissed his captaincy of militia by James II (1687), having opposed the efforts of his kinsman lord Powis to remodel Montgomery corporation in the Catholic interest. A staunch supporter of the Revolution of 1688, he became involved in a duel with Owen Vaughan (probably of the Vaughan family of Llwydiarth, which opposed it). He succeeded the 4th lord Herbert of Cherbury (above) as colonel of the Royal Welch Fusiliers, and was killed on service in Ireland (1691). All three brothers died without issue.

## Author

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