

# SIXTEENTH CENTURY PEOPLE : SOME ASPECTS OF SOCIAL LIFE IN ELIZABETHAN BUCKS

H. A. HANLEY

Details of the personal lives of ordinary people are not easily come by for most periods of history and this is the truer the further one goes back in time. The 17th-century world of Sir Ralph Verney and his circle emerges fresh and vivid from the pages of the Claydon House correspondence, but before 1600 personal documents of any kind are rare even for members of the upper classes. For this reason, if we are to form any impression of the lives and personalities of men and women of the Elizabethan period, we have to resort to more indirect sources of information. The records of court proceedings, in particular, where they survive, often preserve sharp fragments of individual experience embedded in their unpromising prose. The following brief portraits are—with one exception—derived from the extant depositions of witnesses in cases heard in the ecclesiastical court for the Archdeaconry of Buckingham between 1578 and 1585,<sup>1</sup> supplemented, where possible, by reference to other sources such as wills and parish registers. Apart from their intrinsic human interest, they illustrate, in concrete form, some aspects of the life of the society to which they relate. To a great extent they speak for themselves and comment has accordingly been kept to a minimum. The broader outlines of the social and economic structure have been described for us by Mrs. E. M. Elvey in her recent article<sup>2</sup> in this journal on the early records of the Archdeaconry of Buckingham which, although it relates to the first half of the sixteenth century, is true in most essentials of the Elizabethan period also.

## CRAFTSMEN

In the realm of domestic architecture, the period between about 1570 and 1620 saw an outburst of building by the aristocracy and gentry on a scale never before approached in England. Stately palaces like Hardwick Hall and Hatfield House had their counterparts all over the country in the more modest mansion houses erected by the gentry. In Buckinghamshire one thinks of houses such as Gayhurst, Hartwell, and Dorton House. Of buildings on a grander scale the

<sup>1</sup> Buckinghamshire Record Office, (B.R.O.) D/A/C/23. These are the only surviving sixteenth century depositions for the Archdeaconry and are not complete for the period covered. They take the form of replies to numbered interrogatories, or "articles"; since the interrogatories themselves are not recorded, their general tenor has to be deduced from the replies, which are frequently brief and uninformative. For a succinct account of ecclesiastical court records in general, see D. M. Owen, *The Records of the Established Church in England* (British Records Ass., 1970.)

<sup>2</sup> E. M. Elvey, "Early Records of the Archdeaconry of Buckingham": of Bucks, *Records of Buckinghamshire*, vol. XLX, part 1 (1971), pp. 55-66.

outstanding example is Salden House in the parish of Mursley, begun in (or soon after) 1566 by the eminent courtier and statesman Sir John Fortescue and reputed to have cost the colossal sum of £30,000.<sup>3</sup> Alas, it has not survived and our information about it is meagre.

Enthusiasm for building was, of course, not confined to the upper classes. The concept of the great rebuilding of rural England is—thanks to the work of W. G. Hoskins and others—a familiar one. Many of the yeoman dwellings erected or enlarged in that age of expansion happily remain to benefit from the attention of students of what is now grandly termed vernacular architecture. What of the craftsmen who created this enormous transformation? Who were they and where did they come from? In the nature of things, the vast majority must remain forever anonymous. For this reason any glimpse of them at work, however fleeting, is welcome.

In the year 1580 William Smith, the newly-appointed parson of Mursley, was in dispute with his patron Sir John Fortescue about the cost of necessary repairs to the parsonage house. Smith's predecessor, Edmond Hodson, had apparently been an absentee, and although the parsonage had been occupied for a time by Dr. John Langford, then Commissary of the Archdeaconry of Buckingham, its condition in 1580 left much to be desired. In the court action which followed, four workmen were called as expert witnesses. Two of them—one carpenter and one tiler—had been employed by Fortescue at Salden, which was evidently not yet completed. The evidence of all four,<sup>4</sup> apart from the light it sheds on methods of work, conveys something of the pride of calling of the traditional craftsman.

First to be examined was a local man, Richard Clark of Stewkley, aged 45, a carpenter working "in Mr. Fortescue his works at Salden" who related how he had been sent by Fortescue "between Bartholomewtide and Michaelmas<sup>5</sup> last" to inspect the parsonage buildings. The evidence continues:

[He sayeth that] . . . he found them greatly out of repair and measured the lofts and judgeth that 900 boards besides the old boards there would fairly board the same and he esteemeth those boards if they be of elm at 5s. the hundred and did view all other things belonging to his occupation at that time there, and since that time, between Christmas and Allhollantide.<sup>6</sup> Mr. William Smith, parson of Mursley desired this deponent to view with one Richard Mead and declare unto him the particulars of the decays of the premises concerning his occupation and they did declare unto him as is contained in the schedule annexed concerning carpenter's work, and valued the prices of the timber and such necessaries as were needful for the same as is contained in the schedule and the said Mr. Smith did write the same in the like manner as they did declare unto him, and this deponent sayeth, that they have declared with the less rather than with the more what did want at that time to the repairing of the premises and they have set down the

<sup>3</sup> DNB; F. Markham, *A History of Milton Keynes and District*, Vol. 1. (Luton, 1973), p. 175.

<sup>4</sup> D/A/C/23, fol. 66v-70 (25 July 1581). In these and following extracts the spelling has been modernised and punctuation (non-existent in the original) supplied where appropriate.

<sup>5</sup> i.e. between 24 August and 29 September 1580.

<sup>6</sup> In the context it seems clear that what is meant is "between Allhollantide (1st. November) and Christmas".

prices accordingly, and every particular being read unto him in the schedule containing carpenter's work, he sayeth that every particular thing there reckoned was and is needful and the prices of the things necessary reasonably rated and sayeth he would not have taken upon him at that time the workmanship of the premises for £6.13.4 to bring them into reasonable estate and order as such a decayed house ought to be brought to remain for any reasonable time and sayeth this to be true for that he is a carpenter and therefore knoweth by experience [what] appertaineth thereunto" . .

In response to further questioning, Clark agreed that "some of the old timber of the barn will serve for some purposes about the mending of the barn".<sup>7</sup> He also stated that he had been Fortescue's workman "for the most part" for twelve years, but was then working with "Mr. Stafford".<sup>8</sup>

Richard Mead, Clark's companion on the second inspection of the parsonage, came from Halton but had resided at Great Horwood for the past 14 of his 40 years. He confirmed his colleague's assessment on all points, adding positively that "the old timber about the barn may serve to the barn again but none of that which is to be pulled out of the house will serve again to repair any part of the house." He claimed that he "has holpen to build new houses and hath often repaired old and by his experience and science doth perfectly know what appertaineth to such a matter as he sayeth."

The two tilers were Nicholas Norman, aged about 40, of Mursley, born at Barkham in Berkshire and William Bayley, aged around 70, born at Shifnal in Shropshire but resident for the past 40 years at Whaddon. Norman said that he was "tenant to Mr. Fortescue and sometime worketh in his works as others do", while Bayley, who like Richard Mead had been called in at the parson's sole request to carry out a second inspection, affirmed that he was "not a tenant, servant or workman of Mr. Fortescue." The pattern of this evidence was exactly similar, *mutatis mutandis*, to that of the two carpenters. Norman testified of the schedule of tiler's work that

all the particulars of lime, sand, tile pins, nails, and all other therein besides were needful at that present to have amended the premises and the prices of those things necessary are set down as indifferently in the schedule as he thinketh may be and he judgeth that he and his fellow should have been small gainers if they had taken upon them the workmanship of the premises for so much as the workmanship of every thing is set down in the schedule and therefore he thinketh that the workmanship at that time was so much worth and for less he would not have taken it upon him to have been one that should have done the same and he sayeth he knoweth this to be true for that he being a tiler hath had dealings in such cases oftentimes. . .

One interesting piece of information which each of the four men was called upon to supply was value of his goods, "deducting debts". On this test, Nicholas

<sup>7</sup> The re-use of old materials is a familiar hazard in speculating about the evolution of timber-framed buildings.

<sup>8</sup> Probably Thomas Stafford (d.1607), of the nearby parish of Tattenhoe, is meant; he appears to have been related to Fortescue. The family manor house was still standing in the eighteenth century, though in a ruinous condition. Now only the moated site remains. (*V.C.H. Bucks*, vol. III pp. 432-434).

Norman, the tiler from Whaddon, was easily the richest at £6.13.4. Richard Clarke and William Bayley were each worth 40s., while Richard Mead was the poorest with 20s. The rate of pay prescribed by the justices of the peace in 1562 was 9d. a day for carpenters and 8d. for tilers but the actual earnings were probably much higher; in 1573, for instance, a tiler was being paid 1s. 8d. a day at Wing.<sup>9</sup> For purposes of comparison, the average probate valuation of the goods of husbandmen around 1570-80 in Bucks was somewhere between £6 and £20.<sup>10</sup>

#### FETER HILL THE APPARITOR

Apparitors or summoners were nominally responsible for delivering citations to appear before the Church courts and to attend visitations. In practice, they played a more active role in spying out and proceeding against offenders of all kinds. A recent writer has described them as "the policemen of the diocese".<sup>11</sup> Since they were paid by fees and had a vested interest in increasing the volume of business, they were, not surprisingly, unpopular as a group. The following extracts relating to one of their number, Peter Hill, of Tingewick, illustrate the varied opportunities for extortion open to an enterprising apparitor. They also afford some interesting glimpses of the practical effects of the Church disciplinary system in everyday life. The extracts are taken from depositions in an action for defamation;<sup>12</sup> they have no apparent bearing on the main issue and are evidently designed to undermine Hill's credibility as a witness. Hill's evidence does not survive, and we know little about him beyond what is contained in the extracts. Like many apparitors, he probably had a second occupation of a fairly humble kind.<sup>13</sup> He was evidently not rich for a "friendly" witness describes him as "an honest poor man". From his residence in Tingewick we deduce that his professional sphere of operations was the deanery of Buckingham, there being normally one apparitor for each deanery.<sup>14</sup> According to one witness he had dwelt in Tingewick for seventeen years.

Evidence of Thomas Tame of Bottle Claydon, husbandman, aged 37 (26 November 1581):<sup>15</sup>

says that he this deponent being enjoined penance by Mr. Doctor Smith for getting his maid with child about four years past, he, being very unwilling to do his said penance, went to Mr. King of East Claydon that he might be a mean to Mr. Dr. Smith to release his penance, which Mr. King refused saying Tame we are all sinners and in case thou do repent before god it is partly amended and therefore to go in a white sheet it is a small matter; and upon these words this deponent did mind to do his penance. Notwithstanding Peter Hill the apparitor *articulat*<sup>16</sup> came to this deponent as

<sup>9</sup> *V.C.H.*, vol. II, p. 68.

<sup>10</sup> B.R.O., Archdeaconry wills. Few inventories survive, but the amount is sometimes recorded.

<sup>11</sup> R. A. Marchant, *The Church Under the Law: Justice, Administration and Discipline in the Diocese of York, 1560-1640*. This work gives a valuable general account for the relevant period. See also R. Peters, *Oculus Episcopi: Administration in the Archdeaconry of St. Albans 1580-1625*.

<sup>12</sup> The same action in which Alice Carpenter (see below) was a principal.

<sup>13</sup> Cf. Marchant, *op. cit.*, p. 59.

<sup>14</sup> Marchant, *op. cit.*, p. 31; Buckingham deanery comprised 26 parishes in the northwest corner of the county.

<sup>15</sup> D/A/C/23, fol. 79-79v.

<sup>16</sup> "Mentioned in the article", i.e. in the interrogatory.

he remembereth after he had talked with Mr. King and asked this deponent whether he had done his penance and this deponent said no. Why, quoth he, are you willing to do it? And this deponent answered no if he might be otherwise excused. Then said Peter Hill, what will you give me and you shall do no penance? And thereupon they fell at loving bidding<sup>17</sup> and in the end they came to this composition that this deponent should give him 8s. which this deponent did pay him and after that Peter Hill had received this 8s. within short time he came to this deponent and said unto him that there was no remedy but he must do his penance. Then said this deponent I trust if I do my penance I shall have my money again. Then said the said Hill, I have done as much for you or will do as that money cometh unto and Mr. Westall hath received some of this money for your absence. And afterwards this deponent did his penance enjoined him and did pay unto Hill at his first citation 12d. besides the 8s. And this deponent, seeing he could not get his 8s. again, complained of Peter Hill to Edward Leney, his neighbour, who promised him to get the said 8s. again if he could and went with this deponent to a court held in Whitchurch and there met with Hill and asked him why he did deal so with his neighbour Tame and at the first the said Hill said he had paid some of the money to Mr. Westall, notwithstanding in the end the said Hill paid this deponent 2s. back of that 8s. in the presence of Edward Leney and Lenye [sic], whom this deponent did put in trust to agree with Hill for him for the rest of the money as he did for all, said there were 2 days appointed for the payment of the 6s. behind unpaid but he never had his 6s. as yet.

In the above passage, "Mr. Dr. Smith" is William Smith, LL.D., Commissary and Official of the archdeaconry of Buckingham,<sup>18</sup> the judge in the ecclesiastical court. Mr. King, of East Claydon, whom Tame first approached about doing his penance is probably to be identified with the William King, junior, of East Claydon, gent., who is found acting as a proctor in a document dated 1571.<sup>19</sup> Proctors were the lowest grade of ecclesiastical lawyer. They were principally employed in representing litigants in actions between parties in the Church courts. Owen Westall, public notary and deputy registrar of the Archdeaconry of Buckingham resided at Oving rectory near Aylesbury.<sup>20</sup> As acting registrar he was responsible for the issuing of citations and for the general administration of the business of the courts. He was thus Peter Hill's immediate superior. Public penance was of two grades. Full penance, which was evidently what Tame had been enjoined, involved appearing in church dressed in a white sheet. Penance could be commuted for a money payment at the discretion of the judge. Practice seems to have varied from place to place, but it was commonly allowed

<sup>17</sup> I have not found any reference to this expression in the *O.E.D.* It presumably has the sense of "bargaining".

<sup>17a</sup> Possibly the Edward Lenny of Botolph Claydon, husbandman whose will was proved in June 1623 (D/A/We/28/278).

<sup>18</sup> C. W. Foster, *The State of the Church* (Lincoln Record Soc. (L.R.S.) vol. 23, 1926), p. 197.

<sup>19</sup> C. W. Foster (ed.), *Lincoln Episcopal Records in the Time of Thomas Cooper, S.T.P., Bishop of Lincoln* (L.R.S. vol. 2, 1912), p. 288.

<sup>20</sup> Foster, *Lincoln Episcopal Records*, p. 296. He acquired the manor of Oving through his marriage to Jane, daughter of Ralph Redman. (*V.C.H.*, vol. IV., p. 86.)

to members of the gentry. The money was normally devoted to the poor or to some other pious purpose.<sup>21</sup>

Evidence of George Keebell of Steeple Claydon, husbandman, aged about 40:<sup>22</sup>

About a year past, Robert Keebell this deponent's brother did beget with child one Maria Buckingham, as she said. Whereupon this deponent and John Snowe, being churchwardens went to Mr. Harcott, a justice of the peace and told him of it and he answered he would take no order in the matter till the woman was delivered. And afterwards this deponent meeting Peter Hill at Buckingham said unto him in this wise, Peter, quoth he, I am weary with going up and down to the justices in this matter concerning my brother and I would gladly there were an end of it so that I gave some reasonable sum of money that there might be no farther trouble of it. Then quoth the said Peter, what will you give me to discharge you of all troubles and I to take the charge upon me and discharge your brother from the penance and all troubles that may come of it? And thereupon this deponent offered him £3 and he said if he would give him £5 that he would enter into bond to discharge this deponent's brother in like manner as is aforesaid and this deponent refused to give him five pounds and thereupon they parted.

Robert Keebell's account of his dealings with Hill in the same matter is as follows:<sup>23</sup>

says that he this deponent committing fornication with one Maria Buckingham, a common harlot, having received a precept from Mr. Arcott, justice of the peace, to come before him for the examination of that fact, went to Peter Hill his house to Tingewick where he declared the fact unto him and desired him to stand in his friend and he promised him to do his best for him. And thereupon the said Hill went with this deponent to Mr. Harcott his house and found him not at whome [home] and at that time to this deponent's remembrance he gave Peter 12d. and at another time at Buckingham the said Peter desired to have borrowed 20s. of this deponent and this deponent said he had it not but did give him other twelve pence and after the justice had ended this matter for keeping of the child which Maria Buckingham was delivered of, the said Peter came to this deponent's house and would have borrowed 20s. of him and said he would do the best he could for him if he would lend it him. And this deponent said he could not but gave him 2s. and this deponent desired the said Peter to consider Mr. Westall if anything were due unto him and he said he had talked with him and would see him considered and at that time he said if your brother and I had gone forward in our bargain that we were about, it would have been less charges unto you . . .

These two passages illustrate how both secular and ecclesiastical jurisdictions might be involved in dealing with certain types of offence such as bastardy.

<sup>21</sup> Marchant, *op. cit.*, pp. 138-9; Peters, *op. cit.*, pp. 76-77.

<sup>22</sup> D/A/C/23, fol. 82-83v.

<sup>23</sup> D/A/C/23, fol. 83-83v.

In such cases the churchwardens had a dual role. Within the Church disciplinary system it was their duty to make formal "presentment" of the moral offence at the Archdeacon's visitation in order to put in motion the process of citation and eventual correction. In a secular capacity, they acted in conjunction with the local justice of the peace to ensure that, where possible, the burden of providing for the illegitimate child did not fall upon the parish. The duty of the justices in relation to bastardy had only recently been defined by the Act of 1576 which empowered them "by their discretion to take order, as well for the punishment of the mothers and reputed fathers of such bastard child, as also for the better relief of every such parish in part or in all."<sup>24</sup>

Mr. Harcott or Arcott, the magistrate referred to, is almost certainly Michael Harcourt (d. 1597), who resided at Leckhampstead. A member of the Harcourt family of Stanton Harcourt and Nuneham Courtenay, he was member of parliament for the borough of Buckingham in 1585-86 and sheriff of Bucks in 1594-95.<sup>25</sup>

Evidence of John Franklin of Thornborough, wheelwright, aged about 40:<sup>26</sup>

Peter Hill is accounted a fellow that will take bribes and accounted for that cause of small credit and that he did take of the churchwardens of Thornborough, who were John Brett and Robert Perche, 2s. to excuse them from going to the Bishop's court after the visitation *et reddit rationem suae scientiae*<sup>26a</sup> for that he and the churchwardens did bring it in their account and it was allowed them by the parish. And he heard the said Peter Hill make his boast at Robert Alen his house in Thornborough that he had got £10 by saving of men at home from the Bishop's court. . .

#### THE SCHOLAR PARSON

From the late sixteenth century one of the duties of every parish priest was to make a return each Lady Day of all christenings, marriages and burials celebrated in his parish during the preceding year.<sup>27</sup> These "bishop's transcripts" or "register bills" were frequently written on odd scraps of parchment or paper of varying shapes and sizes which occasionally bear indications of previous use for some other purpose. The return for the small parish of Shabbington<sup>28</sup> on the Oxfordshire border for the year 1575-6 is written on a piece of paper a mere six inches by four inches, on the back of which is a fragment of what is evidently a sermon. The handwriting is the same as that of the return. Whose hand was it? The records tell us that on November 3rd. 1575, one Richard Hagthorpe was admitted to the vicarage of Shabbington on the presentation of Thomas Tipping,

<sup>24</sup> 18 Eliz. I, cap. 3. The Act stipulated that two justices, one of whom was to be of the quorum, should act together, but, considering that in 1562 there were only 26 justices in the county — of whom perhaps 20 were active — this requirement must often have been difficult to observe. (B. Osborne, *The Justices of the Peace* (1960), p. 29.)

<sup>25</sup> *V.C.H.*, vol. IV, pp. 182-3; E. Viney, *The Sheriffs of Buckinghamshire* (Aylesbury, 1965), p. 96; Lipscombe, *History and Antiquities of the County of Buckingham*, vol. II, p. 560.

<sup>26</sup> D/A/C/23, fol. 85v.

<sup>26a</sup> "Gives as the reason for his knowledge".

<sup>27</sup> The returns were first ordered by the Ecclesiastical Commissioners in 1562, but the order was disregarded except in a few places until a constitution of 1597 repeated it. (D. M. Owen, *op. cit.*, pp. 26-27.)

<sup>28</sup> B.R.O., D/A/T/155. I am indebted to Mrs. H. Spillane for drawing my attention to this document.

the patron of the living. Further research reveals that he had proceeded M.A. of Oxford University in June 1573, having taken his B.A. from University College the previous year.<sup>29</sup>

The name Hagthorpe is an unusual one and its best known representative is the minor poet John Hagthorpe (b. 1585) author of the *Divine Meditations and Elegies* (published 1622) whose family seat was at Chester le Street in the county of Durham. John Hagthorpe claimed on one occasion that there was not a man in England of his surname "beside myself and mine".<sup>30</sup> Precisely how Robert Hagthorpe was related to the poet is not known, but his sermon—given below—shows that he too was not without literary talent. The original spelling and punctuation has been retained.

knowledge in my . . . . . newe  
pen fethered the redier to make my flight, I meane  
better able to expounde the word of god, & to  
laie downe before you, as an earnest penny, some  
part of that tallent which god hath lent me  
trustinge daie by daie to encrease the same  
& to bestowe it to his glorie as a faithefull  
steweherde of his, & to the edefinge of your soules  
whome I have taken chardge of, & to the dis-  
charginge of my dewtie & pastourship. Now therefore  
I purpose, by godes help, to whistell you, as a good  
pastour, to a good pasture, where if you will  
you maie fill your bellies full. For this daies  
gospell is so plentiful of spiritual fodder for your  
soules, that everie woord haithe waight, everie  
letter haithe learninge, everie sillable haithe  
sence, & everie sentence is significatyve.

The style of the passage is reminiscent of the artificial, alliterative prose popularised by John Lyly in his celebrated *Euphues and His England* which, however, was not published until 1578-9. Lyly and Hagthorpe were actually contemporaries at Oxford; Lyly graduating B.A. from Magdalen College in April 1573, the year of Hagthorpe's M.A. Though not yet twenty, he was already at that date "a noted wit".<sup>31</sup>

One wonders what Hagthorpe's rustic audience made of their learned young Master of Arts and his eloquent sermon. He was certainly not typical. Many parish priests at that time were not graduates and the ignorance of some of them was a scandal. It is likely that Hagthorpe's parishioners did not see a great deal of him in the years that followed: Oxford with its intellectual attractions was too conveniently close. It was from Oxford that he signed his formal resignation of the vicarage in November 1577 in order to move to the rectory of Waterstock in Oxfordshire.<sup>32</sup>

<sup>29</sup> Foster, *Lincoln Episcopal Records*, p. 49; Foster, *Alumini Oxonienses*.

<sup>30</sup> *D.N.B.*

<sup>31</sup> *Ibid.* It is interesting to note that Lyly was M.P. for Aylesbury in 1593 and again in 1601.

<sup>32</sup> Foster, *Lincoln Episcopal Records*, pp. 295-6; Foster, *Alumini Oxonienses*. The parish of Waterstock is adjacent to Shabbington.



## THE AMOROUS WOMAN

Alice Carpenter of Buckingham was a woman of feeling. This much at least is evident from the record of her emotional history as given by her brother John Franklin,<sup>33</sup> the wheelwright, of Thornborough who, more than anyone else, was in a position to know the facts. The rector of Thornborough put a harsher interpretation on it: she was, he declared, "a light, a bawd, a vagrant person of dissolute living."<sup>34</sup> But a man of his calling could hardly be expected to sympathise in such a case. The story begins in June, 1568—the memorable year of Queen Elizabeth's visit to the borough—when Alice, then Alice Franklin, married Thomas Lloyd the weaver.<sup>35</sup> Lloyd was a stranger to the town and soon it began to be rumoured that he had another wife. Alice's feelings on the subject can be imagined, and the result was that Lloyd was driven by her friends "to go to the place from whence he came to fetch a testimonial".

The quest for a testimonial proved a long one and after two years of absence Alice found consolation elsewhere. As her brother put it, "one Kempe, a shoemaker of Buckingham, and the said Alice fell in love<sup>36</sup> and as the report went they assured themselves one to the other." According to the Rector of Thornborough, Alice even went so far as to approach him to procure her a marriage licence. Whether because the licence was not forthcoming—which in the circumstances would not be surprising—or because the strain of waiting for it was too great, the lovers fled to Banbury. Let us leave it to her brother to tell the rest of the story:

. . . and then they went as this deponent doth know from Buckingham to Banbury and the foresaid said Lloyd came to Banbury to them and when he came thither he stayed the said Alice and Kempe did run away and this deponent's mother dwelling in Buckingham hearing of this matter sent for this deponent and desired this deponent to go to Banbury to fetch away Alice Carpenter his sister (who wished she had been buried long before) and this deponent went thither and took with him Ottewell Rowbotome and William Weyver of Thornborough and when they came to Banbury he found his sister and the said Lloyd in one Stokes his house there and when he came in the said Lloyd said to his deponent Brother, you are welcome. Then this deponent asked him whether he had brought the testament that he went for and he answered he had one but he had lost it and further sayeth he I was at work in this country and heard that my wife was come hither with Kempe and came to stay her for that she is my wife and this deponent said except he had his testimonial he would have her to her mother and the said Lloyd said he was content so that this deponent would give his word that Kempe should not come at her any more to keep her company and this deponent promised he should not and so this deponent brought her to Buckingham and left her there with her mother and half a year after George Carpenter of Buckingham and she fell in love one with

<sup>33</sup> D/A/C/23, fol. 86-86v (21. Jan. 1581/2).

<sup>34</sup> *Ibid.*, fol 80.

<sup>35</sup> The date and Lloyd's first name are derived from the parish register entry (newspaper transcript in Bucks Archaeological Society's library).

<sup>36</sup> The earliest example of the use of this expression given in *O.E.D.* is 1530.

the other and the speech was that the said George had another wife and thereupon this deponents mother sent her to London and a quarter of a year after the said Alice came to Buckingham again to one Richard Cates his house and was there fortnight or three weeks before her mother knew thereof which house was a suspected house for bawdery at that time and so it fell out for that the said Cates wife of late being accounted a whore and a bawd did come away from her husband and is from him at this present and in the said house George Carpenter and the said Alice were taken in bed together by the officers of Buckingham and she committed to the prison and the said George was bailed and at the request of this deponents mother this deponent came to Buckingham again the said Alice being in prison and made suit to Mr. Powell in her behalf that she might be released and the said Mr. Powell then said unto this deponent that the foresaid George and she were taken in bed together and said George why dost thou keep her? and he answered because I will marry her. Why, sayeth he, then thou shalt marry a whore for she was naught with Kempe before thou knewest her and upon this deponents entreaty promising that she should come no more to Buckingham to trouble the town she was delivered out of prison and this deponent took her to Thornborough to his house and there continued half a year and then went abroad with the said George Carpenter and proved with child and when she was with child they married and the common report is in Buckingham that she and Kempe the shoemaker were naught together. . .

Alice's story illustrates, *inter alia*, the comparative ease with which bigamous unions could be contracted. Bigamy is closely related to geographical mobility; provided that the distance between the ceremonies was sufficiently great, there was probably not much risk of discovery in most cases.<sup>37</sup> The problems of exercising effective control over the situation were further complicated by the existence of "peculiar"—places exempt from the usual jurisdiction of the Church authorities—some of which claimed the right to issue marriage licences. Buckingham itself was in one such peculiar.

Mr. Powell, otherwise John Apowell, mentioned in the story, was bailiff, *i.e.* chief magistrate, of Buckingham in 1576.<sup>38</sup> Thus the full cycle of Alice's matrimonial entanglements seems to have lasted just under nine years.

### THE DISINHERITOR

The will of Thomas Cannon of Ickford, husbandman,<sup>39</sup> is an interesting but not—on a casual reading—a remarkable document. Made on 6th March 1579 and proved in July of the same year, it tells us a good deal about its maker.

<sup>37</sup> For evidence that bigamy was not uncommon in the early 16th century, see M. Bowker "Some Archdeacons' Court Books and the Commons' Supplication Against the Ordinaries" in *The Study of Medieval Records. Essays in Honour of Kathleen Major* (ed. D. A. Bullough and R. L. Storey). For examples of cases in the Essex court records, see F. G. Emmison, *Elizabethan Life. Morals and the Church Courts* (Essex Record Office Publications, 1973), pp. 168-170.

<sup>38</sup> Browne Willis, *The History and Antiquities of the Town, Hundred and Deanery of Buckingham . . .* (1755), p. 107.

<sup>39</sup> D/A/We/17/167.

He was, we learn from the preamble, "sick in body by god's visitation yet of perfect mind and memory," so we infer that he was quite possibly not old and this is partially confirmed by a later reference to his mother as still living. The description "husbandman" is not particularly helpful in itself. It is a vague term which could be—and was—used of widely differing degrees of farmers from the smallest of smallholders to the substantial yeoman. The details of Thomas Cannon's will, however, suggest that he was in relatively prosperous circumstances. There is, for instance, the reference to "my new house"—usually a sign of affluence. The source of his prosperity was evidently sheep, for which this riverside parish provided ample grazing. In all, more than twenty sheep are disposed of in legacies. Other gifts include a "red cow", a colt, an ox, and several bushels of wheat and malt. The recipients are the testator's two brothers William and Griffin, his sisters Alice and Joan, "uncle Ducker", "my maid Marion"—who gets 12d.—and several others, such as Edmund Gunthrop and William Roberts, whose relationship to the donor is not specified. There is one charitable bequest of half a bushel of wheat to the parish church of Ickford.

The most important part of the will, the disposal of the real estate, is left to the end. ". . . I give Margery my wife only during her life the third part of my lands whereof I am now seised of my estate of inheritance since the time I married her according unto the custom of the realm. Item I give and bequeath unto my said brother William Cannon and unto the heirs of his body lawfully begotten and to be begotten for ever all my lands tenements and hereditaments whatsoever" . . . Then follows a limitation of the reversion, first to Griffin and his heirs and then to Alice and *her* heirs. The deeds or "writings" relating to the property are to be kept by the testator's mother, Ann Widows, during her lifetime. A final clause puts the finishing touch to the arrangements and provides for their accomplishment. ". . . All the residue of my goods and cattells real and personal I give wholly unto my wife Margery whom I do make my executrix of this my last will and testament." The names of the witnesses follow at the end: Thomas Osborne, Thomas Hughes, Richard Roberts, Robert Evans "with others".

It all seems quite clear and straightforward. Evidently Thomas Cannon and Margery were childless and the will is designed to ensure that the property will remain in Thomas's family, while reserving for Margery her widow's dower. There are, however, one or two slightly puzzling features. In the first part of the will, for instance, the new house (already mentioned), together with a close of land, is given to William Cannon "to hold to him and his assigns from the feast of St. Michael the Archangel next coming the date hereof for and during my wife's life". A "pool of meadow ground" is also granted him on similar conditions. These provisions read oddly in view of what comes after; are we to conclude that the properties affected are simply being excepted from the wife's dower? Another minor point is the omission of the phrase "the day and date first above mentioned" which usually precedes the names of the witnesses. On the whole, though, there is nothing unusual or suspicious about the will and we note that it was duly proved on 6th July 1579. For all that, behind its legalistic phrases lies a moving story.

The scene was Thomas Cannon's chamber, the date, Sunday, 6th March

1579. It was about midday and Thomas Cannon was lying on his deathbed. Beside him, pen in hand, stood the parson, the Welsh-born Robert Evans; a small group of relations and friends stood near. Thomas Cannon was making his will and the parson was writing down his words as he spoke. The audience could see that the dying man was becoming more and more agitated as the will progressed. Finally, when only his lands remained to be disposed of, he broke off undecided. He would wait, he said, for his neighbour Thomas Osborne whom he wished to consult and who had not yet arrived. It was not the first will that Thomas Cannon had made. Parson Evans still had in his possession the will which he had made when the sickness first came upon him. Parson Evans it was who had officiated at Thomas Cannon's wedding only five years previously to Margerey Titt and it was he who had baptised their long-awaited first born, William, in November 1577. That infant, whose arrival had brought so much joy had so far not been mentioned in this latest will. The parson wondered why.

His speculations were interrupted by the arrival of Thomas Osborne who hurried to the bedside. "Neighbour Osborne," whispered the sick man, "this is the matter I send for you. I mean to give my land to my brother William and his issue, and for lack of issue of his, to Griffin and his issue, and so to Alice, my sister. For the other day I learned of my man Edmund<sup>40</sup> Gunthrop that my wife's child is none of mine but Robert Widows', and I called Widows unto me and he confessed it and asked me forgiveness and so did my wife." Turning to the parson, he continued, "I pray you, let my will be written so, touching my land, as I have said."

But the will was not finished that day; whether because Thomas Cannon had exhausted his strength or his resolution failed him, it was decided to make a pause. It was not until the following Tuesday that the parson's services were again required. It was nightfall and the stricken man was sinking fast. The group around the bed had changed since the previous occasion. Thomas Osborn had returned, but John Titt was missing and Richard Roberts, Thomas Cannon's half-brother and a close friend of his brother William, had taken his place. This time there was no hesitation and the will was soon completed. Then the parson read the will aloud, pausing at intervals to ask the dying man "How say you, goodman Cannon, is this as you would have it?" When he had done, Thomas Cannon said "Very well, it is according to my mind and this is my last will and I will not change it if I live this hundred years". The parson handed him the pen to make his mark and he asked where he should put it. Where he would, was the reply. Then the parson set the seal to the document and let him lift it off. Finally, with a formal gesture he placed the will in the testator's hands in token of delivery. Thomas Cannon was buried the following day in Ickford church-yard.

The above reconstruction of the making of Thomas Cannon's will has been pieced together from the statements of the three witnesses who later gave evidence on behalf of the testator's brother William, the chief beneficiary of the will, supplemented by the evidence of the Ickford parish register.<sup>41</sup> The witnesses

<sup>40</sup> Edward in the Ms., but this is assumed to be a slip.

<sup>41</sup> D/A/C/23, fol. 12-14v.; PR113/1/1. The marriage entry of Thomas Cannon and Margery Titt is dated 2 December 1573. The baptismal entry of William Cannon, 30 November, 1577, does not give the parents' names, but as it is the only Cannon baptism the identification seems justified.

were Robert Evans, Richard Roberts and Thomas Osborne. Under cross-examination, Richard Roberts revealed that he had been asked by William Cannon to come and bear witness to his brother's will on the second occasion and also that he and William Cannon "had both one mother". Taking into account that Thomas Cannon's mother was called Ann Widows, we have a genealogical conundrum of the "that man's father is my father's son" variety. The solution would seem to be that the mother married three times, her name being successively Cannon, Roberts, and Widows. Such remarriages were not at all uncommon in that age of high mortality. It is possible that Robert Widows, the father of the unfortunate child, may also have been a half-brother of the Cannons.

One interesting question arising out of the episode is the degree of connivance, if any, between William Cannon and Thomas Cannon's servant, Edmund Gunthrop. The latter must have kept the secret from his master for over two years and he only revealed it at a time when it was calculated to work to William Cannon's advantage and thus to his own—if he played his cards right.

The relationship between Margery Cannon and Robert Widows also prompts our curiosity. How far, one wonders, was it a result of passionate attraction on both sides, and how far a deliberate attempt by Margery to supply her husband with the heir which he had failed to give her. Robert Widows' fertility would not have been in doubt since the parish register indicates that at the time of the affair he had been married seven years and had fathered several legitimate children.

Thomas Cannon's reaction would be understandable in almost any social milieu—in this sense the story has a certain timeless quality about it—but it is perhaps especially characteristic of a peasant society which attached great importance to blood relationships in matters of inheritance. The surprising thing is that he hesitated. His treatment of his wife shows strict justice, even to the extent of making her his executrix, as was usual. More surprisingly, there are bequests for the two children of the man who had wronged him: probably they were Thomas Cannon's godchildren. Edmund Gunthrop, the proximate cause of all the trouble, was not forgotten. He received "a ewe sheep".