

WOMEN AND WILLS IN EARLY MODERN ENGLAND:
THE COMMUNITY OF STRATFORD-UPON-AVON, 1537-1649

by

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ABSTRACT

This study employs the entire body of surviving wills for Stratford-upon-Avon, 1537-1649, alongside other documentary evidence including ecclesiastical court depositions, local Court of Record proceedings, and minutes and accounts of the town's Corporation, in order to examine aspects of everyday life in this early modern town. In particular, it uses the wills as a lens through which to examine the 'culture of will-making', kinship, affect, and women's legal status and economic opportunities in Stratford. The focus on the town's women provides important additional knowledge which contributes to the growing scholarship on the experiences of non-elite women in England at this time, while its innovative use of the database Nvivo to classify the bequests and naming patterns found in the wills allows for greater nuance in our understanding of how early modern people may have thought and felt about their friends, family, and possessions. Methodologically, the thesis argues for a holistic treatment of the wills, and demonstrates their utility and complexity as a source, while its findings challenge some commonly-held assumptions about the nature of kinship and about the financial dealings and legal opportunities enjoyed by middling sort women in early modern England.

DEDICATION

For my wonderful mum, Rachel Appleton.

A small token of my gratitude for everything you have done and continue to do for me.

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INTRODUCTION

In early December 1619, Elizabeth Hancockes of Stratford-upon-Avon made a nuncupative will (one declared orally, usually when it was thought that the person might not live long enough to see their wishes set down in writing). The transcript of this sickbed declaration survives, and it appears to offer unusual insight into the personal life of this woman, despite its brevity. It reads:

Elizabeth Hancockes of Stratford vpon Avon ... being of perfect mind and memorie did in the presence of Elizabeth Johnson and Henry Johnson ... and other Credible witnesses the Second daie of december last past or thereabouts make hir last will and Testament nuncapatuie in manner and forme following ... the said Elizabeth Hancockes Being sickly weake and ympotent called to one Thomas Bendford her nephew saying Coozen I doe intend to liue and end my dais with yow And to that end I doe absolutely giue vnto yow Coozen All my goodes I haue moueable and vnmoueable (except Foure mill sixpences I haue which I giue to fowre poore men to carry my bodie to buriall) and do make yow my Executor to dispose thereof and execute as yow shall thinke fit and to that end gaue vnto the said Thomas Bendford eight Poundes in ready money...¹

To modern eyes, the description of Elizabeth's speech seems to point to a loving relationship with her nephew, and this impression is reinforced by the fact that she left Thomas almost all of her possessions. The account of her physical and mental condition, meanwhile, along with the detailing of the presence of witnesses, allows the reader to visualise Elizabeth's final moments: in bed, and surrounded by friends and family; in pain perhaps, but not delirious.

¹All wills employed in the body of the thesis are transcribed and reproduced in full (with full references) in the appendix, which is ordered alphabetically by testators' surname. Hereafter, each testament will simply be referred to by the name of the testator, thus: will of Elizabeth Hancockes. Abbreviations and silent expansions are underlined, thus 'Johnson', and 'goodes', for example.

We also learn that she was unmarried, and thus might picture Elizabeth as an old maid, given that she had a grown-up nephew with whom she was living.

Yet in fact this thesis argues that such straightforward readings of early modern wills like Elizabeth's are problematic, and that in order to understand them fully, recourse to other contemporary sources must be had. In the case of Elizabeth's will in particular, other sources are all but silent: her burial features in the parish registers, yet her birth does not, meaning that her age cannot be estimated.² No marital record survives for Elizabeth Johnson, and Henry Johnson's baptism was also not recorded, rendering it impossible even to speculate upon the testator's age based upon those of the witnesses present, who were likely to have been friends or members of the community esteemed by the testator. Thomas Bendford, meanwhile, also proves entirely elusive in the Stratford records, meaning that the 'true' nature of his relationship to Elizabeth Hancockes cannot be interrogated. Furthermore, the temptation to envisage early modern deathbeds as similar to those found in pre-Reformation England, with friends and family gathered around a dying person, springs from the phrasing of this particular will, yet requires further investigation in contemporary testaments and other sources. Thus it can be seen how a 'traditional' reading of Elizabeth's will would appear to reveal much, while in fact it can prove difficult to corroborate such assumptions.

It is for this reason that this thesis argues that it is vital to place as much additional evidence as possible alongside wills when interpreting them. It is, furthermore, crucial to analyse the language used in the wills in the context of all of the available evidence, and not simply to judge it in isolation. For example, in order to recover the deathbed experience, evidence of surviving testamentary disputes in church court depositions should be drawn upon. Although it is rare to find a surviving will to match a court case, nevertheless the collective evidence of

² Elizabeth was buried 25 January 1619/20. *Stratford-upon-Avon, Warwick Parish Register of Baptisms, 1558-1652 and Burials, 1558-1652. From the Original 1899 Transcriptions*. Author's own copy, PDF pagination, 186.

depositions themselves can provide vital evidence as to how the people of a certain region or locality may have approached their will-making.³ Perhaps most crucially in terms of Elizabeth's will and the aims of this thesis, however, is her naming of Thomas Bendford. According to the witnesses, Elizabeth referred to Thomas as her 'Coozen': if his relationship as her nephew had not been specified elsewhere in the will, the true nature of their relationship to one another would have remained unknown, obscured by the fluid naming practices of the day and the lacunae of the historical record. This flexibility in naming patterns is rife in early modern wills: many testators used terms like 'cousin' and 'nephew' interchangeably when referring to the same person. William Shakespeare actually referred to his granddaughter as his 'neice' in his will.⁴ Such idiosyncrasies as these are completely alien today, in a world where one would never refer to one's nephew as 'cousin', yet, as Dave Postles explains, they emerged in a world in which forms of social address in local society helped to construct social identity and relationships.⁵ As a result, however, they have the potential to produce problems for historians seeking to categorise and quantify bequests, and to analyse the nature of kinship, in wills. To date, no scholar studying kinship and bequests has addressed the issue of naming in their source material: no reader of their work would be aware that a testator might use several terms to refer to one person.

One of the ways in which these challenges have been addressed in this study is to bring a variety of supporting primary sources to bear on the wills, to enable record linkage. Another way is by the use of a database traditionally used in social research studies: Nvivo.⁶ This

³ Problems do arise, however, when using depositions of testamentary disputes, the most significant of which being the fact that these suits only appeared at points of contention. For a fuller treatment of this, see chapter two.

⁴ Will of William Shakespeare.

⁵ Dave Postles, 'The Politics of Address in Early-Modern England', *Journal of Historical Sociology*, 18, no. 1-2 (2005): 99-121. Postles specifically discusses the use of aliases, and terms such as 'master', 'mistress', 'old', and 'widow', in order to explore the different meanings attributed to these terms on a local level: 'old', for example, depending on context, might imply either respect or contempt for a particular person. He states: 'Forms of naming and address constituted social interaction at its most elementary – but meaningful', 115.

⁶ 'What is Nvivo?' *QSR International*, <http://www.qsrinternational.com/what-is-nvivo> (accessed 10 June 2016).

database allows both quantitative and qualitative analysis of documentary data such as the wills used in this thesis. By using the database and its facility for layered analysis of texts, this thesis takes into account the naming anomalies discussed above, producing more nuanced data on the nature of gift-giving in early modern England. The capabilities and advantages of Nvivo will be discussed fully below.

As has been demonstrated, therefore, Elizabeth Hancockes' testament provides several examples of the myriad reasons that scholars have turned to wills repeatedly for evidence of the lives of early modern people: the apparent fullness of wills as a source is a great enticement for historians wishing to uncover the 'personal' or 'intimate' lives of those who lived many hundreds of years ago. This is particularly true in the case of women (and indeed all 'ordinary' people below the landed elite), who left very few of their own writings due to their low levels of literacy, and who left far fewer traces in official records due to the fact that they did not hold positions of civic authority.⁷ Furthermore, wills survive in significant numbers, with an estimated two million surviving from the sixteenth and seventeenth centuries alone.⁸ These factors combined have tended to give historians the impression that these documents offer unrivalled access to some of the most personal details of people's lives: their relationships with kin; the property they owned; their religious persuasion. As a result, much scholarship has tended to draw upon wills uncritically, or to have approached them without acknowledging their challenges and the problems they might pose. Some of these problems are considered for the first time in this thesis, which uses the wills of sixteenth- and

⁷ Susan E. James, *Women's Voices in Tudor Wills: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 4.

⁸ Peter Spufford, "'A Printed Catalogue of the Names of Testators'" in *The Records of the Nation: The Public Record Office 1838-1988: The British Record Society 1888-1988* ed. G. H. Martin and Peter Spufford (Woodbridge: Boydell, 1990), 170. See also Motoyasu Takahashi, 'The Number of Wills Proved in the Sixteenth and Seventeenth Centuries. Graphs, with Tables and Commentary', also in *The Records of the Nation*, in which he counts 127,937 extant wills from 1500-1629 for four courts alone: the Prerogative Court of Canterbury, the Consistory Courts of Ely and Worcester, and the Archdeaconry Court of Leicester, 193-196. This latter statistic is my own calculation taken from the figures given in his tables.

seventeenth-century Stratford-upon-Avon to provide the first detailed exploration of everyday life in this market town, with particular reference to the lives of the women. The thesis also provides a new methodology for approaching these sources.

Several challenges arise when studying early modern wills, and these relate to the nature of the documents, their survival, and their content: the fact that women's wills survive with much less frequency than men's, for example; and the unknown veracity of wills in terms of testators' wishes, given that most wills were written by scribes and that testators may have been subject to pressure from interested parties while they were endeavouring to set their affairs in order. In terms of content, problems can arise as a result of the naming practices used by testators (as discussed above); while the language used in the framing of bequests may also have been ambiguous or loaded: some ostensible bequests may in actuality have been inter-vivos transfers, while other gifts may have been given with conditions attached.

It is therefore the contention of this thesis that in order for wills to be useful as a source for historical enquiry, it is important to take a holistic approach to their analysis. In the forthcoming chapters the legal and historical context of will-making will be set out, ahead of the treatment of Stratford's wills themselves. In this, the language used to make bequests will be considered alongside the gifts given, and this will be grounded in an economic understanding of sixteenth- and seventeenth-century Stratford. The burgeoning interest in material culture as found in texts has traditionally been the preserve of literary scholars, thus this research exploring the materiality of bequests found in wills will help to forge some new ground from a historical perspective.⁹ A focus on the experience of Stratford's women will be

⁹ Archaeologists and art historians have of course been engaging with material objects in their own right for many years, and the historian Felicity Heal has been working on gift giving since the 1980s. See, for example, Felicity Heal, 'The Idea of Hospitality in Early Modern England', *Past & Present* no. 102 (1984): 66-93; *Hospitality in Early Modern England* (Oxford: Clarendon Press, 1990); and, more recently, *The Power of Gifts: Gift Exchange in Early Modern England* (Oxford: Oxford University Press, 2014). For more on this subject, see chapter five. More recently, literary scholars have started examining the significance of objects in texts. One literary scholar who has crossed the divide is Catherine Richardson, who uses wills and other primary sources to

maintained throughout, as this research seeks to shed light on the ‘ordinary’ lives of these citizens, who are often obscured in the historical record. The thesis will conclude with a treatment of the economic lives of Stratford’s women as revealed by their wills and other primary sources. The aim of this thesis is therefore to approach these rich sources in a novel way, thus enhancing our understanding of some of the most fundamental aspects of life in early modern England, and the neglected experiences of half of its population.

The sources

For the period 1537-1649, 226 wills for the market town of Stratford-upon-Avon have survived.¹⁰ There has been for many years a scholarly consensus that wills and probate documents have an almost unique ability to shed light on the lives of ‘ordinary’ people,¹¹ therefore it is surprising that Stratford’s wills have not yet been studied in any depth (with the only exception being William Shakespeare’s will, which continues to be the subject of much enquiry).¹² This thesis seeks to rectify this omission from Stratford’s rich archival resources, and in particular aims to conduct the first sustained analysis of the lives of the women of this town: their social networks, economic lives, and emotional experiences. Our understanding of

inform her reading of early modern plays in her study *Domestic Life and Domestic Tragedy in Early Modern England: the Material Life of the Household* (Manchester: Manchester University Press, 2006).

¹⁰ The nature of the sources has to some extent determined the temporal bounds of this study: a few wills survive for the period before 1530, but they were written in Latin, therefore it was decided to exclude them from this project. Many more wills survive for the latter half of the seventeenth century, but this brings its own problems: the dramatic increase in the number of surviving wills for this later period, and the transcription and analytical work needed to process them, meant that it would not have been possible to complete this thesis in the required timescale.

¹¹ Joan Thirsk was one of the first historians to note the potential utility of wills in exploring the early modern family, in her article ‘Unexplored Sources in Local Records’, *Archives* 6, no. 29 (1963): 8-12. Since then, research using wills as sources has abounded. This matter is discussed fully in chapter two.

¹² With 2016 being the 400-year anniversary of Shakespeare’s death, his will has loomed large in the public consciousness, with The National Archives curating an exhibition to display the original document: ‘See Shakespeare’s Will in London’, *The National Archives*, <http://www.nationalarchives.gov.uk/about/news/see-shakespeares-will-in-london/> (accessed 7 June 2016). There has also been news of infra-red analysis on the document itself: ‘What Will’s will tells us about Shakespeare’, *BBC Shakespeare 2016 Lives*, <http://www.bbc.co.uk/programmes/articles/4YGG7k013n4bhlpFjqFy2dX/what-will-s-will-tells-us-about-shakespeare> (accessed 7 June 2016). His will even has its own Wikipedia page: ‘Shakespeare’s Will’, *Wikipedia*, https://en.wikipedia.org/wiki/Shakespeare%27s_will (accessed 21 September 2016).

the everyday lives of ordinary early modern women has been enhanced greatly in recent years, with studies examining – for example – their work, their legal status, and their expression of emotion, but much of this research has focused on women of higher social status and those resident in London, while much remains to be done on provincial women of the middling sort.¹³ The women of Stratford are just such a group: almost entirely unstudied, little is known about their day-to-day lives and how they would have experienced being wives, mothers, sisters, and friends. This thesis, therefore, in providing a rounded study of the female experience of life in an early modern market town, will add important information to the overall picture of women's lives at this time.

Stratford's wills are the primary source base for this exploration. Although only 39 of the 226 wills are women's, they nevertheless form a complete set for this town and provide important information about the lives of this section of the community. The wills allow for an exploration of the women's social networks, the importance of kin, and the management of economic affairs and the pressures of supporting themselves and their households.

Furthermore, women from across the social scale are represented in the sample: from poor almswomen, to those living in luxury. The men's wills, too, offer significant evidence about the activities of the town's women: through them we can learn much about women's legal and economic agency and responsibilities. This small but important dataset therefore allows for the research conducted to be contextualised more fully: the contained sample size has

¹³ A prime example of this tendency is the most recent study on women and wills by James, whose book purports to consider elite women *alongside* 'women who practiced as serving maids, tradeswomen, inn owners, dairy farmers, and wool merchants'. However the author actually relies heavily on evidence concerning noble or elite women who were arguably not representative of the general female experience of life in Tudor England. *Women's Voices*, 1. See my review of the book in *Midland History* 41, no. 1 (2016): 111-113. Claire Cross's article on female testators of Hull and Leeds does, however, treat of testators of a lower social status, and includes female servants' will-making: 'Northern Women in the Early Modern Period: the Female Testators of Hull and Leeds 1520-1650', *The Yorkshire Archaeological Journal* 59 (1987): 83-85. See chapter six for a full treatment of the current state of research on early modern women.

enabled detailed analysis through the Nvivo database and has also permitted the reconstruction of personal details for a significant number of the testators involved.

The wills are located in three archives. The majority are housed at The Hive, home of the Worcestershire Archive and Archaeology Service, where the ecclesiastical records of Worcester's Consistory Court are also held.¹⁴ Most of the remaining wills are held at The National Archives,¹⁵ while Stratford's Shakespeare Birthplace Trust holds 73 wills, available for consultation in its reading room.¹⁶ The reason for the wills' distribution amongst these archives is explained by the ecclesiastical history of the area. In the early modern period Stratford operated as a 'peculiar' jurisdiction, meaning that it governed itself with its own ecclesiastical court for two years out of every three. This court dealt with all moral matters, as well as the granting of probate. Every third year, however, ecclesiastical governance of the town fell to the Diocese of Worcester, with all moral matters and granting of probate being referred to the court there.¹⁷ The wills held by The National Archives are those which were proved in the Prerogative Court of Canterbury: these belonged to testators who 'held a personal estate worth five pounds, or perhaps more, in an ecclesiastical jurisdiction different from where he or she had resided', or who held property in more than one ecclesiastical jurisdiction.¹⁸ As a result, they tend to belong to the wealthier inhabitants.

Several other primary sources have been used alongside the wills. Of particular importance are the records of the Consistory Court of Worcester: although a calendar of Stratford's

¹⁴ 'Archive and Archaeology', *Worcestershire County Council*, <http://www.worcestershire.gov.uk/waas> (accessed 10 May 2016).

¹⁵ Digital copies of the wills can be accessed via their online service, 'Discovery'. *The National Archives*. <http://discovery.nationalarchives.gov.uk/> (accessed 10 May 2016).

¹⁶ 'Collections', *Shakespeare Birthplace Trust*, <http://www.shakespeare.org.uk/explore-shakespeare/collections.html> (accessed 10 May 2016).

¹⁷ E. R. C. Brinkworth, *Shakespeare and the Bawdy Court of Stratford* (Chichester: Phillimore, 1972) 5.

¹⁸ Tom Arkell, 'The Probate Process' in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Limited, 2000), 11. The case was not always as clear cut as this description implies, however: for more on this see Jeff and Nancy Cox, 'Probate 1500-1800: a System in Transition', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Ltd, 2000), 16.

church court records has been published (which is of course, not strictly speaking a primary source in its own right),¹⁹ in this thesis Worcester's records have been used because they provide a greater number of cases with much more detail. Especially significant are the numerous depositions relating to testamentary disputes. Thanks to the idiosyncrasy of the peculiar jurisdiction Stratford cases can be found amongst Worcester's records, although unfortunately it has not been possible to match any extant Stratford wills with testamentary disputes heard at Worcester. Despite the fact that no direct record linkage exists between the Worcester court records and the Stratford wills, there are benefits to pairing these sources: as Stratford fell within Worcester's jurisdiction it can be argued that the cases found therein are representative of will-making practice from across the region, and that Stratford's inhabitants would have been largely familiar with the general conduct noted in the depositions. They can therefore be used to inform understanding of the experience of testamentary procedure in Stratford, but they also have utility in building a broader picture of will-making across the country at this time. In selecting depositions of this type or 'genre', this study aligns with the approach advocated by Frances Dolan, who promotes a combined literary and historical methodology in the examination of church court depositions. Dolan criticises historians' habitual use of these documents – which are by their nature very heavily mediated by clerks and other facets of the legal process – as ego documents, under the assumption that they allow unrivalled access to the inner lives of early modern people.²⁰ The depositions will be drawn upon most extensively in chapter two of this thesis, in order to facilitate an understanding of will-making procedure.

¹⁹ Brinkworth's *Bawdy Court*. In his volume Brinkworth claimed that he was preparing the full Stratford records for publication, however this author has since tried to locate the originals of these and has found only the original calendar. It is this which Brinkworth appears to have transcribed and published.

²⁰ Frances Dolan, *True Relations: Reading, Literature, and Evidence in Seventeenth-Century England* (Philadelphia, University of Pennsylvania Press, 2013), in particular chapter 4, *passim*.

Stratford's published inventories have also proved particularly useful in conjunction with the evidence of the wills: they provide a wealth of information on the material contents of testators' houses and of people's economic worth, and can also help to build a fuller picture of testators' social networks and kin contacts.²¹ Other primary sources which will be utilised in this thesis include the collection of letters relating to the Quiney family of Stratford (in particular, those sent by Elizabeth Quiney to her husband, Richard); the published minutes and accounts of the Corporation along with the vestry minutes, which are useful for shedding light on the kinds of employment women might undertake; and Stratford's subsidy rolls and Court of Record proceedings, which provide information about the economic position of some of the women.²² The methodology employed in utilising these different sources will be set out below, but it is important first of all to establish the current state of research on early modern women and will-making: this will situate the work of the thesis in terms of the historiography, and outline the questions it aims to answer.

Existing research on early modern women and wills

There are many individual studies which consider separate aspects of early modern women's lives: their legal status, domestic lives, their wills and their identity in death, but none which

²¹ Jeanne Jones, *Stratford-Upon-Avon Inventories 1538-1699, vol. 1: 1538-1625 and vol. 2: 1626-1699* (Stratford-upon-Avon: The Dugdale Society, 2002).

²² Quiney correspondence: Shakespeare Birthplace Trust (hereafter SBT) ER1/97; Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, volume II, 1566-1577* (London: The Dugdale Society, 1924); Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, volume III, 1577-1586* (London: The Dugdale Society, 1926); Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, volume IV, 1586-1592* (London: The Dugdale Society, 1929); Robert Bearman, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon, and other Records, volume VI, 1599-1609* (Stratford-upon-Avon: The Dugdale Society, 2011); George Arbuthnot, *The Vestry minute-book of the parish of Stratford-on-Avon from 1617-1699 AD* (London: Printed at the Bedford Press, 1899); J. O. Halliwell, ed., *Extracts from ancient subsidy rolls, showing the values of goods and lands upon which assessments were made in respect to the inhabitants of Stratford-upon-Avon: Taken from the original records of the Court of Exchequer* (London: Chiswick Press, 1864); Margaret Webster, *Court of Record Transcript, Mary I (1553-1558)* (unpublished: author's own copy, undated); Margaret Webster, 'The Stratford Court of Records 1553-1601', in *The Guild and Guild Buildings of Shakespeare's Stratford: Society, Religion, School and Stage* ed. J.R. Mulryne (Farnham: Ashgate, 2012).

aim to treat of multiple aspects to provide a rounded picture of women's lives in a locality other than London. Amy Louise Erickson, for example, has produced important work elucidating the complexities of women's legal status, particularly in terms of their marital condition and their rights when making wills.²³ Tim Stretton, too, has produced work which has helped to revise the long-held impression of married women as helpless under the common law, explaining how married women utilised other courts to prosecute non-criminal cases.²⁴ Other studies have focused on women's work and domestic lives, exploring the nature of their occupations as married women, and the quality of their relationships with their kin. These studies have found that married women of all statuses undertook employment of varying kinds in order to support their households,²⁵ while the nature of women's relationships has proven to be a rich seam of exploration: Laura Gowing, for instance, has highlighted the possible tensions and tribulations early modern women might face within the home, while others have used the evidence of wills to point to the primacy of women's relationships with their female relatives, something which is interrogated in this thesis.²⁶

²³ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1995).

²⁴ Tim Stretton, *Women Waging Law in Elizabethan England* (Cambridge: Cambridge University Press, 1998). Wilfrid Prest in his 1991 article stated: 'the possibility that early modern English women were increasingly able to use the law for their own ends, rather than remaining crushed by its overwhelming masculinity, plainly merits serious consideration.' 'Law and Women's Rights in Early Modern England', *The Seventeenth Century* 6, no. 2 (1991): 183. Maria Cioni, however, had already set out that women would approach Chancery when they had no recourse to the common law: see 'The Elizabethan Chancery and women's rights' in *Tudor Rule and Revolution. Essays for G. R. Elton from his American friends* ed. Delloyd J. Guth and John W. McKenna (Cambridge: Cambridge University Press, 1982). Other important studies dealing with early modern women's legal status include: Bronach Kane and Fiona Williamson, eds., *Women, Agency and the Law, 1300-1700* (London: Pickering & Chatto, 2013); and Cordelia Beattie and Matthew Frank Stevens eds., *Married Women and the Law in Premodern Northwest Europe* (Woodbridge: The Boydell Press, 2013).

²⁵ For example Alice Clark, *Working Life of Women in the Seventeenth Century* ed. Amy Louise Erickson (London: Routledge, 1992); Judith M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World 1300-1600* (Oxford: Oxford University Press, 2006); M. K. McIntosh, *Working Women in English Society 1300-1620* (Cambridge: Cambridge University Press, 2005). This is not an exhaustive list; more on this can be found in chapter six.

²⁶ Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1998); Lucinda Becker, *Death and the Early Modern Englishwoman* (Aldershot: Ashgate, 2003); James, *Women's Voices*. On other aspects of domestic lives and women's will-making, see for example Rosemary O'Day, *The Family and Family Relationships, 1500-1900: England, France & the United States of America* (Hampshire: The Macmillan Press, 1994); Amy Froide, *Never Married: Singlewomen in Early Modern England* (Oxford: Oxford University Press, 2005); Mary Prior, 'Wives and Wills, 1558-1700', in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge

Moreover, many studies produced about the lives of early modern women have tended to focus on the elite, simply because the greatest number of sources remain for them: prominent and wealthy women such as Anne Clifford, Joyce Jefferies and Margaret Hoby, for example, left behind diaries, letters, economic accounts and devotional writings, whereas poorer, uneducated women left very little trace in the historical record, and little to no writings of their own.²⁷ Women of London and other large urban centres, too, have been favoured over those from the provinces, again often for reasons of record survival (although this can be attributed to the higher literacy rates enjoyed by these women, thus leading to the production of more documents by and about them): Gowing's important study *Domestic Dangers* (1998) focuses on women from the capital, while Amy Froide draws upon sources from Southampton, Bristol, Oxford and York in her 2005 study of single women, *Never Married*.²⁸ Those regional studies which consider the experiences of women as revealed by their wills tend to use probate sources to illuminate only one or two aspects of their lives: Barbara Todd, for example, uses wills and other sources to examine the remarriage rates of widows in Abingdon, while B. A. Holderness uses the evidence of parish registers and wills from large rural parishes in Yorkshire, Lincolnshire, and Norfolk to explore the money-lending habits

University Press, 1990), 201-225; J. S. W. Helt, 'Women, Memory and Will-Making in Elizabethan England', in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* ed. B. Gordon and P. Marshall (Cambridge: Cambridge University Press, 2000), 188-205; and Richardson, *Domestic Life*. Again, this is not an exhaustive list, and these subjects will be discussed in greater detail elsewhere.

²⁷ See, for example, Katherine O. Acheson, *The Diary of Anne Clifford, 1616-1619: A Critical Edition* (New York & London: Garland Publishing, Inc., 1995); Jessica L. Malay, ed., *Anne Clifford's Great Books of Record* (Manchester: Manchester University Press, 2015); Judith Spicksley, ed., *The Business and Household Accounts of Joyce Jeffreys Spinster of Hereford, 1638-1648* (Oxford: Oxford University Press, 2012); and Joanna Moody, ed., *The Private Life of an Elizabethan Lady: The Diary of Lady Margaret Hoby, 1599-1605* (Stroud: Sutton, 1998). The term 'writings of their own' should not necessarily be interpreted to mean that the women necessarily produced holograph texts: Lady Anne Clifford, for example, dictated her diaries to several scribes, even though she was well educated and therefore could have written them herself. They remain, nevertheless, *her* writings. From Acheson, *The Diary*, 15. On the collaborative nature of early modern letter writing, see Dolan, *True Relations*, 117.

²⁸ Gowing, *Domestic Dangers*; Froide, *Never Married*. David Cressy notes that London women were 'remarkable for their precocious advances in literacy.' *Literacy and the Social Order: Reading and Writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 2006), 115.

and remarriage rates of widows.²⁹ Vivien Brodsky examines the distribution of bequests in London widows' wills from the late Elizabethan era, finding – in a similar vein to other scholars – that after a focus on their children, widows tended to favour distant kin, neighbours, servants and friends, who were usually mostly female; and J. S. W. Helt examines 1,276 women's wills from Essex to explore how women used their testaments to distribute gifts which would ensure their place in local memory post-mortem.³⁰ One notable exception to this trend is Claire Cross's article 'Northern Women in the Early Modern Period' (1987), in which she uses the wills of women from Hull and Leeds to explore their remarriage rates, their patterns of gift-giving to family, and their religious tendencies. She also briefly makes mention of affection in women's wills, although she does not explore this subject in any detail.³¹

There are therefore several gaps in the historiography relating to early modern women. The most pressing relates to the lack of scholarship on women outside of London and other large urban areas. Should the experiences of urban women be considered as in any way typical of the female experience of life in this period? Did these women feel the same way about their friends and family as their rural counterparts who faced different pressures, and did they exhibit the same concerns when making their wills and distributing their property? It is important to understand the female experience of life in as many regions and localities as possible, in order to build a nuanced picture of what it meant to be a woman in England at this time. Further questions arise surrounding the different elements of women's lives which

²⁹ Barbara Todd, 'The Remarrying Widow: a Stereotype Reconsidered', in *Women in English Society, 1500-1800* ed. Mary Prior (London: Routledge, 1991), 54-92, and B. A. Holderness, 'Widows in pre-industrial society: an essay upon their economic functions', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 423-442.

³⁰ Vivien Brodsky, 'Widows in Late Elizabethan London: Remarriage, Economic Opportunity and Family Orientations', in *The World we have Gained: Histories of Population and Social Structure* ed. Lloyd Bonfield, Richard M. Smith and Keith Wrightson (Oxford: Blackwell, 1986), 122-154, and Helt, 'Women, Memory and Will-Making'.

³¹ Cross, 'Northern Women', 83-94.

have hitherto been examined almost entirely in isolation: their legal status, for instance; their experience of affect and the quality of their relationships with their families; their economic and employment opportunities; and their marital status. Did single women really have more scope for earning wages than their married sisters? How might the extent and quality of a woman's family and friendship circle have been determined by her marital status and stage in the life-cycle? It is only by considering all of the different factors of women's lives together that it can be understood how these several aspects of their identity interacted with each other and impacted on the lives they led. By examining all of these issues together, this thesis will provide the first comprehensive study of the lives of ordinary women in a setting outside of the metropolis and other large cities, and as such will add greatly to our understanding of the female experience of life in early modern England. Having set out the information required of the sources used in this study, this thesis now turns to an explanation of its methodological approach.

Methodology

Stratford's wills are the primary dataset and foundation of this thesis. To date the vast majority of these documents have not been transcribed or published: the first step towards constructing this thesis, therefore, was to collate and transcribe all 226 wills.³² No scholar has yet provided a combined qualitative and quantitative analysis of early modern wills in such a way that allows for the extraction of data on the multiplicity of topics outlined above. Added to this, much scholarship tends to approach the language of wills uncritically, with bequests and declarations read in terms of what might be considered the norm today, and without due reference to the full context of the gift. This has led to instances of overly simplified

³² The author is currently working on publishing the wills in collaboration with Mairi Macdonald and Robert Bearman of the SBT.

judgments on the significance of gifts given in wills, and on the quality of people's relationships and how they chose to express these in their testaments. It is argued here that analysis of the language alone is insufficient to recover the meaning of gifts given in wills, and that in order to achieve this there should be brought to bear a combined understanding of the materiality of the gift itself, its potential economic and symbolic or emotional 'worth', along with the different nuances of phrasing used by testators and what this might mean. In the interests of examining both statistical and non-statistical elements of the wills in tandem, therefore, this thesis employs a database which facilitates both kinds of enquiry: Nvivo.

Commonly used in social research studies, the database allows mixed-methods research on primarily text-based sources, and provides unique advantages and applications for a historical study of this kind, in that it allows statistical data to be extracted from the wills but also retains the structure of the sources themselves. This means that instances of – for example – notable phraseology can be highlighted and examined alongside other data. Texts can also be categorised by date, sex of subject or location (for instance), in order to pinpoint trends relating to any of these categories.

After transcription of the wills had been undertaken, the text of each was entered into the database and 'coded' according to the research questions particular to this study. For clarity, the basic tenets of this process will now be explained, using as an example an extract from the 1619 will of widow Ursuley Loode.³³ The will begins:

In the name of god: amene I vrseley: Loode of Stratford vppon Havene beinge weake in bodye but in parfet memorye prayed: be god do make make [sic] my Last wille and testamente beinge the: 30: of Desembare, Anno: 1619: as folloithe...

³³ Will of Urseley Loode.

Within Nvivo, this first section can be coded to record the testator's name, place of residence, their physical and mental condition, and the date of the will. Most women's wills mention the marital status of the testator (Urseley's being something of an anomaly), and men's wills generally list the testator's occupation, with occasional mentions of marital status too: these details, when they appear, can also be coded. Coding the date the will was written permits the observation of trends over time, while coding the testator's place of residence would be useful in a multi-regional study. Noting the declared physical and mental state of testators can prove important in the light it sheds on those church court disputes which centre on will-makers' mental condition, and the legality of the resulting documents.³⁴ The occupational and social data provided about testators in their wills, meanwhile, can be used to illuminate other issues, such as individual wealth and whether one particular occupational or social group may have been inclined to leave certain types of objects to certain types of recipients (work tools to wives, for example). Urseley's will continues:

Imprimis first I gieue and bequewe my sowll in to the Handes of Almightye god and my body to buried in the parrishe C[h]urche of Stratford vppone Havene...

In this instance, Urseley's expression of faith can be recorded: declarations of this kind appear in the vast majority of wills made across the period under investigation here.

Recording these statements would facilitate an analysis of changing religious patterns over time, although this has not been undertaken here due to the particular parameters of the study.³⁵ The requested burial location of the testator's body also appears in the majority of

³⁴ For more on this, see chapter two.

³⁵ This research has not been undertaken for a number of reasons: the language used in the preambles of Stratford's wills is, on the whole, conventional, with the particular significance of a large number of the sample lying instead in the fact that 50 of them were written by the same scribe. As a result, the preambles are analysed in relation to the light they shed on this man's scribal practice, rather than in the hope of charting post-Reformation religious upheaval. Female piety is also not a concern of this study. Examples of research on the subject of will preambles include: G. J. Mayhew, 'The Progress of the Reformation in East Sussex 1530-1559: the Evidence from Wills', *Southern History* 5 (1983): 38-67; Michael Zell, 'The Use of Religious Preambles as a Measure of Religious Belief in the Sixteenth Century', *Bulletin of the Institute of Historical Research* 50

wills, and in this way burial trends can be observed and may be linked to social status.

Moving on to the coding of bequests themselves, Urseley's first legacy reads as follows:

Iteme I geeue and bequewe vnto John Sammuell the sonne of John Sammuell on[e]
fetharbed, on[e] bolstare and my Coverlet and on[e] peare of flaxsune sheetes and
on[e] blankete...

There are many facets to this bequest which can be recorded. First of all, an important point to highlight in relation to this study is the fact that Urseley provided no indication as to the nature of her relationship with either of the John Samuels in question. Therefore, under the terms of the coding practices for this particular project this bequest (and others like it, which do not specify the testator's relationship to the beneficiary) has been recorded in the first instance as having been made to an unknown or unspecified person. It is possible, however, to determine from other sources that John Samuel senior was actually Urseley's son-in-law, thus making John junior her grandson: in cases where this extra information is available, the database allows for this secondary layer of material relating to the bequest to be recorded. This extra detail is important because it allows for a more complete understanding of bequest patterns and the significance of relationships in this town: in all other studies of this kind historians have failed to address the naming practices of testators, thus providing readers with a simplified view of naming and gift-giving at this time. Second of all, and moving on from the naming of the beneficiary, each of the bequests can be recorded under the categories devised for this project;³⁶ in this case the gifts all happen to fall under the category of bedding. The crucial benefit of Nvivo here is that each category of bequest is linked to its recipients, allowing for data to be extracted on – for example – the number of bequests of bedding made

(1977): 246-249; J. D. Alsop, 'Religious Preambles in Early Modern English Wills as Formulae', *Journal of Ecclesiastical History* 40, no. 1 (Jan. 1989): 19-27; and John Craig and Caroline Litzenberger, 'Wills as Religious Propaganda: the Testament of William Tracy', *Journal of Ecclesiastical History* 44, no. 3 (July 1993): 415-431.

³⁶ Please see appendix 3 for the categories used when coding bequests in the database.

to grandsons, daughters, wives, or friends. One more of Urseley's bequests will be set out as an example:

Iteme I geeue and bequewe vnto francis Aynge the sonne of Arthare dwelling with
francis Aynge the bakere my best Cloke...

Urseley's second bequest was also made to another grandson, even though once more this relationship was not noted in the will itself. Again, in this instance and others like it the database allows the known relationship of the testator to their beneficiary to be recorded in addition to the relationship stipulated (or not, as the case may be). Francis Ainge the baker, meanwhile, was apparently no relation of Urseley's and did not receive a bequest in her will, yet his name has been coded in the database too: every person named in the wills has their own 'node' within the database, thus allowing for connections to be observed between individuals, families and testators. To take just one example, in the case of the prolific scribe Sir William Gilbard alias Higgs, coding every instance of his name reveals that he is mentioned 59 times in 51 of the wills. In most of these cases he acted as scribe, but he also appeared as a beneficiary in a couple of wills; this information demonstrates both the extent and the quality of his network within the town.³⁷ A further point to be added about this bequest here is the stipulation that Francis Ainge junior was to receive Urseley's 'best' cloak: Nvivo allows for the recording of the nature or quality of gifts given, too.

In the manner of its ending Urseley's will is slightly anomalous, once again: it looks unfinished and tails off halfway through a bequest (which, interestingly, had been begun by the scribe below the place where Urseley had made her mark, suggesting a later addition or

³⁷ William Gilbard's scribal practices are discussed in more depth in chapter two.

something she had forgotten that she wished to add afterwards). The vast majority of wills, however, end in a manner similar to that of the 1628 will of the yeoman Avery Edwardes.³⁸

... And I doe by theis presentes constitute and ordaine <the> my said wife executrix of this my last will and Testament Item I request my Sonnes John Edwardes and Richard Edwardes /to be\ Ouerseers of this my Will

Signum

Sealed published &

Avery

deliuered in the presence of

Edwardes

Anne warde

Rich. Tyler

william Greene

At this point the testator would usually appoint an executor (and in some cases, supervisors or overseers), they would sign the will or make their mark, and any witnesses would be listed, who may also sign or mark the document.³⁹ In many wills the scribe would also note his name. All of these details can be coded in Nvivo: in this case the fact that Avery's wife was appointed his executor would be coded, while again the names of all of those mentioned would be recorded individually. The information relating to the appointment of executors and overseers, and any gifts received in relation to this role, may aid an understanding of the

³⁸ Will of Avery Edwardes.

³⁹ An executor was the person ultimately responsible for proving the will and fulfilling its terms, and they would also be responsible for arranging burial of the deceased. Supervisors or overseers would be appointed to help the executor perform their duties, and would often be friends or neighbours of the deceased. Ralph Houlbrooke, *Death, Religion and the Family in England, 1480-1750* (Oxford: Clarendon Press, 2000), 81, 136-138; W. S. Holdsworth, *History of English Law, Volume III* (London: Methuen & Co., 1909), 444-447; Lloyd Bonfield, *Devising, Dying and Dispute: Probate Litigation in Early Modern England* (Farnham: Ashgate, 2012) 26-34; and Erickson, *Women and Property*, 71, 160-161. An overseer might also take an executor to court if he failed to perform his duties: Jeff and Nancy Cox, 'Probate 1500-1800', 23.

quality of relationships and how these were expressed in wills of the time; while the names of those listed in these various capacities can prove useful for further research on the number of witnesses to wills, or the sex of witnesses to men's and women's wills.

The multi-layered and mixed-methods approach to analysing the wills in the Nvivo database provides distinct advantages when compared to either purely statistical or purely qualitative analyses of these sources. The data relating to the number and type of bequests and their recipients are of course important, but it is asserted here that in order to understand fully the significance of those bequests in the terms in which contemporaries would have understood them, a fully contextual approach is needed. Specifically, it is important that the language used within the wills (when making the bequests and referring to recipients) is analysed in conjunction with the bequests themselves. Instances of the language of love, remembrance or displeasure, for example, can be coded in relation to particular bequests, and data can be presented on the number of gifts given framed in this particular language. In this way it is possible to come closer to understanding the 'true' significance of these gifts for contemporaries.

Another benefit of Nvivo's qualitative and quantitative capabilities is its capacity to allow for a full consideration of the naming patterns used by testators when referring to kin, as referenced briefly above. This allows for an exploration of the quality of relationships in a depth that has not before been achieved. While several scholars have commented upon the fluidity of early modern naming practices,⁴⁰ to date no other scholar has incorporated a

⁴⁰ Will Coster, *Family and Kinship in England 1450-1800* (Pearson Education Limited: London, 2001), 40; Keith Wrightson, 'Kinship in an English village: Terling, Essex 1550- 1700', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 324n; and David Cressy, 'Kinship and Kin Interaction in Early Modern England', *Past and Present* 113 (Nov., 1986): 65-67.

consideration of this into a study of early modern wills, perhaps because of the problems it presents.⁴¹

The other primary sources employed in this thesis were read qualitatively, as a means of enhancing the information found within the wills. Jeanne Jones's transcriptions of Stratford's inventories were used to provide background knowledge on the will-makers: this proved particularly important in terms of identifying those individuals whose relationship to testators may have been left unspecified in the wills themselves.⁴² The inventories also provided contextual information for the bequests found in the wills: their approximate economic value, and where they might have been located within the home. The parish registers of Stratford's baptisms, marriages, and burials, meanwhile, were particularly useful in the reconstruction of family trees and in ascertaining the (often approximate) ages of testators. Uncovering these details allowed for the reconstruction of six case study families, in order to examine the significance of gifts given at different stages of the testators' lives, and which kin people chose to remember when making their wills. This in turn would indicate how important different relationships within each family might have been.⁴³

The evidence of the testamentary disputes found in the Worcester ecclesiastical court records was also read qualitatively, and set alongside that of the wills in order to inform an understanding of the lived experience of will-making at this level of society in the West Midlands region. Despite the fact that very few depositions survive relating to Stratford, and none which can be tied to any of the extant wills, nevertheless those testamentary disputes

⁴¹ I discuss the implications of these naming practices in chapter three.

⁴² Due to the necessary time constraints faced, it was not feasible to trace every person named in every will. Instead, where an inventory for the testator survived, recourse was had to Jones's volume first of all, to determine what extra genealogical information she had uncovered (the research she undertook in compiling her volume was very thorough). In this way a testator without an inventory in this study is less likely to have their bequests to 'unknown or unspecified' people identified and attributed according to their 'true' – biological or otherwise – relationship to those people. It is an unfortunate result of the size of the dataset, but unavoidable: to do the kind of family reconstruction required to trace every person named in the wills would not have been possible within the time available.

⁴³ For this, see chapter three.

heard at Worcester prove useful in that they provide contemporary accounts of deathbed practice in the West Midlands. These reports have been compared with ideal procedures set out in the prescriptive literature on this subject, always with an awareness of the fact that the depositions, emerging as they do at points of contention, arguably do not illustrate what was the norm in terms of will-making.⁴⁴ The depositions have also been used occasionally to inform an understanding of early modern women's economic and social position.

The other sources used in this thesis: the subsidy rolls, Court of Record proceedings, vestry minutes, Quiney letters, and the Corporation's minutes and accounts, have all been used to provide a broad range of supporting evidence on women's legal and economic identity in early modern Stratford. These sources have proved vital in expanding on the information gleaned from the wills concerning women's opportunities for employment, their ability to earn wages, and how their marital status might have affected their economic identity and capabilities.

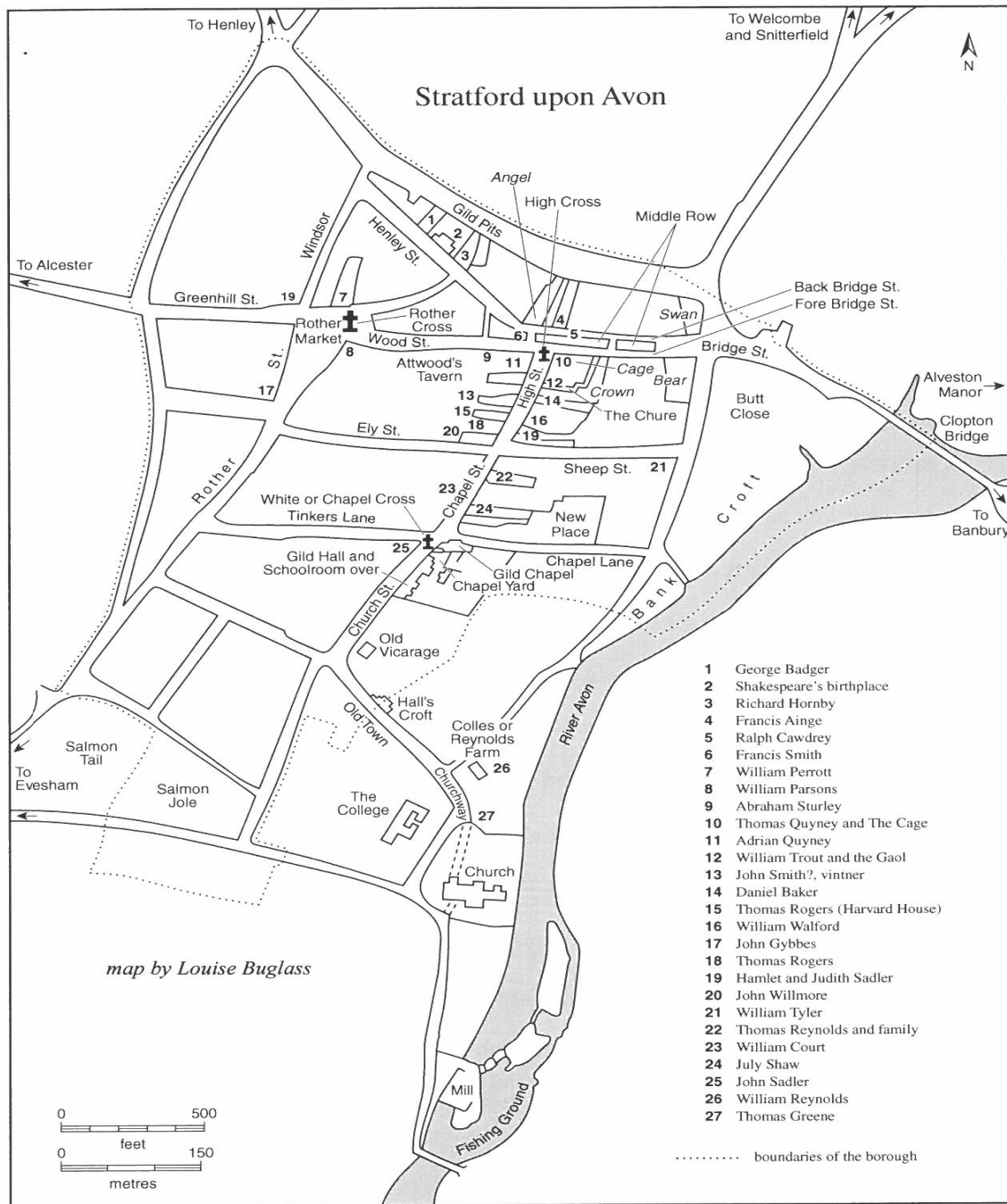
In summary, the benefit of utilising this range of sources in conjunction with the wills is that together they build a nuanced, detailed picture of life (particularly for women) in Stratford at this time. Together, these sources provide a sense of how the members of this community negotiated their everyday lives and their relationships with their nearest and dearest. A regional study of this kind is important because it can be set beside what is already known about kinship and communities, and about the ordinary lives of women elsewhere, and can help to build a broader picture of everyday life in the sixteenth and seventeenth centuries. While many studies focus on Shakespeare and the society in which he lived, it is argued here

⁴⁴ For this, see chapter two.

that the evidence from Stratford invites a different study, one which examines in particular the lives of the women of this settlement on their own terms.⁴⁵

⁴⁵ One of the most recent studies about Shakespeare and his world, testifying to the continued popularity of the subject, is Paul Edmondson and Stanley Wells's edited volume, *The Shakespeare Circle: An Alternative Biography* (Cambridge: Cambridge University Press, 2016). Germaine Greer's book about Anne Hathaway provides an important female perspective on the early modern town, yet still crucially uses Shakespeare as a lens through which to view his wife. *Shakespeare's Wife* (London: Bloomsbury, 2007).

Early modern Stratford



Map 1. Stratford-upon-Avon, c. 1600. The principal buildings and some of the known residences of the town's foremost inhabitants are marked.¹

¹ Map taken from Jonathan Milton, 'Gentility in an Urban Context in late Tudor and early Stuart England (with specific reference to the governing elite of Stratford-upon-Avon, 1553-1640)', (unpublished PhD thesis: University of Birmingham, 2008), 112.

Stratford-upon-Avon in the sixteenth and seventeenth centuries was a bustling market town of around 2,000-3,000 inhabitants, depending on whether one takes into account the borough or the parish boundaries.² This would make Stratford large for a ‘market town’ designation according to Alan Dyer, who states that generally the largest market towns only had populations of up to 2,000 people by the later period of around 1700.³ It is likely, however, that the upper estimate of 3,000 inhabitants was an exaggeration: this number was given by the Corporation in a 1591 petition pleading with Lord Burghley to excuse the vicar his payment of first fruits to the Crown on the basis of his small stipend, and his lack of glebe lands and tithe rents.⁴

Stratford was granted market status in a charter of 1196 and by 1610 boasted a weekly market and numerous two- and three-day fairs throughout the year.⁵ Of particular importance was the horse fair, which by the mid-1600s was conducting large numbers of transactions and bringing in traders from across Warwickshire, Leicestershire, Northamptonshire,

² The borough of Stratford-upon-Avon included almost all of the town we recognise today except for an area around the parish church of Holy Trinity and towards the waterside. For full details of the extent of the boundary see ‘The borough of Stratford-upon-Avon: Introduction and architectural description’, *British History Online*, <http://www.british-history.ac.uk/vch/warks/vol3/pp221-234> (accessed 6 June 2016). Alan Dyer estimates the population to have been around 2,500 in 1597: ‘Crisis and Resolution: Government and Society in Stratford, 1540-1640’, in *The History of an English Borough: Stratford-Upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton, 1997), 90.

³ Alan Dyer, ‘Small market towns, 1540-1700’, in *The Cambridge Urban History of Britain Volume 2, 1540-1840* ed. Peter Clarke (Cambridge: Cambridge University Press, 2008), <http://dx.doi.org/10.1017/CHOL9780521431415> (accessed 3 June 2016).

⁴ Savage, trans., and Fripp, ed., *Minutes and Accounts, vol. IV*, 127. Nevertheless, Christopher Dyer notes that Stratford, in the late medieval period at least, did ‘occupy a superior rank among the market towns of its region’: ‘Medieval Stratford: a Successful Small Town’, in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), 61.

⁵ ‘The borough of Stratford-upon-Avon: Historical Account’, *British History Online*, <http://www.british-history.ac.uk/vch/warks/vol3/pp234-244> (accessed 4 January 2016). See also Robert Bearman, ‘The Charter of 1196’, in *The History of An English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), 6; and Levi Fox, *The Borough Town of Stratford-upon-Avon* (Stratford-upon-Avon: The Corporation of Stratford-upon-Avon, 1953), 61-62.

Gloucestershire and Oxfordshire.⁶ The fair was a significant entity in itself, but it would also have brought trade to Stratford's other businesses: retailers, mercers, and craftsmen would no doubt all have profited from its presence.⁷ Stratford also found itself strategically placed for trade, geographically speaking: it was positioned on a river, and located between two important areas of agricultural production: the Arden to the north and west (known for its timber, fuel and cattle), and the Felden to the south and east (which traded primarily in grain).⁸ The convergence of all of these would have ensured a steady flow of trade and custom for Stratford's inhabitants. Christopher Dyer calls Stratford a 'gateway market connecting different rural landscapes', and notes its success due to this.⁹ Furthermore, even though Stratford did not lie on a direct route to London, its connections to Oxford meant that its carriers could still journey to the capital and obtain goods for sale or distribution in Stratford.¹⁰ As a result of all of this, its inhabitants were well-placed to enjoy a fairly buoyant trading economy and access to some of the latest goods and fashions, even if they might have had to wait a little longer for them than those living in larger cities, or closer to the capital.

Just how many of Stratford's inhabitants benefited from its trade links, and to what extent, is uncertain, however. Not all of its businesses prospered universally. By the early sixteenth century the glovers, for example, were facing hard times,¹¹ while most of the town's inhabitants (and certainly those appearing in this thesis) were by no means wealthy and belonged firmly to the 'middling sort' of people. The term 'middling sort' is useful here (if somewhat anachronistic) because it is one which would have been used and understood by contemporaries from the later part of the period under consideration: it refers broadly to those

⁶ 'Historical Account'. See also Jeanne Jones, *Family Life in Shakespeare's England, 1570-1630* (Stroud: Sutton Publishing Limited, 1996), 36-37.

⁷ Jones, *Family Life*, 36-37.

⁸ Christopher Dyer, 'Medieval Stratford', 54. See chapter four of this thesis for a thorough exposition of Stratford's economy and trading.

⁹ *Ibid.*, 57.

¹⁰ See chapter four for an account of some of Stratford's carriers.

¹¹ Alan Dyer, 'Crisis and Resolution', 86.

who were not members of the landed elite, but who managed to live a life above the level of abject poverty.¹² In reference to Stratford in particular, a wide variety of economic levels were encompassed under this one term: some of the testators seem to have lived on the brink of poverty, as for example Margret Smith, who died in the almshouse in 1586.¹³ Others, meanwhile, rose to positions of civic importance and enjoyed levels of personal wealth which allowed them to live in comfort and even luxury: neither the inventories of the widow Alice Smith nor the prominent Puritan woollen draper and alderman Daniel Baker have survived, but both of their wills were proved in the Prerogative Court of Canterbury and reveal great levels of personal wealth. Alice made monetary bequests totalling £667,¹⁴ while Daniel's will lists substantial amounts of land and money, and he was also generous in terms of his charitable giving.¹⁵

Early modern Stratford was therefore a relatively populous market town, with a healthy economy and plenty of trade opportunities. It was well connected to the local area and beyond, and some of its citizens enjoyed a very comfortable standard of living. The vast majority, however, lived decidedly ordinary lives, in which the success of their households relied upon their members' ability to bring in work and other sources of income. The implications of this, particularly as they relate to the women of the town, are discussed fully in chapter six.

¹² Before the middle of the seventeenth century people may have been more inclined to refer to the 'better sort' or 'runder sort' of people in any settlement, however the term 'middling sort' has been chosen in this thesis because of its near-contemporaneity and its ability to evoke the structure of early modern society in the eyes of the twenty-first century historian. The utility of this definition, and some of its problems, are set out by Henry French in 'The Search for the "Middle Sort of People" in England, 1600-1800', *The Historical Journal* 43, no. 1 (Mar. 2000): 277-293. See also Keith Wrightson, 'Estates, degrees, and sorts: changing perceptions of society in Tudor and Stuart England', in *Language, History and Class* ed. Penelope Corfield (Oxford: Basil Blackwell Ltd., 1991), 49-51.

¹³ Will of Margret Smith.

¹⁴ Will of Alice Smith.

¹⁵ Will of Daniel Baker.

Thesis structure and key questions

The final section of this introduction sets out the structure of the thesis and the focus of each chapter, in order to situate this new research within the current historiography, and to highlight new areas of enquiry which will be explored. The thesis is comprised of six chapters and begins by setting out the broad legal and historical context to the subject matter, gradually moving towards an increasing focus on the women of Stratford as the work progresses.

Chapter one delineates the legal position of women in the early modern period, using as its basis Erickson's excellent exposition of the different types of jurisdiction in place at this time, and the impact each one had on various aspects of women's lives. In particular, it highlights the important work done by Stretton on this subject, which provides ample evidence to refute the assumption that married women enjoyed no legal identity whatsoever. Particular reference is made in this chapter to what the different legal sources can reveal about the lives of Stratford's women: their roles in the business of will-making, for example; their opportunities for employment; their management of household finances; and their ownership of property. In this way, chapter one provides the first sustained treatment of the legal identity of the women of this Midlands market town.

Moving on from this important introductory matter and legal grounding, the second chapter sets out the practice of will-making in the Diocese of Worcester (of which Stratford was a part), exploring first of all how testators in this region adhered to or deviated from the practices prescribed in the literature of the time. Stratford's 226 wills are paired with 60 contested probate court cases from Worcester's ecclesiastical court, and this rarely-utilised combination of sources thus adds important information to the existing knowledge surrounding the early modern 'culture of will-making'. The chapter then moves on to

consider the role of women in will-making in Stratford and the Diocese of Worcester, noting the range of duties and responsibilities that women of all marital statuses might undertake: what emerges is the realisation that historians to date have not given enough credit to the variety of roles women might fulfil when attending the deathbed. Scribal practice in Stratford is the final issue discussed in this chapter, and this is informed by the work of the town's most prolific scribe. William Gilbard alias Higgs was the town's curate and over a career spanning forty-five years wrote 50 wills which survive to us today; this is the joint-largest number of wills surviving in one scribe's hand (tied with the 50 wills written by one man identified by Margaret Spufford in her article on early modern Cambridgeshire wills).¹⁶ This treatment therefore provides crucial insight into the practice of will-making, not just in this town but in early modern England.

Having established the legal and regional context for will-making in sixteenth- and seventeenth-century Stratford, the thesis turns in chapter three to analysis of the wills. Here a comparative treatment of men's and women's bequests is conducted, particularly in terms of their recipients: this is undertaken in order to test the conventional notion that women were predominantly concerned with bequeathing goods to their female relations. Family reconstitution has been undertaken on six case study families drawn from the dataset of wills in order to explore how a testator's age, sex, and stage in the life-cycle might affect their distribution of property at death, and which family members testators were choosing to remember in their wills. The chapter's findings are compared with those of Keith Wrightson for the Essex village of Terling in the same period: in this way points of similarity and

¹⁶ Margaret Spufford, 'Religious Preambles and the Scribes of Villagers' Wills in Cambridgeshire, 1570-1700', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Ltd, 2000), 144-157. William Gilbard's first identifiable will was written in 1564; the last in 1609. Spufford's scribe was called Laurence Milford.

comparison between the two settlements can be drawn out, thus enabling some comment on the nature of kinship in Stratford as compared with elsewhere in the country at this time.¹⁷

The focus remains on the evidence of Stratford's wills in the fourth chapter, which turns its attention to patterns of gift-giving and the differences observable between the testamentary practices of the town's male and female testators. In order to provide an appropriate context for the types of gifts Stratford's testators were giving, the town's economic position in the period is elucidated, and the market value of some of the materials mentioned in the wills is set out. This exploration of the kinds of goods Stratfordians may have been able to access and their approximate availability and cost allows for further investigation into the likely significance (emotional or economic) of the gifts bequeathed, and ties in closely with the findings of the penultimate chapter, which explores the language of affect.

In this fifth chapter the focus on material culture and emotions begun in chapter four continues, with particular attention paid to some of the most significant phraseology employed in wills: namely, the language of 'remembrance', 'token', and 'love'. It is one of the arguments of this thesis that a deeper engagement with the language used by will-makers should be applied in tandem with the contextual economic and material culture evidence, and this practice is applied here, in order to provide a more detailed view of the significance of bequests to testators and beneficiaries. Together, chapters four and five offer a holistic exploration of the attitudes of Stratford's will-makers to those they left behind. In this way, they inform the study of kin relationships explored in chapter three and form one of the first

¹⁷ Wrightson, 'Kinship'. Although Terling was a smaller settlement than Stratford, with around 600 inhabitants in the seventeenth century, Wrightson's study has many parallels with this one, and thus the two areas can usefully be set beside each other as a means of comparison. See chapters three and four for a full engagement with Wrightson's study.

historical studies of bequest patterns in the early modern period to utilise both quantitative and qualitative methodologies.¹⁸

Finally, chapter six narrows the thesis's focus to the economic lives of Stratford's women, by exploring their opportunities for work, and for earning and lending money. Traditionally women's economic autonomy has been obscured in extant early modern sources: their wills, unlike men's, do not note their occupations in the preambles, while wives' work in particular tends to be overshadowed or entirely absent in records relating to their husbands. It is argued here that these sources must be examined more carefully, and used alongside information provided by other sources such as civic records in order to find evidence concerning women's economic activities. In this way evidence about the everyday lives of married women in particular can be brought to bear in building a composite picture of the role that women of all marital statuses and ages played in supporting and maintaining their households.

¹⁸ Again, on this see Catherine Richardson's work, in particular *Domestic Life*.

CHAPTER ONE

WOMEN, LAW, AND PROPERTY

The legal identity of the women of Stratford-upon-Avon was constructed and negotiated by reference to a system of several different, overlapping jurisdictions, which in operation were far more complex than the common law alone. Amy Louise Erickson illustrates the complexities of the situation in the introduction to her important work *Women and Property in Early Modern England* (1993), in which she sets out the problems of focusing solely on the common law:

[Such a focus] ignores the other four bodies of law which regulated property ownership in the early modern period ... [I]n fifteenth-century England the system called 'equity' originated in order to modify what was perceived as the harshness of the common law, and throughout its history a considerable part of the business of equity courts consisted of cases involving the property of married women, which the common law did not recognize. Ecclesiastical law regulated the division of personal property, and in doing so it followed Roman civil law, which ... advocated a form of community property within marriage and the equal division of parental wealth among all children. Manorial or borough law varied locally, affecting the inheritance of land within the manor or borough... Finally, parliamentary statutes ... also played a crucial role in regulating property transmission, principally by intervening in ecclesiastical law.

The common law, equity, manorial law and ecclesiastical law operated jointly to produce a workable legal system in early modern England. The common law was never meant to be exclusive – it would have been wholly untenable on its own.¹

Evidently a number of legal systems were at play, and this therefore renders it almost impossible – and, in fact, highly reductive – to attempt to generalise about what might have been the ‘overall’ legal position of early modern women by reference to the common law alone. It will therefore be beneficial here at the beginning of this thesis to consider each jurisdiction in turn to provide a more nuanced picture of women’s property ownership, inheritance, and right to trade in this period, and how their legal position may or may not have altered according to their marital status. Beginning with the common law allows a consideration of what, theoretically, was the prevailing opinion of women’s legal position at this time. Each of the other jurisdictions will then be considered in turn to examine how women negotiated their status in practice. Finally, local laws pertinent to Stratford-upon-Avon will be set out.

Common law

Under the common law, a woman’s legal identity was ostensibly subsumed under that of her husband upon marriage; she became ‘covert baron’ or a ‘feme coverte’. Unmarried and widowed women, by contrast, ‘had full legal capacity’.² In terms of a woman’s property

¹ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1995), 5. Rosemary O’Day also comments that ‘In the early modern period several different laws ran and, whereas a married woman was undoubtedly in a state of coverture in the common law courts and therefore without rights and property, married women did have legal identities in the ecclesiastical and equity courts which could be and were defended.’ *The Family and Family Relationships, 1500-1900: England, France & the United States of America* (Basingstoke: The Macmillan Press Ltd, 1994), 101.

² Tim Stretton, *Women Waging Law in Elizabethan England* (Cambridge: Cambridge University Press, 1998), 101.

rights, this meant that upon marriage a woman's real and personal property became her husband's, although there were nuances within this, as Erickson explains:

The moveables she lost permanently; the leases she might recover if she survived her husband and he had not disposed of them during his lifetime; the freehold or copyhold he held 'in the right of his wife' and received the profits thereof, although he could not permanently dispose of the land without her consent.³

There were means of circumventing these limitations, however, which might enable a married woman to retain some rights over some of her property. A marriage settlement could be drawn up, placing either property or money in trust and thus protecting it from falling into a husband's hands. 'Separate estate' might ring fence certain property to be put in trust to the wife's use during her coverture, which essentially entailed signing over the rights to the land to a trustworthy relative or friend who promised to retain the profits for the woman's use. 'Pin-money' and 'paraphernalia' theoretically allowed a wife access to money and personal property (such as clothes, jewels, and linen) throughout her marriage, although in reality this could be difficult to enforce should a husband choose not to pay.⁴

The terms of a marriage settlement might also allow for a wife's right to make a will and dispose of certain goods; without such provision the common law dictated that a married woman was not permitted to make her own will unless she had received the express permission of her husband, which he could then withdraw up to the point of probate.⁵ In

³ Erickson, *Women and Property*, 24-25.

⁴ *Ibid.*, 26. A husband might also be enjoined to sign a bond stating that any money gifted to his wife in a will would be received by her alone, as seems to have been the case in the 1648 will of Michael Smart of Luddington: 'Further it is my will that Edward Prestich my sonne in law before he riceiue the forty pounds added to my daughter Esthers portion, shall geue sufficient security that the sayd forty pounds shalbe wholly & alone at my daughter Esthers disposall, to geue it or doe with it what she pleaseth.'

⁵ '[P]arliament in the mid-fourteenth century objected that a wife could not make a will without a pre-marital agreement with her husband to do so. Even then a husband could revoke his consent at any time up until his wife's will was proved in court.' Erickson, *Women and Property*, 139. See also Maria Cioni, *Women and Law in Elizabethan England with Particular Reference to the Court of Chancery* (New York & London: Garland

Stratford the yeoman William Ainge made provision in his 1620 will to allow his wife to dispose of her own goods at her death, which may indicate a marriage settlement:

Alsoe my will is, And soe I devise that Katherine my wife shall haue the disposinge of hir chest or coffer And all thinges therin to whome she shall thinck good at Any tyme before hir decease, And that my executor shall pay or cause to be paid within tweluemonthes next after the decease of Katherine my wife the full And perfect somme of ten poundes vnto such person or persons as she shall will and bequeath the same vnto, at or before hir decease...⁶

Some uncertainty surrounds William's intention with this stipulation, however, as Katherine after his death would, as a widow, have regained her 'feme sole' status and with this her right to dispose of any property considered her own. The wording of the bequest is suggestive, nonetheless, of how a wife during marriage, despite the strictures of coverture, may have retained the right to her own property in full agreement with her husband: William describes the 'chest or coffer' as belonging to 'hir', which perhaps indicates that she had brought it with her to the marriage and that the couple had always considered it to be hers. Erickson also highlights the likelihood that many married couples maintained this sense of the woman's right to the belongings she owned on marriage, despite the husband's legal entitlement to them under the common law. For her, this practice becomes evident in the post-mortem compilation of inventories, where 'it is clear that goods considered the wife's were not always included in her husband's inventory even though he technically owned them'.⁷

Publishing Inc., 1985), 223, and W. S. Holdsworth, *History of English Law, Volume III* (London: Methuen & Co., 1909), 407.

⁶ Will of William Ainge.

⁷ Erickson, *Women and Property*, 145. Tim Stretton and Krista Kesselring also find this to have been the case: 'Introduction: Coverture and Continuity', in *Married Women and the Law: Coverture in England and the Common Law World* ed. Tim Stretton and Krista J. Kesselring (London: McGill-Queen's University Press, 2013) 8-9.

Generally speaking, therefore, women's testamentary rights under the common law were only restricted for those who had married: as 'femes soles', single women and widows were free to bequeath and inherit, although any will a woman made while single would become void should she subsequently marry.⁸ She could, however, choose to ratify this will if her husband then predeceased her.⁹ As previously mentioned, wives could only make a will if they had obtained permission from their husbands, although Mary Prior's research explores a large group of wills made by wives in Elizabethan Oxfordshire. These wills were proved, and most of them appear to have been written with their husbands' consent, although there were a few which were written without.¹⁰ As no wives' wills survive for Stratford, and very few appear to have survived in other areas of the country (Cross found only 6 in her sample of 2,200 for Leeds and Hull, for example), this practice seems to have been predominantly an Oxfordian anomaly.¹¹

A married woman's ability to inherit was also restricted under common law. Technically speaking, a wife could not receive legacies, although examples exist of bequests being made

⁸ Stephen Coppel, 'Wills and the Community: a Case Study of Tudor Grantham', in *Probate Records and the Local Community* ed. Philip Riden (Gloucester: Sutton, 1985), 73, and Anne Laurence, *Women in England, 1500-1760: A Social History* (London: Phoenix Press, 1996), 233.

⁹ Henry Swinburne, *A briefe treatise of testaments and last willes very profitable to be vnderstoode of all the subiects of this realme of England, (desirous to know, whether, whereof, and how, they may make their testaments: and by what meanes the same may be effected or hindered,) and no lesse delightfull, aswell for the rarenes of the worke, as for the easines of the stile, and method: compiled of such lawes ecclesiasticall and ciuill, as be not repugnant to the lawes, customes, or statutes of this realme, nor derogatorie to the prerogatiue royall. In which treatise also are inserted diuers statutes of this land, together with mention of sundrie customes, aswell general as particular, not impertinent thereunto: besides diuers marginall notes, and quotations not to be neglected, especially of Iustinianists, or young students of the ciuill law: vvith two tables, the one analytically ... the other alphabeticall ... By the industrie of Henrie Swinburn, Bachelor of the Ciuill Lawe* (London: Printed by John Windet, 1591), 47v. *Early English Books Online* (accessed 3 December 2013).

¹⁰ Mary Prior, 'Wives and Wills, 1558-1700', in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 216 and 219.

¹¹ Claire Cross, 'Northern Women in the Early Modern Period: the Female Testators of Hull and Leeds 120-1650', *The Yorkshire Archaeological Journal* 59 (1987): 85-86. Lloyd Bonfield cites the case of a married woman's will from the later period of 1685, proved in the Prerogative Court of Canterbury, in which the woman left nothing to her husband. The couple's marriage agreement had specified that she should be allowed to make a will to dispose of goods up to the value of £800. *Devising, Dying and Dispute: Probate Litigation in Early Modern England* (Farnham: Ashgate, 2012), 217-218. Richard Helmholz, however, argues that married women's wills virtually disappeared over the course of the fifteenth century: 'Married Women's Wills in Later Medieval England', in *Wife and Widow in Medieval England* ed. Sue Sheridan Walker (Ann Arbor: University of Michigan Press, 1993), 169-170.

to married women: perhaps the tacit assumption was that in most cases a husband would allow his wife to take possession of gifts. It would have been a cruel man indeed who consistently availed himself of the opportunity to seize every gift intended for his wife. One example of a legacy given to a married woman occurs in the 1584 will of Robert Harvy:

Item I geve & bequeth Vnto Elnor Gibbs my hostes & Wyf vnto Rychard Gibbs in consyderatyon of her paynes that she hath taken with me xl s...¹²

The particular wording of this bequest has the potential to shed light on the nature of the relationships between some of Stratford's husbands and wives: even though Robert had presumably been lodging with both Elnor and Richard during his sickness (he also referred to Richard later on in his will as his 'host'), his bequest of 40s was explicitly made to Elnor because of the 'paynes' she had taken with him. It seems, then, that this Stratford wife was working with some degree of autonomy, even though the income she earned more than likely went towards the running costs of the household. It might, therefore, be speculated that her husband allowed her to receive this gift herself, too.¹³

In 1590 William Jones made another man's wife his residuary legatee and executrix:

This bequest done detts payd & legaces lev[i]ed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in whose hands soever they be Vnto Anne Pyggen wyf of hugh pyggen /of Stratford aforesayd\ who I make my sole ex/e\katrrix...¹⁴

This situation is unique for Stratford, however, and although it has not been possible to trace any family connection between William Jones and Anne Pyggen, it is likely that one existed,

¹² Will of Robert Harvy.

¹³ For more on women's work and wage-earning, see chapter six.

¹⁴ Will of William Jones. On 26/08/1578 'Hugh Pigget' and 'Anne Alee' were married. 'Hugh Peggen' was buried on 28/09/1616, but I can find no record of Anne's burial. *Stratford on Avon, Warwick, Parish Registers of Marriages, 1558-1812*. Author's own copy, PDF pagination, 6.

for simply his appointment of her in such a role is remarkable: any married woman operating as an executor would have required her husband's permission, due to the necessary handling of property that the role required.¹⁵ In terms of testamentary duties, a woman who had been appointed executrix while single or widowed would retain this role and execute its obligations despite any subsequent marriage,¹⁶ although in many cases protective measures would be taken, such as drawing up a bond to prevent the woman's new husband from interfering with the deceased's property while under the direction of his wife.¹⁷ A woman who had been appointed her late husband's executrix could, in theory, retain this role despite any subsequent marriage, although in practice, as Mary Prior notes, she would be restricted simply to naming a new executor. If she wished to carry out the executorship herself, then she again required permission from her new husband.¹⁸

When a husband died his widow was entitled to dower under the common law, which allowed her a third of her husband's land for life.¹⁹ Again, however, the exact workings of this were problematic, as Stretton explains:

By the sixteenth century fewer and fewer wives put their faith in the common law right of dower, [which] ... could be difficult to define. It offered widows a life estate in one third of their husbands' lands, but did this mean a third of the lands they held at

¹⁵ Prior, 'Wives and Wills', 204. For more on this see note 74, below (p. 51).

¹⁶ As Holdsworth explains, 'The office of executor is transmissible to the executor of an executor.' *History of English Law, Volume III*, 446.

¹⁷ Amy Louise Erickson, 'Common Law versus Common Practice: the Use of Marriage Settlements in Early Modern England', *The Economic History Review* 43, no. 1 (1990): 34 and Prior, 'Wives and Wills', 204. This procedure could meet with problems: one Stratford case which appears in the Worcester ecclesiastical records tells how a widow's new husband took control of goods which had been left to her in her role as executrix of her late husband. When the woman's new husband also subsequently died, his son, as his executor, took control of the property in question, thus depriving the woman's son by her first marriage of his inheritance. Worcestershire Archive and Archaeology Service (hereafter WAAS), Ecclesiastical court depositions 794.052 vol. 6 ff167r-210r. This happened even though Henry Swinburne declared that in this situation 'if the wife die, the husband cannot conuert any of the goods and cattels belonging to the first testator to his owne proper vse; for of such goodes the wife her selfe may make a testament, appointing an executor without the licence of her husband...'. *A brieft treatise*, 216v.

¹⁸ Prior, 'Wives and Wills', 204.

¹⁹ Lawrence Stone, *Road to Divorce: England 1530-1987* (Oxford: Oxford University Press, 1990), 69.

marriage, those in their possession when they died, or those they controlled in between? Moreover, the right only applied to lands held in fee, and therefore excluded lands held by copyhold or leasehold, lands subject to entails, or lands tied up in uses. Dower could also be difficult and time consuming to claim, often requiring the co-operation of the inheriting heir (and failing co-operation, legal proceedings)...²⁰

Expanding upon Stretton's definition of dower, Erickson says that it entitled women to a third of their husbands' lands *from any point* during the marriage,²¹ while Maria Cioni clarifies that this could include lands which were no longer in a woman's husband's possession.²² A woman's right to dower could be complicated further if the couple had received an annulment under ecclesiastical law (as opposed to separation 'from bed and board'): this allowed the couple to remarry, but simultaneously 'barred the woman from her dower rights ... and bastardised any children born of the union.'²³ Stretton explains that because of such issues with dower an increasing number of women turned to jointures to secure their widowhood. These agreements were often set out as part of a marriage settlement, and guaranteed either land or an annuity to the woman on her husband's death.²⁴

²⁰ Stretton, *Women Waging Law*, 27.

²¹ Erickson, *Women and Property*, 25.

²² Cioni, *Women and Law*, 174. On dower see also Holdsworth, *History of English Law, Volume III*, 407.

²³ Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987), 145. Separation from bed and board did not prevent a woman from claiming dower after her husband had died: Stone, *Road to Divorce*, 304-305. On annulment and separation from bed and board (along with other types of separation) see also Roderick Phillips, *Putting Asunder: a History of Divorce in Western Society* (Cambridge: Cambridge University Press, 1988), 4, 9-15. On the possibilities of separation for a slightly later period than that covered by this thesis, see Lawrence Stone, *Broken Lives: Separation and Divorce in England 1660-1857* (Oxford: Oxford University Press, 1993), 18-25.

²⁴ Stretton, *Women Waging Law*, 27. He notes that: 'In early jointures married couples held interests in lands in their joint names (often lands bought for the purpose using women's portions (or dowries) although men usually contributed to the purchase as well) with the intention that the survivor would enjoy a life interest in the profits accruing from them. Jointure lands were clearly identifiable and they (or more usually the right to rents from them) became a widow's on the day she was widowed, without the need for legal process. Later jointures specified a guaranteed annuity rather than specified lands, and equity courts proved more willing than common law courts to enforce these arrangements.' It may be the case that families, not just women, began to prefer jointure over dower, due to the fact that dower obstructed an heir's right to property. On this see Cioni, *Women and Law*, 174-178.

In its strictest interpretation, then, coverture barred a married woman from receiving gifts, even from her husband (who would in effect have been giving the gift to himself); from making contracts; from lending money; and from trading in her own right. Yet it should be remembered that '[m]ost of the rules of coverture served not to guide every transaction but rather to provide clarity and direction in times of crisis or after a death.'²⁵ Despite its restrictions on married women, moreover, Stretton also finds that recourse to the records of the equity Court of Requests reveals '... plenty of evidence to suggest that in practice married women held property, accepted gifts, received payments, held money or goods to the use of third parties and made contracts, all without the permission and often the knowledge of their husbands.'²⁶

The veracity of Stretton's statement is borne out by other scholarship on the subject. While it is well known that single women and widows could trade as 'femes soles' under the common law in early modern England,²⁷ Marjorie McIntosh, for instance, has found evidence of wives exploiting the benefits of coverture by not only choosing to trade independently of their husbands, but in doing so crucially opting to retain their 'feme coverte' status, 'as they would then have the husband's economic backing, his participation in the event of legal action, and a chance to manipulate their ambivalent status in the courts.'²⁸ Erickson also comments on the fact that early modern society was one in which 'most married women earned income, and in which debts appear to have been regularly paid to married women in their own

²⁵ Stretton and Kesselring, 'Coverture and Continuity', 8.

²⁶ Stretton, *Women Waging Law*, 130-131.

²⁷ Mary Prior, 'Women and the Urban Economy: Oxford 1500-1800', in *Women in English Society, 1500-1800* ed. Mary Prior (London: Routledge, 1991), 102-103; and Stretton, *Women Waging Law*, 103. Again, however, there were complications within this: in some areas a widow might be allowed to trade but would have to pay higher fees than her late husband, and widows were also often denied entry into guilds.

²⁸ Cited in Cordelia Beattie, 'Married Women, Contracts and Coverture in Late Medieval England', in *Married Women and the Law in Premodern Northwest Europe* ed. Cordelia Beattie and Matthew Frank Stevens (Woodbridge: The Boydell Press, 2013), 136. For McIntosh on this, see 'The Benefits and Drawbacks of Femme Sole Status in England, 1300-1630', *The Journal of British Studies* 44 (2005): 412, 419-420, 426. See also McIntosh, *Working Women in English Society, 1300-1620*, in which she states that: 'This lack of clear legal responsibility for a married woman's economic activities may have made men hesitate before entering into contracts or extending loans to them'. (Cambridge: Cambridge University Press, 2005), 24.

right.²⁹ Chapter six of this thesis will examine the implications of these factors on the occupational status of Stratford's women.

Married women's legal inability to maintain control of finances independently of their husbands is also called into question by the evidence of Stratford's wills. There is no extant evidence that any of Stratford's wives made wills, so while it appears that the townspeople adhered to the edicts of the common law in this respect, an examination of the men's wills in fact reveals a looser engagement with the law in terms of money-lending. It appears that in Stratford, some married women participated in financial transactions in their own right:

Henry Gatlyf, for example, noted in his 1604 will that 'old Stannells Wyf' owed him 15 ½ pence, and that 'dunstons Wyf oweth me xijd'.³⁰ It is likely that these women were borrowing these relatively small sums of money to help with everyday household expenses, although the fuller Richard Baylis's 1605 will demonstrates how Stratford's married women could also be moneylenders. He owed '... to Sycilly Collens Wyf to Rychard Collens iiijs'.³¹

In summary, this overview of the impact of the common law on women's legal status in early modern England has revealed that while in theory married women should have been severely restricted in everyday life, in practice many 'middling sort' wives maintained a degree of autonomy and control over their finances and their right to property. Their right to make a will proved rather more problematic. Stretton, however, indicated that women might find alternatives to the common law in the equity courts, and their legal position in this arena will now be examined.

²⁹ Erickson, *Women and Property*, 146. Beattie, however, indicates that the common law 'allowed wives to make contracts, but all purchases were subject to review and approval (or potential veto) by the husbands, who could therefore refuse to honour deals they did not like.' 'Married Women, Contracts and Coverture', 154. See also Barbara Todd, 'The Remarrying Widow: a Stereotype Reconsidered', in *Women in English Society, 1500-1800* ed. Mary Prior (London: Routledge, 1991), 65-71.

³⁰ Will of Henry Gatlyf. Some wives also appear to have been in charge of their husbands' businesses, as in the case of the smith Richard Ballamy, whose 1580 will declares: 'Item what debtes be due vnto me from others and who they <th> be that owe it my wife doth knowe by the stores witch she hath of theirs'.

³¹ Will of Richard Baylis. See chapter six for a fuller consideration of women's money-lending.

Equity

Rather than enjoying a definite jurisdiction in their own right, the courts of equity were established in the fifteenth century as a means of mitigating the harsh effects of the common law.³² The courts could also hear cases in which litigants could demonstrate that they were unable or unlikely to gain a fair hearing in the court which should ‘properly’ deal with their case: for example, if it was alleged that fraud had taken place in the matter of a bequest, equity might investigate and insist upon the production and return of important documents before handing the case back to the ecclesiastical authorities.³³

In his book *Women Waging Law in Elizabethan England* (1998), in which he examines the role of women in the equity Court of Requests, Tim Stretton notes that there is little doubt that ‘the alternative to the common law that offered the greatest benefit to women was equity’.³⁴ Women appeared in around one third of cases heard in Requests during the Elizabethan era,³⁵ although most of these were widows or wives (the latter often appearing with their husbands).³⁶ Single women, as *femes soles*, were already protected under the common law.³⁷

The largest proportion of female litigants appearing before Requests were widows, who ‘constituted almost half of the female litigant populations in Requests, Common Pleas and

³² Erickson, *Women and Property*, 5. On equity’s remit and development see also Maria Cioni, ‘The Elizabethan Chancery and women’s rights’ in *Tudor Rule and Revolution. Essays for G. R. Elton from his American friends* ed. Delloyd J. Guth and John W. McKenna (Cambridge: Cambridge University Press, 1982), 159-160 and W. J. Jones, *The Elizabethan Court of Chancery* (Oxford: Clarendon Press, 1967), 10.

³³ Stretton, *Women Waging Law*, 109-110, Cioni, *Women and Law*, 18, 20, 208.

³⁴ He defines equity as ‘the body of principles applied and developed in the prerogative courts of Chancery, Requests, the equity side of Exchequer, and the equitable jurisdictions of the Palatinate of Lancaster ... and the Palatinates of Chester and Durham.’ Stretton, *Women Waging Law*, 25.

³⁵ *Ibid.*, 7.

³⁶ *Ibid.*, 129. Stretton notes that although single women constituted the largest grouping of women in society, they ‘made up the smallest contingent of female litigants in Requests, around 10 per cent of the female litigant population and no more than 1 or 2 per cent of total litigant numbers...’, 104.

³⁷ Amy Louise Erickson, ‘Possession – and the other one-tenth of the law: assessing women’s ownership and economic roles in early modern England’, *Women’s History Review* 16, no. 3 (2007): 374, 382.

Queen's Bench, and around 5 or 6 per cent of the total numbers of litigants in these courts.'³⁸ Stretton is not surprised at this preponderance of widows, citing their recovery of legal status on the death of their husbands, combined with greater life experience, self-confidence, and access to greater resources as reasons for their increased likelihood of litigating when compared with never-married women. He also sets out the various suits that could take widows to law: jointure actions which had been set out in marriage settlements fell under the jurisdiction of equity, and widows might also bring suits to recover debts or property in their roles as executrices or administratrices.³⁹

Wives too appeared in significant numbers in the Court of Requests, both with and without their husbands (although most appeared with their spouses). Occasionally, married 'feme sole' traders who found themselves the subject of a suit of debt alongside their husbands at common law would file a suit in equity in an attempt to extricate themselves from that suit, claiming that it concerned only their spouse. In this manner husbands and wives might try and evade responsibility for debts incurred as a result of a wife's economic activities.⁴⁰ A small number of wives managed to sue their husbands at equity (some successfully), despite being prohibited from doing so under the common law. Most of these cases, Stretton explains, were a result of the church courts' inability to enforce a husband's maintenance payments to his wife on the event of their separation.⁴¹

Despite the popularity of Requests with women, however, Stretton acknowledges that '[t]he court most frequently associated with women in this period is the Westminster court of Chancery.'⁴² During Elizabeth's reign women of all marital statuses were involved as

³⁸ Stretton, *Women Waging Law*, 108-109.

³⁹ *Ibid.*, 109-110. Cases relating to dower and freebench might also come before the Masters of equity if a widow alleged fraud or the likelihood that she would not receive a fair hearing at common law.

⁴⁰ McIntosh, *Working Women*, 23-24.

⁴¹ Stretton, *Women Waging Law*, 144. See also Cioni, *Women and Law*, 30-32 and 193.

⁴² Stretton, *Women Waging Law*, 39.

principal plaintiffs in a quarter of all suits in Chancery,⁴³ and Wilfrid Prest notes that that figure remained consistent during the seventeenth century. Women mostly acted with their husbands or other men in Chancery,⁴⁴ although Prest points out that women acted on their own or in conjunction with other women in around a quarter of all cases heard during the reign of James I.⁴⁵

The reason for the popularity of Chancery amongst the women of early modern England, explains Maria Cioni, is that it was ‘ready to help female litigants and even, beginning during the latter part of the sixteenth century, prepared to establish rights for them which were denied at the common law.’⁴⁶ Married women in particular were drawn to Chancery because the court recognised that wives faced unfavourable conditions at the common law, and sought to provide them with some rights in mitigation of this. This was particularly the case in relation to their rights to property: through Chancery’s creation, the trust, the court managed to endow women with the benefits of property held to their own use, and it also recognised in cases of separation (where a woman would not be entitled to claim her dower or jointure) that a woman should have access to property commensurate with the amount she had brought with her to the marriage: this was known as her ‘“equity to a settlement”’.⁴⁷

Despite these significant anomalies, however, Stretton cautions against viewing the equity courts as a haven of resistance to the strictures of coverture, warning that in the vast majority of cases in Requests the Masters sought to uphold its principles, only providing alternative

⁴³ Erickson, ‘Common Law’, 28-29.

⁴⁴ Cioni, *Women and Law*, 30-32 and 193.

⁴⁵ Wilfrid Prest, ‘Law and Women’s Rights in Early Modern England’, *The Seventeenth Century* 6, no. 2 (1991): 181-182. Henry Horwitz, however, calculated a slightly lower number of women suing in Chancery in 1627, asserting that women made up just over 14 per cent of litigants suing in this year. Henry Horwitz, *Chancery Equity Records and Proceedings, 1600-1800: A Guide to Documents in the Public Record Office* (London: HMSO, 1995), 38.

⁴⁶ Cioni, *Women and Law*, i. It was also relatively inexpensive, in comparison with suing at the common law: Cioni, ‘The Elizabethan Chancery’, 162.

⁴⁷ Cioni, *Women and Law*, 2, 8, 280. Holdsworth acknowledges that this process might be haphazard, however: W. H. Holdsworth, *A History of English Law, Volume V. Second Edition* (London: Methuen & Co. Ltd., 1937), 311.

solutions when it was clear that a marriage had already broken down and was past the point of recovery.⁴⁸ Moreover, the benefits conferred upon wives in Chancery – the trusts putting property to their use, and their ‘equity of settlement’ – were not always applied consistently, and in development were rather haphazard.⁴⁹

Married and unmarried women could therefore apply to the equity courts in a number of instances, in the hope of alleviating some of the restrictions placed upon them by the common law. In the case of wives, however, it is unlikely that any judgment would have favoured them to the prejudice of their husbands. But did wives enjoy a better situation under ecclesiastical jurisdiction?

Ecclesiastical law

One important distinction between ecclesiastical and common law was the ability of married women to bring cases in church courts, which they were unable to do under common law.⁵⁰ The church courts, which did not officially recognise coverture, provided women with an important arena in which to represent themselves, even allowing ‘wives and husbands to bring separation proceedings against each other.’⁵¹ Church courts could order the separation of a couple (‘from bed and board’), and could order a husband to provide his estranged partner with maintenance, although they could do little to enforce these rulings except threaten the husband with excommunication. In cases where the husband proved unwilling to

⁴⁸ ‘Coverture was designed to overcome (in the husband’s favour) the dilemma of who should have legal responsibility within the partnership of marriage. If for any reason the relationship split asunder, then the doctrine no longer served its original purposes, and the Masters were no longer content to apply it without question. That they remained generally committed to the principle of coverture seems clear from the fact that they set it aside only a handful of times in sixty years...’. Stretton, *Women Waging Law*, 145.

⁴⁹ Erickson, *Women and Property*, 151 and Holdsworth, *History of English Law, Volume V*, 311.

⁵⁰ Stretton, *Women Waging Law*, 302-303. Bonfield states that ‘coverture was unknown to the civil law, and therefore to the English ecclesiastical law upon which it was based. Thus women, married and unmarried, could appear, sue, and be sued in their own name in church courts...’. *Devising, Dying and Dispute*, 225.

⁵¹ Tim Stretton, *Marital Litigation in the Court of Requests, 1542-1642* (London: Cambridge University Press, 2008), 3 and Stretton and Kesselring, ‘Coverture and Continuity’, 12.

abide by a court's decision, the injured party then had recourse to equity for satisfaction of the terms of their separation.⁵²

Furthermore, the ecclesiastical law of England differed from the common law in two main respects which are of significance here: in relation to its interpretation of women's property and women's inheritance rights. First, the church courts had long recognised the equal right of all women and men to make a will and dispose of property from the ages of 12 for girls and 14 for boys, and this included married women.⁵³ Second, in terms of inheritance, ecclesiastical law advocated the equal distribution of goods amongst children of both sexes (or between the siblings of an unmarried testator).⁵⁴ Finally, in some provinces the church courts also laid down provision for a widow's and children's inheritance, should a husband die intestate: called 'reasonable parts', this stipulated that the widow should receive one third of her husband's moveables, with the remaining two thirds to be divided equally between his children.⁵⁵

The common law had, however, gradually eroded ecclesiastical jurisdiction from the thirteenth century onwards, taking with it the right of wives to make their own wills. It also insisted on inheritance by primogeniture across almost all of England, except in parts of Kent where gavelkind, or partible inheritance, obtained. Furthermore, Erickson notes that: 'Even the ecclesiastical law of reasonable parts had disappeared by 1500 in the province of Canterbury, where a man had complete freedom to disinherit his children and leave his wife

⁵² Stretton, *Women Waging Law*, 144-145.

⁵³ Ralph Houlbrooke, *Death, Religion and the Family in England, 1480-1750* (Oxford: Clarendon Press, 2000), 83-84. He explains, however, that the 1540 Statute of Wills 'forbade the devise of land by those under the age of 21.' Ibid. See also Holdsworth, *History of English Law, Volume III*, 428.

⁵⁴ Erickson, *Women and Property*, 28.

⁵⁵ Erickson explains in detail: 'An intestate man's widow was entitled to one third of his moveables, and the other two thirds were divided equally among his children. The ecclesiastical law of the province of York, Wales, the City of London, and 'other great cities', further protected the family of a man who did make a will: his widow was entitled to one third of his moveables and his children one third, so that the head of household could only bequeath one third, sometimes called the 'dead part'. A married but childless man might bequeath only half of his moveables; the other half was his widow's.' *Women and Property*, 28.

penniless.⁵⁶ This would have been the case for testators in Stratford, which fell within Canterbury's jurisdiction.

It must be said, however, that in most cases men did not leave their wives penniless, although one Stratford will may at first glance appear to indicate such a practice. In 1625 Robert Hollis seemed to cut his wife off with the proverbial shilling:

First I give and bequeath vnto my wief with whome I Copled my selfe in the feare of god refusinge all other Women the Summe of Twelve pence of lawfull money of England *in full of her part of all my goodes whatsoever* [my emphasis].⁵⁷

Caution should be exercised when reading this bequest and others like it, however, as this choice of wording may in fact indicate a prior marriage agreement between the couple, which allowed Robert's wife to take possession of pre-agreed property prior to his death. If this was the case, then Robert would have had no need to leave his wife any other bequests, and this instance might actually signify his wish to remember her in his will in some small or 'token' way.⁵⁸

Despite the vast majority of men choosing not to leave their wives destitute, a significant number nevertheless made their bequests to their wives contingent upon the woman's remaining 'chaste and sole' after her husband's death.⁵⁹ Barbara Todd notes that in Abingdon this practice became more prevalent across the sixteenth century: in the early 1500s men had tended to leave their wives with unconditional control of all of their property, despite (and even encouraging of) the assumption that they would marry again, but after about 1570, a

⁵⁶ Ibid. See also Stretton, *Women Waging Law*, 29-30.

⁵⁷ Will of Robert Hollis.

⁵⁸ The significance of 'token' bequests is addressed in chapter five.

⁵⁹ 38 of Stratford's male testators made this or a similar stipulation in their wills. O'Day also makes reference to this in *Family and Family Relationships*, 76.

marked trend of leaving a wife property only for the duration of her widowhood emerged.⁶⁰ This pattern is also observable in Stratford: George Smyth's 1537 will, for example, simply stated: 'my body buryd & my dettes payd the resydwe of my goodes I gyve & bequeth vnto Iohanna my wyf whom I make mye executor',⁶¹ while from the late sixteenth century onwards numerous examples of wills like Clement Lucas's (1637) emerge:

Item I giue & bequeath my house in Stratford vpon Avon to my wife Anne Lucas To haue & to hold for her proper vse & benefite dureing her widdowe estate, But if perchance she Marry the said house shalbe imployed for the benefite of my two daughters, Anne & Marie Lucas...⁶²

It would thus be reasonable to assume that under these conditions any widow would endeavour to safeguard the property due to her children should she entertain a new partner, and there is evidence of this. In a 1633 case from the Wiltshire ecclesiastical court Martin Ingram relates how:

a widow with a child by a former union was on the point of marrying Thomas Eyres when she heard that he had ill-treated his first wife and was heavily indebted.

Discussions to safeguard her child's 'stock' (inheritance) in the event of marriage

⁶⁰ Todd, 'The Remarrying Widow', 72-75. Anne Laurence notes that at this time 'something like a third of marriages were second or subsequent marriages for one partner.' This was due to the high rate of death for at least one partner in each marriage, and this could explain husbands' desire to protect their property from their wives' likely future spouses. Laurence states that the higher rate of remarriage only started to decline in the eighteenth century, when the idea of one lifelong union began to gain cultural currency. Anne Laurence, *Women in England*, 33. J. A. Johnston puts the peak of this practice (husbands restricting their wives' right to property) in Lincolnshire to the end of the sixteenth century; he notes a decline in the seventeenth. 'Family, Kin and Community in Eight Lincolnshire Parishes, 1567-1800', *Rural History* 6, no.2, (1995): 182-183.

⁶¹ Will of George Smyth. See also Henry Sydnall's 1566 will, which also assumes the remarriage of his widow and seeks to provide for his grandchild before this should happen: 'Item I bequethe to Marye Hearyng my daughters Childe Ʒvj xiijs iiijd which to be delyuered vnto her before the Maryage of Iohan my wyfe, or when shee shall accomplyshe the full Age of xiiij yeres'.

⁶² Will of Clement Lucas.

apparently foundered, the woman broke off the match, and Eyres began a spousals suit.⁶³

It is only through this suit that details of the widow's actions concerning her property emerge: had she married Eyres, with or without a marriage settlement, it is much more likely that such evidence of her motives would not have survived.⁶⁴

Women were of course eminently familiar with the testamentary procedures of the time, acting as they so frequently did as witnesses and executrices, not to mention testators themselves. No wives' wills survive for Stratford, but for the period of this study 39 women's wills are extant: four by single women and at least 33 by widows. (The two remaining wills do not provide the women's marital status.)⁶⁵ Women, both single and married, appeared as witnesses in men's and women's wills: both witnesses of the widow Anne Dawkes's will were women,⁶⁶ while one of the 'gentleman' Averie Fullwood's two witnesses was a married woman.⁶⁷ William West stipulated that witnesses must be 'three or fower, or moe sufficient persons, hauing power to make Testaments...', which would naturally have precluded wives from acting in this capacity, yet it seems that wives often undertook this role, despite the restrictions placed upon them.⁶⁸ This may have been due to the fact that wills came under the

⁶³ Ingram, *Church Courts*, 199.

⁶⁴ The seventeenth-century widow Katherine Austen also chose not to remarry, in order to safeguard her children's futures. See Pamela S. Hammons, ed., *Book M: A London Widow's Life Writings by Katherine Austen* (Toronto: Iter Inc, and the Centre for Reformation and Renaissance Studies, 2013), 4.

⁶⁵ One of the women, however, Isabel Sadler, had a child, so we might reasonably assume that she had been married and widowed by the time of her death. The other woman, Margret Smith, was listed simply as 'almswoman'.

⁶⁶ Will of Anne Dawkes. One of Anne's witnesses (Anne Edon) appears to have been the wife of her tenant. The will (dated 1640) states: 'Item my will and meaninge is that my sonne William Dawks whom I make my executor shall take a lease of the howse wherein Richard Edon now dwelleth for xxj yeares for my dawghter Ioane and to her vse /in Consideration wheof I give him the rent that Richard Edon oweth me xxs ij\'. 'Richard Eddon' married 'Anne Gardener' on 05/08/1621, so it would be reasonable to assume that this is the couple in question. *Parish Registers of Marriages*, 21.

⁶⁷ Will of Averie Fullwood (1631). Another wife: 'Alice Yonge the wife of Rafe yonge', was listed as a witness of William Baul of Bishopton's will.

⁶⁸ William West, *Symbolaeography which may be termed the art, description or image of instruments, extra iudiciall, as, couenants, contracts, obligations, conditions, feffements, graunts, wills, &c., or, The paterne of praesidents, or, The notarie or scriuener : the first part and second booke / newly corrected and augmented by*

church's jurisdiction, rather than the common law. In terms of Stratford, the instances of married female witnesses appearing in the wills may demonstrate that wives in particular, as joint heads of household, were held in esteem and considered particularly suitable for such a role.⁶⁹ It must be remembered that, should any dispute arise over the will's validity, these women would be called upon to testify as witnesses in any subsequent court proceedings.

More frequently, however, women – specifically wives in this case – appeared as executrices. 115 of the men's wills of the Stratford sample group appointed their wife executrix in either sole or joint capacity; over 61 per cent.⁷⁰ One of the widows' wills also noted that her late husband had conferred this role upon her:

my saide husband in his last will and testament hath given and bequeathed vnto me
(as his sole executrix) all the Residue of his goodes moveable and vnmovable
iewelles and plate whatsoeuer...⁷¹

This important role was not restricted to wives, however: daughters too might be called upon to undertake such duties, as in the case of William Baulden, who in 1624 made his son and daughter joint executors:

that which is then remayninge to bee equally /be\ devided betwixt my sonne Thomas
and my daughter Margret whom I doe ordayne my sole executors of this my last will
& testament...⁷²

William West, of the Inner Temple, Gentleman, first author thereof (London: By Richard Tottle, 1592), 286 (PDF pagination). *Early English Books Online* (accessed 5 June 2013).

⁶⁹ E. R. C. Brinkworth also seems to think this was the case: *Shakespeare and the Bawdy Court of Stratford* (Chichester: Phillimore & Co. Ltd, 1972), 77. And see below, pp. 53-54, on the favouring of the testimony of wives in Stratford's church courts.

⁷⁰ Numerous wives also appear in the records of Stratford's bawdy court, proving their late husbands' wills. Brinkworth, *Bawdy Court*, *passim*.

⁷¹ Will of Alice Smyth (1584). Wives of all social statuses were appointed executrices: Samuel Clarke's *Sundry Lives* recalls the death of Lady Mary, Dowager Countess of Warwick, whose husband had appointed her sole executrix as 'A high Testimony of his confidence in her integrity.' *The lives of sundry eminent persons in this later age in two parts : I. of divines, II. of nobility and gentry of both sexes / by Samuel Clark ... ; printed and reviewed by himself just before his death ; to which is added his own life and the lives of the Countess of Suffolk, Sir Nathaniel Barnardiston, Mr. Richard Blackerby and Mr. Samuel Fairclough, drawn up by other hands.* (London: Printed for Thomas Simmons, 1683), 174. *Early English Books Online* (accessed 6 October 2014).

Similarly, the widow Ursula Loode made her daughter the sole executrix of her 1619 will:

Iteme I geeue and bequewe vnto my daughtare, Jone wif vnto John Sammuell all the rest of my goodes and my reparrell and I do make here my full and whole exsecutare and to se me honestly brought whome [sic]⁷³

In this instance, however, the marital status of Ursula's daughter should be noted: the common law prohibited married women from assuming this role, because they were not allowed to take property into their own possession; a necessary part of any executorship.⁷⁴

Yet as we have seen with William Jones's will, above, it appears that some wives may have obtained their husbands' permission to act in this capacity. Were Ursula and her scribe unaware of this prohibition? Or was it simply ignored in Stratford? Perhaps in this locality it was commonplace for husbands to permit wives to act as executors under their direction.⁷⁵

The ecclesiastical records of the Worcester diocesan court and of Stratford's local church court provide further useful evidence of other aspects of women's lives in this region.⁷⁶

Worcester's rich ecclesiastical depositions cover various kinds of cases, from tithe disputes, to defamation suits, and testamentary causes. In these records both married and unmarried women act in a variety of roles, like the wives giving evidence in the linked 1618 cases of defamation *Kington v. Huckslow* and *Huckslow v. Kington*.⁷⁷ In these causes, which

⁷² Will of William Baulden.

⁷³ Will of Urseley Loode. I.e. 'honestly brought home'. The spelling in Urseley's will is particularly erratic.

⁷⁴ On this see Mary Prior: 'A wife was entitled to make a will as the executor of a will, simply to appoint a new executor in her place. If, however, she used her will to carry out the terms of the will of which she was executor, then she required her husband's permission as she had taken the property into her own hands', 204. See also Cioni, *Women and Law*, 220-222 and 233-234: 'Although deprived of any right to the deceased's real estate (unless specifically provided for) all the personal estate from the moment of death was vested in the executor' and Holdsworth, *History of English Law, Volume III*, 447: 'The executor being created by the deceased; the property of the deceased vested in him from the death.'

⁷⁵ Unfortunately the administration for Ursula's will has not survived, which means that it is not possible to discover who was given ultimate responsibility for finalising her estate.

⁷⁶ For Stratford's church court, see Brinkworth, *Bawdy Court*, 5. It should be remembered that Stratford, as a 'peculiar', fell under Worcester's jurisdiction in every third year.

⁷⁷ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff258v-262r. Wives also brought cases in the Worcester church courts. See, for example, vol. 6 Arden v. Wheeler (ff280r-281r), in which a married woman

illustrate the potential strength and utility of women's community ties and social networks, a woman (Kington; her full name, age, and marital status unfortunately were not recorded) brought defamation proceedings against John Huckslow, who she alleged had called her 'whore, arrant whore and pockye whore' when she had stopped him from beating his wife. Huckslow retaliated with a counter suit, although to modern eyes he is far from vindicated by the evidence given in his defence: the local wives called to depose all declared that 'the said plaintiff did fall abeating of his wyfe', with one stating further that 'for feare he should doe her hurt this deponent went forth of the dores and called the defendant'. As is the case with so many of these court proceedings, the final judgment is not known.⁷⁸ However, the depositions provide important evidence as to women's involvement in the church courts and how they negotiated life in their local areas.⁷⁹

Married women also appear in the records of Stratford's local church court, often termed the 'bawdy court' by residents due to its preponderance of sexual misdemeanour cases. They could be cited to appear on their own, like Margaret Reynolds, wife of Thomas, who in 1606 was called to court for failing to receive the communion at Easter.⁸⁰ Yet they were often also summoned with their husbands, and husbands could appear and speak on behalf of their wives: in the same session George Hollis presented himself and said that his wife had not received the communion because 'she was not in charity' [i.e. she had been excommunicated].

The records note that she went on to receive the Eucharist and appear at the next court,

apparently brought a cause on her own merit, and vol. 6 Baylis v. Kitchen (ff83v-85v), which may have been brought by a husband and wife together.

⁷⁸ Some judgment books appear to have survived in the Worcester archives, however those that have are written entirely in Latin, and therefore were not searched for this thesis.

⁷⁹ The words Kington used to reproach Huckslow for his behaviour are revealing of the social and cultural perceptions of women's 'worth' at this time: Kington herself reasoned that 'he the plaintiff had received so good a portion in marriage of his wyfe and spent it, that it was a shame for him so to beate and abuse her'. Such a statement points to the inextricably bound nature of early modern women's sexual reputation with the sense of their economic worth and wider 'credit' within the community, and accords with Craig Muldrew's conclusions on the subject: "'A Mutual Assent of her Mind'? Women, Debt, Litigation and Contract in Early Modern England", *History Workshop Journal* 55 (2003): 53. See also chapter six of this thesis for a consideration of women's economic and moral worth.

⁸⁰ Brinkworth, *Bawdy Court*, 131.

although exactly why she failed to appear to answer the first charge is unclear: she may have been ill, or simply reluctant. It seems that in Stratford, however, it was most common for a woman's husband to come to court either alone or with his wife, and answer for her misdemeanour.

Likewise, single women and widows are encountered in these ecclesiastical records. In the Worcester depositions one Elizabeth Woodward of Flyford Flavell brought a spousals suit against Richard Morrell in 1621: Morrell had apparently been conducting marriage negotiations with Woodward's 'father-in-law' (actually her stepfather)⁸¹ and the couple had appeared to all intents and purposes betrothed, with Woodward frequenting Morrell's house while his mother was sick, Morrell borrowing £3 from Elizabeth 'to goe to Parshore fayre' and Elizabeth '[making] him two shirtes for the which he offered her viijd for the makinge'.⁸² Stretton posits that single women brought fewer cases than widows in the equity courts due to their inexperience, lack of confidence and straitened resources, but in this case Elizabeth Woodward certainly felt justified and capable enough to bring this suit on her own behalf.⁸³

In Stratford, widows seem to have been afforded more leniency when acquitting themselves in cases requiring compurgation: Brinkworth notes that one Alice Nixon, widow, on a charge of incontinence, was told to present herself at the next church court with four honest women to clear her name, while Elizabeth Whiting, a single woman, was told to appear with *six* honest women, despite the fact that Nixon proved obstreperous throughout proceedings while Whiting obeyed the orders given to her without objection. Was this, asks Brinkworth,

⁸¹ See chapter three for a treatment of the flexible naming terms in early modern England.

⁸² Diana O'Hara discusses the significance of the lending or exchange of money, gifts and clothing in early modern courtships, finding that although the giving of such gifts was socially very important in the contracting of spousals, legally such items were generally only deemed sufficient as "'supportive evidence'": *Courtship and Constraint: Rethinking the Making of Marriage in Tudor England* (Manchester: Manchester University Press, 2000), 62-63.

⁸³ Stretton, *Women Waging Law*, 108-109.

‘because Nixon had the superior status of a widow?’⁸⁴ When considering the social standing of the compurgators themselves, moreover, Brinkworth notes that it is likely that the word of a married woman, perhaps when taken alongside that of her husband, was accorded greater authority still than her widowed and single counterparts.⁸⁵ This in turn may reflect upon the practice of wives appearing as witnesses in wills.

This elucidation of women’s legal position in the church courts of both Stratford and the wider Worcester diocese has demonstrated that the ecclesiastical jurisdiction provided women with a certain degree of autonomy, despite the encroachments made by the common law across the medieval and early modern periods. In particular women were actively involved in the processes of will-making and the pursuance of court cases. Married women enjoyed a certain degree of autonomy in this arena too, bringing court cases on their own behalf, although their ability to make their own wills had been all but lost by 1500. The final part of this chapter moves on to an examination of women’s rights at the most local level: as found within the borough and manorial records of Stratford. Evidence from other regions will also be considered to build a picture of women’s experiences at this jurisdictional level across the country. Ingram cautions that manorial and borough courts ‘in effect enjoyed a concurrent jurisdiction with the church courts’,⁸⁶ so there may be some natural overlap in these areas. Nevertheless, it is important to consider the local and regional nature of women’s legal rights, in order to enhance our understanding of the reality of women’s lives under these competing and often conflicting jurisdictions.

⁸⁴ Brinkworth, *Bawdy Court*, 85.

⁸⁵ *Ibid.*, 69-70, 77.

⁸⁶ Ingram, *Church Courts*, 295n.

Borough and manorial courts

Levi Fox asserts that by the late sixteenth century, Stratford's manorial court leet was waning in influence, primarily due to the competing governance of the borough council, inaugurated in 1553 with the town's charter of incorporation under Edward VI.⁸⁷ This incorporation granted Stratford's leading men the power to create a Court of Record, which would hear civil actions up to the value of £30, and to sit in borough sessions, which dealt primarily with breaches of the peace and other offences related to inappropriate trading or gaming, and to civic shortcomings like the duties of the town watch. Many of these issues would previously have been overseen by the court leet.⁸⁸

While Fox sees the decline of Stratford's manor court as 'typical', both Christopher Harrison and Brodie Waddell find instead that manorial courts in many other areas in fact continued to exert considerable influence on their localities.⁸⁹ Such regional differences in procedure and effectiveness highlight the need for local studies to take into account patterns of governance in different areas. This is of particular pertinence in relation to the role of women. For example, Harrison's examination of the joint court leet of Rugeley and Cannock (Staffordshire) reveals one case of a wife coming before the court:

From the Rugeley hamlet of Brereton ... Adera, the wife of George Hassel, was presented for an affray on another woman, Beatrice Sugar. *As usual it was the*

⁸⁷ 'Although the Leet continued to meet until towards the end of the seventeenth century it had long before that time become but a shadow of its former self and shortly afterwards ceased to exist altogether. The eclipse of manorial courts by the development of municipal corporate bodies is typical of English borough history in Tudor and Stuart times.' Levi Fox, *The Borough Town of Stratford-upon-Avon* (Stratford-upon-Avon: The Corporation of Stratford-upon-Avon, 1953), 86. P. D. A. Harvey also takes this view: *Manorial Records* (London: British Records Association, revised edition, 1999), 57.

⁸⁸ Robert Bearman, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon, and other Records, volume VI, 1599-1609* (Stratford-upon-Avon: The Dugdale Society, 2011), 34-41.

⁸⁹ Christopher Harrison, 'Manor Courts and the Governance of Tudor England', in *Communities and Courts in Britain, 1150-1900* ed. Christopher Brooks and Michael Lobban (London: The Hambleton Press, 1997), 45, 49. Brodie Waddell, 'Governing England through the Manor Courts, 1550-1850', *The Historical Journal* 55, no. 2 (2012): 280. Erickson states that manor courts tended to be based in rural areas, and borough courts in towns, and this may explain why Stratford and its environs seem to have moved away from the court leet in the sixteenth century. Erickson, *Women and Property*, 23.

husband who was amerced, in this instance 1s. 8d. (two and a half days wages).⁹⁰ [My emphasis.]

Harrison indicates that punishing the husband for the wife's offence – and thus aligning with the common law in this particular aspect – was the routine procedure in this manorial court, but this appears not to have been the case at Stratford. Fox provides evidence of women appearing in the records of the court leet, noting that in 1509, 34 widows and wives were presented for breaking the assize of ale: each was fined 1d. Similarly, in 1552 twelve female victuallers (if their marital status was noted in the records, Fox does not enlighten us) were presented and fined 2d each for infringing regulations, along with five female ale sellers who were each fined 1d for selling ale in unsealed pots.⁹¹

Documentary evidence for Stratford's borough court only survives for fourteen sessions between January 1602 and January 1609, and often in draft form.⁹² Despite this evidential paucity, however, women appear frequently in the records, and this sheds some limited light on their legal standing in the town. Presentments abound, for example, relating to widows selling ale contrary to licence, or in small measures, and there is one instance of a single woman being presented alongside unmarried men for brewing malt (only married householders were allowed such dispensation).⁹³ Wives appear less frequently, however: they were not afforded the ability to trade as 'femes soles' in Stratford (only widows and single women appear as traders in the records), and they do not seem to have been able to bring cases on their own behalf. In April 1601, for instance, William and Joan Troute were presented for detaining an apprentice in their house for two days, and Joan was also accused

⁹⁰ Harrison, 'Manor Courts', 53.

⁹¹ Fox, *Borough Town*, 85-86.

⁹² Bearman, *Minutes and Accounts*, vol. VI, 39.

⁹³ *Ibid.*, see 191 and 240 for widows' presentments relating to their sale of alcohol, and 40 and 445 for the brewing of malt for anything other than domestic consumption.

of being a common scold.⁹⁴ Wives might be held to account independently of their husbands, however: in January 1603 an entry reads that: ‘Ann Evans uxor Morice Evans swoare the peace against Ann uxorem John Cox, weaver’.⁹⁵

For further evidence relating to the legal position of the town’s women, it is beneficial to examine the records of another of Stratford’s local courts: the Court of Record, which was instituted on the town’s incorporation. Here a selection of the proceedings will be examined, along with Margaret Webster’s chapter on the subject, ‘The Stratford Court of Record 1553-1601’, which contains useful information on women’s legal position in the town for the first half of the time period under consideration.⁹⁶ It should be noted, however, that these courts dealt mostly with debts and trade, a subject which will be discussed fully in the final chapter of this thesis: there are no cases dealing with testamentary matters and women’s rights to inheritance, and only a few relating to women’s right to property. Webster provides helpful detail as to the court’s remit and appeal:

These borough courts were often preferred to the manorial courts for small debt claims connected with commercial transactions, or for damages, in view of the fact that manorial courts could not issue warrants to bring defendants to court. In addition, the borough courts furnished a quicker, more convenient and less expensive method of proceeding than the manorial courts... Finally, Stratford’s manorial Court Leet convened only twice a year, in contrast to the Court of Record’s fortnightly meetings.⁹⁷

⁹⁴ Ibid., 193. See also 242 for another man and wife presented together, this time for theft.

⁹⁵ Ibid., 223. See also 247 for a second instance of wives being bound over to keep the peace.

⁹⁶ Margaret Webster, ‘The Stratford Court of Record 1553-1601’, in *The Guild and Guild Buildings of Shakespeare’s Stratford: Society, Religion, School and Stage* ed. J. R. Mulryne (Farnham: Ashgate, 2012). Webster is in the process of transcribing the court’s accounts for publication.

⁹⁷ Webster, ‘Court of Record’, 115. Although manorial courts ‘could not issue warrants to bring defendants to court’, Harrison nevertheless notes that: ‘... the court had the power to impose quite harsh financial penalties and could enforce payment. If someone defaulted, the bailiff could and did seize goods or animals to the value

In a similar manner to borough courts elsewhere in the country – for example the curia parva at Shrewsbury – Stratford’s Court of Record seems to have been popular amongst its residents for reasons of its expedience and locality.⁹⁸ The nature of the business dealt with by the Court of Record means that this source provides important evidence of Stratford’s women trading and participating in economic transactions, which can enhance the court leet evidence provided above. This will help to inform a fuller understanding of women’s role within the community.

One case which may point to a woman’s trading activities at this time comes from the latter end of 1557, in which Raphe Cawdry alias Cook brought a suit of debt against one Margaret Bragg, widow. In this case:

Rafe in person says that, on the tenth of October in the third & fourth years of the reigns of Philip and Mary, at Stratford, Margaret agreed to pay on demand 20/10^d for eight stones of tallow which Margaret received from plaintiff. Margaret has not paid the 20/10^d to Rafe. As a result he says that has losses to the value of five shillings.⁹⁹

Unfortunately there is no indication as to how this case was resolved, but on the same day that Raphe brought this suit against Margaret, he brought another for debt against a Roger Bragg, who quite possibly was Margaret’s son or another relative. Were Margaret and Roger in business together? Or had Raphe had separate business dealings with both Braggs, and was he prosecuting them individually to receive satisfaction for his alleged unpaid debts?

of the outstanding sum. At Wakefield (Yorkshire) distrains as various as felt caps and tables, brass pots and horses, boots and sows were taken.’ Harrison, ‘Manor Courts’, 55.

⁹⁸ On the popularity of the Shrewsbury court see W. A. Champion, ‘Litigation in the Boroughs: the Shrewsbury Curia Parva 1480-1730’, *The Journal of Ecclesiastical History* 15, no. 3 (1994): 213. Champion unfortunately does not provide detail about the numbers of women using the court.

⁹⁹ Margaret Webster, *Court of Record Transcript, Mary I (1553-1558)* (Unpublished: author’s own copy, undated), 50-51. ‘Margareta Brage, vidua’ was buried on 02/07/1566, but there is no record of her husband’s burial. This Raphe Cawdry may or may not be the one whose will survives in Stratford, ref. TNA PROB 11/73/74.

Stratford's unmarried women could use the court to bring causes themselves, for example to ensure that they received wages due to them from their employment, although Webster notes that wives had to sue through their husbands.¹⁰⁰ In June 1559 Isabel Mawdesley (or Moseley) sued her employer for non-payment of wages: she had allegedly been contracted by John Rouse Sr to work for him for a year, with her payment at the end of this time to consist of sixteen shillings and a pair of shoes. Despite having worked for John for the time stipulated, Isobel brought a claim against him for non-payment of wages, stating moreover that she had incurred losses to the value of ten pounds.¹⁰¹ Quite how Isobel extrapolated the loss of ten pounds from the value of her year's wages of under a pound is unclear: perhaps the delay in payment meant that she was unable to seek work elsewhere and this figure was a prediction of future wages lost, along with a (generous) measure of compensation for the inconvenience. The case was sent to arbitration to be resolved.

In 1593/4 the court heard a defamation case brought by one woman against another.

Elizabeth Hancockes allegedly claimed that Elizabeth Troute:

robbed her master at London after the decease of her mystres of all her mystres clothes and came down into the Countrie and hyd her heade for the space of halfe a yere, and afterwards flourished abroode with the said clothes lyke a gentlewoman, and after that she was taken and carried to London where the same clothes were recevid agayne by her master without anye punyshement.¹⁰²

¹⁰⁰ Webster, 'Court of Record', 127 n.71. See also Muldrew, 'A Mutual Assent of her Mind', 54. Erickson and others have acknowledged that women of the lower and middling sorts of all marital statuses worked to support themselves and their households: see, for instance, Erickson, *Women and Property*, 39, and Alice Clark, *Working Life of Women in the Seventeenth Century* ed. Amy Louise Erickson (London: Routledge, 1992), 162 and 173. Chapter six of this thesis provides an in-depth treatment of women's employment opportunities.

¹⁰¹ Webster, *Court of Record Transcript*, 93-94.

¹⁰² Shakespeare Birthplace Trust (hereafter SBT) BRU 12/6/52, but also cited in Webster, 'Court of Record', 123-124 and Nicholas Fogg, *Stratford-upon-Avon: Portrait of a Town* (Chichester: Phillimore & Co. Ltd, 1986), 31.

In response to this accusation, Troute brought the defamation suit against Hancockes. Yet as simple on the surface as this case appears to be – Hancockes’ claim that Troute stole her mistress’s clothes in order to masquerade as one above her true station, and Troute’s waging law to refute either or both aspects of this accusation (the theft and the social impropriety) – a couple of questions nevertheless arise. According to Webster:

[t]he court’s most awkward limitation was the narrow jurisdiction of the borough boundary, which did not include even Old Town or Bridgetown. Defendants could escape penalties by pleading that the offence took place outside the borough; fugitives could escape arrest if they could not be found within the borough limits.¹⁰³

If this was indeed the case, then how was it that with the alleged theft having taken place in London, this cause was allowed to be prosecuted within Stratford’s Court of Record? Perhaps the real issue here was the slander, and the perceived damage it had done to Troute’s reputation within Stratford and abroad. If the defamation of character had taken place within the borough boundaries, then Troute and the court officials obviously felt that she had the right to prosecute Hancockes within the court. Yet this gives rise to a second question: why was this case of defamation not prosecuted within Stratford’s ‘bawdy court’ or at the Consistory Court of Worcester, as so many others were? Moral matters were after all the concern of the ecclesiastical authorities. The fact that this case appeared in the borough court may indicate a conscious decision on the part of Troute to exploit the overlapping jurisdictions to her best advantage: she may have thought that she would obtain a quicker or more favourable hearing in this forum, for example. Perhaps this was combined with a desire to seek swift financial compensation for the threat to her character: although the church

¹⁰³ Webster, ‘Court of Record’, 116.

authorities could impose fines, their hearings would not have been as frequent as those of the borough court.¹⁰⁴

Money-lending women also appear in the Court of Record transcripts, and this adds another dimension to the evidence of women's economic activities which can be gleaned from probate documents. In May 1557, for example, the widow Agnes Yate brought a suit of debt against Richard Yarrington, whom she alleged had borrowed and failed to repay 20s. As a result of this, Agnes claimed to have incurred losses to the value of 8d. These losses may have related to the interest she had been intending to charge Yarrington on the sum, although 8d from 20s would only have been around the 3.5 per cent mark (the usual charge being somewhere around 8 or 10 per cent at this time),¹⁰⁵ so this may not be the most likely explanation. The alleged losses may alternatively have related to goods Agnes had intended to purchase and sell with the returned funds but had found herself unable to.

The evidence from Stratford's manorial and borough records thus far has confirmed that women were willing to bring actions in these forums to defend their good name or to ensure their entitlement to wages or money owed. Other important aspects of their lives which must be considered, however, concern their entitlement to land or property after their husbands' deaths and their right to make a will. Under manorial custom this first right was often referred to as a woman's 'freebench', as Erickson explains:

¹⁰⁴ Alec Ryrie, *The Age of Reformation: The Tudor and Stewart Realms 1485-1603* (London: Routledge, 2009), 12.

¹⁰⁵ On interest rates see Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke: Palgrave, 1998), 111; B. A. Holderness, 'Widows in pre-industrial society: an essay upon their economic functions', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 442; and Lawrence H. Officer, 'What was the Interest Rate Then?', *Measuring Worth* <http://www.measuringworth.com/interestrates/> (accessed 21 February 2017). Robert Tittler discusses the wealthy Hereford widow Joyce Jefferies and notes that an 8 per cent interest rate was permissible by statute after 1624: *Townpeople and Nation: English Urban Experiences, 1540-1640* (Stanford: Stanford University Press, 2001), 187.

Manorial law made provision for widows comparable with common law dower: a widow's right in her husband's copyhold land was called her freebench, sometimes widow's bench, or simply bench. The proportion to which she was entitled varied between one third and all of her husband's copyhold estate, but usually consisted of half or more. The duration of her interest might be for life or for her widowhood.¹⁰⁶

This apparently clear definition belies the fact that the whole point of customary law was that it varied by locality, was formed by unwritten common consent over time, and was not uniform.¹⁰⁷ As a result it remains unclear for the sixteenth and seventeenth centuries under what exact circumstances a woman could or would choose to take either her common law dower or her manorial freebench.¹⁰⁸ In terms of Stratford specifically, it has not been possible to determine the manorial or borough stance on freebench: no documents seem to have survived which would shed light on this.¹⁰⁹ Indeed, not every locality even employed the

¹⁰⁶ Erickson, *Women and Property*, 24. See also Cioni, *Women and Law*, 175.

¹⁰⁷ On this, see Stretton, *Women Waging Law*, 157, and Prest, 'Law and Women's Rights', 180. Andy Wood explains that at times of dispute over the remit of a particular custom, written historical depositions might be drawn upon and presented as evidence that a certain custom had evolved and had been in place since a particular time. *The Memory of the People: Custom and Popular Senses of the Past in Early Modern England* (Cambridge: Cambridge University Press, 2013), 106-107.

¹⁰⁸ The issue is not addressed in the contemporary legal tracts dealing with manorial law, either, for example: Jonas Adames, *The order of keeping a court leete, and court baron with the charges appertayning to the same: truly and playnly deliuered in the English tongue, for the profite of all men, and most commodious for young students of the lawes, and all others within the iurisdiction of those courtes* (London: Thomas Orwin and William Kirkham, 1593). *Early English Books Online* (accessed 12 August 2016); Charles Calthrope, *The relation betweene the lord of a mannor and the cobby-holder his tenant. Delivered in the learned readings of the late excellent and famous lawyer, Char. Calthrope of the Honorable Society of Lincolnes-Inne Esq; whereby it doth appeare for what causes a cobby-holder may forfeite his cobby-hold estate, and for what not; and like wise what lord can grant a cobby, and to whom. Published for the good of the lords of mannors, and their tenants* (London: William Cooke, 1635). *Early English Books Online* (accessed 12 August 2016); and Robert Powell, *A treatise of the antiquity, authority, vses and jurisdiction of the ancient Courts of Leet, or view of franck-pledge and of subordination of government derived from the institution of Moses, the first legislator and the first imitation of him in this island of Great Britaine, by King Alfred and continued ever since: together with additions and alterations of the moderne lawes and statutes inquirable at those courts, untill this present yeare, 1641: with a large explication of the old oath of allegiance annexed* (London: printed by R. B., 1641). *Early English Books Online* (accessed 12 August 2016).

¹⁰⁹ Only one document has been located which may have had any bearing on the issue of dower vs. freebench: the online catalogue of the SBT lists a 1615 '[r]elease by Alice Bragden, widow of Thomas, of her right of dower in two messuages in Henley Street.' SBT ER2/37. It has not been possible to consult this document, however, as unfortunately it is missing. Nevertheless, its description would indicate that in Stratford the common law may have been adhered to in giving any widows of freeholders an automatic right to dower, which they could then choose to relinquish, as Alice did.

custom.¹¹⁰ P. D. A. Harvey notes that in manor courts ‘any change of tenant could be made only by surrender and admission in the court’,¹¹¹ but would a widow necessarily have had to go to court to claim her automatic right? Would she have been assigned either freebench or dower by the local authorities? Or might she choose to take one or the other according to which had the most favourable terms? Erickson does not address this issue, and Todd only alludes to it in her chapter on the subject. In one of her sample villages, she notes that three of the seven widows who did not take up their widows’ estate did so because they had been given other lands, presumably in their late husbands’ wills.¹¹² This implies that these women had a choice in the matter.¹¹³

So much for a wife’s entitlements after her husband’s death. As discussed above, while a woman’s husband was still alive, the common law prohibited her from making her own will without his permission, although in Oxfordshire Mary Prior found some examples of wives’ wills being proved in spite of this.¹¹⁴ If any wives made wills in Stratford during this period, unfortunately none has survived, and there is also no indication in the borough or manorial

¹¹⁰ In 1859 Thomas Boys set out the freebench customs of manors in fifteen counties across England. It seems clear from this and other sources that the custom was far from universal. Thomas Boys, ‘Freebench or Customary Dower or Curtesy’ *Notes and Queries* 2, no. 167 (March 12, 1859): 219-222. The Victoria County History manorial and borough history of Stratford provides no indication as to any procedure for freebench. ‘The borough of Stratford-upon-Avon: Borough’, *British History Online*, <http://www.british-history.ac.uk/vch/warks/vol3/pp247-258> and ‘The borough of Stratford-upon-Avon: Manors’, <http://www.british-history.ac.uk/vch/warks/vol3/pp258-266>, *British History Online* (both accessed 21 June 2016). See also Todd, who says that ‘freebench was rapidly disappearing entirely in some localities as customary tenures were converted to leasehold and freehold. Even where it persisted as custom, it was liable to be adjusted or ignored by families trying to balance the right of the widow against the claims of children.’ ‘Freebench and free enterprise: widows and their property in two Berkshire villages’, in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 175. G. L. Gomme also noted the fact that ‘the custom of freebench is not uniform.’ ‘Widowhood in Manorial Law’, *Archaeological Review* 2 (Nov. 1888): 186.

¹¹¹ Harvey, *Manorial Records*, 56.

¹¹² Barbara Todd, ‘Freebench and free enterprise’, 182. On one of Todd’s manors, up until the 1580s a widow could remarry and yet retain her entitlement to freebench, 178. In late seventeenth-century Kent, a husband might provide his widow with an annuity on the condition that she forfeit her right to dower. H. C. F. Lansberry, ‘Free Bench See-Saw: Sevenoaks Widows in the Late Seventeenth Century’, *Archaeologia Cantiana* 100 (1984): 284.

¹¹³ Gomme notes in his article that a widow in Merdon, Hampshire, might appear at the first court following her husband’s death, and elect either to pay a penny and receive her widow’s estate (dower), or pay half her husband’s fine and keep the copyhold tenement for her life (freebench). ‘Widowhood in Manorial Law’, 187. He does not give a date for this, however.

¹¹⁴ Prior, ‘Wives and Wills’, 202-203.

records that wives may have been granted permission to make their own testaments as a peculiar benefit of living in this locality. It is likely that if the practice had been common, at least some wives' wills would have survived, and as a result we might assume that Stratford adhered to the common law in this.

This consideration of borough and manorial jurisdictions in the early modern period has demonstrated how some women might benefit from the precedence of local laws over common law jurisdiction. In Stratford married women might be prosecuted alone in both manorial and borough courts, although it seems that they were unable to bring cases in their own right. Unmarried women could bring cases in the borough courts to seek redress for wrongs suffered or compensation for financial losses, and it seems that for issues of trade and debt people favoured these local courts due to the more immediate nature of their judgments. The picture is less promising for women in terms of wives' will-making and right to their husbands' property, however: where information on these subjects is available for Stratford, it seems that the terms of the common law were adhered to.

Conclusion

In conclusion, this discussion has highlighted the complex nature of the legal position of early modern women. While upon marriage a wife theoretically lost all legal identity to her husband, in practice married women continued to work, to appear in court, and to receive gifts, just as their single and widowed counterparts did. In some rare instances they were able to make their own wills, albeit with their husbands' permission. Women appear on the whole to have been aware of the benefits offered by competing legal jurisdictions, and to have made their choices accordingly when suing in court or taking possession of property. The picture which emerges is that of a world in which women's entitlements undoubtedly were

circumscribed at various stages of their lives, but in which many women could and did exercise ingenuity, autonomy, and resourcefulness when negotiating their legal standing. Elements of that resourcefulness and autonomy will be considered in the next chapter, which examines the practice of will-making in Stratford.

CHAPTER TWO

WILL-MAKING

It has been estimated that at least 2 million English wills from the sixteenth and seventeenth centuries may have survived,¹ and such an abundance of documentation has proved too enticing for historians who, particularly since Joan Thirsk's call to arms in 1963,² have been keen to exploit wills for the unrivalled access they appear to provide to the lives of the 'ordinary' people of this time. Not only kings, queens and courtiers made a last will and testament; mercers, shopkeepers, husbandmen, widows, and almspeople did, too.³ For Stratford Jeanne Jones states that it is 'impossible to calculate what proportion of the population made wills, but, since the extant ones include those of people who owned less than a pound's worth of goods, it is clear that will-making was not confined to the wealthier townfolk.'⁴

The documents recording these people's last wishes have eagerly been examined for evidence of (for example) the religious persuasion of testators amid changes wrought by the Reformation; women's rights to property, and the extent of affection in people's lives;⁵ yet

¹ Peter Spufford, "'A Printed Catalogue of the Names of Testators'", in *The Records of the Nation: The Public Record Office 1838-1988: The British Record Society 1888-1988* ed. G. H. Martin and Peter Spufford (Woodbridge: Boydell, 1990), 170. See also Motoyasu Takahashi, 'The Number of Wills Proved in the Sixteenth and Seventeenth Centuries. Graphs, with Tables and Commentary', also in *The Records of the Nation*, in which he counts 127,937 extant wills from 1500-1629 for four courts alone: the Prerogative Court of Canterbury, the Consistory Courts of Ely and Worcester, and the Archdeaconry Court of Leicester, 193-196. This latter statistic is my own calculation taken from the figures given in his tables.

² Joan Thirsk, 'Unexplored Sources in Local Records', *Archives* 6, no. 29 (Jan. 1963): 8-12. Thirsk highlights the potential utility of wills in exploring the early modern family, its structure, affect, and inheritance patterns, 9.

³ Although originally a legal distinction was made between 'wills' and 'testaments' (wills were for disposing of personal property, and testaments for land), throughout this thesis the terms are used interchangeably.

⁴ Jeanne Jones, *Family Life in Shakespeare's England, 1570-1630* (Stroud: Sutton Publishing Ltd, 1996), xvi.

⁵ For religious persuasion see, for example, C. Burgess, "'By Quick and By Dead": Pious Provision in Late Medieval Bristol', *The English Historical Review* 102, no. 405 (Oct. 1987): 837-858; M. Zell, 'Fifteenth- and Sixteenth-Century Wills as Historical Sources', *Archives* 14, no. 62 (Autumn 1979): 67-74; and J. D. Alsop, 'Religious Preambles in Early Modern English Wills as Formulae', *Journal of Ecclesiastical History* 40, no. 1 (Jan. 1989): 19-27. For women, Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993); J. H. Bettey, 'Manorial Custom and Widows' Estate', *Archives* 208, no. 88 (Oct. 1992): 208-216; and J. S. W. Helt, 'Women, Memory and Will-Making in Elizabethan England', in *The Place of*

understanding of what actually happened when someone in early modern England decided to make a will remains limited. The typical image which springs to mind (no doubt a hangover of the pre-Reformation period), of the priest and family gathered at the deathbed, continues to loom large in the popular consciousness, and indeed remained a potent force throughout the early modern period, with Lucinda Becker noting that '[i]t is impossible to delineate a clear and irrevocable move towards a wholly and permanently Protestant deathbed'.⁶ It is perhaps the endurance of this image which has heretofore prevented scholars from delving deeper into what Lloyd Bonfield calls the 'culture of will-making' in the post-Reformation period.⁷ Were wills commonly made during a person's final illness, for example, or did people tend to put their affairs in order while they were in good health? How involved were family and friends in the process? How aware of the legal intricacies was the 'ordinary' testator? Is it at all possible to recover what a 'typical' will-making might have looked like? The ability to address these questions may help to reveal something of the thought processes and priorities of our early modern counterparts, indicating what motivated them when disposing of their worldly possessions, and shedding light on their relationships with friends and family.

With these questions in mind, this chapter begins by examining the early modern ideal of testamentary practice as defined in the legal and prescriptive literature. It will then consider the extent to which these guidelines were followed by examining the evidence of 60 contested probate causes found in the early seventeenth-century records of Worcester's

the Dead: Death and Remembrance in Late Medieval and Early Modern Europe ed. B. Gordon and P. Marshall (Cambridge: Cambridge University Press, 2000), 188-205. For credit, Judith Spicksley, "'Fly with a duck in thy mouth": Single Women as Sources of Credit in Seventeenth-Century England', *Social History* 32, no. 2 (2007): 187-207; Craig Muldrew, 'Interpreting the Market: The Ethics of Credit and Community Relations in Early Modern England', *Social History* 18, no. 2 (1993): 163-183. For affect and material bequests, Lena Cowen Orlin, 'Empty Vessels', in *Everyday Objects: Medieval and Early Modern Material Culture and Its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009), 299-308; and Lisa Liddy, 'Affective Bequests: Creating Emotion in York Wills, 1400-1600', in *Understanding Emotions in Early Europe* ed. Michael Champion and Andrew Lynch (Turnhout: Brepols Publishers, 2015), 273-289.

⁶ Lucinda Becker, *Death and the Early Modern Englishwoman* (Aldershot: Ashgate, 2003), 17.

⁷ Lloyd Bonfield, *Devising, Dying and Dispute: Probate Litigation in Early Modern England* (Farnham: Ashgate, 2012), 9 and *passim*.

consistory court, alongside the 226 extant wills of Stratford-upon-Avon. This particular pairing of sources has rarely been utilised: scholars have tended to study probate documents in isolation, yet it is argued here that such an approach is problematic and can lead to generalisations, particularly on the subject of emotion and family ties.⁸ Wills were, theoretically, primarily legal documents, drawn up to ensure the transfer of property according to the testator's wishes, and as such must be treated with caution, and preferably informed by their consideration alongside other contemporary sources.

To date only a few scholarly studies have employed a combination of wills and depositions, each with limitations: Christopher Marsh used only a small, disparate sample of depositions alongside wills in his 'In the Name of God? Will-Making and Faith in Early Modern England'⁹ (1990), examining 'over forty disputed will cases in the dioceses of Ely, London, Exeter, Durham and Winchester'.¹⁰ Similarly, Keith Wrightson's engaging account of one Newcastle scrivener's work during the plague-hit summer of 1636 concerns itself with a small sample of 14 wills and 11 inventories written by the young scribe and notary, Ralph Tailor, along with 22 testamentary causes relating to wills made that year.¹¹ Bonfield has employed the pairing more extensively in his recent work, *Devising, Dying and Dispute: Probate Litigation in Early Modern England* (2012), examining 215 cases of will disputes and 184 wills from the Prerogative Court of Canterbury.¹² However, his focus on the post-

⁸ Furthermore, as Bonfield states: 'Most of the scholarship using probate documents ... focuses upon records produced in undisputed probates: upon the wills, inventories, and accounts routinely produced in uncontested testamentary successions. Scant attention has been focused on the wills and administrations that were contested, and this is unfortunate, for the simple reason that disputed wills produced mounds of evidence illuminating how and why they were drafted and executed.' *Ibid.*, 16.

⁹ Christopher Marsh, 'In the Name of God? Will-Making and Faith in Early Modern England', in *The Records of the Nation*, 215-249. An abridged version of this article appears as 'Attitudes to Will-Making in Early Modern England', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Leopard's Head Press: Oxford, 2000), 158-175.

¹⁰ Marsh, 'In the Name of God?', 226.

¹¹ Keith Wrightson, *Ralph Tailor's Summer: A Scrivener, his City, and the Plague* (London: Yale University Press, 2011), 54n and 131.

¹² Bonfield, *Devising, Dying and Dispute*, xi-xvi and 36.

Restoration period and specifically on the legal reform of wills means that there remains scope for a more comprehensive study of the ‘culture of will-making’ for the period covered by this thesis. It is suggested here that combining a larger number of testamentary dispute cases than is usual for the earlier post-Reformation period, along with a complete set of wills for one town (Stratford), proves a more fruitful approach to an exploration of will-making in this period.¹³

The chapter next moves on to consider scribal practice in will-making, again by comparing precept and practice. On this subject Stratford proves a most useful example, as 50 wills written by one prolific scribe have survived. Examination of these allows conclusions to be drawn concerning the extent of scribal involvement in will-making, and how this might impact inferences about the language of affect and what this language reveals about testators’ relationships with their kin. Finally, this chapter explores the role of women in the will-making process in light of both their legal position as set out in chapter one and of the documentary evidence of the wills and depositions. Exploring the various guises in which women participated in this process enhances an understanding of their agency. It also informs later chapters on other aspects of the lives of Stratford’s women as evidenced by their testaments: their relationships with their families, their patterns of gift-giving, and their various roles within the local community.

As a ‘peculiar’ jurisdiction within the diocese of Worcester, Stratford governed itself with its own ecclesiastical court for two years out of every three, sending all will probates and moral matters to the diocesan court in every third year.¹⁴ It has not been possible to match any of

¹³ Ralph Houlbrooke also draws upon the evidence of testamentary disputes to inform his treatment of will-making in *Death, Religion and the Family in England, 1480-1750* (Oxford: Clarendon Press, 2000). See, for example, 81-109. This method is not without its shortcomings, yet as long as these are given due consideration, the exploration itself can still be worthwhile.

¹⁴ E. R. C. Brinkworth, *Shakespeare and the Bawdy Court of Stratford* (Chichester: Phillimore & Co. Ltd, 1972), 5. This calendar of Stratford’s church court records does not offer as much detail as Worcester’s original

Stratford's wills with disputes from the Worcester depositions, although there are cases in the Worcester records which relate to Stratford.¹⁵ The problem of matching surviving documents with their suits in court are not restricted to this study, however: Marsh only managed to pair ten wills and testamentary disputes in his study, which may have been due to the wide geographical area he surveyed. Despite these problems, however, the pairing of the Worcester depositions and Stratford wills remains important thanks to their shared regionality, and this chapter will therefore provide the first regional study of its scope and scale to demonstrate how this under-utilised combination of sources can provide fresh insight into the 'culture of will-making' in early modern England.

Will-making procedure: precept

Various edicts and legal tracts issued during the sixteenth and seventeenth centuries provided information on who could and could not make a will, what made a will legally valid, and how to ensure a 'good death'. The contents of these tracts are well-known and have been treated extensively in the scholarship, therefore only the most salient points in relation to this research will be drawn out in this chapter.¹⁶ The key text of the period was arguably Henry

sources: as noted in the introduction to this thesis, in his volume Brinkworth claimed that he was preparing the full Stratford records for publication, however this did not materialise.

¹⁵ The case of *Hollis v. Cawdrey* comes tantalisingly close: the dispute centres on the will of Thomas Hollis, (which unfortunately has not survived), although the will of his son, Robert, (who made a statement in relation to the court case) has survived. Worcester Archive and Archaeology Service (hereafter WAAS), Ecclesiastical court depositions 794.052 vol. 6, ff167r-210r.

¹⁶ Some key works which explore these tracts and their concerns are: Tom Arkell, Nesta Evans and Nigel Goose, eds., *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* (Oxford: Leopard's Head Press Limited, 2000); Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England, c. 1400-1580* (London: Yale University Press, 2005); Ralph Houlbrooke, *The English Family, 1450-1700* (London: Longman, 1984); Ralph Houlbrooke, ed., *Death, Ritual and Bereavement* (London: Routledge, 1989); Ralph Houlbrooke, *Death, Religion and the Family in England, 1480-1750* (Oxford: Clarendon Press, 2000); Philippe Ariès, *The Hour of our Death* (Harmondsworth: Penguin, 1983); Stephen Coppel, 'Willmaking on the Deathbed', *Local Population Studies* 40 (1988): 37-45; Nigel Llewellyn, *The Art of Death: Visual Culture in the English Death Ritual c. 1500-c.1800* (London: Reaktion Books Ltd in Association with the Victoria and Albert Museum, 1997); Bonfield, *Devising, Dying and Dispute*; Wrightson, *Ralph Taylor's Summer*; Becker, *Early Modern Englishwoman*. This list is not exhaustive, and many other works which also treat of this are discussed and cited throughout this chapter in particular.

Swinburne's *A briefe treatise of testaments and last willes*, which proved popular both during and after its author's lifetime. First published in 1591, with eight further editions issued up to 1803, this was 'the first work of canon law to be published in English, rather than in Latin'.¹⁷ The text offered the first clear, accessible (to the educated lay person, that is) exposition on such issues as 'what a Testament or last will is', 'who may make a Testament, and who may not', the types of property that could be disposed of by will, and 'Who maie be Executor'. The text is comprehensive in its treatment of the will-making process, and it is useful at this juncture to consider some of the key points made by Swinburne which are of particular pertinence.

One of the first issues to be tackled by Swinburne is that of 'who may make a Testament, and who may not', and within this latter category many significant exceptions appear which prove relevant when examining the evidence of the Worcester depositions. Swinburne first of all provides a list of those who were prohibited from making a will due to their 'want [of] discretion': falling into this category were 'Children. Madfolkes. Idiotes. Oldmen childish. He that is drunke.'¹⁸ As will be seen later, any hint of inebriation could prove a key point of contention in a disputed will suit, while the importance of mental ability was demonstrated in the fact that almost every will of the period included the reassurance that even though the

¹⁷ Sheila Doyle, 'Swinburne, Henry (c.1551–1624)', *Oxford Dictionary of National Biography* (Oxford University Press, 2004), <http://www.oxforddnb.com/view/article/26836> (accessed 10 September 2014).

¹⁸ Henry Swinburne, *A briefe treatise of testaments and last willes very profitable to be vnderstoode of all the subiects of this realme of England, (desirous to know, whether, whereof, and how, they may make their testaments: and by what meanes the same may be effected or hindered,) and no lesse delightfull, aswell for the rarenes of the worke, as for the easines of the stile, and method: compiled of such lawes ecclesiasticall and ciuill, as be not repugnant to the lawes, customes, or statutes of this realme, nor derogatorie to the prerogatiue royall. In which treatise also are inserted diuers statutes of this land, together with mention of sundrie customes, aswell general as particular, not impertinent thereunto: besides diuers marginall notes, and quotations not to be neglected, especially of Iustinianists, or young students of the ciuill law: vvith two tables, the one analytically ... the other alphabeticall ... By the industrie of Henrie Swinburn, Bachelor of the Ciuill Lawe* (London: Printed by John Windet, 1591), 5r. *Early English Books Online* (accessed 3 December 2013).

testator may have been 'sycke in body' at the time of its composition, they were also crucially 'of perfect memory'.¹⁹

Criminals also faced restrictions on will-making, while lumped in with those who 'want freedome', those 'Bondslaues and villeyynes', 'Captiués and prisoners', were 'Women couerte', who by nature of their marital status were completely prohibited from making a will without the express permission of their spouses. Of course, a wife could not bequeath something to which she had no legal title.²⁰ No wives' wills have survived for Stratford, and in general the incidence rate for these wills is assumed to have been much lower than that of single women and widows: Amy Louise Erickson notes that married women only wrote between 3 and 8 per cent of all women's wills in this period (compared with widows, who were estimated to have made up to 80 per cent of all women's wills, and single women, up to 20 per cent).²¹ Anomalies do appear, however, as in the case of Mary Prior's Oxfordshire case studies, in which 1068 wives' wills were identified for the period 1558-1700: most of these were made and proved with the consent of the woman's spouse, while others appear to have been proved despite their contravention of this and other laws which should have rendered them invalid.²²

¹⁹ This particular example is taken from the 1605 will of Arthur Ange. Lewis Bayly also warns that testators should make their wills 'before thy sicknesse doth encrease, and thy memory decay, lest otherwise thy Testament prooues a dotement: and another mans fancy, rather then thy will.' *The practise of pietie directing a Christian how to walke that he may please God* (London: Printed for Iohn Hodgets, 1613), 810. *Early English Books Online* (accessed 5 June 2013).

²⁰ See chapter one for a fuller account of married women's legal ability to make a will. There were a few notable exceptions given by Swinburne in which a married woman might make a will: if she was someone else's executor, an Empress or a Queen for example. Swinburne, *A briefe treatise*, 47r-51r.

²¹ Erickson, *Women and Property*, 140-204. See also Becker, *Early Modern Englishwoman*, 152, for similar statistics.

²² See Mary Prior, 'Wives and Wills, 1558-1700', in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 202-203 for a wife's will being probated despite its devise of freehold land, which was forbidden by a statute of Henry VIII's reign (34 and 35 Hen. VIII c. 5). In his study of Lincolnshire, J. A. Johnston's sample of 1,442 wills contained only 9 made by wives: 'Family, Kin and Community in Eight Lincolnshire Parishes, 1567-1800', *Rural History* 6, no.2, (1995): 185.

Notably absent from Swinburne's manual (and others of a similarly legal vein) is a consideration of women fulfilling any other role in the will-making process than that of testator, witness, or executrix, when in fact, as the evidence of the depositions and wills demonstrates, they appeared in many different guises in the deathbed context: as care-givers, concerned parents and spouses and, occasionally, as tormenters too. This lack of consideration of women's roles could, of course, be due to the nature of these texts as legal guidebooks, for in Thomas Becon's *The Sicke Mans Salue* (1561) and William Perneby's *A Direction to Death* (1599), which both provide more of a holistic guide to will-making, wives appear as beneficiaries, executrices, and also as recipients of guidance from their dying husbands, in attendance at their bedsides.²³ Some of the more illustrious women of the seventeenth century also appear as testators in the published accounts of their 'godly' lives and deaths, as in Samuel Clarke's *The Lives of Sundry Eminent Persons* (1683). One account provided by Clarke in this volume, for example, recalls how one woman – his wife, Katherine Clark – made a will with his permission, in which she left bequests to her children 'as tokens of [her] Motherly Affections'.²⁴ Below, examples of women acting in these various roles are

²³ Thomas Becon, *The sycke mans salue VVherin the faithfull christians may learne both how to behaue them selues patiently and thankfully, in the tyme of sickenes, and also vertuously to dispose their temporall goodes, and finally to prepare them selues gladly and godly to die* (London: Imprinted by John Day, 1561), 200-206. *Early English Books Online* (accessed 15 September 2014). William Perneby, *A direction to death: teaching man the way to die well, that being dead, he may liue euer. Made in the forme of a dialogue, for the ease and benefite of him that shall reade it. The speakers therein are Quirinus and Regulus* (London: Imprinted for Thomas Mann, 1599), 304-312. *Early English Books Online* (accessed 10 September 2014).

²⁴ Samuel Clarke, *The lives of sundry eminent persons in this later age in two parts : I. of divines, II. of nobility and gentry of both sexes / by Samuel Clark ... ; printed and reviewed by himself just before his death ; to which is added his own life and the lives of the Countess of Suffolk, Sir Nathaniel Barnardiston, Mr. Richard Blackerby and Mr. Samuel Fairclough, drawn up by other hands* (London: Printed for Thomas Simmons, 1683), 161. *Early English Books Online* (accessed 6 October 2014). For more on Katherine Clarke and the published 'lives' of other godly women, see Anne Laurence, 'Daniel's Practice: The Daily Round of Godly Women in Seventeenth-Century England', in *The Use and Abuse of Time in Christian History: Papers Read at the 1999 Summer Meeting and the 2000 Winter Meeting of the Ecclesiastical History Society* ed. Robert Swanson (Woodbridge: Boydell, 2002), 173-183, and Jacqueline Eales, 'Samuel Clarke and the "Lives" of Godly Women in Seventeenth-Century England', in *Women in the Church: Papers Read at the 1989 Summer Meeting and the 1990 Winter Meeting of the Ecclesiastical History Society* ed. W. J. Sheils and Diana Wood (Oxford: Published for the Ecclesiastical History Society by Basil Blackwell, 1990), 365-376. See chapter five for a consideration of affect and the language of 'tokens'.

provided, along with a consideration of what this might reveal about their agency, autonomy, and motivations.

The next key point addressed by Swinburne is that of the importance of ‘*animus testandi*’, which he defined as a testator’s:

mind or purpose then and thereby to make his testament or last will. Which minde and purpose must bee prooued by circumstaunces, (for words alone are not sufficient): as that he framed or settled himselfe seriously to the making of his last will; beeing then perhaps verie sicke, or requiring them which were present to beare witnessse of his will &c.²⁵

The significance of these gestures and declarations becomes apparent on examination of the contested will cases from the Worcester records, many of which provide considerable detail about a testator’s actions in preparing him or herself for the making of a will. One such example is the 1613 case which recalls the will-making of one John Yeates of Badsey. One of the deponents, Thomas Smith, explained that about 18 months before the testator’s death:

[John] did withdrawe this deponent into a private chamber with his [Thomas’s] brother Anthony Smith ... And therevpon he acquainted them that the cawse of his cominge vnto them [was] to intreate them to be witnesses vnto a will which he had brought with him and cawsed formerlie to be made, and withall desiered their secrecy that his wyfe might not knowe thereof, wherevnto this deponent shewing himself willing (as a neighbor) to gratifie his request he shewed vnto the deponent the will ... which this deponent did distinctly reade over vnto him, which done, he did

²⁵ Swinburne, *A briefe treatise*, 8v.

ratifie allowe and approve the same to be his last will and testament And in confirmacion thereof made his marke and sett his seale therevnto²⁶

Many of the details here were presumably provided by Thomas in order to vouch for the testator's serious intent to have his will executed: even though the document had been drawn up in advance of John's arrival at Thomas's house, his removing into a 'private chamber' in order to have the will read and ratified demonstrates (aside from his desire to keep his wife in the dark) the testator's serious intent to have his will formalised properly. In fact, location appears to be of great significance in many of the testamentary dispute cases considered here, and the possible implications of this are addressed below. Evidence from both the guidance books and the depositions indicates that this could be a key factor in determining a will's validity later on.

Finally, a third key point addressed by Swinburne is that of the importance of nominating an executor, and the fact that this aspect alone would be enough to determine a will's validity: he states that a will, 'howe perfect soeuer other-wise, is no testament' if an executor is not appointed.²⁷ Swinburne acknowledges that women could be appointed executors, with his statement that: 'the testator may make executors, not onelie men, but also women, either single or married'.²⁸ His reference to this practice, however, does not give a true indication of how commonplace it was for women to act in this capacity: most husbands made their wives

²⁶ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff87v-91v.

²⁷ Swinburne, *A briefe treatise*, 7v. Swinburne was not alone in stressing this point: it forms the entire subject matter of another legal guidance book: Thomas Wentworth's *The office and dutie of execvtors* (1641), which expounds the common law stance on the issue: 'though much be written in name of a Will, many Legacies bequeathed, and many things appointed to be done. Yet if no Executor be named, here is no Will; for these two be so relative, and reciprocally, as that one cannot be without th'other; if no Will, no Executor; if no Executor no Will.' Thomas Wentworth, *The office and dutie of execvtors, or, A treatise of wils and executors, directed to testators in the choise of their executors and contrivance of their wills with direction for executors in the execution of their office, according to the law, and for creditors in the recovery of their debts : expressing the duty, right, interest, power and authority of executors, and how they may behave themselves in the office of executorship : with divers other particulars very usefull, profitable, and behovefull for all persons, be they either executors, creditors or debtors : compiled out of the body of the common-law, with mention of such statutes as are incident hereunto* (London: Printed by T. C. for Andrew Crooke, Laurence Chapman, William Cooke, and Richard Best, 1641), 3. *Early English Books Online* (accessed 4 September 2014).

²⁸ Swinburne, *A briefe treatise*, 196r.

executrix in either sole or joint capacity, while women also often appointed other women in this position. In Stratford, for example, nearly 61 per cent of men's wills appointed a surviving spouse joint or sole executor,²⁹ while nearly 31 per cent of single women and widows appointed other women.³⁰

Attention has been drawn to these three particular points made in the prescriptive literature because each one appears as an issue of contention in the testamentary causes of the Worcester consistory court, discussed below. Their persistent recurrence as sites of conflict in the will-making process demonstrates the complexity underlying this seemingly straightforward procedure, which will be elucidated in this chapter. One of the key elements of will-making which might be expected to have been of great importance at this time, however, but to which Swinburne only makes passing reference, is that of the role of the scribe. Perhaps the expectation is such because literacy in our modern age is highly valued and considered a fundamental skill, and is linked inextricably with one's identity and sense of self, but from the early modern legal point of view according to Swinburne, the primary concern when making a will was simply ensuring that the handwriting was legible: he does not mention the selection of a reliable scribe, and this is surprising when we consider that the vast majority of testaments were written by someone other than the testator, with all the potential for influence and interference which that implies.³¹ In Stratford, for example, it has been possible to identify only one holograph will,³² while for the period under consideration

²⁹ A total of 114 wills. In Northamptonshire the figure was 58.7 per cent, according to Carmel Biggs: 'Women, Kinship, and Inheritance: Northamptonshire 1543-1709', *Journal of Family History* 32 (2007): 124.

³⁰ 12 of the women's wills. It was more common for Stratford's women to choose a male relative to act as their executor: sons, sons-in-law, and uncles all proved popular. Perhaps this was for the legal authority they would have been able to wield. Biggs also notes that Northamptonshire women seem to have preferred male executors: 'Women, Kinship, and Inheritance', 122.

³¹ Swinburne simply states: 'For the hande or letters wherewith the testament is written, the lawe is indifferent whether it be Secretarie hand, Roman hand, Court hand, or any other hand, either faire, or otherwise, so that the same may bee read and vnderstoode.' *A briefe treatise*, 190r.

³² This was Richard Ballamy's (1580). Daniel Baker may have written his own will (he wrote Francis Boyce's), however as only the court copy survives it is now no longer possible to determine whether he wrote the original.

there are 50 extant wills which were written by one scribe. The man in question was the local curate, William Gilbard alias Higgs, and further on in this chapter the large body of surviving wills in his hand is examined in order to explore scribal procedure, and how Stratford compares with other studies on this subject.³³

Aside from those legal texts which set out the mechanics of will-making for the purposes of constructing a legally valid document, other contemporary advice literature was also available, which instead treated of the social and moral aspects of the ‘culture of will-making’.³⁴ These manuals ostensibly dealt with the practicalities of will-making, aiming to guide the testator through the process. Four key works in this vein are: Thomas Becon’s *The Sicke Mans Salue* (1561), William Perkins’s *A Salve for a Sicke Man* (1595), Lewis Bayly’s well-known *The Practise of Pietie* (1613) and, to a lesser degree, Christopher Sutton’s *Disce Mori – Learne to Die* (1600).³⁵ William Perneby’s *A Direction to Death* (1599), meanwhile, provides an extended treatment on the proper godly preparation for death, with some limited

John Marshall of Bishopton was scribe for William Baul, yet chose to appoint Abraham Sturley to write his own will. This may have been an act of respect between social peers.

³³ Gilbard alias Higgs is referred to (and refers to himself) interchangeably as either ‘minister’ or ‘curate’. In the Book of Common Prayer’s Visitation of the Sick the two terms are also used interchangeably, suggesting that the roles and their duties overlapped: *The booke of common praier, and administration of the sacramentes, and other rites and ceremonies in the Church of Englande* (London: Richard Jugge and John Cawode, 1559), 142 (PDF pagination). *Early English Books Online* (accessed 4 November 2014). On the role of the curate and schoolmaster in the borough of Stratford, see ‘The borough of Stratford-upon-Avon: Churches and charities’, *British History Online*, <http://www.british-history.ac.uk/vch/warks/vol13/pp269-282> (accessed 21 February 2017).

³⁴ It should be noted, however, that there can be considerable overlap between the subjects contained within these texts and the legal guidance manuals.

³⁵ Becon, *The sycke mans salue*; William Perkins, *A salve for a sicke man. or, A treatise containing the nature, differences, and kindes of death as also the right manner of dying well. And it may serue for spirituall instruction to 1. Mariners when they goe to sea. 2. Souldiers when they goe to battell. 3. Women when they trauell of child* (London: Printed by John Legat, 1611). *Early English Books Online* (accessed 15 September 2014); Bayly, *The practise of pietie*; Christopher Sutton, *Disce mori. = Learne to die A religious discourse, moouing euery Christian man to enter into a serious remembrance of his ende. Wherein also is contained the meane and manner of disposing himselfe to God, before, and at the time of his departure. In the whole, somewhat happily may be abserued, necessary to be thought vpon, while we are aliue, and when we are dying, to aduise our selues and others* (London: Printed by J. Windet for John Wolfe, 1600). *Early English Books Online* (accessed 17 July 2013).

consideration of the act of will-making itself, for which the author explicitly acknowledges his debt to Swinburne and Becon.³⁶

These works are revealing in their presentation of the ideal Reformed death, and where will-making fell within this. First of all is the universal caution about preparing for the imminent yet unpredictable arrival of death: the authors repeat the familiar Biblical injunction to live every day as if it were your last, and suitable preparations for this include making a will while in health. Perkins states emphatically that: ‘men should not deferre their preparation [for death] till the time of sicknes, but rather euey day make themselues readie against the day of death.’³⁷ Becon’s treatise differs in format from that of Perkins, however, being instead an imagined conversation between a dying man, Epaphroditus, and four friends, who come to offer support and spiritual guidance in his hour of need. In situating the ‘action’ around Epaphroditus’s deathbed, Becon thus offered his readers a depiction of what should have been to most a recognisably conventional scene. Such scenes are also depicted in art of the time, for example in the Henry Unton portrait and in this image of Thomas Braithwaite’s deathbed will-making.³⁸

³⁶ Perneby, *A direction to death*, 241-243. He not only references them in the text, but it also takes the form of a dialogue, as Becon’s does.

³⁷ He continues: ‘But some will say, it shall suffice if I prepare myselfe to pray when I begin to be sicke ... These men greatly deceiue themselues; for the time then is most vnfit to begin a preparation, because all the senses & powers of the body are occupied about the pains and troubles of the disease...’. Perkins, *Salve for a sicke man*, 56. Similarly, Bayly exhorts readers to ‘make thy *Will* in thy *health time*’, reassuring them that: ‘It will neither put thee *further* from thy goods, nor hasten thee *sooner* to thy death: but it will bee a great ease to thy *minde* in freeing thee from a great *trouble*, when thou shalt haue most need of *quiet*: for when thy *house* is set in order, thou shalt be better enabled to set thy *soule* in order, and to dispose of thy iourney towards GOD.’ *The practise of pietie*, 811.

³⁸ See: <http://www.npg.org.uk/collections/search/portraitLarge/mw06456/Sir-Henry-Unton>, and <http://www.bbc.co.uk/arts/yourpaintings/paintings/thomas-braithwaite-of-ambleside-making-his-will> (accessed 23 June 2016). Both of these examples are, admittedly, concerned with members of the upper echelons of society.



Image 1 – Unknown artist, ‘Thomas Braithwaite of Ambleside making his will’, 1608.
Abbott’s Hall Gallery, Kendal, 66 x 58.5 cm.

Other texts which concern themselves with expounding the correct preparation for death are the ‘godly lives’ which were published mainly during the seventeenth century. Significantly in terms of this study, many of these present the devout lives and subsequent good deaths of women (albeit mainly elite women), and they thus provide a valuable source for considering the actions and motivations of this underrepresented section of society. In Clarke’s *Lives of Sundry Eminent Persons*, for example, it has already been seen how Katherine Clark was able to make a will with her husband’s permission, while Lady Mary, the Countess Dowager of

Warwick, prepared her will while in good health.³⁹ The ensuing death of the Countess Dowager once again provided the familiar image of a kin group gathering around a deathbed, as the Countess ‘discoursed cheerfully and piously’ with those around her, telling her friends: ‘*Well, Ladies, if I were one hour in Heaven, I would not be again with you, as well as I love you.*’⁴⁰

The particular familiarity of women with the deathbed is reaffirmed with Clarke’s account of Lady Elizabeth Langham’s death (1664), in which it is reported that she reflected upon her own experience of attending other people in their final illnesses:

And [she] would seem to be troubled at the remembrance of the carriage of such and such Christian Friends, with whom she had been on their sick-beds, as conscious to herself how far short she came of them.⁴¹

As the evidence of the Worcester depositions will demonstrate, women of all statuses were frequently in attendance at the sick beds of friends and family, and Lady Elizabeth Langham’s account makes it clear that this could prompt women to reflect on their own condition and behaviour as death approached. This knowledge might, in turn, help us to understand the motivations behind some of the bequests made in women’s wills, and the phraseology used in making them.

Taken together, then, these texts project an emphatic message that preparation for death should be undertaken daily and a will written well in advance of the moment itself. Yet what the evidence reveals time and again is people’s failure to follow this advice. Many remained superstitious about making a will while in good health, fearing that in so doing they would be tempting fate. Indeed, although each of the texts advises its readers to prepare for death in

³⁹ Clarke, *Lives*, 161 and 173-179, respectively.

⁴⁰ *Ibid.*, 179.

⁴¹ *Ibid.*, 206.

advance of their final illness, many of them also implicitly acknowledge that this preparation was in fact likely to be reserved for a person's final moments, and thus more likely to be spiritual than practical, given the relatively common nature of brief and sudden fatal illnesses. In some cases their seamless transition into advice for deathbed procedure implies that they rather expected this to be the norm, which no doubt indicates how culturally ingrained this practice of last-minute will-making was. Perneby, for example, counsels:

Now by making of a will in sickenes (if then it be made) a man may so dispose of his goods, as thereby he may greatly glorifie the name of God, which gaue them; throughly breake off strife and dissension betweene them, which shall haue them, and singularly quiet himselfe that is to depart from them.⁴²

These texts were in all likelihood only echoing what was common procedure for most people: the vast majority of middling sort wills were made when testators were sick and felt that death was imminent. Indeed, it seems that early modern people had an 'uncanny knack' of knowing which illness was to be their last.⁴³ Ralph Houlbrooke notes in his *Death, Religion and the Family* (2000) that the 'majority of testators were sick or close to death when they made their last wills', with usually at least 40 per cent of wills being proved within two months of death, and over 70 per cent (and sometimes up to 90 per cent) within a year.⁴⁴ In two sixteenth-century Lincolnshire parishes, half of the will-makers whose burial dates are known made their wills within a week of death.⁴⁵ The figures for Stratford confirm this trend: of the 226 wills, 211 provide a date that the will was written, and of these it has been possible

⁴² Perneby, *A direction to death*, 236. Meanwhile, Becon's imagined deathbed scene returns once again to the issue of the scribe, in portraying Epaphroditus urging his friend Philemon to write his will for him: 'I pray you bring hether [sic] pen, inck, & paper, withal expedition, and let my will be written'. Becon, *The sycke mans salue*, 134.

⁴³ Marsh, 'Attitudes to Will-Making', 161.

⁴⁴ Houlbrooke, *Death, Religion and the Family*, 98.

⁴⁵ Coppel, 'Willmaking on the Deathbed', 38. Becker also notes that most of the women's wills proved in the Archdeaconry of Suffolk in 1625-1626 were made less than three months before probate. *Early Modern Englishwoman*, 157.

to trace a burial date for 153 testators. 41 per cent of these 153 wills were written within one week of burial, and 65 per cent within one month. 81 per cent of wills were written within one year of burial.⁴⁶ Despite all advice to the contrary, then, most testators chose to have their wills written during what they anticipated would be their final illness. Once again, the advice literature provided ample guidance on how to navigate such a situation, with recommendations on identifying the correct mental disposition of the testator, the role family and friends should play, and suitable locations for the will-making to take place.

As previously indicated with reference to Swinburne's text, the importance of a testator's demonstrable 'animum testandi' (their explicit intention to make a will) was not to be understated. Yet there were other conditions to consider, and chief among these was the issue of mental capacity, which was naturally linked very closely with 'animum testandi' in the minds of the admonitory authors. Moreover, how these authors advised determining the mental capacity of a testator is revealing in terms of how it can inform an interpretation of extant wills and church court depositions which provide accounts of wills' creation.

Swinburne makes it clear, first of all, that 'Madfolkes and Lunaticke persons, *during the time of their furor or insanitie of minde*, cannot make a testament, nor dispose anie thing by will' [my emphasis].⁴⁷ This seems straightforward, yet both Swinburne and Wentworth admit that

⁴⁶ 64 of the 153 wills were made within a week of burial; 36 within a month; 24 within 6 months; 13 within a year; 5 within two years; 3 within three years; and 8 exceeding this. There is, of course, the possibility that some of Stratford's testators made more than one will: one while in health, and another, revised version, when they were nearing death. This is an unlikely scenario for the majority, however: not only was this practice closely linked to status, but the evidence of the surviving wills only points to testators having made one will near the end of their lives. Daniel Baker, for example, added several codicils to his will, however he was one of the town's more substantial inhabitants, with a lot of personal wealth, therefore it would have been in his interests (and part of the performance of his status) that he make a will early on. For the majority of inhabitants the evidence indicates that their wills would have been drafted once, near the end of their lives. The Worcester depositions also indicate that wills were generally made during a testator's final illness: only eight cases of the 60 studied concern a will made while the testator was said to be in good health.

⁴⁷ Swinburne, *A briefe treatise*, 36v.

madness or lunacy may be episodic, leaving a testator with moments of clarity sufficient to make a will.⁴⁸

If a person troubled with ill mental health may yet make a legally valid will during lucid moments, the question arises as to how these moments should be discerned, by both contemporary witnesses and modern-day historians. Swinburne helpfully provides some key indications of madness: a testator might ‘throw stones against the windowes’, ‘spit in mens faces’ or, on being asked a question, ‘hisse like a goose or barke lyke a dogge’.⁴⁹ Of course, such signs as these were only available first hand to those present at the will-making, and only survived for interpretation by the early modern judge and the modern historian within the testimonies of those called to depose in court; at which point, both the judge and historian are required to decide the probity of the witness and the resultant likelihood of whether such events were indeed more fact than fiction.⁵⁰

Swinburne does offer another avenue for the detection of madness, however, in indicating that it may also be identified in the text of the will itself:

... if the testament be wisely and orderly framed, the same ought to be accepted for a lawfull testament. But if in the testament there be mixture of wisdom and follie, it is to bee presumed that the same was made during the testators frensie ... And therefore

⁴⁸ Swinburne, for example, states that: ‘if these madde or lunatike persons haue cleere or calme intermissions, then during the time of such their quietnesse and freedome of minde, they may make their testaments, appointing executors, and disposing of their goodes at their pleasures’. *Ibid.*, 37r and see also Wentworth, *The office and dutie*, 29-30.

⁴⁹ Swinburne, *A briefe treatise*, 38r.

⁵⁰ Bonfield talks of the ‘slippery memory’ of witnesses. *Devising, Dying and Dispute*, 113. Wentworth also uses this phrase, *The office and dutie*, 8-10. Gowing discusses the incidence of ‘legal fictions’ in relation to early modern adultery cases, arguing that such details were necessary to prove adultery but that they were, nevertheless, plausible. It is reasonable to assume that testamentary dispute depositions might also be embellished in a similar way. Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1998), 70-71 and 190.

in this case is the testament voide, vnlesse that it may bee prooued, that there was intermission of furor the same time.⁵¹

As Swinburne does not specify that this should only be considered the case with holograph wills, this suggests that it was assumed that testators who employed a scribe would have had complete control over the exact wording of their wills. Of course this must be assumed to have been the case only within reason: that a scribe would not have written something nonsensical if it was clear that the testator was not fully *compos mentis*. Any resulting document would, after all, have been unlikely to pass probate. This assumption of the testator's control over the contents of the will has implications for the ensuing consideration of scribal authority, and the language of affect found in wills.⁵²

Assuming, then, that a testator was 'sick in body but of sound and perfect mind' (as the majority of surviving wills declare), what role might the advice literature have urged their family and friends to play in the will-making? It was universally assumed, after all, that interested parties would expect to be involved in this event.⁵³ But what should this involvement entail? And exactly who counted as an interested party or, in Ley's words, a 'best beloved friend'?

First of all, it was advised that those attending should offer words of advice and comfort, primarily of a spiritual nature, in order to help ensure the salvation of the sick person's soul.⁵⁴

⁵¹ Swinburne, *A briefe treatise*, 38r.

⁵² The depositions relating to the will-making of a Pershore woman, Cecily Batchler, demonstrate that in some instances a scribe might influence certain elements of a will's contents or form. For a full consideration of this, see below, pp. 121-123.

⁵³ See J. S. W. Helt, for example: 'In the days and hours between the realization of a mortal illness or accident and the final moment of life, the dying man's bedchamber was turned into a busy and noisy place... friends and neighbors all crowded around [his bedside] to express solidarities and to aid him in crafting a 'good death' by attending to his physical, spiritual and emotional needs.' 'Memento Mori: Death, Widowhood and Remembering in Early Modern England', in *Widowhood and Visual Culture in Early Modern Europe* ed. Allison Levy (Aldershot: Ashgate, 2003), 43.

⁵⁴ To this end, Sutton supplies 'well ordered' words and questions for those present to address to the sick person, and also provides 'A forme of praiser to bee vsed for the sicke, by them that are present.' *Disce Mori*, 257-258. See also Bayly, *The practise of pietie*, 910.

The *Book of Common Prayer*'s Order for the Visitation of the Sick (1559) assumes that neighbours and other parishioners would take communion with the dying, unless in times of plague or other contagious disease.⁵⁵ As Bayly explains in *The Practise of Pietie*, however, such visits were not only important for the dying, but for all those involved: 'For at a Communion in a priuate family vpon such an extraordinary occasion, *Christ his institution is obserued: Many faithfull brethren meet together, and tarry one for another*'.⁵⁶ This sense of Christian duty, along with a natural desire on the part of relatives and friends to provide comfort for their loved ones in their last hours, goes some way to explaining the ongoing tradition of deathbed gatherings.⁵⁷

As well as caring for a testator's soul, however, the literature indicates that visitors to the deathbed would also be concerned to ensure that its occupant had set their worldly affairs in order. The reason often given for this was that of preventing disputes between those left behind.⁵⁸ Indeed, in Becon's text, the dying man himself acknowledges the importance of settling his worldly affairs, so that 'after my departure there be no dissension nor strife ... among suche as I most wishe to be linked together with perpetual amitie, and continuall frendship. It shall also, I trust, be a great quietnes vnto my mynd.'⁵⁹

Ensuring family concord was undoubtedly a powerful enough reason alone to make a will, however the unspoken yet equally pressing motivation for those in attendance must have

⁵⁵ *The booke of common praier*, 146. Bayly also advises that at this time a sick person should 'send for some Godly and Religious Pastor', so that 'The sicke man (hauing thus eased his Conscience, and receiued his Absolution) may doe well (hauing a conuenient number of faithfull Christians ioyning with him) to receiue the holy Sacrament of the Lords Supper, to encourage him in his Faith, [and] to discourage the Diuell in his assaults'. *The practise of pietie*, 975-976.

⁵⁶ Bayly, *The practise of pietie*, 976. Becon concurs, stating: 'Ye know neighbors how charitable a deede it is to visite the sicke, and to comforte the diseased. It is one of those works, whiche being don in the faith of Christe shall be rewarded at the last day in the face of the whole worlde with then heritage [sic] of the heauenly kingdom...'. Becon, *The sycke mans salue*, 42.

⁵⁷ Houlbrooke says that 'The tendency for death to become more private was probably under way by 1700', *Death, Ritual and Bereavement*, 10. Ariès, however, asserts that the 'public aspect' of death endured until the late nineteenth century. *The Hour of our Death*, 18.

⁵⁸ See, for example, Sutton, *Disce Mori*, 180-181.

⁵⁹ Becon, *The sycke mans salue*, 131-132.

been that of ensuring adequate provision for family members, whether to prevent them from becoming a burden on the local community, or simply to enhance a legacy as a result of greed. Evidence of this pressing of testators can be found in the Worcester depositions: when Thomas Hunt of Alcester (1616) made his will, for example, he was asked so many times to declare what he would leave to his kinswoman Ann Edmonds that his increasing exasperation is positively tangible:

And the fowrth tyme the said testator being demaunded the question of the said william Butler whether he would give all that he had at Cladsall vnto Ann Edmondes he the said testator with greate vehemency made answeare: yea: for the love of the lord all that I have at Cladsall.⁶⁰

The proper speeches to be used by those in attendance on the sick were also prescribed. Bayly urged his readers not to ‘speake idly’ to those sick or dying,⁶¹ while Sutton cautioned that ‘Impertinent speeches [are] verie vnfit’, although he did not specify exactly what constituted impertinence.⁶² If such ‘idle’ or ‘impertinent’ deathbed chatter as these examples imagined was acknowledged as being of no comfort to the sick person, and perhaps even of causing distress or annoyance, imagine the torment of Thomas Warner from Castle Morton (1614) whose own wife and daughters allegedly ‘kneeled downe vpon their knees before the testator and Cursed him in his chamber and wished that he might rott a way Inchmeale’.⁶³ It appears that Thomas and his wife had conceived a mutual antipathy for each other, resulting

⁶⁰ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff222r-231r.

⁶¹ Bayly, *The practise of pietie*, 909.

⁶² Sutton, *Disce Mori*, 247-248. Perkins follows in this vein, lamenting that ‘the common fault of men and women when they come to visit their neighbours and friends [is that] they can not speake a word of instruction and comfort, but spend the time either in silence, gazing, and looking on; or in vttering wordes to little or no purpose saying to the sicke partie, that they are sorie to see him in that case, that they wold haue him to be of good comfort, but wherein, and by what meanes they cannot tel: that they doubt not but that he shall recouer his health and liue with them still, & be merry as in former time...’. Perkins, *Salve for a sicke man*, 104-105. On the correct speeches to be used by the dying to ensure a ‘good death’, see Lucinda McCray Beier, ‘The Good Death in Seventeenth-Century England’, in *Death, Ritual and Bereavement* ed. Ralph Houlbrooke (London: Routledge in association with the Social History Society of the United Kingdom, 1989), 49-51.

⁶³ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff118r-122v. It is likely that the girls were in fact his stepdaughters: several deponents referred to them specifically as his wife’s children.

in this sorry state of affairs: Anne's 'unkind behaviour and ill demeanour' towards her husband, coupled with her selling of his goods during his illness and keeping the profits for herself had caused Thomas to cut her out of his will completely, which no doubt prompted this particularly vicious outburst. Here the archetypal image of a loving family gathered around a deathbed undergoes a sad inversion.

The final point to be drawn out from the advice literature involves the selection of a suitable location for the event to take place. This may at first appear to have been a relatively incidental detail in the minds of the authors: in Becon's text Epaphroditus's friends visit him while he is ill in bed at home, while Perneby's manual envisages a sick man's wife, children, and servants gathering at his bedside. Both imagined scenarios, as expected, conform to the ideal as presented within these works and discussed above. Yet it appears that by the later seventeenth century at least the location of will-makings had proved problematic or significant enough to require setting out in law, as the Statute of Frauds of 1677 stipulated that for nuncupative wills in particular to be deemed valid, they should be made:

in the Time of the last Sickness of the Deceased, and in the House of his or her Habitation or Dwelling, or where he or she hath been resident for the Space of ten Days or more next before the making of such Will, except where such Person was surprized or taken sick, being from his own Home, and died before he returned to the Place of his or her Dwelling.⁶⁴

Although this statute occurs outside the timeframe of this study, it is a useful indicator of some of the concerns which may have been evident to its predecessors. Evidence of these

⁶⁴ *The Statutes of the Realm. Printed by Command of his Majesty King George the Third. In Pursuance of an Address of the House of Commons of Great Britain. From Original Records and Authentic Manuscripts. 'An Act for Prevention of Frauds and Perjuries. (29 Cha. 2 c. 3)'. Hein Online, <http://www.heinonline.org/HOL/Page?handle=hein.engrep/realms0005&id=25&collection=engrep&index=engrep/realms>, 841-842 (accessed 28 June 2016).*

concerns can also be noted in some of the depositions utilised here, and this thesis now turns to examine their significance.

The most desirable location for a will to be drawn up was undoubtedly the testator's own residence: other sites might be permitted only in emergencies. One of the most problematic of all locations for any will-making, nuncupative or otherwise, was arguably the alehouse.⁶⁵ Considering the objections to the making of a will in an alehouse reveals that location and mental capacity were inextricably linked in the early modern imagination. As Swinburne states: 'Hee that is ouercome with drinke ... is compared to a madde man, and therefore if hee make his testament at that time, it is voide in lawe...'.⁶⁶

As evidence from the depositions demonstrates, a will made in an alehouse could be called into question on the basis of the testator's sobriety and perceived ability to make rational decisions concerning the disposition of their goods, whether or not they were actually indulging in the consumption of alcohol at the time. The witnesses who deposed in the case relating to the will-making of Michael Greeves of King's Norton (1621), for example, went to great lengths to insist that the will was written 'in noe Alehouse' and that the testator drank 'noe Ale ... before the writinge and publisheinge of the sayd will'.⁶⁷ In fact, as will be demonstrated below, the setting for will-makings proved much more significant for witnesses deposing in Worcester's consistory court than is indicated by the advice literature, and the details of their statements provide useful information on how people negotiated and interpreted this event.

⁶⁵ Bonfield, *Devising, Dying and Dispute*, 73. Bonfield ironically notes that the alehouse was also one of the most popular locations, particularly for the declaring of nuncupative wills. On the problematic nature of the alehouse, see also Alexandra Shepard, *Accounting for Oneself: Worth, Status and the Social Order in Early Modern England* (Oxford: Oxford University Press, 2015), 137. Published to Oxford Scholarship Online March 2015, DOI: [10.1093/acprof:oso/9780199600793.001.0001](https://doi.org/10.1093/acprof:oso/9780199600793.001.0001) (accessed 9 August 2016).

⁶⁶ Swinburne, *A briefe treatise*, 42r.

⁶⁷ However, several of them did admit that after the will was written and published the testator 'did of his owne accorde send to ane Alehouse by for ij penie worth of Alle to make the Companie drincke'. WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff529r-536v.

If our view of early modern will-makings were based solely on the evidence presented in the legal literature on the subject, then a picture would emerge of a testator (always male) lying sick in bed at home, surrounded by family and friends doing their best to comfort and support him.⁶⁸ If married, his wife would be close at hand, along with any servants and children, and at some point in the proceedings he would dictate his will to a scribe who had been summoned for the purpose.⁶⁹ He might then receive words of spiritual advice from those present, and may even dispense his own. The visitors might join him in receiving communion. This undoubtedly was a very public affair by modern standards, but one which, in its publicity, offered comfort to both family and soon-to-be deceased. It was every good Christian's duty to comfort the sick in their hour of need, and this would in turn work for the good of the visitors' souls. The literature, while cautioning against 'idle words'⁷⁰ spoken in the vicinity of the deathbed, and hoping to prevent disagreements between legatees by ensuring that the testator settled his worldly affairs, does not indicate that there might have been any other points of contention which would be likely to arise at this time, and how these issues might have manifested themselves. The church court depositions provide important access to these issues, and it is to these sources that the thesis now turns.

Will-making procedure: practice

Having explored the prescribed process for will-making, this chapter now turns in more detail to the depositions from Worcester's consistory court, and places them alongside Stratford's wills in order to uncover evidence to help shed a more nuanced light on how will-making

⁶⁸ Becker asserts that 'advice books for the dying were almost exclusively addressed to men (despite their dedications to women and an assumption of a mixed-sex readership), used male examples and, inevitably, masculine imagery. Indeed, there was little appropriate feminine imagery available with which to discourse upon dying; the writers were caught within their own culturally determined vocabulary.' *Early Modern Englishwoman*, 44.

⁶⁹ Becon, *Sycke mans salve*, 199 and 200-206 onwards; and Perneby, *A direction to death*, 306-312.

⁷⁰ Bayly, *The practise of pietie*, 909.

may have been undertaken in practice. The pairing of these two sources is key: while the wills can provide an indication of a testator's health and state of mind, and can be a fairly reliable indicator of witnesses present,⁷¹ depositions from testamentary disputes arguably provide the most detailed and direct source of evidence of the act of will-making, although the access they allow is undoubtedly problematic.⁷² Caution must be exercised when utilising depositions: they survive as records only of those wills which were brought into dispute, and in this reflect arguably only the minority of people's experiences of making and proving a will. Further, these narratives were framed and created entirely in adherence to the legal conventions of the day: not only were defendants and witnesses responding to questions drawn up in legal terminology by the proctor, but their responses were taken down and transformed into a suitable format by the clerk, also working within this legal framework.⁷³ The issue of gender naturally also comes into play when considering the context of the creation of these narratives: although women could and frequently did appear in church courts as witnesses, defendants and plaintiffs, the entire system was run by, and primarily for, men. As a result, the women's words which survive today do so only as statements mediated

⁷¹ Of course, the statement 'weak in body but of sound and perfect mind' (or similar) could be argued to be formulaic and employed almost universally, to ensure the legality of the will in question. In terms of the witnesses, wills cannot usually reveal their precise involvement in the act beyond that of inscribing their signatures or marks to the document.

⁷² Bonfield, *Devising, Dying and Dispute*, 16.

⁷³ Gowing explains in more detail: '[T]he part clerks played in depositions means that sentence structure, the word order, and at least some of the words of the resulting documents are not always what witnesses said. More broadly, the mediation of proctors in both the original plaintiff's story, and in witnesses' depositions, did much to shape complaints and memories into pleas and testimonies. The legal process did more than add recognizable formulas and conventions: it provided the whole context in which witnesses' stories had meaning. If witnesses are telling stories, so are proctors and clerks... None of the stories [presented] ... is, then, simply a witnesses' tale [sic]; but the multi-layered and multivalent shape of depositions, bound as they were with restrictions, left space for some very personal tellings.' *Domestic Dangers*, 238-239. She also states that 'Legal narratives were told to a judicial audience listening for plausibility: the conventions and formulas they used were ones that made sense in canon law', 232. For another insightful explanation of how depositions were taken down and mediated, and the implications of this, see Frances Dolan, *True Relations: Reading, Literature, and Evidence in Seventeenth-Century England* (Philadelphia: University of Pennsylvania Press, 2013), 112.

by the men who both constructed the questions they answered, and wrote those answers down according to the established protocol of court proceedings.⁷⁴

Despite these qualifications, however, depositions provide important access to the accounts of those who witnessed will-makings (deathbed or otherwise), and in this can offer a window onto the event. The reliability of the witness statements must be considered, and although they by no means offer what should be considered accurate and objective descriptions of any event, it seems reasonable to agree with Marsh's instinct that '[i]t does seem possible to establish a core of truth [from the depositions]; this is, after all, exactly what the courts were seeking to do.'⁷⁵ Bonfield agrees that 'the narratives presented by the parties, though they often conflicted, offer insights into the processes of dying and of will-making...'.⁷⁶ He finds much of use in depositions' ability to shed light on the 'culture of will-making' from the latter half of the seventeenth century, despite the 'slippery memory' of witnesses, and there is no reason why they should not prove equally useful when considering the earlier period, as is the case here.⁷⁷

So how does the general picture of will-making as evidenced by depositions compare with that presented by the legal and prescriptive literature? Some cases do indeed follow the 'ideal' pattern traced above: the 1621 depositions recounting the will-making of Michael Greeves of King's Norton, for example, tell how on one Sunday in 1619 he had sent a messenger to retrieve his friend John Roper from church. John had arrived at the house to

⁷⁴ Gowing, *Domestic Dangers*, 234. Dolan questions our desire to recover these women's 'voices' and our perception of them as somehow obscured by male mediators: she instead notes the ways in which early modern courts distrusted direct speech and in fact 'often preferred highly mediated texts', *True Relations*, 115-116. She says 'Perhaps we might recast mediation as collaboration, a collaboration that facilitated women's expression as much as or rather than occluding it', 118.

⁷⁵ Marsh, 'Attitudes to Will-Making', 160.

⁷⁶ Bonfield, *Devising, Dying and Dispute*, 70. He talks of the utility of these narratives repeatedly, for example in contemporary judges' being able to 'piec[e] together a narrative of the alleged will-making' and 'construct a narrative of the will-making from the testimony of the witnesses' in order to reach a decision on the case. 76 and 241, respectively.

⁷⁷ *Ibid.*, 113.

find Michael ‘in as perfect health as euer he knewe him’ in an inner room dictating his will, which was being written down. Michael asked John to be a witness, the will was completed, read over, and the two men put their hands to it accordingly. Clearly Michael, who was by all accounts an aged man by this point, wanted to ensure that his earthly affairs were in good order, should he be called to meet his maker.⁷⁸ In preparing his will in good time, however, Michael was in the minority: only seven other depositions state that a will was made while in good health, while only nine of Stratford’s wills declare that the testator enjoyed good health at the time of their drafting.⁷⁹

Most of the cases observed in Worcester’s records, however, deviate from the ‘ideal’ will-making to some degree, as might be expected when examining testamentary disputes. In order to draw conclusions on the differences between precept and practice in will-making, it is beneficial to consider the points discussed in the first half of this chapter in light of the depositional evidence. As has been demonstrated, the vast majority of testators persisted in drawing up their wills while in the throes of their final illness, but occasionally particularly conscientious people could show foresight and pragmatism in having theirs made while in health: like the case of Michael Greeves cited above, in the 1622 case of Robert Rowland alias Stayner (Worcester) one deponent explained that Robert had told him that ‘he had made his will longe agoe, and would often speake of the carelesnes of men that would not allwayes have their will Reddie before hand’.⁸⁰ Those testators in Stratford who wished to

⁷⁸ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff529r-536v. Michael’s will has not survived.

⁷⁹ The testators in question are: Alice Bell, Bartholomew Hathaway, Daniel Baker, John Combe, Michael Smart of Luddington, Richard Woodward, Thomas Bentley, William Aynge, and William Shakespeare. Alice Bell was buried eight months after her will was written; Daniel Baker just over three years later (although he added a codicil to his will nearly two months before he was buried); John Combe was buried 18 months after his will was written; Richard Woodward just under three months later; William Ainge nearly three years later; and William Shakespeare nearly one month later. It is not known when Bartholomew Hathaway’s will was written, due to damage to the document. Thomas Bentley’s burial date is not known, but his will was probated less than two months after he died. Interestingly, Michael Smart’s will was only written four days before he was buried: did his scribe stretch the truth in noting that he was ‘in perfect health & memory’?

⁸⁰ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff448r-458r. Although Robert’s will has, according to the records, survived, it is in such a bad condition that Worcester Archives would not permit access to it.

make their good health explicit used language which spoke of their ‘good & prosperous health’ or of their being ‘whole in body and of perfect memory’.⁸¹ Clearly the injunctions of the advice literature, which may have been disseminated by the local minister in sermons which urged the proper spiritual and temporal preparation for death, had struck a chord with these particular will-makers.

Having established thus far that despite the exhortations of the advice literature the vast majority of will-makings took place on or around the deathbed during what was anticipated to be a testator’s final illness, it is useful now to explore how these events might have played out in practice. As discussed, a testator’s active desire to make a will (‘*animum testandi*’), coupled with their mental state at the time of will-making, were of prime importance to the legal writers on this subject, who were keen to issue guidance to ensure the construction of valid wills. Yet this preoccupation also appears in the depositions, as it becomes apparent that those present had taken note of testators’ desires to make a legally sound will and to acknowledge the solemnity of the act. Equally plausible is the possibility that most witnesses knew enough of the legal requirements for valid will-making to construct a credible tale where necessary. Mention has already been made of Gowing’s ‘legal fictions’ theory in relation to reports of adultery: she draws upon reports of witnesses using ‘conventional motifs of thin walls or holes in doors’ as proof of their having observed the infidelities they alleged. For Gowing, ‘[s]uch details are testimony as much to a particular kind of legal fiction, necessary to prove adultery, as to the real structures of city houses; they were, nevertheless, at least plausible.’⁸² While Gowing’s specific area of enquiry differs from that presented here, the legal framework and the logic of the theory remain the same: witnesses may have

⁸¹ From the wills of Bartholomew Hathaway and Alice Bell, respectively.

⁸² Gowing, *Domestic Dangers*, 70-71.

enhanced or embellished their reports with credible incidental details in order to try and convince the judges that the account they had given was the most veracious.⁸³

In late 1627 Christian Delamere of Eldersfield made her will, and the witnesses' accounts provide plenty of these apparently incidental details, explaining how Christian demonstrated her solemn intent to make a will, and in turn how this was observed by those present. One of those involved was the vicar, Richard Cole, and some of the most telling details he provided about the will-making include how Christian was 'lyinge then sicke at her mothers howse' and how Richard 'reade over all the particular legacies and bequestes in the said will exhibited before and vnto her and in her hearinge, which she well liked of.' After some concern that her mother might hear the will being made, and Richard's reassurance that she had not,⁸⁴ Christian:

desired to subscribe and publishe the same last will and testament Whervppon [Richard] called vppe one dorothe Beachfield then in the howse And the said Testatrix in presence of [Richard] and the said dorothe Beachfield did then voluntarily sett her marke and putt her seale to the said will exhibited, and published the same for her last will and testament ...⁸⁵

Richard went on to state that about a week later he visited Christian, and asked her whether she was content with the will she had made previously. In response, Christian:

... tooke the said will in her hand <looking> lookinge heedfully vppon it found her own marke & seale and then said and acknowledged the same to be her last will and

⁸³ Dolan supports Gowing and this theory by stating that: '[t]his feature of the built environment underwrote and legitimized a reliable way to authorize one's testimony.' *True Relations*, 148.

⁸⁴ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff247v-250v and ff254v-255r. Of her mother, Richard reports that Christian 'asked whether there were any bodie in the Chamber, to whom this Respondent answered noe, And the Testatrix replyed & said That she was glad her mother did not heare it, it were as good for her to be buryed alive or wordes to that effect /yf shee should here it'.

⁸⁵ Dorothy did not appear as one of the witnesses in court because, as her husband (who was questioned) stated, she was by then living in Shropshire and nursing a child.

testament and ratified the same and wished this deponent and the said Richard Beachfield to beare wittnes of such her acknowledgment & ratificacion of the said will...

In his statement Richard took particular care to set out that Christian ‘well liked of’ the will she had had drawn up, while the intriguing fact of her desire to keep it from her mother hints at a family discord while reiterating Christian’s control of the situation.⁸⁶ Her ratification of the will a week later, coupled with the fact that she looked ‘heedfully vppon it’, checking the mark and seal she had affixed, was surely recounted in order to demonstrate beyond all reasonable doubt that Christian had possessed both the *animus testandi* and the good mental health requisite for making a valid testament.⁸⁷ Richard Beachfield, who also witnessed the ratification of her will, deposed that Christian:

being in good and perfect memorie tooke the sayd will in her handes and ... sayd I have formerly sealed subscribed and published this for my last will and Testament and this seale and marke (*poyntinge her finger to the seale and marke adioyninge to it made sett and beinge in the foote of the sayd Testament*) ... is myne owne seale and marke, and I doe nowe agayne acknowledge the same before yow and doe publishe this to be my will... [my emphasis].

Beachfield took care to highlight the explicit gestures used by Christian in confirming her will, and as such they must have been recognisable as legitimate means of demonstrating a testator’s *animus testandi* and clarity of mind. These details may have proved particularly significant in Christian’s case because Beachfield elsewhere admitted that the pains of her illness caused her intermittent periods of delirium which, as has been shown, could cast doubt

⁸⁶ Unfortunately, Christian’s will, which may have provided a possible clue as to why she wanted to keep it from her mother, has not survived.

⁸⁷ Christian’s ability to identify her own mark may allow us to speculate that she might have been able to read, although it is impossible to know this for certain.

upon a will's validity.⁸⁸ The witnesses were probably anxious that the proving of Christian's will should not be hindered by their compelled admission of her temporary mental crises occasioned by her physical suffering, so whether or not her idiosyncratic gesturing actually happened as these witnesses reported, they nevertheless recognised that such details had utility, and deployed them accordingly.⁸⁹

Understandably bound up with the question of *animus testandi* and good mental health was the thorny issue of inebriation and the detrimental effect this could have upon an otherwise straightforward will-making. As indicated earlier with reference to Michael Greeves,⁹⁰ the merest hint of alcohol-induced incapacity could be grounds enough to call into question a will's validity. When Francis Nicholls decided to journey to London in 1625/6 his (well-founded, as it turned out) fears that he would not make it back alive prompted him to declare an oral will in which he chose to snub relatives who had previously allowed him to languish in prison, instead leaving everything to one Anne Evans, whom he promised to marry should he return. It appears that those same relatives launched a counter suit to Anne's right to administer Francis's estate, and in doing so made accusations about Francis's lifestyle. To counter, those deposing on Anne's side made repeated (and rather desperate-sounding) assurances that Francis 'was in good sence and memorie and not in his drinke at the time of settinge downe and disposinge of his goodes', while one witness admitted that although Francis 'did table at the Ale-house', he 'never sawe him drinke nor a Tobacco taker.'⁹¹

⁸⁸ Richard deposed that 'sometimes the anguishes of her payne would much perplexe her and make her vtter some idle speeches but her vnderstandinge was good still'.

⁸⁹ Becker agrees that 'non verbal [sic] signifiers such as patterns of behaviour and rituals assumed great importance for the onlookers.' *Early Modern Englishwoman*, 22.

⁹⁰ See p. 80, above.

⁹¹ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff48v-52r. Francis's will has not survived but the administration has: his brother, John Nicholls, was appointed administrator of his estate. Perhaps his family succeeded in convincing the judges that Francis was prone to drinking and was not in full command of his faculties when he made his will.

A similar case of family contention in a testamentary dispute complicated by alcohol comes in the cause relating to the nuncupative will of Gilbert Darby of Droitwich (1613).⁹² The depositions state that Gilbert's sister Elizabeth Darby had raised the suit in order to contest the fact that Gilbert, a widower, had left all of his property to his kinswoman and servant of twenty years, Elizabeth Patericke. Gilbert had declared his will orally on the day before his sudden death, and a couple of the deponents admitted that this declaration had taken place in an alehouse: one Edward Gandy, a husbandman, stated that: 'The place interrogate was his kingsmans [kinsman's] howse where the wordes were spoken but an alehowse'. Gandy was keen to mitigate this potential problem, however, and followed closely with the defence that 'the wordes were spoken in noe iestinge sorte but in earnest as this respondent conceived for he was in perfect mind & spoke them very distinckly and as though they came from his harte'.⁹³ The phraseology employed here ('the wordes were spoken in *noe iestinge sorte*') echoes that of the literature in advising on best practice, and it must be considered whether these words came from Gandy himself or rather from the court's clerk in transcribing the case.

As both the Greeves and Darby cases have indicated with their focus on alehouses, another key factor which could cast doubt upon a will's validity, and which proved of significance to many witnesses when deposing, was location. As discussed, most of the prescriptive literature assumed that will-makings would occur on or around a testator's deathbed (which was not necessarily placed in the bedroom), with friends and family administering and receiving spiritual advice and comfort.⁹⁴ What the depositions reveal all too frequently, however, is that in fact the location could vary and as a result potentially prove problematic

⁹² Referred to in the deposition at 'Witch', but a marriage bond between Gilbert Darby of Droitwich and Sible Brooke of Salwarp survives at Worcestershire Record Office (hereafter WRO) 008.7 1566/89d.

⁹³ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff64r-69v. Gilbert's (very damaged) will has survived, at WRO 008.7 1613/34. It reads: 'I geue and bequeth to El[i]zabeth Patric[...] what soe ever I haue for /her\ dutifull & [...] past, & to perform the like soe longe [...] he deceased the 22 of Aprill 1613.'

⁹⁴ Lena Cowen Orlin notes that beds could be found in various rooms of the early modern house, including parlours, dining rooms, kitchens, pantries, butteries, shops, and stables. *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), 170.

in terms of a will's legality. Aside from the problematic space of alehouses in particular, the case of Thomas Hunt of Inkberrow (1616) demonstrates other factors of interest which might be drawn out of a will made in an unorthodox location.

Thomas was taken ill so suddenly one day while out working that there was no time to take him home, and a group of locals took it upon themselves to care for him. One Anne Hughes recalled that Thomas was 'so extremely sick that this deponent and her husband with others were fayne to vse the best meanes they Could to convey him home to their howse which was one of the next adioyning howses therevnto' (i.e. next to where Thomas had been working). It was here that Thomas declared his will and died, later that same day.⁹⁵ Each of the deponents in this case seemed keen to ameliorate the irregular nature of Thomas's will-making (in terms of his lack of preparation and the unfamiliar location) by emphasising the otherwise conventional nature of the procedure: Anne for example told how 'after he came they Layed him in a bed of this deponentes in a lower roome of her said howse', while another witness stated that he arrived at Anne's house to find Thomas sick in body but – crucially – of sound and perfect mind, 'in a lower roome of the said Ann hughes howse sitting vpon the bed and born vp by her the said Ann behinde his backe'. Later on, it is recorded that one of Thomas's relatives, his niece, fortunately happened to be nearby when he collapsed, and that she attended Thomas at his bedside, advising him on his bequests.

These particular details are suggestive, and there were probably a couple of reasons that the witnesses chose to highlight them. First of all, there seems to have been a universal preoccupation with the fact that a testator, if making their will during what was anticipated to be their final illness, should do so in their own home: while the 1677 Statute of Frauds was the first law to enshrine this as standard procedure, and then only in the case of nuncupative

⁹⁵ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff222r-231r. Note that Anne is a married woman giving evidence in court: this was entirely usual. No will for Thomas has survived.

wills valued at over £30,⁹⁶ almost all of the depositions from across this period exhibit a concern with demonstrating that a testator died in an appropriate setting which, if not their own house, was in or around a bed in a ‘lower chamber’ or ‘inner chamber’ in another’s home. In fact, Anne herself later referred to the bed in which Thomas was placed as ‘*his* bed’ (my emphasis), which suggests a latent desire to legitimise Thomas’s will by temporarily converting her house, or at least the bed within it in which he was placed, into Thomas’s own.⁹⁷ Moreover, the fact of Thomas’s having declared his will while being ‘held vp by Ann’ in the bed adds further authority to his last utterances by demonstrating both his earnest desire to make a will in the right way and the fact that he was sufficiently mentally able to do so, despite the very great physical pains of his mysterious illness. Finally, the attendance and involvement of his niece ensured that Thomas was not without family comfort and guidance in his final moments, as the literature recommended. By making certain adaptations to the manner in which Thomas died, his friends and family could also still ensure that he achieved the ‘good death’, which was so necessary at this time.⁹⁸

In fact, one of the most striking elements to arise from the depositions in a large number of disputes is the emphasis placed upon the setting of will-makings, even in those cases which appear to have proceeded in an ‘ideal’ manner. Time and again witnesses provided (generally in response to interrogatories) what appear initially to be superfluous details about the will having been written in a ‘lower chamber’ or ‘inner chamber’ of a house. Such details suggest the significance of location for all involved, and a desire to root the act in an appropriate location within the house itself. In the case of Cecily Batchler of Pershore (1626/7), for example, Edmund Thornburie (who was summoned by Cecily to write her will) explained how she had declared her will to him three years previously while ‘very ill’ and ‘sitting in

⁹⁶ See above, p. 87, for the full wording of this Statute.

⁹⁷ William Butler, another deponent, also referred to the bed as Thomas’s own.

⁹⁸ On the elements needed to achieve a ‘good death’ in this period, see McCray Beier, ‘The Good Death’, 43-61.

her bedd with her clothes on ... in a Chamber belowe next to the hall of the dwellinge house of Raphe Goodall where the Testatrix lived'.⁹⁹ So far so usual. However, Edmund went on to state that 'after all was donne shee went vpp into another Chamber to bed herselfe...': did Cecily choose to make her will in bed downstairs while fully dressed because on a practical level it was warm and comfortable? Or did she choose this setting because she was aware that such a room, as, perhaps, the 'best room', was considered appropriate for this most solemn of tasks? The fact that witnesses were sufficiently attuned to such details to be able to testify about them later may indicate a general awareness of an ideal form to be obeyed in terms of location when making a will.¹⁰⁰

Cecily's case proves especially informative because it also provides access to other details to which witnesses seemed particularly receptive when attending a will-making; most notably, the time of day that the event took place. Cecily made her will 'in the Eveninge imediatly after Candles lighting', and this might explain why she went straight upstairs to bed afterwards: once she had concluded her business, it would be natural at this time of day to make preparations for sleep.¹⁰¹ Other depositions which highlight the time of will-making appear to do so in order to legitimise a will which may have been viewed as problematic in one or more respects: with William Harris of Hagley's nuncupative will-making (1629), for example, there was much contention between two different factions. One side asserted that he had willingly made over his estate to his nephew (also called William Harris), and the other instead insisted that he had distrusted his dissolute kinsman and had actually made no will at all. Those witnesses asserting that a will had been made claimed that it was done 'betwixt the

⁹⁹ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff134r-140v. As Cecily lived for a further two and a half years after having made her will, it seems that she was one of the few who unsuccessfully predicted that their current illness would be their last. Cecily's will has survived, at WRO 008.7 1624/27.

¹⁰⁰ Although again one must bear in mind that such details as these could have been invented by deponents to try and convey the authenticity of the scene.

¹⁰¹ Edmund's highlighting of Cecily's having been fully dressed at the time is also worth noting: his remembrance of this fact may indicate that he found this unusual, at a time when wills were most commonly made during a final illness and therefore when a testator would probably have been in bed in a state of undress.

houres of Eight and tenne of the Clocke in the morninge’, and they may have done this in an attempt to excuse the fact that the will was declared in an alehouse: perhaps the deponents brought attention to this detail as a form of incidental proof that the testator could not have been drunk at the time because of the early hour (although it was acknowledged that he had already been in company with his brother and nephew for half an hour by this point).¹⁰²

These examples suggest that the timing of a will-making could prove significant enough – at least in the minds of the deponents – to be used in attempts to legitimise a will or to go some way to proving that the testator had demonstrated a serious enough intent to make it in the proper manner. In fact, details about time are frequently found in all kinds of legal documents of the period, as they provided corroborative detail about events. Rather intriguingly, however, this preoccupation with time is not evident in the advice literature; it appears only to have emerged as a concern in the popular imagination, demonstrating a widespread awareness of the potential significance that different times of day could have upon acts, particularly those of a legal nature.¹⁰³

For the majority of testators, therefore, and as anticipated by the guidance literature, will-making tended to be a last-minute act which took place – ideally – in or around the testator’s deathbed (or at least a bed which could temporarily be designated as the testator’s own). Moreover, the examples provided so far demonstrate that the traditional image of large numbers of friends and family being present at this most significant of occasions retained currency in this period. Stephen Coppel imagined ‘scenes of importunate relatives pressing around the sickbed’, with the testator receiving (whether they liked it or not) ‘the

¹⁰² WAAS, Ecclesiastical court depositions 794.052 vol. 8 ff331r-336v and 348r-352v. William’s will has not survived.

¹⁰³ For example, Paul Griffiths talks of long-held anxieties about the fall of night and its associations with crime in his article ‘Meanings of Nightwalking in Early Modern England’, *The Seventeenth Century* 13, no 2 (1998): 216. See also Tara Hamling and Catherine Richardson, *A Day at Home in Early Modern England: The Materiality of Domestic Life 1500-1700* (Yale University Press, forthcoming, 2017) for more on the issue of ‘appropriate’ times for certain acts or duties.

remonstrations of relatives and friends, and the final ministrations of the parson', and he was not too wide of the mark.¹⁰⁴ Many of the witnesses in these causes recounted that they were present at the testator's bedside along with various others: in the 1628 case of Thomas Harborne of Pirton's will-making, for instance, deponents stated that he declared his will in front of a total of seven witnesses: his parents and sister, two apparently unrelated widows, and his 'brother-in-law' William Ropier and his wife.¹⁰⁵ It is not possible to determine whether all of those present actually signed or marked the will in witness: although the will has survived, it is now so faded that only the preamble can be discerned with any reliability.¹⁰⁶ Nevertheless, it is worth noting that five of the seven witnesses were women, two of whom were married, but who were also called upon to depose in court.

Similarly, John Wilcox of Inkberrow (1624) seemed to have been waiting for a local yeoman, Francis Ballard, to appear before confirming the final details of his will,¹⁰⁷ while the records of Anne Baston of Birtsmorton's will-making (1628) are touching in the details they provide of her interactions with her family members. On falling ill, Anne returned to her mother and stepfather's house to be cared for. Her stepfather deposed that:

shee came home sicke to her mother this deponents wyfe some ... senight or thereabouts before shee dyed, this deponent meetinge her by Chaunce with one with her in the Greene by his house who vsed these wordes or the lyke in effect vnto him (viz^t) Father I am sicke and am come for some succer from yow and he replied and

¹⁰⁴ Coppel, 'Willmaking on the Deathbed', 42.

¹⁰⁵ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff285v-291r and f298v. The term 'in-law' was used interchangeably at this time, to mean either 'spouse of a sibling' or 'step-sibling'. For more on flexibility of naming see chapter three.

¹⁰⁶ WRO 008.7 1627/83.

¹⁰⁷ WAAS, Ecclesiastical court depositions 794.052 vol. 7, ff298r-304r. John's will has survived, and Francis Ballard's mark appears, to signify that he did indeed act as a witness. WRO 008.7 1624/251.

bad her goe home to her mother, and shee thanked him beinge but her Father in lawe
and soe shee went home and there not longe after dyed¹⁰⁸

All of these depositions demonstrate the number and diversity of people who could be and often were in attendance at deathbeds: from family and friends, to more distant acquaintances who may have been summoned because their status gave them sufficient authority to preside over proceedings. Sometimes unknown and perhaps unwanted members of the local gentry who felt that they had a right to involve themselves in the affairs of others also intervened.¹⁰⁹ Once again, similar trends emerge in Stratford. A total of 678 witnesses were listed in the dataset of wills,¹¹⁰ the overwhelming majority of which were men (94 per cent). Women made up just over 5 per cent of Stratford's witnesses, appearing in the wills of eight women and 18 men.¹¹¹ The average number of witnesses at each will-making in Stratford was therefore three, which exceeded the legal and customary requirement of two.¹¹² There also appeared to operate within Stratford at this time a coterie of men whose names appear repeatedly as witnesses, supervisors, and overseers to both men's and women's wills: these men were members of the corporation and local gentry, and it is likely that they were entrusted with these roles by virtue of their elevated status and the confidence in their administrative abilities.¹¹³ The men often appeared together, witnessing the same wills, and

¹⁰⁸ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff281v-285r. Anne's will has also survived, at WRO 008.7 1628/33.

¹⁰⁹ Marsh discusses a case from Exeter in which one Gilbert Atwell, on riding past the house of a sick widow, met his brother, who told him of the widow's sickness, at which Gilbert promptly "lighted from his horse and went into her house to se howe shee did". Once inside, he "persuaded [advised] her to make her will and to distribute somewhat to the poore...". 'Attitudes to Will-Making', 164-165.

¹¹⁰ This is not including 3 witnesses which, due to damage to the wills, could not be identified and have therefore not been counted here. Many wills also state that their listed witnesses acted 'with others' or with 'many moe' witnesses in addition to the ones named on their wills, indicating that even more people were present than it has been possible to trace.

¹¹¹ 638 men and 36 women witnesses in total. There are 4 witnesses who have been classified as 'uncertain', as it has not been possible to determine their sex.

¹¹² Swinburne, *A briefe treatise*, 17v. Biggs notes that the women of her three Northamptonshire parishes also most commonly employed three witnesses. 'Women, Kinship, and Inheritance', 122.

¹¹³ The men in question were: Robert Butler (an ale-taster, constable and capital burgess); Thomas Hornby and Henry Smith (ale-tasters); Henry Wilson (bailiff) John Wolmer (a constable); William Walford (constable and

this may have been a move by testators to point to their own social status and to ensure that their will would have a smooth passage through probate.¹¹⁴

This deathbed attendance has been noted as being significant for both the living and the dying, and Becker notes the important role these gatherings played for all concerned, in their strengthening of family ties in the face of imminent fracture: she provides the example of one woman, Susanna Perwich, who summoned her family to her deathbed in 1661 in order to give them her final blessings. This, combined with the bequests Susanna made in her will, served to ‘strength[en] the family network’ and ‘reinforce the family structure’ in the face of her permanent absence.¹¹⁵ We might naturally assume in this instance that Susanna’s family reciprocated in providing consoling words in return for those she offered, as envisaged by the guidance literature. It is clear that for some, however, the comforting deathbed attentions from friends and family which were extolled in the literature were not forthcoming. This may have been due to the fact that a crucial part of this deathbed attendance for the living also involved ensuring that the dying person had considered the proper distribution of their goods, leaving no family member as a potential burden on the community. Obviously in the hands of the well-intentioned this procedure could be beneficial and comforting to all, and indeed a large number of court cases include statements from witnesses which indicate that they ‘moved’ the testator to make his or her will or ‘persuaded’ [advised] them to consider certain legatees. This indicates that this was fairly standard procedure, and again is in accordance

capital burgess); Thomas Fisher (a gentleman and notary public); John Greene (a lawyer who worked as an attorney in Stratford’s Court of Record); and John Combe (a gentleman). Robert Bearman, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon, and other Records, volume VI, 1599-1609* (Stratford-upon-Avon: The Dugdale Society, 2011), 4-5, and Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, volume IV, 1586-1592* (London: The Dugdale Society, 1929), 95.

¹¹⁴ Marsh also finds this to have been the case, commenting that ‘testators generally selected their witnesses quite deliberately, basing their choices upon personal friendship and social respect. The testator who was conscious of the need to make his will “as sure as may be” would also have been aware of the need to call “credible” witnesses. In particular communities, therefore, the same individuals tend to appear repeatedly at local will-makings.’ ‘Attitudes to Will-Making’, 165.

¹¹⁵ Becker, *Early Modern Englishwoman*, 132 and 133, respectively.

with the recommendations of the advice literature.¹¹⁶ However, Swinburne recognises that these situations could easily be manipulated, warning that:

if the testator be compelled by violence, or vrged by threatnings, to make his testament: the testament being made by iust feare, is vneffectuall... for albeit honest and modest intercession, or request, is not prohibited, yet these fraudulent and malicious meanes, whereby many are secretly induced to make their testamentes, are no lesse detestable then open force.¹¹⁷

Crucially, however, he does not elaborate on the kinds of behaviour which could be construed as ‘honest and modest’ or ‘fraudulent and malicious’, and the distinction between the two proves to have been problematic in a number of testamentary causes heard in the ecclesiastical courts. Cases contested fell anywhere on a spectrum which ranged from persuading a testator to ‘take further Cownsell’ before finalising a will which left £200 to a base-born son, to one testator’s kinswoman attempting to secure a legacy of twenty nobles for her daughter to the detriment of the dying man’s fiancée.¹¹⁸ More extreme examples also exist, as in the case of Thomas Warner cited previously, whose wife and (step)daughters allegedly ‘kneeled downe vpon their knees before [him] ... and wished that he might rott a way Inchmeale’. Clearly the deathbed in some cases became a place of torment rather than comfort.¹¹⁹ Such examples as these remain in the minority, however, with most of the evidence of the church court records providing a picture of generally supportive deathbed

¹¹⁶ Swinburne, for instance, states that such behaviour was ‘very common amongst familiars’. *A briefe treatise*, 8v.

¹¹⁷ *Ibid.*, 10r.

¹¹⁸ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff477r-479r and vol. 6, ff34r-36r, and ff55r-57r, respectively.

¹¹⁹ See also Ralph Houlbrooke, ‘Death, Church, and Family in England Between the Late Fifteenth and Early Eighteenth Centuries’, in *Death, Ritual and Bereavement* ed. Ralph Houlbrooke (London: Routledge in Association with the Social History Society of the United Kingdom, 1989), 29. ‘The dying were often pestered by kinsfolk trying to persuade them to change their wills in their favour; the process of uninhibited manipulation sometimes went on well after the power of speech had gone.’

gatherings, even if other elements of the procedure may eventually have led to the contestation of the will. It must be surmised, therefore, that if the majority of even these disputed cases demonstrate that most will-makings were aided by the compassion of friends and family, then it is likely that the majority of *all* wills would have been made under similar circumstances.

What also becomes apparent from the depositions (and indeed, in a more limited way, from the evidence of Stratford's wills themselves) is the prevalence of women attending the deathbed in a variety of roles.¹²⁰ This is noteworthy because the authors of the advice manuals barely considered women's role in will-making beyond their legal ability to make their own wills and the likelihood that they would be present at their husbands' bedsides. The exception to this was Swinburne, who acknowledged that women might act as witnesses: he allowed that as long as the rest of the will had been drawn up in accordance with correct legal procedure, then two women witnesses would be just as sufficient as two men, and it seems that some of Stratford's testators also held this view: three of the women's wills feature solely female witnesses.¹²¹ Stratford's men, however, apparently did not trust a committee of women to undertake this role: female witnesses do appear in the men's wills, but never on their own.

¹²⁰ This is despite what Helt refers to as the 'traditional misogynistic representation of women as both marginal and disruptive to the "good death"'. Helt explains that: '*The book of the craft of dying*, a guide for the organization of the deathbed available well into the sixteenth century, directs the wife not to be present during her husband's dying and admonishes those in attendance not to discuss her in the presence of the dying man in order to spare him from the temptation to despair... Jeremy Taylor's seventeenth-century *The rule and exercises of holy dying* is similarly hostile and recommends barring all women from the deathbed because the goal of achieving a "good death" is made more difficult by "the women and the weepers, the swoonings and the shriekings."' But Helt then acknowledges that despite this hostility, it was women who chiefly cared for the dying. 'Memento Mori', 43-44.

¹²¹ Swinburne's statement on this reads: 'A woman is also a good witnes in this case by the lawes Ecclesiasticall: And whatsoeuer diuers doo write, that a woman is not without all exception, because of the inconstancie and frailty of the feminin Sex, wherby they may the sooner be corrupted: yet I take it that their testimony is so good, that a testament may be proued by two women alone, being otherwise without exception.' *A briefe treatise*, 187v-188r. The wills in question belong to Anne Dawkes, Anne Raynoldes, and Avery Clarke.

Quite why the authors of the guidance literature failed to engage more extensively with the multiplicity of roles available to and undertaken by women is puzzling, particularly when it is evident from a variety of sources that women of all marital statuses were involved in both pivotal and peripheral ways. Women appear in the records as testators, witnesses, and executrices, but also as care-givers, advisors, and coercers. Women were able to – and frequently did – contest the administration or probate of wills,¹²² and they also appear in more marginal, ‘background’ roles, for example as servants or alehouse keepers who happened to be working around a testator while a will-making was taking place. One such example occurs in the depositions relating to the will-making of John Clarke of Bromsgrove (1627): Maria Cookes, a married woman, deposed that she ‘heard afterwards’ that John had made his will in front of witnesses: she had failed to observe it herself because ‘she this deponent herself havinge busines about the house (keepinge an Inn) vppon the markt daye [came] not a neare them.’¹²³

Bonfield’s records for the later seventeenth century also recognise the prominent part women played: he notes that women acted as ‘testatrixes and as parties to disputes [and] ... as advisors, scriveners and witnesses... they also often found themselves in the church court as witnesses to will execution ceremonies, to the mental state of the will-maker, [and] to family relations between property holder and heir...’¹²⁴ While none of Stratford’s women (or those found in the depositions) acted as scribes, no fewer than 36 of the 60 depositions utilised here

¹²² As in the case of Gilbert Darby’s will-making, discussed above, p. 97, in which his (unmarried) sister launched a suit to prevent the administration of his property being given to his ‘kinswoman’, Elizabeth Patericke.

¹²³ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff210r-216r. See also the case relating to Christian Delamere, cited above, pp. 94-95, in which the vicar ‘called vppe one dorotheie Beachfield then in the howse’ to act as a witness. Dorothy did not depose in the case because, as her husband explained: ‘shee Lyveth in Shropshaire 44 miles from worcester and is nowe Nurse to a yonge Childe vnder seaven monthes olde’. We can therefore reasonably assume that Dorothy was attendant in Christian’s house in a service capacity at the time of Christian’s final illness, and that her presence alone was sufficient qualification for her to be called to witness the will-making. WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff247v-250v and ff254v-255r.

¹²⁴ Bonfield, *Devising, Dying and Dispute*, 9.

(60 per cent) involved women as testators, witnesses or interested parties to a will-making in some capacity. Occasionally some of the roles women undertook are also referred to in the texts of wills themselves: in his testament George Colchester (1636) left monetary legacies to two women (one of whom was a widow) who had ‘taken paines w^{ith} mee in my sicknes’.¹²⁵ Similarly, Robert Harvy left 40s ‘Vnto Elnor Gibbs my hostes & Wyf vnto Rychard Gibbs in consyderatyon of her paynes that she hath taken w^{ith} me’.¹²⁶ This case was discussed in chapter one, and is noteworthy for two reasons. First, Elnor’s status as a married woman means that technically speaking, any gifts given to her should under the law of coverture have immediately become the property of her husband. Second, a further bequest by Robert to Elnor’s husband reveals the likely cultural assumptions behind his first gift to Elnor:

I geve & bequeth all the Rest of my goods moveable & vnmoveable in Whose hands soever they be vnto my host Rychard Gibbs in parte of recompence for his charges & paynes w^{ith} me at all tymes & I make hym my full executor of this my last will & testament

It seems likely that Robert, as an elderly or perhaps an infirm man,¹²⁷ had been lodging with the Gibbises, and while he evidently recognised that the couple had hosted him in a joint capacity, and could quite easily have rewarded them as a couple, he instead chose to separate out these bequests (potentially at the added expense of extra scribal fees) which should, legally speaking, have both passed to Richard. This might indicate that in Stratford at least, there was an assumption that wives enjoyed a certain degree of economic and social autonomy: after all, Robert would probably not have made this individual bequest to Elnor had he not been certain that she would receive it.

¹²⁵ Will of George Colchester.

¹²⁶ Will of Robert Harvy.

¹²⁷ Robert’s baptism is not listed in the Stratford register, therefore it is not possible to determine how old he was when he died.

Elnor Gibbs here appears as Robert Harvy's 'hostes', and it would be reasonable to infer that part of her role would have involved caring for Robert in his final illness, even if only to the extent of bringing him food and drink. Women appearing in such roles at various points throughout the will-making process accords with their representation in the guidance literature, but the evidence of the depositions suggests that women could also play a much more contentious role: like Thomas Warner's female relations who abused him, women appear elsewhere in a coercive and potentially abusive capacity. In the records which recount the will-making of John Wilcox of Inkberrow (1624), for example, the behaviour of John's stepmother, Mrs Newsom, contrasts sharply with that of his cousin and apparent maidservant. John entrusted his stepmother with the arrangement of his will, and the deponents recalled her assiduous care in this role. In doing so, they reinforced the image of women as a benign presence at the deathbed, with her behaviour in accordance with that set out in the legal tracts.¹²⁸ Judith's role in the will-making is rather more ambiguous, however: she recounted that an hour before he made his will she had asked John for some money which he owed her:

who presently tould her she should haue it and wished her to help him to his purse forth of his hose vppon his bed in his pockett who did soe, and he counted all that was therein and sayd he missed viijd but payed her her due beinge xxjd.

Was this episode a genuine request for payment of wages on Judith's part, with happy compliance from the testator, or was Judith taking advantage of the vulnerability of her kinsman before he finalised his will? While it may not be possible to determine the exact tenor of Judith's motivations, and while the obviously sinister account of women's involvement in Thomas Warner's will-making still pulls at the heartstrings over four hundred

¹²⁸ WAAS, Ecclesiastical court depositions 794.052 vol. 7, ff298r-304r. Once again we see a married woman being entrusted with such duties: Mrs Newsom had been married to the testator's late father, and had since taken another husband. For more on family members working as servants, see chapter three.

years later, it is fair to say that women's attendance at the deathbed was generally of a supportive nature. The examples provided also testify to the prevalence of women's involvement, regardless of their marital status: married women might organise the distribution of bequests, widows could be rewarded for their care of testators, and single women might appear as witnesses or just as incidental observers. In fact, Elizabeth Hallam asserts that in most cases a dying person would have been surrounded principally by women, although she argues that women would have primarily been concerned with the dying person and/or the body itself, while men would have taken charge of elements to do with the construction of the will document.¹²⁹ Hallam may have found this to be the case, broadly speaking, yet the evidence given here demonstrates women's investment and involvement in the act of arranging a will, right down to influencing the distribution of goods made by the sick person.

The evidence presented thus far has illuminated some of the differences observable when the accounts of depositions recalling actual will-makings are contrasted with the ideal scenarios set out in the prescriptive literature. While it is fair to say that the majority of will-makings did take place during a person's final illness and while they were in bed in their own home, surrounded by family and friends offering words of comfort and advice, situations which were unforeseen or uncountenanced by legal writers of the time did occur. Cases have been presented in which wills were drafted in less-than-desirable circumstances and locations, for example, involving sudden illness or alehouses, thus casting doubt on their legality. It has also been noted that women's involvement in this most important of events often surpassed that acknowledged by the legal writers of the day.

¹²⁹ Elizabeth Hallam, 'Turning the hourglass: Gender relations at the deathbed in early modern Canterbury', *Mortality: Promoting the interdisciplinary study of death and dying* 1, no. 1 (1996): 80.

The final part of this chapter turns to consider will-making in Stratford-upon-Avon, in order to try and understand how the people of this early modern market town negotiated their deaths. In particular, attention will be drawn to the issue of scribal authority, and what this can reveal about the preoccupations of Stratfordians when making their last wills.

Will-making in Stratford

One key element of the will-making procedure which is hardly addressed in the legal and advice literature is that of the role of the scribe. The prescriptive texts provide very little sense of what this role actually entailed, and in fact may even prove misleading in certain respects. Take Becon's imagined scene, for example, and his representation of the testator's dictation of the contents of the will. He depicts the dying man dictating a lengthy religious preamble, along with a particularly wordy passage introducing the main bequests to his wife and surviving children; at the end of each he asks his friend 'Hauē ye written this, neighbour Philemon?'¹³⁰ In this, Becon assumes that testators would have enjoyed the ultimate word on the exact phrasing of their wills, and so did Swinburne.¹³¹ What will be demonstrated in the last section of this chapter, however, is that the evidence of the depositions and Stratford's wills indicates that a scribe might have exerted more influence over a will's contents than is acknowledged by these tracts. This is especially the case in terms of wills' more formulaic elements, like the preamble. None of the tracts examined in this chapter considers this possibility.¹³² In fact, it is likely that a regular scribe, such as a town's clerk or minister,

¹³⁰ Becon, *The sycke mans salue*, 134.

¹³¹ As discussed above, when Swinburne sets out advice for the detection of madness in a testator, he assumes that the wording of a will would have come direct from the decedent, with no alterations by the scribe, thus making the language of a will a reliable indicator of whether or not 'the same was made during the testators frensie'. *A briefe treatise*, 38r.

¹³² There has been a lot of scholarship concerned with analysing will preambles, particularly as a means of tracking the progress of (or resistance to) the Reformation. See, for example: Burgess, "'By Quick and By Dead'"; Zell, 'Wills as Historical Sources'; Zell, 'The Use of Religious Preambles as a Measure of Religious

would have drafted each will according to one of perhaps several formulae that he had prepared, personalising each document with specific bequests according to individuals' needs.¹³³ Furthermore, each will might be drafted a number of times before being put into a final form which would then be read to the testator and signed, sealed, and published as his or her final testament.¹³⁴

It is important to understand the role of the scribe in will-making procedures within Stratford, as this knowledge will help to inform a deeper understanding of the preoccupations of the townspeople when facing death. This will prove particularly useful in subsequent chapters, which analyse the phraseology of the wills in order to detect the presence of affect, and which explore the strength of kin relationships. Moreover, focusing on Stratford provides a particular benefit in this respect, for the town's most prolific scribe, William Gilbard alias Higgs, who operated around the end of the sixteenth and beginning of the seventeenth centuries, left 50 extant wills which can be attributed to him. This is the joint-largest body of wills by one scribe to have been studied in this manner, vying for position with Margaret Spufford's study which treats of a scribe who also left 50 wills written over a comparable time period for the townspeople of Willingham, Cambridgeshire.¹³⁵

Belief in the Sixteenth Century', *Bulletin of the Institute of Historical Research* 50 (1977); Alsop, 'Religious Preambles'; G. J. Mayhew, 'The Progress of the Reformation in East Sussex 1530-1559: the Evidence from Wills', *Southern History* 5 (1983); R. C. Richardson, 'Wills and Will-Makers in the Sixteenth and Seventeenth Centuries: Some Lancashire Evidence', *Local Population Studies* 9 (1972); and John Craig and Caroline Litzenberger, 'Wills as Religious Propaganda: the Testament of William Tracy', *Journal of Ecclesiastical History* 44, no. 3 (July 1993).

¹³³ Houlbrooke states: 'Some of the formulae employed are highly distinctive, even idiosyncratic, and they probably reflect the personal opinions of testators. But the majority were always content to follow one of a fairly limited range of stereotypes.' Houlbrooke, 'Death, Church, and Family', 30.

¹³⁴ On this, see also Marsh, 'Attitudes to Will-Making', 162-163.

¹³⁵ Margaret Spufford, 'Religious Preambles and the Scribes of Villagers' Wills in Cambridgeshire, 1570-1700', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Ltd, 2000), 148. Spufford, however, does not examine the wills of her scribe in conjunction with depositions.

William Gilbard alias Higgs was born in 1540, became Stratford's assistant schoolmaster in 1561, and later came to the posts of curate and minister.¹³⁶ He was married three times and fathered twelve children before his death in 1612.¹³⁷ His third and final wife survived him by some ten years. His contributions to the parish registers date from 1603 to 1610, and there are various other documents in his distinctive hand which survive (wills, inventories, and miscellaneous Corporation records, for example). It is his wills which will be the main concern here, however, and how what he wrote in those wills can uncover the nature of his interactions with the townspeople and his role as scribe.

The benefit of having access to such a large body of wills in one identifiable hand is set out by Spufford, who states that:

In order to tell whether or not the clause bequeathing a soul to Almighty God was dictated by the testator's opinions, or by the scribe's, at least two wills in the same hand are necessary, and obviously, a much longer run is desirable.¹³⁸

To this can be added that the possibility of determining the opinions or 'voice' of testators provided by such a large run of wills does not of course end with the religious preamble, and

¹³⁶ Alan and Veronica Palmer, *Who's Who in Shakespeare's England* (Brighton: Harvester, 1981), 90. The Palmers say that he frequently also acted as acting schoolmaster between 1564 and 1574 (*ibid.*), while Jones and Charlotte Stopes note that he also kept the town's clock to time (and was paid £1 a year for this). Jones, *Family Life in Shakespeare's England*, 24; and Charlotte Stopes, *Shakespeare's Warwickshire Contemporaries*, (Stratford-upon-Avon: Shakespeare Head Press, 1907), 235. Edgar Fripp confidently asserted that 'Sir William, or, as he was familiarly called, "Sir Willy" ... was one of those inoffensive, ill-equipped young men who obtained orders at the beginning of Elizabeth's reign owing to the dearth of Protestant ministers.' *Shakespeare, Man and Artist, vol. 1* (London: Oxford University Press, 1938), 361. Eamon Duffy explains that the honorific 'Sir' (or 'Dominus' in Latin) was a conventional title often given to non-graduate priests. *The Voices of Morebath: Reformation and Rebellion in an English Village* (London: Yale University Press, 2001), 1524. Gilbard's adoption of the 'alias' may be explained by Dave Postles work on forms of address, in which he states: 'Within early-modern local societies, two particular situations occasioned an alias: migration from one parish to another settlement where the name could be re-negotiated; and the adoption of an alias for miscreants.' As Gilbard was most certainly not a miscreant, we may assume that the former reason may have applied to him. Dave Postles, "The Politics of Address in Early-Modern England", *Journal of Historical Sociology* 18, no. 1-2 (2005): 104.

¹³⁷ Information taken from the parish registers of Stratford: *Stratford-upon-Avon, Warwick Parish Register of Baptisms, 1558-1652 and Burials, 1558-1652. From the Original 1899 Transcriptions*. Author's own copy, PDF pagination.

¹³⁸ Spufford, 'Religious Preambles', 148.

can extend to other elements of the will, such as burial of the body, and the presence of language indicative of love, affection, or displeasure.¹³⁹

The remainder of this chapter therefore focuses on the scribal procedure of will-making, and what this can reveal about the testamentary habits of the people of Stratford, with a particular emphasis on the wills written by Gilbard. Evidence of the testamentary disputes found in the Worcester records will also be brought to bear, and this pairing of wills and depositions is important, because the interpretation of each can inform an understanding of the other. This is perhaps particularly true for wills, which on their own tend only to display the (usually) tidy, end result of what may have been, in many cases, a protracted and even a contentious will-making, involving revisions and family interventions. Wrightson makes clear the significance of this pairing of sources in *Ralph Taylor's Summer* (2011), in which he states that: 'it is only from depositions that one learns how [a will's] terms were actually dictated.'¹⁴⁰ Whereas Wrightson was fortunate enough to be able to draw upon depositions which included statements given by his scribe, however, no such surviving records for Gilbard have been found amongst the Worcester court cases. This inability to access Gilbard's 'voice' and what could be considered his 'personal' viewpoints in the same way that Wrightson was able to for Taylor is undoubtedly disappointing, yet still many Worcester depositions exist which shed light on various aspects of scribal procedure at this time. One typical example comes from the will-making of Margaret Perkes of Halesowen (1618), in which the scribe of her will, Humfrey Lowe, told the court that he was 'sent for by the Testatrix to make her will, the which he accordingly did from her owne mouthe shee dictatinge the same in substance'.¹⁴¹

So how might Stratford's most productive scribe have gone about writing a will for one of his fellow townspeople? And what can this procedure tell us about the degree of co-operation

¹³⁹ For more on the language used in the Stratford wills, see chapter five.

¹⁴⁰ Wrightson, *Ralph Taylor's Summer*, 72.

¹⁴¹ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff216r-217v.

between Gilbard and his testators? It can be assumed, first of all, that he would have been summoned, just as Lowe was by Perkes, when someone wanted to put their last wishes down on paper. But this was rarely a one-draft procedure, as the depositions demonstrate: in the case of Hugh Hartwell of Aston Magna, for example, the scribe of his will noted that in 1618 Hugh ‘came divers times to this deponent’s house to have him effect [his will]’.¹⁴² This case is unusual in that Hugh travelled to the scribe in order to have his will made (as noted earlier, usually scribes visited the sick), but it nevertheless demonstrates that several versions of a will might be drafted before the final version was agreed upon.¹⁴³

Rather intriguingly, a document survives which may indicate some aspects of Gilbard’s drafting procedure. At the very least it reveals that he did indeed make drafts. Written on a single sheet of paper yet bound in a volume of miscellaneous documents relating to the Corporation, is the following extract, in Gilbard’s distinctive hand:

In the name of god Amen, I william Hobday beinge sicke in body but whole in minde do beqvethe my sole to almighty god and my body to the earthe this beinge my last will and testament¹⁴⁴

The final version of William Hobday’s will, again written by Gilbard, has survived, and its preamble reads:

¹⁴² WAAS, Ecclesiastical court depositions 794.052 vol. 7, ff98r-100r. See also Marsh, who says: ‘The preparation of a will was no easy matter, especially if the testator’s affairs were complex, and many scribes must have found it difficult to set the will down in perfect form at the first attempt. Consequently, it appears to have been common for a scribe to carry the first draft away with him, for periods ranging from a few days to several months, in order to make a “fair copy”’. ‘Attitudes to Will-Making’, 162.

¹⁴³ Bonfield notes that this drafting process could cause problems in court: if a will looked like a draft, with interlineations and omissions, (in contemporary parlance, a ‘scroll’), then it was assumed that the document was unfinished and that the testator had intended to complete it at a later date. The courts then had the problem of deciding whether or not the testator had intended that particular document to stand as a will. *Devising, Dying and Dispute*, 135.

¹⁴⁴ SBT BRU 15/7/29. Gilbard’s hand here is indeed distinctive, yet most certainly ‘off duty’: it lacks the crispness of his extant ‘finished’ wills. Had he been drafting Hobday’s will in a spare moment, having taken instruction from the glover previously? The sheet of paper has a date of 1602 and ‘toll booke’ written on it, however both appear in a different hand and ink to Gilbard’s, and were probably added much later. The sheet is bound next to a ‘toole booke of horses, geldynges, mares & colts...’, also in Gilbard’s hand, and dated to 3 May 1602. Hobday died in December 1601.

In the name of god amen the xvth day of december 1601 & in the xliiith yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eyngland Fraunce, & Ierland defender of the Fayth &c. I Wyllyam hobday of Stratford Vpon Avon in the countye of Warwycke Glover sycke in body but of whole & perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng/ Fyrst I bequeth my soull vnto Allmightye god (trustyng to be saved by the myrits of Christes passyon) and my body to be buried in the Church or Church yard of Stratford aforesayd/.¹⁴⁵

If these two documents are examined in isolation, their differences would seem to indicate that Gilbard expanded upon his original planned opening at the request of Hobday: one might speculate that Hobday had felt that the original was too brief, lacking important detail about his religious conviction and his request for burial. Considering Gilbard's other surviving wills, however, raises some interesting points about his procedure. For instance, it becomes apparent that the longer opening found in the final copy of Hobday's will was, substantially, the usual one employed by Gilbard. See, for instance, the will of Elizabeth Pace of Shottrey:

In the name of God Amen the xjth day of February in the yeare of our Lord God 1583 & in the xxvth yeare of the Rayngne of our soverayngne Lady Elizabeth by the grace of God Queene of Eyngland, Fraunce, & Ierland defender of the fayth &c. I Elizabeth Pace Wydow of Shottre in the parish of St[r]atford vpon Avon in the countie of Warwycke beyng sicke in body but of perfect memory I thanke my lord God ordayne & make this my last Will & testament in maner & forme followyng. Fyrst I bequeth

¹⁴⁵ Will of William Hobday.

[my] soull to almyghtie God (trustyng to be saved by the merites of christes passion)
& my body to be buried in the Church yard of Str[atford] aforesayd¹⁴⁶

This will was written 17 years before Hobday's, and uses the exact same formula, as do 38 of the 50 surviving wills written by Gilbard. The remaining 12 wills also employ a very similar formula, however, and in fact the majority of those whose preambles differ from the examples provided do so only in a few minor respects. A couple of testators were described as 'weak' or 'deseased' rather than 'sicke', for example, while some expressed a desire to be buried in the church *or* churchyard, rather than just the churchyard.¹⁴⁷ Occasionally the preambles are shorter, omitting details of the monarch's reign and Gilbard's usual religious declaration. For example, the preamble of the will of Margret Smith, an almswoman, reads:

In the name of god Amen the xj of Apriell 1586 I margret Smith of Stratford u[pon]
Avon in the county of Warwick Almeswoman beyng sycke in body but of perfect
memory I thanke my lord god ordayne & make this my last will & testament in maner
& forme followyng fyrst I bequeth my soull to almighty god & my body to be buried
in the church yard of Stratford aforesayd¹⁴⁸

Could the relative brevity of this preamble, when compared with Gilbard's others, signify that Margret simply did not have the money to spend on a lengthier declaration?¹⁴⁹ Or might

¹⁴⁶ Will of Elizabeth Pace of Shottery.

¹⁴⁷ All of the testators were noted as being of 'perfect memory', or sound or healthy mind.

¹⁴⁸ Will of Margret Smith.

¹⁴⁹ Susan E. James sets out how expensive will-making could be, with examples from the second half of the sixteenth century ranging from 2s 6d to as much as 6s 8d. *Women's Voices in Tudor Wills, 1485-1603: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 9-10. In terms of payment, it is difficult to determine the fee Gilbard would have received: no explicit evidence of these transactions has survived. Stopes, writing over a hundred years ago, assumed that William 'was in the habit of saving the charges of a notary to his friends by writing their wills', but this seems rather an idealistic view to take. *Shakespeare's Warwickshire Contemporaries*, 235. C. W. Brooks notes that an attorney, one Thomas Gregory of Coventry, was owed £2 14s 4d for helping to draw up deeds in the mid-sixteenth century, however Gilbard was not an attorney, so may have been unable (or indeed, unwilling) to charge comparable fees of those for whom he wrote wills. Furthermore, Brooks also notes that 'Books of court fees such as Powell's *Attourneys Academy* say nothing about charges for legal instruments, and it is unlikely that standard rates for such work were ever established.' *Pettyfoggers and Vipers of the Commonwealth: The 'Lower Branch' of the Legal Profession in Early Modern England*

this reflect the fact that Margret had no desire for a more comprehensive statement of faith? The other testators whose wills also lacked Gilbard's usual religious declaration were skilled workers (a carpenter, a wheelwright, and a tailor) and widows, therefore it is unlikely that Gilbard in Margaret's case had altered his usual statement as a way of passing judgment on her social status. It seems, rather, that his testators chose the level of religious declaration they wanted for themselves.¹⁵⁰

This assumption is reinforced by examination of another of Gilbard's wills: that of William Smith (1600), whose preamble reads:

In the name of God Amen /. the Syxtee/ne\th day of Aprell in the yeare of our lord god one thousand and syx hundreth /. I William Smith of Stratford Vpon Avon in the Countye of WarWycke mercer, beyng sycke in body but of good & perfect remembraunce, *lawd & prayse be vnto Almightye god*, do make & ordayne this my Testament and last Wyll in maner and forme followyng /. That is to say fyrst I bequeth my soull Vnto allmightye God *mye savyour & Redemer*, And my bodye to be buried in the Church or Church yard of Stratford Vpon Avon aforesaid [my emphases]¹⁵¹

While the content is similar to that found in Gilbard's most usual will form, its addition of 'lawd & prayse be vnto Almightye god', unique among this set, may indicate that this was Smith's own expression of faith which he had specifically asked Gilbard to set down, although if so, it would not in itself indicate that Smith deviated from Stratford's adherence to the official, prescribed religion. An alternative explanation for this addition may be found in Thomas Phayer's *Boke of Presidentes*, reprinted in 1559, which includes instructions for 'A

(Cambridge: Cambridge University Press, 1986), 240-241. It is likely that William tailored the service he offered to accommodate the pockets of those who commissioned him.

¹⁵⁰ The other testators were: Jone Griffyn, Katheryn Welch, Henry Gatlyf, John Ashwell, Philip Wells and John Tonge.

¹⁵¹ Will of William Smith.

good president of testament.’ Phayer’s example preamble has some similarities to those used by Gilbard, but of particular interest here is the phrase ‘beeinge of hole mynde & in good and perfite remembrance, laude and praise bee unto almightie god’.¹⁵² As a curate and minister, it is entirely possible that Gilbard had access to such guidance texts and was informed by them in his duties. His particular form of preamble does not very closely resemble any of those given in the other key texts of the time, however, so it seems likely that he created his own composite from a combination of sources and personal preference.¹⁵³

Evidently, by the time he came to write William Hobday’s will in the latter stages of 1601, Gilbard was an experienced scribe, having worked in this capacity since at least 1564. He also had an established formula for the opening preamble, which he must have been able to recite by heart by this point. This therefore begs the question as to why he chose to draft a shorter one for Hobday. If he had wanted to outline the details of Hobday’s bequests following preliminary guidance given to him by the testator, he could have omitted the preamble altogether, waiting to copy out his usual introductory piece when he came to write the final version of the will. Yet instead a shorter preamble was drafted. In the absence of any concrete answers we might speculate that he had begun to write Hobday’s will in the presence of the testator but had been forced to leave off and return another time, or indeed that Hobday had simply changed his mind about the type of preamble he wanted.

Thus far, an examination of the wills written by Gilbard has not allowed any firm conclusions as to how he composed those he was commissioned to write, although it seems likely that he

¹⁵² Thomas Phayer, *A booke of presidentes exactlye written in maner of a register, newelye corrected wyth addicions of dyuers necessary presidents mete for al suche, as desire to learne the fourme and maner howe to make all maner of evidences [and] instruments as in the table of this booke more plainlye appeareth* (London: Imprinted by Richard Tottyll, 1559), f110r. *Early English Books Online* (accessed 5 June 2013).

¹⁵³ Wrightson also indicates that this was the case for his Newcastle scribe, Ralph Tailor: that he would have been influenced by the prescriptive literature that he encountered, but that on the whole he would have modified his own preambles and concocted his own formula according to what best suited him and his clients. *Ralph Tailor’s Summer*, 71-72, 83-85.

worked on drafts before drawing up the final document, as other scribes did.¹⁵⁴ In terms of the construction of the preamble, it appears from the evidence of Stratford's wills that most testators were happy for Gilbard to employ his usual phrasing, except when they particularly desired some more specific spiritual declaration or the inclusion of their instructions for burial in a particular place.¹⁵⁵ The evidence of the Worcester depositions also indicates that on the whole, testators were happy to be guided in their choice of preamble by their scribes. This can be seen in the will-making of Michael Greeves of King's Norton, who was also mentioned earlier. One Richard Greeves was the scribe of Michael's will, and Richard's father Thomas Greeves, a yeoman, was also present.¹⁵⁶ Thomas recalled that:

for the preamble of the sayd Testament it was sett downe by the writer in somme better tearmes or wordes then perhaps euery simple man canne expresse himselfe but touchinges the bequests they varie not a Iott [i.e. jot] from the Testators true meaninge and appoynt-ment¹⁵⁷

There is some slight ambiguity in Thomas's statement here, in that he did not state categorically that Michael declared the kind of preamble he wanted, and that Richard *then* translated this into some more formal expression, and perhaps one better suiting the legal conventions of will-making. Nevertheless, this seems the most likely scenario from an interpretation of Thomas's account; his reference to the terms being set down by Richard 'in somme better ... wordes then perhaps euery simple man canne expresse himselfe' suggests that Michael's own attempt at framing a preamble had been rather unsophisticated. In terms of the disposition of his legacies, however, Michael apparently exercised complete control,

¹⁵⁴ Ibid., 72-73, 88.

¹⁵⁵ Wrightson finds that 'these short and simple bequests of the soul ... can be said to reveal the basic religious assumptions of people who had internalized the belief system in which they had been raised, but were neither engaged in the theological and ecclesiological controversies of their day nor disposed to ponder deeply the mysteries of salvation or the providential purposes of God.' Ibid., 83-84.

¹⁵⁶ The relationship – if any – of Richard and Thomas to Michael is not made clear in the depositions.

¹⁵⁷ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff529r-536v.

and this is confirmed by Richard, who maintained that he wrote the will ‘from the Testators owne mouthe according (as he thought) to his true meaninge’. Similarly, in the will-making of Richard Jackson of Pershore (1613) the scribe seems to have exercised authority over the religious declaration, deposing that he was summoned to write the will, but that ‘having written the date & the Stile of the will the testator sayd /staye\ & proceeded noe further at that time’.¹⁵⁸ The next day he was sent for again, and the will-making resumed. It seems likely that the ‘Stile’ referred to was the religious component of the preamble, and that on this occasion it was set out by the scribe with no reference to – or at least no complaint from – the testator.

The evidence of these episodes and Gilbard’s wills therefore demonstrates that most scribes tended to employ their own preferred formulae unless specifically requested otherwise,¹⁵⁹ although in the distribution of bequests they followed the orders of their testators, as observed in the case of Michael Greeves. Indeed, most of the scribes who deposed in the Worcester court were keen to assert that they had written wills in accordance with their testators’ instructions, or ‘from his owne mouthe’.¹⁶⁰ However, there is one particular case which calls this into question, by demonstrating how the resolve of the scribe might override the wishes of the testator, and how this might be made manifest in the final, surviving testament, without leaving a trace of the disagreement in the document itself. The case concerns the will-making of Cecily Batchler of Pershore.¹⁶¹

On 11th April 1624, Cecily sent for Edmund Thornburie, a yeoman, to write her will. She also sent for William Thornhill, a 71-year-old drover, to be present at the will-making and to be

¹⁵⁸ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff75r-77r.

¹⁵⁹ Marsh notes that in some cases it cannot be known ‘at which point the preamble was composed’, and on whose authority, but the evidence presented here (and by Wrightson) suggests that on the whole testators were happy to be led by their scribes in this matter, unless they had particularly strong views which they wished to convey. ‘Attitudes to Will-Making’, 163.

¹⁶⁰ WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff529r-536v.

¹⁶¹ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff134r-140v. Cecily’s will-making was discussed earlier in relation to the importance of location. See pp. 99-100.

her overseer. When William was questioned in court about what had happened, he declared that:

after the will was written Read published signed and sealed to her good lykeinge, shee sayd to the Clarke and Companie by that shee had forgott one thing and asked whether it might not be sett in the will, which was that shee had a purpose to give some of her wearinge Clothes to her sister in warwicke-sheire, The Clarke answered that he could not well doe vnles he wrott it all anewe which he was willinge to doe yf shee would have it soe, vnto which shee answered Lett it goe as it is, I have disposed to my brother it is his and let him vse his discretion, who afterwardes gave vnto that sister a silk aprone

Cecily's will has, fortunately, survived, and its contents reveal that the original bequest to her brother (actually her brother-in-law) stood. The will reads:

The rest of my goodes Chattalls and Cattalls Credittes and Rights vnbequethed I doe give and bequeath vnto Raphe Godalle my brother in lawe whom I doe nominate ordaine and make sole executor of this my present Last will and testament...¹⁶²

If the will had not been contested at probate, then the only record of Cecily's wishes would have been this will, which makes no mention of her sister in Warwick. What this example demonstrates, therefore, is the potential for scribal involvement when writing a will, and the problems historians might encounter when interpreting these documents in isolation. The change of bequest in this particular instance happened to be a relatively minor one, which is probably why Cecily was happy to let it pass. The scribe also appeared to be amenable to her

¹⁶² WRO 008.7 1624/27. From the surviving depositions relating to this case, it is not possible to tell for certain whether a subsequent dispute over Cecily's clothing caused the court case.

change of heart, stating that he would re-write the will for her, should she really wish it.¹⁶³

Yet there is no reason why Edmund in this case should or could not have added Cecily's forgotten bequest as a codicil or an interlineation, as so many others did.¹⁶⁴

Despite this apparently happy resolution in Cecily's case, however, the incident nevertheless raises the possibility that other scribes might have been less than scrupulous when drafting wills. This knowledge has a particular impact when considering those cases which were contested on the grounds of mental health and *animus testandi*, for it at least raises the possibility that there would have been instances where a person was lapsing in and out of sanity on their deathbed (as the prescriptive literature and the evidence of the depositions acknowledges could happen), and where the scribe chose to continue taking instruction (perhaps from attendant family and friends, too) even as those moments of delirium increased in frequency. If cases like these passed probate without contention, then there would be no way of knowing how many scribes may have found themselves in a similar situation, and as a result, how many wills may in fact have concealed the true nature of a testator's mental condition. As far as is discernible, therefore, William Gilbard alias Higgs seems to have offered his testators the right balance of guidance and freedom when setting their affairs in order, providing them with a standard, serviceable preamble, and setting out their bequests as they directed (there is no identifiable pattern of listing legacies, suggesting that he took direction from his clients individually). Moreover, none of his surviving wills appears to have ended up in contention in the church courts of Worcester or Stratford.¹⁶⁵

In summary, the evidence of the wills of Stratford's inhabitants, when combined with the depositions of the Worcester ecclesiastical court, shows that their will-makings in all

¹⁶³ Although his willingness to do this is perhaps belied by the closing statement of Cecily's will, which reads: 'and soe in the name of god my wil[l] is finished.'

¹⁶⁴ Perhaps most famously, William Shakespeare's will is full of interlineations and altered bequests.

¹⁶⁵ Of course, some may have been contested and the records of this may not have survived.

likelihood followed a fairly standard procedure. Those who felt the ‘darts of death’¹⁶⁶ would summon a trusted person to set their affairs in order, and for a substantial portion of the inhabitants around the turn of the seventeenth century, the person they called upon to make their will was the town’s curate or minister, ‘Sir’ William Gilbard alias Higgs. It has been demonstrated how Gilbard may have drafted parts of wills before setting them down in their final form, and how he tended to employ a standard, conformist preamble, unless directed otherwise by a testator. The exact reward that Gilbard received for drawing up these documents remains unclear (as does the issue of scribal fees in general), but he sometimes found himself named as a beneficiary, and was also on occasion appointed as a supervisor.¹⁶⁷ His competence and diligence in probate affairs thus seems to have been widely recognised, and it is fortunate that such a large sample of wills in his hand survives from which to examine the will-making habits of the people of this early modern market town.

Conclusion

This chapter has investigated the will-making procedure of early modern England, from precept as set out in the legal handbooks of the day, to practice on a regional and local level within the diocese of Worcester and the town of Stratford-upon-Avon, revealing that there existed some noteworthy differences between the two. Prescriptive literature, for example, promoted will-making while in health, however it is clear that most testators waited until they felt death was imminent before putting their affairs in order. The literature also assumed that testators would be in complete control of the process, and that as a result their mental state would be detectable within the wording of the document itself. Examples from Worcester’s

¹⁶⁶ Marsh, ‘Attitudes to Will-Making’, 160.

¹⁶⁷ Gilbard received gifts in the wills of Thomas Whittington, Thomas Wotton, and William and Joyce Hobday, and was appointed supervisor in the wills of John Such of Luddington, William Cootes, and William Jones.

consistory court, however, have shown that external influences of all sorts could be brought to bear on a dying person's will, potentially obscuring the certain identification of a testator's mental condition.

The location of will-makings was also of importance: having a will written in an unorthodox location (and particularly when combined with the consumption of alcohol) might lead to its contestation at probate. The depositions have proved particularly useful in terms of demonstrating the complexities of the situation, however, indicating that while issues such as location could be used to question the validity of a will, standard procedure might be circumvented if necessity dictated.

The literature also fails to address the full extent of women's involvement in the act of will-making, beyond acknowledging the legal right of married and unmarried women to do so. The evidence discussed here, however, has shown that women's involvement was extensive: Mary Prior found that, despite the clear legal restrictions, wives in Oxfordshire managed to make their own wills (many without the consent of their husbands),¹⁶⁸ while Bonfield found that some women also acted as scribes.¹⁶⁹ The evidence from Stratford and Worcester has shown that women undertook a wide variety of roles in and around the deathbed, acting variously as care-givers, facilitators, and coercers.

Finally, and on a local and regional level, the evidence of Stratford's wills and the depositions of the Worcester consistory court have shown that there was in fact an identifiable standard procedure for will-making in this region, which broadly concurred with that found across the country. Most testaments would be drawn up when a person was close to death (or feared that they were), despite the remonstrations of the advice literature, and most were written by someone other than the decedent. Generally speaking, scribes would

¹⁶⁸ Prior, 'Wives and Wills', 201-225.

¹⁶⁹ Bonfield, *Devising, Dying and Dispute*, 9.

endeavour to produce a document which accorded with each person's wishes, although most will-makers deferred to their scribe in the matter of the religious preamble, unless they particularly desired a more personalised or emphatic declaration of faith. Having examined the process of will-making, the next chapter moves on to consider the substantive content of Stratford's wills, and in particular what they can reveal about the kin relations of the people in this early modern town.

CHAPTER THREE

KINSHIP

Having explored in the previous chapter the process of will-making in theory and in practice, this chapter moves on to consider what Stratford's wills can reveal about the nature of kinship in this early modern market town. This analysis therefore provides important context for the research presented in the ensuing chapters, which treat of the emotional significance of kin relationships and how this might be recovered from an examination of the material culture found within, and the phraseology of, wills.

In order to conduct this analysis, both quantitative and qualitative methodologies will be employed. Firstly, recourse will be had to the data drawn from the 226 wills entered into the Nvivo database, which allows the production of statistics for a comparative treatment of men's and women's bequests. Furthermore, these data will be set alongside those produced by Keith Wrightson for his study of kinship in Terling, Essex, as a point of comparison. Secondly, the family trees of a handful of Stratford testators will be reconstructed, allowing for the extent of their identifiable family to be compared with those that they chose to remember in their wills. This is important because, as Andrejs Plakans and Charles Wetherell acknowledge in their article reviewing the field of kinship studies, 'family historians concerned with the use of kinship seldom address the question of the availability of kin.'¹ This treatment will therefore facilitate a consideration of the relative importance of kin to the people of Stratford in their final moments, and together the numerical findings paired with the case studies will help to address certain questions, such as: which family members were mentioned most frequently in the wills? How many of their surviving kin did the case-study

¹ Andrejs Plakans and Charles Wetherell, 'Households and Kinship Networks: the Costs and Benefits of Contextualization', *Continuity and Change* 18 (2003): 55. In this article the authors talk of the challenges facing historians trying to identify a wider 'kin domain' which interacted with the 'domestic domain' of those co-resident in the household. See in particular their discussion of the 'quantum leap of research labour' needed to create a thorough account of kinship in any given locality, 53.

testators choose to remember, and what might be the significance of this? How extensive were the kin networks of Stratford's testators as evidenced by their wills, and what might this indicate? How might a testator's sex and their stage in the life-cycle affect their testamentary provision? Thirdly, this and the next chapter will make use of the data extracted from Nvivo to highlight and analyse the differences between the testamentary preferences of Stratford's men and women: did men, for example, favour their sons in accordance with the rules of primogeniture? Did women bequeath to a much wider circle of kin (and prioritise their female relations), as it has commonly been assumed was the case?² Reference to the case studies will be made throughout, as a means of bringing nuance to the data; while it is not feasible here to trace the family tree of every person in the dataset, the case studies offer valuable insight into the trends in testamentary disposition and attitudes to family in Stratford. This chapter will therefore help to shed some light on the preoccupations and priorities of the women and men of this town as they approached the ends of their lives.

In attempting to understand fully the significance of the friends and family named in Stratford's wills, it is necessary first of all to acknowledge the thorny issue of the terminology employed by early modern people when naming kin, and the problems this can cause for the modern historian. The first issue to arise is that, as Keith Wrightson notes, 'the kinship terminology used by testators was very simple'.³ Wrightson observes that many testators in

² For women distributing goods to a wider circle of friends and family than men, who were concerned to establish their children (sons in particular) with inheritances, see Lucinda Becker, *Death and the Early Modern Englishwoman* (Farnham: Ashgate, 2003), 110, 141-142 and 154-155. For women's prioritising of female relations see Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1995), 19. In fact, my research indicates that – in Stratford at least – women wanted to provide relatively equitably for their male and female relations (although this was contingent on the degree of relation to the woman in question; i.e. male and female children were provided for equally, but were given preferential treatment over nieces and nephews, for example). Keith Wrightson also acknowledges that 'women did not vary from men in their recognition of kin on the basis of sex alone.' *Poverty and Piety in an English Village: Terling, 1525-1700* (London: Academic Press, 1979), 93.

³ Keith Wrightson, 'Kinship in an English village: Terling, Essex 1550- 1700', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 324n; and Keith Wrightson, *English Society, 1580-1680* (London: Routledge, 2004), 52. See also David Cressy, 'Kinship and Kin Interaction in Early Modern England', *Past and Present* 113 (1986): 65-67 and Ralph Houlbrooke, *The English Family, 1450-*

Terling, Essex,⁴ used the rather hazy and interchangeable terms ‘cousin’ and ‘kinsman’ to denote any number of what today would be considered extended kin (and there is a discussion of what this means below). Will Coster adds that the term ‘friend’ was also often used in this context.⁵ Such lack of definition is found frequently in Stratford’s wills, as for example in that of tailor William Tomes (1622), who designated his ‘Kinsmen [sic] William Smith’ his overseer. Smith was in fact his uncle.⁶ This imprecision can naturally prove a hindrance when trying to construct a person’s family tree, particularly if the testator and some of their relatives shared both Christian names and surnames (as many Stratfordians did).⁷

Another terminological problem which frequently arises from this simplicity of labelling is a lack of accuracy or precision in denoting certain relationships which are taken for granted today: David Cressy observes that ‘[t]he basic relational terms’ (i.e. uncle, sister, father, daughter) were used ‘without precision or consistency’.⁸ In this way, for example, a reference to a ‘father’ could mean either a biological father, a stepfather, or a father-in-law. Similarly, whereas the suffix ‘in-law’ now has a fixed and universally understood meaning of ‘related to me by my marriage’, in early modern England it could be used to describe both this relationship and those which today would be designated ‘step’ or ‘half’ relations (i.e. the family inherited when a parent remarries, and that acquired when a parent produces offspring

1700 (London: Longman, 1984), 40. Jack Goody explains that after the Norman Conquest and the ‘interface of the Norman-French and Anglo-Saxon languages ... [t]he nuclear family was isolated linguistically’, with the abandonment of separate terms used for kin outside of that unit. *The European Family: An Historic-Anthropological Essay* (Oxford: Blackwell, 2000), 60.

⁴ Terling had a population of between 300 and 600 for the period in question, and was primarily an agricultural community, so it is not directly comparable with Stratford. Wrightson’s findings and his treatment of the subject remain useful, however.

⁵ Wrightson, ‘Kinship’, 324 and Will Coster, *Family and Kinship in England, 1450-1800* (London: Pearson Education Limited, 2001), 44. This also seems to have been the case in Stratford.

⁶ Will of William Tomes. William Smith was the brother of Tomes’ late mother, Agnes. See Jeanne Jones, *Stratford-upon-Avon Inventories 1538-1699, vol. 1, 1538-1635* (Stratford-upon-Avon: The Dugdale Society 2002), 326-328 for genealogical information about William Tomes. For clarity in this chapter reference will be made to the terms as having been used by the testators themselves, unless any instances arise where it is clear that a scribe has chosen a particular term.

⁷ See also Miranda Chaytor on this, ‘Household and Kinship: Ryton in the Late 16th and Early 17th Centuries’, *History Workshop* 10 (1980): 33.

⁸ Cressy, ‘Kinship and Kin Interaction’, 66.

with a new spouse, respectively).⁹ Further confusion arises from the fact that terms denoting other family members were also used interchangeably in this period: the widow Alice Bell, for example, referred to her granddaughter Elizabeth as ‘cousin’ in her will (1587), with their precise relationship only becoming apparent with the subsequent statement that Elizabeth was ‘dawghter vnto my sonne inlawe’.¹⁰ Similarly, William Shakespeare referred to his granddaughter Elizabeth, child of his daughter Susanna, as his ‘neice’.¹¹

In some cases the problems caused by such nominative inconsistencies cannot be surmounted. Fortunately, however, an awareness of the imprecision of the terms employed is half the battle for restoring clarity, and a family tree can often be reconstructed by judicious use of the parish records detailing baptisms, marriages, and burials. Surprisingly, however, even though historians are well aware of the flexibility of naming in this period, no other scholar has yet addressed the issues which arise when dealing with flexible naming terms and how contemporaries would have attributed bequests. Yet this needs investigation, as it can impact on our understanding of how these people viewed their kin. Indeed, no other scholar has yet so much as mentioned the fact that sixteenth- and seventeenth-century testators commonly employed more than one term when referring to beneficiaries in their wills.¹² For example, a testator might refer to a man as both their ‘kinsman’ and ‘Cozen’ while acknowledging the fact that he was actually also a nephew, as Thomas Lucas did in his 1625 will.¹³ As an historian, this makes identifying kin and understanding the nature of kin relations extremely problematic, and the approach taken to tackle this is detailed below. Clearly early modern

⁹ See also on this Coster, *Family and Kinship*, 40-41. In the 1586 will of Christopher Smith alias Court, for example, there is a bequest of 5s to ‘my mother in law Agnes Acourt’, but Agnes was in fact Christopher’s stepmother. See also Jones, *Inventories*, vol. 1, 78.

¹⁰ Will of Alice Bell.

¹¹ Will of William Shakespeare. This is the only instance of this occurring in the Stratford wills.

¹² Cressy asserts that ‘Avoiding ambiguous kin terms and specifying an indisputable beneficiary was especially important in legal documents like wills’, but does not acknowledge that in many cases such clarity was lacking. ‘Kinship and Kin Interaction’, 66.

¹³ Will of Thomas Lucas. John Page also referred to his nephew as his cousin in his 1611 will: ‘Item I bequeathe and geaue to John Page mj kinsman mj brothers sonne of Bristowe twelue pence if he be livinge and euer come to demande hit.’

testators did not apply rigid naming terms as we do today, which may imply two things: first, that they were simply not as preoccupied with defining relationships precisely; and second, that in a community like Stratford, which only had around 2,000 inhabitants at the turn of the seventeenth century,¹⁴ any beneficiaries would have been easily identifiable, at least to whoever would have been reading or executing the will.

Another potential problem to be highlighted is the difficulty of defining exactly what was meant by the terms ‘family’ and ‘kin’ in this period. As Coster states: ‘Until the eighteenth century, the term [family] was used to describe a lineage (or line) of decent [sic], wider groups of kin and the household, including any resident servants. Thus family, kin and household were not separate entities, but overlapping sets.’¹⁵ Despite the overlapping nature of these categories, however, Peter Laslett established in *The World We Have Lost* that most early modern households tended to be composed of the nuclear family plus servants.¹⁶ This image of the early modern family is now widely accepted, having replaced the earlier notion of extended peasant families cohabiting.¹⁷ Taking these factors into consideration, for the purposes of this study ‘extended kin’ are considered to be those not forming part of the traditional nuclear family, formed of a testator and their parents and siblings, including ‘step’ and ‘half’ relations (whether co-resident or not). Also included in the ‘nuclear family’

¹⁴ Jeanne Jones, *Family Life in Shakespeare's England: Stratford-upon-Avon 1570-1630* (Stroud: Sutton Publishing Limited, 1996), xviii.

¹⁵ Coster, *Family and Kinship*, 6.

¹⁶ This also included those families where parents had remarried and brought other children with them or had had children of their own with their new spouse. Peter Laslett, *The World We Have Lost – Further Explored* (Abingdon: Routledge, 2000), 2. Householders also often referred to their servants as family, and occasionally servants were related to the householders, as discussed below, p. 167.

¹⁷ Alan Macfarlane, ‘The myth of the peasantry; family and economy in a northern parish’, in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 349, and Wrightson, *English Society*, 52. Cressy warns, however, that ‘[h]aving demolished the concept of the extended family as a domestic group, it is easy to suggest that relations beyond the household had little significance’. ‘Kinship and Kin Interaction’, 41. This and the next chapter address this concern. Evidence does not, moreover, bear out this fear of Cressy’s: Cressy himself points to the fact that distant kin were called upon in times of need, while Plakans and Wetherell talk of the ‘kinship-crisis’ pattern which becomes evident in many historiographical studies of families and kin networks: namely, that people turned to distant kin in times of crisis. Cressy, ‘Kinship and Kin Interaction’, 44-50 and Plakans and Wetherell, ‘Households and Kinship Networks’, 52. Furthermore, many of Stratford’s testators listed kin who they may not have seen for a while, or with whom it appears they had maintained strong links despite the geographical distance between them.

designation is the testator's own nuclear family, where applicable, consisting of his or her spouse and children. Wherever possible, clarification will be provided as to the precise nature of the relationship under discussion.

Finally, before moving on to analysis of kin relations in Stratford, it is important to set out the coding policies applied when categorising relationships within the database. In the interests of consistency, and because one of the main aims of this research is to understand how these people understood, experienced, and described their kin in their own terms, in all cases each bequest was coded according to the relational term used by the testator. With Shakespeare's bequest to his granddaughter mentioned above, for example, this was coded as a bequest 'To a Niece', despite the fact that we know that this is not an accurate description of their 'true' relationship to one another.¹⁸ However, in instances like this an additional node ('Actual Relationship Known') was created to keep track of these 'true' relationships where possible.

In those cases where a testator employed two or more terms to describe one person, the bequest was coded according to the first term used, on the assumption that this would have been the most important to the testator. Any subsequent terms were then coded under separate nodes marking secondary or tertiary naming, so that the nuances of testators' naming habits might be examined. As mentioned above, neither of these naming problems is mentioned by Wrightson or any other scholars who use wills to examine early modern family relationships. This study is therefore the first to take this into consideration as part of the analytical process, and to discuss the effect that this may have on our understanding of kin relationships. The 'inaccuracy' or fluidity of the terms used is not necessarily a problem here, because this research seeks to establish the relative importance of kin vs. non-kin (as Wrightson does with Terling), not the total number of nieces named in Stratford's wills, for

¹⁸ In many cases, where little or no genealogical information survives for testators and their beneficiaries, it is impossible to hope to identify where a relationship specified might not be the 'true' one. For the majority of wills it has been necessary to take the relationships named at face value.

example. As a result, the database codings have endeavoured to reflect each testator's concept of their relationships, even if the 'correct' term which would be employed today has not been used.

Some relationship labels prove trickier than others to categorise precisely, and for that reason it is worthwhile giving them some attention here. The first is 'friend', a word which harboured a multiplicity of meanings and therefore requires some unpicking. As indicated above, the word might be used to denote any number of extended kin and unrelated friends (and the latter is how we would understand the term today), but it was also a word used by the godly to refer to their fellow Puritans. It might also be used to denote any interested party (from nuclear family to unrelated people) to one's marriage or future prospects.¹⁹ The *Oxford English Dictionary* sets out the etymology of the word, allowing an exploration of its meanings in this period. The first definition given is that of '[o]ne joined to another in mutual benevolence and intimacy' (which accords with the modern conception of friendship), but a subsequent explanation defines a friend as '[a] kinsman or near relation'.²⁰ Examples can be drawn from Stratford's wills which illustrate testators' deployment of this term according to both of these meanings, and as a result, within the database the coding 'To a Friend' identifies any bequest where the term has been applied as the first (or only) explicit designation of the beneficiary. This is obviously uncomplicated in those cases where a

¹⁹ Diana O' Hara, *Courtship and Constraint: Rethinking the Making of Marriage in Tudor England* (Manchester: Manchester University Press, 2000), *passim* (but in particular 30-56). Within the records of the Worcester church court numerous marital dispute cases survive which make mention of the bride and groom's 'friends' and their involvement in negotiations. See, for example, Worcestershire Archive and Archaeology Service (hereafter WAAS), Ecclesiastical court depositions 794.052 vol. 6, ff539r-594 and ff553r-554r. The depositions relating to the will-making of Richard Ganderby of Ripple also reveal how the term 'friend' could be used at this time to denote members of one's family (and not necessarily only extended kin): William Newman, a witness, testified that: 'this deponentes procontest asked [the testator] what freindes he had whether Father or mother or sister or brother, he answered none but one brother who comes not about me in my sicknes...'. WAAS, Ecclesiastical court depositions 794.052 vol. 7, ff67r-68r.

²⁰ "Friend, n. and adj." *OED Online*. (Oxford University Press, June 2016)
<http://www.oed.com/view/Entry/74646?rskey=LwNcPk&result=1&isAdvanced=false> (accessed 6 July 2016).

‘friend’ might be unrelated to the testator,²¹ but in some instances a testator has referred to a relation as a friend, in line with the second definition. This occurs, for example, in the will of George Colchester (1636):

... the aforesaid sixe pounds by mee given to my said daughter Ioane, shalbe paid into the hands of Isaach Hitchcoxe my fatherlawe & friend for the vse of the saide Ioane...²²

In cases like this, where the term ‘friend’ has been used *after* another denoting a different relationship, the bequest has been counted under the first term used (here as a gift ‘To a Father-in-Law’), but the use of the term ‘friend’ has been recorded under a ‘Secondary Naming’ node.²³

In instances where a testator has not made the distinction between friends and relations entirely clear, the use of the term ‘friend’ has again been noted either as relating to the main bequest or as a subsequent naming, depending on the placement of the term in the phrasing of the legacy. See, for example, the will of Francis Smith (1623):

I doe desire my welbeloved *friends* Master Danyell Baker *my Brother* Henry Smyth and Richard Castell to bee *my Overseers* to this my last will & Testament, and for their paynes to bee taken therein I give to each of them three shillings and fower pence. [My emphases.]²⁴

In this case, the bequests have been coded as ‘To a Friend’ (as this is the first term used), while the testator’s use of the terms ‘brother’ and ‘overseer’ have been noted under the

²¹ As in the will of Alice Smith, widow (1632), which declares: ‘Item I giue to Master Iohn Iackson my Friend three poundes’. This example clearly aligns with the *OED*’s first definition of the word.

²² Will of George Colchester.

²³ This is in accordance with the coding procedure set out above. It may not be ideal, but it is consistent and avoids the risk of unwittingly imposing my own judgment on determining which relationships testators wished to foreground in their wills.

²⁴ Will of Francis Smith.

Secondary and Tertiary Naming nodes, respectively. It might at first seem logical to assume that Francis intended for Henry's bequest to be noted primarily as a gift to a brother, rather than a friend, but it is argued here that because the term 'friend' was used to head this list, it should be coded first. As has been seen, the term 'friend' might be used to denote members of one's nuclear family, as well as more extended kin, so in this instance it may be surmised that it was used as a catchall designation for all of those nominated as his overseers (with Henry, as his brother, naturally falling under this category), but that he chose to specify that Henry was also his brother for clarity, rather than with the intention of singling him or his bequest out in any way.

It should also be noted that use of the term also implies a certain amount of trust placed in the so-named person by the testator, and that this was often tied up with their assumption of a particular responsibility. This was no doubt the case for Francis Smith in his nomination of overseers, but see also the will of Lewis Hiccox (1627):

And as concerninge the other therde parte of my sayd goods & Cattell I giue & bequeath them to my trustie frende & Landlord Richard wright Parson of Exall in trust & confidence & for this vse followinge, namelye that the profet benefit & aduantage of the sayd thirde parte bee half yearly alowed to houmfry hickocks my Sonne & Ioane his wife for their maintenance & liuelihood...²⁵

In this example (and there are many more like it) Hiccox employed the language of friendship and trust together, probably for two reasons: first, as a means no doubt of acknowledging the nature of his relationship to Wright, but second, and perhaps on a more pragmatic level, as a means of reinforcing to his 'friend' the significance of the duty he was being asked to undertake, in order to ensure that he would complete it satisfactorily. Susan E.

²⁵ Will of Lewis Hiccox. 'Exall' is today's Exhall, in Warwickshire.

James suggests that using wills in such a way may have been a remnant of pre-Reformation will-making, with its inherent reciprocity of prayers by and for the dead and the living. She acknowledges that such beliefs ‘became obsolete with the Reformation’, but finds that ‘will-makers found more coercive methods to employ’,²⁶ with threats framed in legal language aimed at those who had received a legacy yet who it was anticipated might not fulfil whatever role had been assigned them.²⁷ It seems clear that, post-Reformation, people still perceived wills as a two-way instrument, even if the focus of that reciprocity had been diverted to more earthly concerns.

Moving on now to the second problematic term, ‘kin’, this has been coded in three different circumstances. First, this label has been used in those instances where the relationship specified by a testator is so distant that creating a new node was not deemed useful in terms of the study’s aims. John Combe, for example, in his will of 1612/13 left money to the grandchildren of his ‘cousin’ Thomas Raynoldes.²⁸ Even today we would probably not make efforts to classify a cousin’s grandchildren as our first cousins twice removed, and as the testator also did not take pains to specify this or any other precise label for the relationship, it was judged best that the catchall term ‘kin’ should be used.²⁹

Second, beneficiaries have been coded as ‘kin’ in instances where a testator has used this exact word or a variation of it (‘kinsman’ or ‘kinswoman’) on its own, as in the will of William Perrot (1557): ‘Item I bequethe to katheren Lewes my keneswoman xxs’.³⁰ Third and finally, ‘kin’ bequests have been coded in cases where the testator has employed both this

²⁶ Susan E. James, *Women’s Voices in Tudor Wills, 1485-1603: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 35.

²⁷ ‘By offering a legacy through the aegis of a will, the will-maker was in effect drawing up ... a contract with specifically recognized reciprocal responsibilities that the beneficiary ratified by their acceptance of the proffered legacy.’ Ibid.

²⁸ Will of John Combe. ‘[T]o the Children of Jane Featherston Daughter of the said Thomas Raynoldes the Elder one hundred pounds of lawful English money equally to be divided amongst them...’.

²⁹ This coding has also been applied for gifts left to a cousin’s children.

³⁰ Will of William Perrot.

term initially along with another, more specific one, as in the 1604 will of carpenter Henry Gatlyf: ‘Item I geve vnto henry Turner my kynsman & godson ijs’.³¹ However, once again, in instances like this the bequest itself has been counted under the initial term used, but the secondary term employed has also been recorded, for the purposes of linguistic analysis.

The final term to be set out here in relation to the Nvivo coding is the designation ‘cousin’, which has been coded in two instances. Firstly, it has been applied to all those beneficiaries for whom this specific term and no other has been used. Secondly, this coding has also been applied where the testator has employed this term in conjunction with a more particular label, as can be seen once again with George Colchester’s will: ‘Item I give & bequeath vnto my Cousin & Goddaughter Marie Noble five shillings of lawfull money of England.’³² Like the ‘friend’ and ‘kin’ codings detailed above, however, in this instance and others like it both specified relationships have been recorded, although the bequest has only been counted in reference to the first term used.³³ The results of these coding practices are discussed below, after a review of the state of the field on kinship.

The state of the field

Much has been written in the last forty years about the make-up of the early modern family, and many attempts have been made to elucidate the precise nature and value of kin relations.

Many studies have used wills as their main source base, and there are a number of well-versed reasons for this. Probate documents permit the tracing of family inheritance patterns,

³¹ Will of Henry Gatlyf.

³² Will of George Colchester.

³³ It should also be acknowledged here that the term ‘cousin’ at this time was one loaded with a range of implied meanings which were partially dependent on one’s social status. For some it might be used as a claim to shared social status, while for others it might simply denote shared interests or be used as a tool to indicate a sense of responsibility. Robert Bucholz and Newton Key, *Early Modern England 1485-1714: a Narrative History*, 2nd edition (Chichester: Wiley-Blackwell, 2009), 183. Houlbrooke states that cousinage held greater significance in areas of the country which by reason of their geography or custom had high levels of endogamous marriage (for example, in the far north of England, Cornwall, or Kent). *The English Family*, 51.

for example,³⁴ and tend to be representative of all levels of society who constituted the property-owning classes: as such they are an important source for our understanding of ‘ordinary’ life in this period. The Stratford dataset covers the entire spectrum of what might be considered the ‘middling sort’, and indeed some of those higher up the social order: from an almswoman who left no money at all in her brief will, only a few meagre possessions,³⁵ to fifteen self-styled gentlemen and an esquire. Finally, the language used in wills is seen as holding the potential to provide insight into the ‘emotional’ or ‘personal’ lives of testators: scholars have analysed will phraseology in order to investigate issues as diverse as religious persuasion, parental displeasure, and marital contentment.³⁶

Not all scholars have advocated the sole use of wills, however. Catherine Richardson in her *Domestic Life and Domestic Tragedy in Early Modern England* (2006) employs probate documents alongside ecclesiastical court depositions and household manuals in order to investigate ‘the way objects mediate social relations ... of affect’.³⁷ Richardson situates her research on this subject in discussions of early modern drama, however, and tends to focus on father/son relationships from the Kent region. Alan Macfarlane, meanwhile, in *The Family Life of Ralph Josselin* (1970), explores one seventeenth-century clergyman’s kinship networks through the names of people noted in his diary.³⁸ Miranda Chaytor, in her study of the Tyneside town of Ryton, insists upon the importance of evidence drawn from defamation

³⁴ Although as Richard Vann notes, they do not generally reveal local customary inheritance practices and inter-vivos transfers. ‘Wills and the family in an English town: Banbury, 1550-1800’, *Journal of Family History* 4 (Winter, 1979): 347. Within the Stratford dataset, however, ten testators made reference in their wills to inter-vivos transfers: Anne Salisbury, Averie Fullwood, Bartholomew Hathaway, Daniel Baker, Francis Boyce, John Wall, Mary Milles, Michael Smart of Luddington, Raph Shaw and Richard Woodward.

³⁵ Margret Smith left two coffers, a brass pot, ‘a little corne in the bagge’ and two handkerchiefs in her will.

³⁶ Joan Thirsk says that ‘Attitudes towards the family, and the quality of the relationship between parents and children, are often revealed in the phraseology of wills...’. ‘Unexplored Sources in the Local Records’, *Archives* 6, no. 29 (Jan. 1963): 9. However, the problems inherent in such analysis (such as scribal influence) have been recognised widely and are discussed in chapter two of this thesis.

³⁷ Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England: The Material Life of the Household* (Manchester: Manchester University Press, 2006), 19, but see her Introduction (1-25) for a full explanation of her methodology.

³⁸ Alan Macfarlane, *The Family Life of Ralph Josselin, A Seventeenth-Century Clergyman: An Essay in Historical Anthropology* (Cambridge: Cambridge University Press, 1970).

cases prosecuted in the church courts, stating that they are the ‘only source of the words of the [peasant] women and men themselves’.³⁹ Her assertion is unsurprising considering that diaries of this period tend to have been kept only by those who were literate, particularly godly and/or wealthy, however it does require qualification. As Laura Gowing incisively explains in her *Domestic Dangers* (1998), we must be cautious of relying too heavily on the perceived ‘truth’ of the words found within these depositions, as witness statements were given and recorded very much within the established legal framework of the church courts: ‘ostensibly what is written down is a direct transcription of a verbal moment, yet we know that clerical manipulations must have distorted its transposition from voice to text.’⁴⁰

The vast majority of Stratford’s testators were neither literate, particularly godly, nor wealthy (or at most matched only one of these criteria).⁴¹ Throughout this thesis, therefore, use is made of the wills alongside the depositions of Worcester’s consistory court, and it is argued that this pairing of sources offers the best opportunity to recover the experiences of early modern people in this particular context. It is also asserted here that Chaytor’s claim that depositions provide the *only* source of words for ordinary men and women is erroneous.

Rather, it is argued that wills too provide some limited yet valuable access to the words of

³⁹ Chaytor, ‘Household and Kinship’, 27.

⁴⁰ Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1998), 235. She elaborates: ‘the part clerks played in depositions means that sentence structure, word order, and at least some of the words of the resulting documents are not always what witnesses said’, 238. Mediation of texts also occurred in other arenas during the early modern period; for example, in religious testimonies, which were often created within a strict spiritual framework which expected certain conventions to be followed by both author and reader. On this, see Owen C. Watkins, *The Puritan Experience* (London: Routledge & Kegan Paul, 1972).

⁴¹ Indeed, only one diary-like text (perhaps more accurately described as a collection of papers) survives for early modern Stratford: the early seventeenth-century notes of its steward, Thomas Greene, who claimed to be a cousin of William Shakespeare. Most of these writings concern Greene’s interest in tithes and the enclosure of common land in nearby Welcombe, and as such are not of concern here. Shakespeare Birthplace Trust (hereafter SBT) BRU 15/13/27-29 and BRU 15/12/103. For more on Greene and his alleged relationship to Shakespeare, see Tara Hamling, ‘His “cousin”’: Thomas Greene’ in *The Shakespeare Circle: An Alternative Biography* ed. Paul Edmondson and Stanley Wells (Cambridge: Cambridge University Press, 2015) <http://dx.doi.org/10.1017/CBO9781107286580.014> (accessed 22 August 2016).

ordinary folk, although admittedly many of the words found therein are likely to be formulaic due to scribal intervention and adherence to the legal conventions of will-making.⁴²

What conclusions, then, are drawn in the scholarship about the nature of kin relations in early modern England? On the whole academics are in broad agreement that extended kin networks were rarely seen among the middling sort at this time. Beatrice Gottlieb sets out in *The Family in the Western World* (1993) that there was a correlation between high social status and large, extended kin groups, with those lower down the social scale having much smaller kinship groups.⁴³ Further, she states that: ‘the kin who really mattered were those with a direct link to one’s parents, either generationally or laterally: the parents’ parents, the parents’ siblings, and the parents’ children (one’s own siblings and half-siblings)...’. First cousins are also noted as having been of importance.⁴⁴ Rab Houston and Richard Smith similarly question the significance of kin beyond the immediate co-resident family, stating that: ‘kin beyond the household were important in some circumstances, but [the] range of kin who were used was in fact rather narrow – restricted at its widest to uncles and aunts.’⁴⁵ In considering all of this one should acknowledge, however, the realities of life for many early modern families, who witnessed high mortality rates (particularly from the middling orders down); who had perhaps limited resources to support a large number of children; and who often experienced the forming of new family units as bereaved spouses remarried. Due to

⁴² Occasionally, however, idiosyncratic expressions of love for or displeasure with a relation break through the conventional terminology, as in the will of Edward Hunte (1634), who left his ‘daughter in Lawe’ (actually his step-daughter) Susanna Parker ‘Fyve shillings as a Testimonye of my love’. See chapter four for a consideration of will phraseology.

⁴³ Beatrice Gottlieb, *The Family in the Western World from the Black Death to the Industrial Age* (Oxford: Oxford University Press, 1993), 180-181. In a similar vein, Goody makes the broad assertion that ‘In general kin networks [in Europe] seem to have shrunk by the end of the Middle Ages.’ *The European Family*, 62.

⁴⁴ She also notes that ‘it is striking how abruptly relatives beyond first cousins fell into the shadows. The wills of people of modest means, when they mentioned kin outside the household at all, rarely went beyond nieces and nephews.’ Gottlieb, *Western World*, 180-181. J. A. Johnston finds this also to have been the case in Lincolnshire, where bequests to non-kin declined between the sixteenth and eighteenth centuries: ‘Family, Kin and Community in Eight Lincolnshire Parishes, 1567-1800’, *Rural History* 6 (1995): 187.

⁴⁵ Rab Houston and Richard Smith, ‘A New Approach to Family History?’, *History Workshop*, no. 14 (Autumn, 1982): 127.

factors such as these, it was rare even for three generations of a family to survive (thus often precluding the availability of grandparents or great aunts and uncles), while ‘step’ and ‘half’ families would have come together naturally as new marital unions formed, bringing children of a similar age together. It is therefore surely likely that the middling sort would have had smaller kin groups and would have turned to the nearest members of their family for support.

Cressy provides an alternative viewpoint to this, however, highlighting the importance of both the wider kin group and kin who did not live in the same area. He argues that kin connections were vital for those travelling to the New World in the seventeenth century, for example, and says that:

Family letters in particular reveal the operation of a kinship system much more dense, demanding, potent and wide-ranging than anything glimpsed in Ralph Josselin’s diary or among the probate records of Terling.⁴⁶

He explains that even the most tenuous of links could be (and frequently were) drawn upon, citing the case of one Ann Hoskins, who in 1638 wrote a letter to her ‘dear cousin’ enquiring after the welfare of her son who had emigrated to New England. Cressy establishes that Ann was in fact the daughter of her addressee’s great uncle by his second marriage.⁴⁷ While seeking out such a connection does seem extraordinary, we might consider that Ann may have been forced to contact such a distant relative by virtue of the fact that he was the only

⁴⁶ Cressy, ‘Kinship and Kin Interaction’, 44-45.

⁴⁷ Ibid. It should be noted that Cressy’s examples are drawn from people of higher social status and/or the gentry. This particular example demonstrates once again the utility of the term ‘cousin’ in invoking and establishing useful kin links at this time. Richard Gough’s contemporary account of the early modern Shropshire parish of Myddle also demonstrates how kin might be called upon from further afield in times of need. In one account Gough tells how a boy was orphaned at a young age: his uncle, his father’s brother, left his living in Haughmond (around 12 miles away) and came to Myddle to take over his brother’s property and look after the boy. This anecdote reinforces what many historians have asserted about the significance of the uncle/nephew relationship at this time. David Hey, ed., *The History of Myddle by Richard Gough* (Harmondsworth: Penguin Books Ltd., 1981), 100. Mary Abbott also recognises the importance of maintaining contact with remote kin who might have wealth or influence: *Family Ties: English Families 1540-1920* (London: Routledge, 1993), 25.

connection available with ties to her son, or the only connection she could identify who was literate and could send and receive news in this way.

Kinship ties might also be asserted in arguably more frivolous situations, however: within Stratford's wills the testament of Richard Hicks of Clopton (1638) was written on the back of a letter addressed by one Thomas Leaper to his 'verry Loueing & kind Aunt Mistress Smith', which dealt almost entirely with various family members' requests for luxury items. The letter opens:

Most Loueing & kind Ant my vmble loue remembred vnto you & to my brothers & sisters kepeing in god that you are all in health, Aunt this is to lett you vnderstand that I haue sent you the Cloake according to my promise & your expectation...⁴⁸

Thomas signed the letter 'Your loueing Kinsman', which again demonstrates the interchangeability and flexibility of naming patterns at this time.

The perceived utility of kinship ties, and how this mutuality helped to maintain and sustain the bond, is also noted by Rosemary O'Day, meanwhile, who declares that such interdependence was 'of great importance in an age when access to material goods and services was much more restricted than today.'⁴⁹ Gottlieb similarly makes the connection between utility of kin and the maintenance of the bond, but goes further and links it to proximity of habitation. In an age when literacy and mobility amongst the lower orders was limited, she argues that:

⁴⁸ Will of Richard Hicks. A Thomas Leaper is listed as a creditor in Richard's will, which may explain how it came to be written on the back of his letter. The letter was either never sent or, perhaps less plausibly, sent yet returned to Thomas.

⁴⁹ Rosemary O'Day, *The Family and Family Relationships, 1500-1900: England, France and the United States of America* (Basingstoke: The Macmillan Press Ltd, 1994), 78. O'Day does, however, focus on elite kin relations using mainly diaries and personal writings.

The kin who counted most were the ones who were visible, those who could be seen in one's household from time to time, who lived within walking distance in the same village or a nearby one.⁵⁰

Macfarlane positions himself against the idea of the importance of proximate kin, arguing instead that *neighbourly* relations were far more significant for the seventeenth-century Essex clergyman Ralph Josselin.⁵¹ However, it is important to note that he bases this conclusion solely on the evidence of Josselin's economic transactions recorded in his diary. Macfarlane finds that 90 per cent of Josselin's noted financial dealings were with people unrelated to him, which leads him to conclude that because not many of Josselin's kin were mentioned in this context, that they were therefore 'not of great *emotional or economic importance* to [him]' [my emphasis].⁵² Yet, as Cressy astutely observes: '... even if Ralph Josselin was a representative Englishman, how are we to judge how *unimportant* his cousinage was to him? Because only 10 per cent of his financial transactions were with kin?'⁵³

Within Josselin's diary there are, however, other indications of the emotional significance of his kin: in an entry from 5th August 1644 he wrote that 'the plague that arrow of death is sadly at Colchester'; two weeks later his relief was tangible when he wrote: 'This week I heard from divers of my friends of their healthful condition, a great mercy, the Lord continue it...'.⁵⁴ While many 'hot' Protestants like Josselin used the term 'friend' to denote fellow Puritans, members of their godly community, Josselin himself tended to make a distinction by referring to his 'christian freinds' where relevant,⁵⁵ and in fact Macfarlane notes that 'RJ

⁵⁰ Gottlieb, *Western World*, 183.

⁵¹ Macfarlane, *Family Life*, 149. Coster also emphasises the importance of the ties forged with those who lived nearby, stating that: 'in most communities, the majority of important interactions were with members of the family, neighbours and only after them with wider kin.' *Family and Kinship*, 44.

⁵² Macfarlane, *Family Life*, 139.

⁵³ Cressy, 'Kinship and Kin Interaction', 42.

⁵⁴ Alan Macfarlane, ed., *The Diary of Ralph Josselin 1616-1683* (London: Oxford University Press for the British Academy, 1976), 15-16.

⁵⁵ *Ibid.* See, for example, two instances of this terminology on 17.

[Ralph Josselin] uses “friend” as equivalent to kin.’)⁵⁶ Josselin’s use of this term here therefore indicates that his emotional investment in his kinship network should not be measured purely on the basis of his financial interactions, as suggested by Macfarlane in his earlier work on the clergyman. This, along with the examples given above, demonstrates that economic transactions are not the only – or at least the only worthwhile – means of gauging the importance of kin.

The lone voice asserting the importance of extended kin for those below the aristocracy and gentry is Miranda Chaytor: almost every other scholar writing in relatively recent years has found the kinship networks of early modern England to be both narrow in range (generally not extending beyond aunts, uncles and first cousins) and shallow in depth (commonly ranging between grandparents and grandchildren).⁵⁷ Chaytor takes a steadfastly qualitative approach to assessing kin relations in sixteenth- and seventeenth-century Ryton. She reconstitutes four families from the parish registers, finding that kin were drawn upon for a wide variety of reasons: from arranging loans, to witnessing wills, to providing childcare.⁵⁸ Her work, however, has received much criticism, in particular from Houston and Smith, who take issue with the ‘fundamental inadequacies in [Chaytor’s] analytical techniques’; namely the lack of useful quantifiable data available in her chosen source of tithe listings from Ryton.⁵⁹

⁵⁶ Ibid., 18n.

⁵⁷ See also on this Ralph Houlbrooke, ‘Death, Church, and Family in England Between the Late Fifteenth and Early Eighteenth Centuries’, in *Death, Ritual and Bereavement* ed. Ralph Houlbrooke (London: Routledge in Association with the Social History Society of the United Kingdom, 1989), 32.

⁵⁸ Chaytor, ‘Household and Kinship’, 40-41.

⁵⁹ Houston and Smith, ‘A New Approach’, 120-121. In a similar vein to Chaytor, Alan Roberts, in his study of the sixteenth- and seventeenth-century community of Appleby Magna (around 15 miles east of Lichfield), found that the evidence of wills, inventories, Hearth Tax returns, family reconstitutions, and marriage bonds revealed that ‘eight out of every ten Appleby householders were related to at least one other householder within the parish’. He points out that this was nearly double the figure Wrightson found for Terling, and that, in comparison with Terling and many other regional kinship studies, ‘the overall impression is that Appleby had a comparatively *dense* kinship network.’ This of course does not necessarily mean that those kin relations were considered of importance to the community’s inhabitants. *Appleby Magna’s History* http://www.applebymagna.org.uk/appleby_history/ar12_kinship.html#PageTop (accessed 6 October 2015).

Cressy provides a more balanced viewpoint on the subject, perching carefully on the ‘kinship’ fence: while admitting that the view of early modern kinship as ‘narrow, shallow and restricted ... has virtually become a new orthodoxy’, he sets out his desire to ‘suggest that there was more vigour and potency to English kinship than is generally credited’.⁶⁰ He does this by combining both quantitative and qualitative evidence, as this study does, although his methodology differs from that employed in this thesis in some respects. Whereas here record linkage is utilised to reconstruct the kin networks of the Stratford case studies, Cressy employed a technique called microsimulation to provide estimates of how many kin a person was likely to have at any given stage in their life-cycle.⁶¹ These data, when compared with evidence of kin mentioned in wills from the late Elizabethan period and the 1680s, demonstrated that there was ‘a serious shortfall in kin recognition in wills when compared to the family network of simulation’. According to the simulation tables, for example, the average Elizabethan would possess between nine and eleven first cousins, yet Cressy finds that on average only 0.16 of these were mentioned in wills. As a result, ‘[t]he statistical evidence would seem to clinch the case that kinship was relatively unimportant’.⁶²

But this is not the end of the argument for Cressy, who iterates the problems with drawing conclusions based solely on the bald evidence of statistics taken from quantifiable sources like wills: namely, that it simply may not have been appropriate or necessary to name every kin member in every will, and that this does not mean that those not mentioned were not loved by the testator.⁶³ To circumvent such problems, Cressy advocates the use of qualitative

⁶⁰ Cressy, ‘Kinship and Kin Interaction’, 44 and 38, respectively.

⁶¹ Cressy states that this technique was pioneered by Jim Smith of the Cambridge Group for the History of Population and Social Structure, and that he has used the Cambridge simulation tables for this article. He does not, however, reveal how the tables themselves produce the data he provides about the extent of kin relations. *Ibid.*, 56-59.

⁶² *Ibid.*, 58-59.

⁶³ He states: ‘... wills were never intended to present a complete roll-call of relations or even of testators’ “effective” kin. Not leaving legacies to nephews, cousins, etc. does not mean that they were necessarily absent from mind or utterly insignificant in other aspects of a person’s life. Wills may not have been the appropriate

evidence such as letters, alongside wills, in order to gain a more comprehensive picture of kin relationships.⁶⁴ In addition it must be remembered that a testator's age and stage in the life-cycle at death would have determined the extent of kin available to be named in a will. On this, Cicely Howell notes that:

... only those who had fulfilled their obligations, such as grandparents, widows, widowers, or those who had no such obligations, such as bachelors and single women, left legacies to the wider kin-circle, for example, to nephews, nieces, affines, cousins, grandchildren, and godchildren, 'nebers' and servants.⁶⁵

As a result of this, and like Macfarlane and Wrightson, she too concludes that '[t]he wider kin-circle was relatively unimportant'.

Perhaps the most notable proponent of the 'narrow and shallow' kin theory is Keith Wrightson, who found this to be characteristic of the relations in the Essex community of Terling between 1550 and 1699. Wrightson examined 192 wills for this period and in doing so found that children and spouses were most frequently mentioned, with all other relations trailing behind quite significantly.⁶⁶ Table 1 sets out the percentage of wills in which each kin category was found in both Terling and Stratford.

place to mention them, so that historians who look to wills for quantifiable manifestations of family solidarity may look in vain.' *Ibid.*, 59-60. Cressy and others use the term 'effective' in this context to mean 'useful', or those kin which were regularly engaged with.

⁶⁴ It should be noted that Cressy deals mainly with members of the upper middling and minor gentry, whereas this study treats firmly of the middling sort.

⁶⁵ Cicely Howell, 'Peasant Inheritance Customs in the Midlands, 1280-1700', in *Family and Inheritance: Rural Society in Western Europe 1200-1800* ed. Jack Goody, Joan Thirsk and E. P. Thompson (Cambridge: Cambridge University Press, 1976), 141. On this, see also Coster, *Family and Kinship*, 10-11 and *Kinship and Inheritance in Early Modern England: Three Yorkshire Parishes* (York: St. Anthony's Press, 1993), 1-2; and Vann, 'English Town', 352.

⁶⁶ Wrightson, 'Kinship', 324. J. A. Johnston examines 161 wills for Powick (1676-1775) and also finds that family ties were the most obviously important: 52.3 per cent of bequests made went to 'immediate family' of spouses, sons and daughters. A further 26.2 per cent of bequests went to extended kin, and only 11.9 per cent were made to people not related to the deceased. 'The Probate Inventories and Wills of a Worcestershire Parish, 1676-1775', *Midland History* 1 (1971): 31. See also David Levine and Keith Wrightson, *The Making of an Industrial Society: Whickham 1560-1765* (Oxford: Clarendon Press, 1991). Examination of Whickham's wills

Table 1 – Kin named in Terling and Stratford wills

| Terling ⁶⁷ | | Stratford | |
|-----------------------|--------|-----------------------|--------|
| Children | 72% | Children | 66% |
| Spouses | 60% | Spouses | 59% |
| Grandchildren etc. | 10-18% | Grandchildren etc. | 10-27% |
| Brothers-in-law | 9% | Brothers-in-law | 6% |

The figures are broadly comparable, and in Stratford, as in Terling, members of the nuclear family were by far the most numerous beneficiaries, receiving bequests in 59-66 per cent of wills. Extended kin members were arguably more important to the denizens of Stratford than they were to those of Terling, however, receiving gifts in up to 27 per cent of wills. However, this author and Wrightson used different measures in order to assess the relative importance of kin within the two localities. Wrightson’s method means (for instance) that even if a will named seven different nephews these would still only qualify as one mention for the ‘nephew’ category.⁶⁸ The method utilised here, however, which itemises individual bequests, their recipients and the source simultaneously, allows for the total number of bequests to nephews *and* the number of wills in which they appear to be tracked. In this case specifically, for example, the Stratford data in fact reveal a more detailed picture of bequests to kin than that depicted by Wrightson. Table 2 breaks down the kin groups and their bequests further, while table 3 provides the same statistics for those mentioned in the ‘Secondary Naming’

for the period in question reveals that ‘relationships within the nuclear family were central’ in the lives of these northern parishioners, too, 329-330.

⁶⁷ Wrightson does not differentiate between the categories of grandchildren, brothers, nephews, nieces, sons-in-law, and sisters (here grouped under the category ‘grandchildren, etc.’) and therefore individual percentages for each of these groups are not available for Terling. A detailed breakdown of percentages for these in Stratford is given below, in table 2.

⁶⁸ This is not to say, however, that there will be no distortion within my own figures: if one testator left seven different items to one nephew, for example, this would register as a large number of bequests to the ‘nephew’ group. Moreover, Wrightson has based his statistics on every *mention* of kin in the Terling wills, whereas I have counted each *bequest* made.

category, which records those instances where a testator used two different terms to denote a beneficiary. Table 3 should be considered alongside table 2 as it illustrates that, on the whole, testators' habits of providing many of their legatees with more than one relationship designation did not drastically affect the figures found in table 2. Only the 'neighbour' and 'friend' categories received a significant number of secondary mentions, and friends already figure highly in table 2.

Table 2 – Stratford kin groups and bequests

| | Mentioned in no. of wills | Mentioned in % of wills | No. of bequests | |
|-----------------------------------|---------------------------------|----------------------------|-----------------|-------------------|
| Spouses | 134 | 59% | 308 | (all left by men) |
| Sons | 123 | 54% | 844 | |
| Daughters | 120 | 53% | 745 | |
| Friend | 66 | 29% | 135 | |
| Brothers | 60 | 27% | 191 | |
| Kin | 46 | 21% | 155 | |
| Sisters | 40 | 18% | 100 | |
| Grandsons | 33 | 15% | 165 | |
| Cousin | 32 | 14% | 126 | |
| Sons-in-law | 30 | 13% | 78 | |
| Godchild unspec | 29 | 13% | 29 | |
| Granddaughters | 29 | 13% | 165 | |
| Godsons | 28 | 13% | 53 | |
| Nephews | 27 | 12% | 74 | |
| Niece/nephew unspec | 25 | 11% | 32 | (all left by men) |
| Nieces | 22 | 10% | 135 | |
| Grandchild unspec | 22 | 10% | 37 | |
| Goddaughters | 15 | 7% | 27 | |
| Brother-in-law | 14 | 6% | 21 | |
| Mothers | 12 | >5% | 14 | |
| Daughters-in-law | 10 | <5% | 17 | |
| Uncles | 10 | <5% | 15 | |
| Neighbour | 10 | <5% | 15 | |
| Unborn child | 7 | 3% | 6 | |
| Sister-in-law | 6 | 3% | 9 | |
| Aunts | 4 | 2% | 9 | |
| Fathers | 3 | 1% | 4 | |
| Great-grandchild (unspecified) | 3 | 1% | 3 | |

Table 3 – Stratford secondary naming bequests

| | Mentioned in no. of wills | Mentioned in % of wills | No. of bequests |
|-----------------|---------------------------|-------------------------|-----------------|
| Neighbours | 14 | 6% | 15 |
| Friends | 11 | 5% | 22 |
| Nephews | 4 | 2% | 4 |
| Cousins | 3 | 1% | 4 |
| Godsons | 3 | 1% | 4 |
| Brothers | 2 | 1% | 2 |
| Granddaughters | 2 | 1% | 7 |
| Sons-in-law | 2 | 1% | 2 |
| Spouses | 1 | <1% | 1 |
| Sons | 1 | <1% | 1 |
| Brothers-in-law | 1 | <1% | 1 |
| Goddaughters | 1 | <1% | 1 |

Yet again, it is evident that the focus in Stratford was on leaving bequests primarily to members of the nuclear family, with spouses and children topping the list of beneficiaries found in the greatest number of wills. Friends, however, received gifts in nearly a third of all wills, thus testifying to the significance of this relationship to Stratford’s testators.

In his examination of kinship in Terling, Wrightson stated that ‘women did not vary from men on the grounds of sex alone in their recognition of kin’.⁶⁹ He did not, however, expand upon this statement, or provide evidence to substantiate it. Stratford’s results largely agree with Wrightson’s while providing helpful extra detail on this subject. Chart 1 illustrates the patterns of bequeathing exhibited by Stratford’s male and female testators. What is apparent is that proportionally, men and women left roughly the same amount of their property to their

⁶⁹ Wrightson, ‘Kinship’, 325.

children: 47 per cent of all men's bequests went to children, and 42 per cent of women's. Within that figure, however, the distribution between male and female children is reversed between the sexes: the majority of men's bequests were made to their sons (27 per cent), and the majority of women's to their daughters (28 per cent). This is as might be expected: as many scholars have noted, most men at this time were preoccupied with providing for their sons and heirs, while women instead seem to have focused on their female relations (and reaching out beyond daughters to remember other female kin).⁷⁰ However it must also be remembered that none of the Stratford women's wills was made by wives, so although it appears that the women were favouring their daughters, one likely explanation for the apparent bias could be that their deceased husbands had already provided for any sons, leaving the women with more scope to provide for their daughters. We might also question whether this bias might be attributed to testators' and beneficiaries' stages in the life-cycle: were the majority of women's bequests to their daughters made to those who were as yet unmarried, or did they also leave gifts to their married daughters? As will be explored in more detail with reference to the case studies below, in Stratford at least it seems that widows sought to provide for both their married and unmarried daughters, thus indicating that they wished to recognise this special bond in their final moments.

⁷⁰ See, for example: Becker, *Early Modern Englishwoman*, 110, 141-142 and 154-155; Erickson, *Women and Property*, 19; and James, *Women's Voices*, 1-2. Carmel Biggs, however, found that women in Northamptonshire favoured their sons: 'Women, Kinship, and Inheritance: Northamptonshire 1543-1709', *Journal of Family History* 32 (2007): 114. Meanwhile, analysing the bequests left to brothers and uncles may shed more light on the significance of the uncle/nephew relationship upon which many scholars have commented: while a quarter of all testators left bequests to their brothers, only 5% did the same for their uncles. This discrepancy may at first appear surprising, but in fact could indicate one – or indeed, both – of two things. First, that testators imagined that their male siblings would play an important role in their children's lives, and rewarded them in anticipation of this, but that (even if these uncles did fulfil the anticipated role) their nieces and nephews did not attribute the same significance to the relationship as their parents. Second, this disparity in the numbers may have been due to the stage in the life-cycle at which testators made their wills: if the majority of will-makers were of an age where most of their parents' generation had passed away, then naturally bequests to uncles would not feature as heavily as bequests to siblings. This is not to assume that testamentary bequests should be considered the only signifier of a relationship's worth: it could be that nephews and nieces demonstrated their affection for their uncles in ways which are not recoverable today.

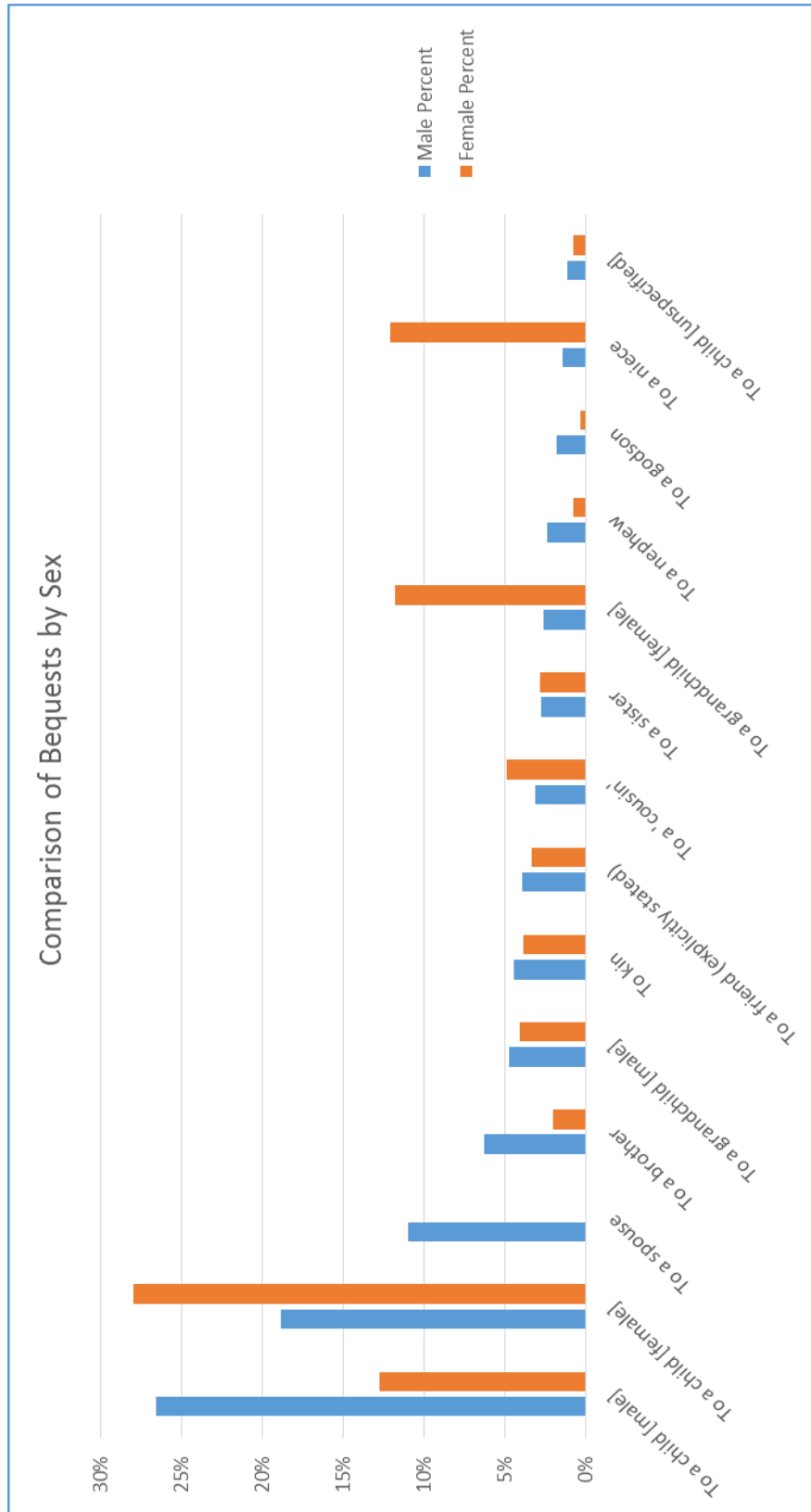


Chart 1 – Comparison of bequests by sex

It is apparent from a consideration of the scholarship on kinship that a mixed methodological approach to the subject proves most beneficial. The usefulness of wills for providing quantifiable evidence is widely recognised (as are the problems inherent in this), however their qualitative utility is often called into question. A mixed methods approach is taken in this thesis, which further argues that wills, when examined in this context and with a qualitative eye, have the potential to provide more and indeed a better quality of evidence than has previously been allowed them. Most crucially, however, the use of the Nvivo database with its multifaceted analytical capabilities allows for a more rigorous consideration of the nature of kin relations than has been achieved previously. Some of the problems with Wrightson's methodology, for example, have been considered above, and while his findings are broadly similar to those presented here, the extra layer of analysis afforded by Nvivo is beneficial because it permits a more nuanced understanding of the observable kin relations in Stratford.

Another benefit of the research on Stratford is the ability, thanks to the survival of so many contemporary sources, to reconstruct family trees to form a group of case studies which can shed light on the foregoing data. It is these case studies to which this chapter now turns. The fortuitous survival of multiple wills for some families allows for a consideration of the nature and extent of kin relations within these units. By comparing the actual distribution of bequests with the full extent of kin available to the testators at the time of death, the different choices testators made when disposing of their earthly possessions will be brought to light. In particular, this examination will focus on the extent to which a person's age, sex, social status, and stage in the life-cycle may have affected how they chose to remember those they left behind.

Stratford case studies⁷¹

The family groupings comprising the following case studies incorporate examples of all of the key relationships this thesis seeks to explore: husbands and wives; parents, children, and grandchildren (and even great-grandchildren); siblings; step-relations; and in-laws.⁷² The groupings also allow for a consideration of the lives of Stratford's women, as they include both widows' and single women's wills. Some oblique insight into the lives of wives is attainable by reference to their husbands' and children's wills. Moreover, testators of all ages are represented, from a sixteen-year-old spinster to a seventy-eight-year-old widow. All of the families in question fall within the general penumbra of the propertied middling sort (although at its upper limits here are two self-styled 'gentlemen'), but wills do survive for those at the lower end of the social scale within the wider dataset. Finally, the wills which constitute these case studies span a significant portion of the timespan of the thesis (1588-1638), although the majority fall within the first quarter of the seventeenth century.

As far as it has been possible to discern, all of the families discussed below had long been established in and around Stratford, although naturally some were more established than others. Joyce Hobday, for example, may have been born in Warwick, although the fact that she seems to have taken over at least some aspects of her husband's business when he died may well demonstrate that certainly by that time she was considered a firm part of Stratford's social and economic scene.⁷³ The Hiccoxes of Welcombe and William Smith's family, on the other hand, were both so intrinsically a part of Stratford life that it can be difficult (and in

⁷¹ Much of the genealogical information in this section has been derived from Jones's *Inventories*, in which she provides extensive family histories for almost every person whose inventory survived.

⁷² Remarriage often provided the impetus needed for a person to make a will to provide for their existing (and often also their new) family.

⁷³ Jones, *Inventories*, vol. 1, 196.

some cases impossible) to identify every member of their families in the registers, as there were so many different branches of each.⁷⁴

Furthermore, connections between some of the case studies and other Stratford families are also apparent: the Smarts, for example, were linked with both the Smith/Tomes family and the Hiccoxes,⁷⁵ while Thomas Hiccox Jr married Elizabeth, daughter of alderman Abraham Sturley and granddaughter of the influential woollen draper Richard Hill, whose will also forms part of the dataset.⁷⁶ Joyce and William Hobday, moreover, had connections with the family of William Cootes, skinner, who made his will in 1597: Joyce referred to William's daughter (also Joyce) as her 'god dawghter & dawghter in lawe' in her will,⁷⁷ while William Hobday was one of the appraisers of Cootes's inventory; perhaps a link between the two families was inevitable due to the interrelated nature of the two Williams' trades of skinner and glover.

This is not to say, however, that these families (or Stratford's families in general) were necessarily insular and inward-looking: many of them mention connections further afield in their wills, usually in reference to debts owed. Joyce Hobday's will, for example, noted money owed to her by a John Frost of 'Alcetur' (Alcester), while Christopher Smith alias

⁷⁴ Some of them also held civic positions within Stratford, further demonstrating their influence: William Smith Sr, for example, was made a capital burgess in 1559 (but in 1586 declined the honour of replacing John Shakespeare as alderman, for which he was fined). Jones, *Inventories*, vol. 1, 186. See also Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, volume IV, 1586-1592* (London: The Dugdale Society, 1929), 34. His son John, meanwhile, served as both an alderman and bailiff. (However just before his death John was dismissed from the role of head alderman for 'obstinate and wilful hindering of the execution of process out of the Court of Record'.) SBT BRU 2/2, p. 81, also cited in Jones, *Inventories*, vol. 1, 340-341.

⁷⁵ In his will Peter Smart left 'To Ieys[e] [Joyce] Wylliam Toms wyffe xs' and 'To Thomas Hyccox's children of Welcumme xijd A peece.'

⁷⁶ Richard Hill's monument still stands in Stratford's Holy Trinity Church: Jones, *Inventories*, vol. 1, 274.

⁷⁷ Unfortunately the details of the bequest itself have been lost due to damage to the document.

Court's 1586 will listed debtors from across Warwickshire and Oxfordshire.⁷⁸ Rather extraordinarily, the will of John Lane, merchant and gentleman's son (1638), told how he had:

bin sometyme resident abroad in my profession of a Merchant imployed And am now God permitting resolved to take my passage for England vpon the Shipp Vnicorne Who hath lately bin here taken in goodes & now is departed for the Scale of Aleppo...⁷⁹

Lane was exceptional in terms of the fact that his social status and occupation allowed him to travel extensively, but dotted throughout the wills of Stratford there are nevertheless many references to property in, or ties to, places as far afield as modern-day Manchester, Gloucestershire, and London. A large number of places from the wider Midlands region also find mention.

But what of the nature of kin relations amongst these families, and what might this reveal about the experience of kinship in Stratford? To what extent did Stratford's testators remember the full range of kin available to them at the time of writing their wills?

Furthermore, how is the distribution of goods in their wills affected by the other factors highlighted: age, sex, social status, or life-cycle stage? For consideration of this the case studies themselves will now be presented. Recourse should be had to the illustrative family trees provided in appendix 2 throughout this discussion.

⁷⁸ Will of Christopher Smith alias Court. For a full consideration of Stratford women's money-lending, see chapter six.

⁷⁹ Will of John Lane.

Case Study One – the Smart family

Peter Smart (1588)⁸⁰

William Smart (1593)

Isabel Sadler née Smart (1627)

John Sadler (1625)

Edward Hunte (1634)

Peter Smart was the father of both William Smart and Isabel Sadler (née Smart). Although Isabel made her will in 1627, she only died in 1635, some 10 years after her husband, John. William's widow Frances took Edward Hunte as her second husband in December 1593, nine months after William's death.

Some interesting patterns of disposition emerge when the testamentary preferences of the first case study family are scrutinised. Generally, the testators were concerned to provide for their closest kin, with some exceptions. Peter, as might seem natural, made bequests to both of his surviving children and to his only grandson (the other 11 grandchildren arriving after his death). Similarly, Peter's children in turn made sure that they provided for their own children in their wills,⁸¹ but while William also left gifts to his sister Isabel's offspring, Isabel did not remember William's daughter Susanna. Instead, Isabel provided for all four of her children (including her daughters' husbands) and her six grandchildren.

In contrast to this, Isabel's husband John, who predeceased his wife by a little over ten years, only left gifts to his son; his three daughters were not mentioned in his will. One might

⁸⁰ The dates given in these lists refer to the date the will was made, not the burial of the testator.

⁸¹ William also made a bequest to the unborn child his wife was carrying. Baby William was born seven months after his father's death.

assume that John chose not to leave his daughters gifts because they had received their portions when they married, but John Jr was also married with children by the time his father died. At first this may appear to indicate John Sr's favouring of his namesake, but further investigation into the types of bequest given to John Jr may encourage a different interpretation. John Sr left his son a wide range of household goods, from the bed in the parlour,⁸² to tables, forms, chairs, wainscoting, and other 'standerdes', stipulating that 'Issabell my Loveing wife shall dureing her naturall life have the vse of the thinges above given to my said sone Iohn.' Clearly what John Jr was receiving (or, more accurately, would receive in the future, on his mother's death) was his patrimony, which may have been considered separate to any other portion he had already received on his marriage. This bequest thus challenges the theory that only women were concerned with leaving household goods to their children, and also indicates that a testator's stage in the life-cycle might determine the kinds of gifts given.

A further noteworthy aspect about John Sr's distribution of goods is that he chose to remember his son-in-law Leonard Kempson (his daughter Margaret's first husband), leaving him 'one gowne faced wth Foynes' [fur]. He also made Leonard one of his overseers, referring to the two men appointed in this role as his 'Loveing Frendes'. This bequest, along with the language used, may indicate a particularly close relationship with his son-in-law.

Indicators of a bond of some significance can also be observed in the will of Edward Hunte. Edward was the second husband of William Smart's widow Frances, and when they married Frances brought with her two children from her first marriage: Susanna and baby William. William died in July 1594 aged only nine months, but Susanna survived into adulthood and was remembered in her step-father's will, which declared: 'Item I giue and bequeathe vnto

⁸² This was, in all probability, the best bed. See Elizabeth Sharrett, 'Beds as stage properties in English Renaissance drama: materializing the lifecycle' (unpublished doctoral thesis, University of Birmingham, 2014), 232, and Richardson, *Domestic Life*, 78.

my daughter in Lawe Susanna Parker Fyve shillinges as a Testimonye of my love'.⁸³ The extraordinary nature of their bond might be inferred when we consider Coster's assertion that 'step-fathers would often specifically exclude their wife's children as beneficiaries'; on the evidence of this bequest it appears that Susanna and her stepfather enjoyed a close relationship which endured long after the death of Susanna's mother, and to which Edward wanted to pay particular tribute.⁸⁴

Other scholars would disagree with this reading of Edward's will. Lena Cowen Orlin, for example, in her essay 'Empty Vessels' (2010), argues that only bequests which were specifically couched in the language of remembrance carried any emotional value; all other bequests, no matter how they were framed, only conveyed a sense of the gift's economic worth.⁸⁵ Orlin's argument could be considered valid here because Edward stipulated the amount of money that Susanna should receive, and did not include any mention of remembrance in the phrasing of the bequest. Yet despite this, it surely cannot be ignored that he went to the trouble of making an explicit declaration of his affection for her. Certainly, she was to receive money, but she was to receive it specifically as 'a Testimonye of [his] love'. This is the only time in his will that such an avowal is made, thus highlighting its significance. Orlin's thesis is problematic in that it infers the absence of emotion from the absence of an explicit mention of 'remembrance' in relation to a bequest, but this does not necessarily mean that the bequest itself would not have been interpreted as a sign of the testator's love or affection.

⁸³ This example once again demonstrates the flexibility and problematic nature of naming terms.

⁸⁴ Coster, *Family and Kinship*, 80. Indeed, bequests of money were not always given simply because of a sense of the beneficiary's perceived need, as implied by Coster's statement: money, as today, might be given as a token of affection or respect, as I argue was the case for Hunte and Parker.

⁸⁵ Lena Cowen Orlin, 'Empty Vessels', in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2010), 300.

The Smart family, then, with a couple of exceptions, exhibited in their will-making a propensity for bequeathing to the 'narrow and shallow' kinship group observed by Wrightson, favouring primarily children, grandchildren, nieces, and nephews. Aside from their bequests to the kin observable on their reconstructed family tree, both Peter and William made bequests to other, and some more distant, relations. Peter made a bequest to his brother, while both men left gifts to Peter's brother-in-law (and William's uncle) John Ange. This may speak to the importance of the uncle/nephew relationship, as discussed above. Both men also left goods to one Thomas Smart, who was designated as 'kynsman' in both wills, and Peter provided legacies for a further three 'kynswemen'. It is impossible to know the precise nature of Peter and William's relationship to these extended kin members, although the bond between them was obviously significant enough to warrant their receiving legacies.

Case Study Two – the Smith family

William Smith (1600)⁸⁶

John Smith (1601)

Francis Smith (1623)

Roger Smith (1625)

William Smith Jr (1626)

Margaret Smith née Sadler (1625)⁸⁷

William Tomes (1622)

William Smith, mercer, named five sons and four daughters in his will: John, Francis, Henry, Roger, William, Annes, Ursula, Joan, and Margaret. Fortunately, the wills of four of his five sons have survived, while John's widow Margaret's will also remains extant. Seven of William Sr's nine children had children of their own alive when William made his will, while Annes's son William Tomes also had three children living at the time William Sr made his will, thus making the testator a great-grandfather.

The extended family which was formed as a result of William Sr's second marriage has resulted in some intriguing patterns of bequeathing. By his first wife William had two

⁸⁶ William may also have been known as 'William Smith alias Whode/Hoode': when his daughter Joan married William Brent on 08/01/1594/5, it was recorded in the register as 'Wilhelmus Brent & Jone Smith filia W. Smith als Whod'. *Stratford on Avon, Warwick, Parish Registers of Marriages, 1558-1812*. Author's own copy, PDF pagination, 11. If this is the case, and William was known interchangeably as 'Smith' or 'Smith alias Whode', then it is possible that he had as many as 14 children, although the baptismal dates of a couple are too close for them all to have been his. Efforts have been made to determine whether the register might be referring to two different Williams, but it has not been possible to distinguish them with any certainty. The ensuing analysis of his family connections has therefore of necessity been based solely on the names of his children as set out in his will.

⁸⁷ Margaret was the sister of Hamnet Sadler, Shakespeare's son's godfather.

children, Francis and John, and he had seven by his second spouse. Most of his offspring chose to leave bequests to family members on their own 'side' (i.e. to those with whom they shared a mother), however Francis's bequests straddled the divide, as did those of Margaret, the widow of John, William's second son by his first marriage. Francis, for example, left the majority of his goods to his wife and his (married) daughter Mary, to whom he specifically referred as his 'daughter and heire'. He then, however, left monetary bequests to several nephews and nieces (children of his half-siblings), and also gave gifts to his half-brother Henry and half-sister Joan, referring to them simply as 'brother' and 'sister'. This use of naming terminology may indicate the kind of relationship Francis enjoyed with the other 'side' of his father's family: even given the lack of precision in naming at this time, it would still be expected that Francis would have designated Henry and Joan 'in-laws' if he had wished to acknowledge the fact that they were not his 'full' siblings.

Francis's motivation for remembering his half-siblings in his will is understandable. He was close in age to Joan, in particular, so it may be that in growing up together the two never thought of themselves as anything other than 'full' brother and sister. The testamentary preferences of Margaret, the widow of John, however, appear a little less fathomable to modern eyes. She made few bequests to family, remembering none of her own children. This may in itself not be considered extraordinary, as they were all likely to have been married by the time she came to make her will (although as we have seen, other testators still chose to leave bequests to married children). What might be considered more noteworthy is the fact that she did not remember her grandchildren, either: her daughter Elizabeth may have had as many as five children alive when Margaret made her will.⁸⁸ Perhaps they, too, had married

⁸⁸ Elizabeth married Edward Maund on 18 December 1592. *Parish Registers of Marriages*, 11.

and had already received gifts.⁸⁹ Margaret gave a few gifts to nieces and nephews on the other ‘side’ of her husband’s family, although they were not explicitly identified as such within the will: they are listed as ‘Margarete Smyth Master Henrye Smythes daughter’ and ‘Roger Smythes Children (that is to saye) Thomas Marye and Anne’, so their precise relationship to Margaret is an inference on this author’s part. It is unclear why she chose to favour these nieces and nephews in particular.

Aside from these members of her family, Margaret seemed concerned in her will to provide for people who it might be assumed were friends: in most cases she left beds, bedding and clothing to women with whom she specified no relationship, and this reinforces the impression that women were concerned to distribute goods to a more extended social network than men.⁹⁰ One bequest in particular appears significant, however: she left to one Mistress Whyat ‘a peece of white Cloth of Three yardes in Remembrance’. As discussed above in reference to Edward Hunte’s will, Orlin asserts the significance of bequests which are framed specifically in the language of remembrance. Interestingly, however, she asserts that these bequests ‘eschew physical description for a vocabulary that engages the potentially affective faculty of memory’, citing as examples instances where testators left money, not goods, in remembrance.⁹¹ This is clearly not the case here. Margaret’s will specified the type and amount of cloth that Mistress Whyat should receive, without reference to its monetary value: this would seem to suggest that the economic value of the cloth was of less importance than its physical characteristics and what they may have represented. Had Mistress Whyat once given Margaret a similar piece of cloth to make an item of clothing? Or had she once made

⁸⁹ If they had married then they all did so outside of Stratford: there is no mention of any of them in Stratford’s marriage register. It has only been possible to trace the baptisms of four daughters (and the burial of an unnamed infant) in Stratford’s registers, but John Smith mentioned the two sons of his daughter Elizabeth in his will. Interestingly, however, he did not refer to Elizabeth by her married name, but called her ‘Elizabeth Smithe my daughter’.

⁹⁰ See again Becker, *Early Modern Englishwoman*, 110, 141-142 and 154-155.

⁹¹ Orlin, ‘Empty Vessels’, 300.

Margaret an item of clothing using white cloth? The gift on the other hand may simply have been intended to recognise and reinforce the bond enjoyed by the two women during their lives.⁹² As Susan E. James states:

In the passage of these gifts was the assumption of associative relationships, that some immaterial aspect of the owner remained imbued in a physical object, a friendly and familiar echo of her essence which enhanced the intrinsic value of the gift itself. The intimacy of the relationship implied between giver and receiver is anchored in the intimacy of the gift, with its clear emotional message – keep this for my sake; remember me.⁹³

The motivation behind this particular bequest may never be known, but the word ‘remembrance’ was used only five times in the entire set of wills; it seems that it was deployed only in certain circumstances by Stratford’s testators.⁹⁴

Aside from the peculiarities of Margaret’s and Francis’s wills, however, on the whole the Smith family seem to have adhered to the expected pattern of leaving goods to members of the nuclear family and closest kin: William Sr, for example, left gifts to all of his children, his wife, and a grandson, and his son John also provided for all of his own surviving children, plus the two sons of his daughter Elizabeth. Of the entire family available to them, William’s sons Roger and William Jr provided solely for their children in their wills.⁹⁵ William Sr, meanwhile, may have had as many as 13 other grandchildren alive at the time he made his will, yet he chose only to remember William Tomes, the son of his daughter Annes. Nothing in the phraseology of the bequest indicates why this may have been the case, although we

⁹² It may also have been Margaret’s way of drawing attention to a friendship with a woman of superior social status, and thus a means of elevating her own social standing. For more on this bequest see chapter five.

⁹³ James, *Women’s Voices*, 90. James also comments on the importance of all-female social networks and states that ‘At death, the gifting of personal memorabilia among these networks reinforced their ties’, 77.

⁹⁴ For a fuller consideration of the language of ‘remembrance’, see chapter five.

⁹⁵ However Roger did also leave 20s to the poor of Stratford and a further 20s ‘vnto Richard Greene and Alice his wife’, whose relationship to him is unknown.

might speculate that it was because Tomes was the eldest. William Sr did not remember any of Tomes' offspring, his great-grandchildren. Outside of their immediate families, William Sr also made bequests to godsons, while John chose to remember his brother-in-law, Hamlet Sadler (godfather to William Shakespeare's son).

This Stratford family were primarily concerned with providing for their nearest kin in their wills, adhering to a very localised (biologically speaking) distribution of their goods. Siblings (half or 'full') featured heavily, as did nieces, nephews, and grandchildren. The fact that William Sr did not remember his great-grandchildren in his will may indicate that kin bonds were only viewed as significant to a certain point, after which they became much less so. This would certainly support Wrightson's 'narrow and shallow' theory of kinship.⁹⁶

⁹⁶ Three other testators did, however, leave bequests to great-grandchildren: Alice Ainge, Daniel Baker, and Katherine Bennett. Alice Woodward also left a bequest to her granddaughter's prospective children.

Case Study Three – the Hiccox family of Welcombe

Thomas Hiccox (1606)

Alice Hiccox (1608)

Thomas Hiccox Jr (1611)

Lewis Hiccox (1627)⁹⁷

John Hiccox (1633)

Thomas and Alice Hiccox of Welcombe were husband and wife, and two of their surviving six children left wills which remain extant: Thomas Jr, and Lewis. John Hiccox was the son of Thomas Jr. Thomas Sr may have had as many as six grandchildren living at the time he made his will, although he only mentioned one of them in the will itself.

The husband-and-wife pairing in this group, Thomas and Anne, exhibited similar concerns in the distribution of their goods: both focused primarily on providing for their children, although Thomas favoured his sons and Alice her daughters. In this, they are typical of the trend for Stratford noted above in relation to the overall distribution of goods.⁹⁸ Thomas left property to his eldest son, and household goods and animals to his wife. All of his other children received money, except his daughter Anne, who may have been omitted because she was married by the time he made his will. Alice also took care to provide for her children, although the 12d she left to each of her sons was in all likelihood a ‘token’ shilling in consideration of the fact that they had already received their portions from their father or

⁹⁷ Lewis is described as ‘yeoman’ in his will, but he was also an innkeeper, and ran the Maidenhead on Henley Street, which formed part of the property now known as Shakespeare’s Birthplace. Jeanne Jones, *Stratford-upon-Avon Inventories, 1538-1699, vol. 2: 1626-1699* (Stratford-upon-Avon: The Dugdale Society, 2003), 13-17.

⁹⁸ See chart 1, p. 152.

from both parents.⁹⁹ Alice left the residue of her goods to her two daughters, whom she appointed joint executors, while Thomas left his residue to his sons Thomas and Lewis, whom he also named as executors. Aside from his children, Thomas also left money to his granddaughter, Dorothy, who was not mentioned in her grandmother's will.

Dorothy did, however, make an appearance in the will of her uncle, Thomas Jr, who left her £5. Yet this bequest was apparently not made by virtue of a particularly strong uncle/niece bond, but instead, as Thomas declared: 'in somme parte and token of mj good Will for hir longe service'. Dorothy had evidently been working for Thomas, probably as his maid.¹⁰⁰

Thomas Jr, like his parents, also retained a fairly limited scope in the distribution of his goods: he left property and land to his 'beloued' wife Elizabeth and to his two eldest sons, and money to his younger sons and his daughters. He also left money to his brother William, Dorothy's father, and made his brother Lewis his overseer. He made no mention of his other siblings.

Lewis followed in the family trend and also exhibited a concern to provide for his only child, although he did this somewhat indirectly, by placing two thirds of his property in the custody of his wife and his 'trustie frende & Landlord Richard wright Parson of Exall' specifically for

⁹⁹ See chapter five for a consideration of the language and significance of 'token' bequests.

¹⁰⁰ R. C. Richardson comments that 'Some employers found jobs as servants for poor relations', but it appears on the whole that it was not particularly common for the middling sort to employ their own kin as servants: most were sent out to unrelated families to earn money or apprenticed to learn trades. *Household Servants in Early Modern England* (Manchester: Manchester University Press, 2010), 69 and Coster, *Family and Kinship*, 31 and 54-56. Ilana Krausman Ben-Amos also states that 'Contemporaries were not inclined to mobilise their relatives to become masters of their children.' *Adolescence and Youth in Early Modern England* (London: Yale University Press, 1994), 166. This appears also to have been the case in Stratford: no other testators mentioned bequests to servants who were kin. In his will, Lewis Hiccox left 20s to his servant Henry Hiccox. Henry may or may not have been related to Lewis: at the time of his death Lewis had a nephew called Henry who, if he was still alive, would have been aged around 24. This makes it unlikely that he would have been working for his uncle in a service capacity: it is more likely that he would have been employed in a trade of his own at such an age. No indication of any relationship between the two was given in the will. The testamentary dispute case of Gilbert Darby of Droitwich, however, as discussed in chapter two, notes that Darby wanted to leave all of his possessions to his servant and kinswoman, Elizabeth Patericke.

the benefit and maintenance of his son Humphrey and Humphrey's wife.¹⁰¹ Aside from his nuclear family, Lewis also made bequests to three of his nephews (all children of his brother Thomas). His nephew Lewis was also his godson and had been named after him, as was customary. Fortunately the will of John, one of Lewis's nephews, has survived, in which he mentioned his uncle's bequest, thus providing an important opportunity to track its disposition and analyse its potential significance.¹⁰² John's will reads:

Item I bequeath ~~vnto~~ my said Brother Henry Hickcox Five poundes which was giuen mee for my legacy by my vnckle Lewes Hickcox his last will for and in consideracion of such debtes hee [Henry] hath payd and standeth engaged for me which said five poundes one Ralph Townesend is to pay

John could quite easily have simply left his brother £5 in consideration of the financial help he had provided, yet he went to the trouble of stipulating that the legacy originated with their uncle Lewis. This perhaps demonstrates that he felt a particular duty or desire to pass this legacy on to one of his siblings, by way of acknowledging the bond which so many scholars have argued was of special significance. John then also left gifts to his natal and affinal nuclear families, with legacies to his wife and brothers, and provision for his daughter and the unborn child his wife was carrying. John's mother outlived him by 26 years, yet she is not mentioned in her son's will.

The Hiccox family's testaments demonstrate their overwhelming desire to provide for their nearest kin, with all testators remembering their children and/or spouses as a matter of

¹⁰¹ Richard Wright was made joint executor with Lewis's wife. Wright was also made an overseer in two other Stratford wills: those of John Nash and Thomas Fisher, who both identified as gentlemen in the preambles to their wills. Lewis's will identifies him as a yeoman, so perhaps his appointment of Wright was also an assertion of his status and social aspirations.

¹⁰² Some scholars note that they have been unable to trace objects through wills of different generations, which to them indicates that any testator's emotional attachment to these items was not similarly felt by the recipient: Lisa Liddy, 'Affective Bequests: Creating Emotion in York Wills, 1400-1600', in *Understanding Emotions in Early Europe* ed. Michael Champion and Andrew Lynch (Turnhout: Brepols Publishers, 2015), 273-289 and Orlin, 'Empty Vessels', 302.

priority. Alice made sure to remember her sons with a small monetary gift, even though they would all have been provided for by the time of her will-making. Outside of the nuclear family, the Hiccoxes did not make bequests further afield than grandchildren, nieces, and nephews.

Case Study Four – Mary Edwards and her husbands

Mary Edwards (1638)

Humphrey Wood (1620)

Avery Edwards (1628)

Mary Edwards was born Mary Hopkins, and took Humphrey Wood as her first husband in 1601. She and Humphrey had three children: Ann, Humphrey, and Mary (who died aged seven). Humphrey Jr and his second wife were expecting a child when Mary Sr died (this child was Maria, born in July 1639, and left money by Mary in her will). Humphrey Jr's first wife, Dorothy, and their child, had died seven months after their marriage in 1636. Humphrey Sr died in 1620, and in around 1623 Mary married Avery Edwards, who was probably about seventy years old at the time. Mary's daughter Ann married John Allin of Warwick, and had at least five children alive when Mary died; all received bequests.

The fourth of the case studies exhibits an even more pronounced concentration of bequests amongst the nuclear families of the testators. Mary, who outlived two husbands, took care to provide for every member of her family from her first marriage; the children she bore and their offspring. She left gifts to her married daughter Ann, Ann's husband, and their children, with whom she appears to have maintained a fruitful relationship despite the fact that they lived in Warwick, some 9 miles away. Mary also provided for her son Humphrey and his unborn child Maria, who arrived three months after her grandmother's death and was perhaps named for her.

Mary left money to John Edwards of Tiddington and Richard Edwards of Drayton, and although she did not explicitly identify these men as two of the sons of her second husband

Avery, it is likely that they are the very ones which featured in Avery's 1628 will. Avery made bequests to Mary and six of his eight surviving children, but he singled out in particular his sons John and Richard to act as his overseers. Avery left Mary the residue of his goods and appointed her his executrix, as many husbands did: it is possible that Mary chose to remember her two stepsons for the assistance they offered her in this role. It is uncertain why Avery chose not to remember any of his numerous grandchildren in his will.¹⁰³

The will of Mary's first husband, Humphrey Wood, is badly damaged, yet despite this it is possible to determine that he, like Avery, only made bequests to his wife and children. He appears to have left Mary their house and tenement on the basis that she keep herself sole and unmarried; should she take another husband then she would forfeit half of this property. Humphrey also made Mary his executrix, leaving her the residue of his goods. In her own will Mary made no mention of the house bequeathed her by Humphrey (which presumably had been forfeited by her marriage to Avery), but the gifts she made to her children and grandchildren were mainly household furnishings and effects, perhaps reflecting the stock she had accumulated over the course of her two marriages.

The preoccupations of Mary and her two husbands rested firmly with their nuclear families: there were no bequests to wider, unspecified 'kin', and only Mary left legacies for her grandchildren. The types of goods which Mary chose to leave might reflect what she had amassed as a result of her two marriages, while her attachment to both families is demonstrated in the bequests she made to her two stepsons.

¹⁰³ At his death, Avery had 'at least' 27 grandchildren living, according to Jeanne Jones, who estimates that he would have been in his seventies when he died. Jones, *Inventories*, vol. 2, 21-22.

Case Study Five – William and Joyce Hobday

William Hobday (1601)

Joyce Hobday (1602)

William and Joyce married in February 1591. Joyce was William's second wife, while William may have been Joyce's third husband.¹⁰⁴ The unusual benefit which arises from this particular pairing of wills is that William and Joyce died within only four months of each other. As a result, their wills (and inventories, which also survive) illustrate the condition of their households during this relatively contained period of transition. More specifically, the debts listed in each case shed light on Joyce's assumption of the responsibilities of executor conferred upon her by her late husband, and potentially also her involvement in his business.

Despite having been married for nearly a decade, William and Joyce Hobday did not remember each other's families when they made their wills. Instead, both simply provided for their own: William made bequests to his brother and brother-in-law and their (unspecified) children, leaving the residue of his goods to Joyce, whom he nominated as his executor. Joyce, meanwhile, left gifts to her brothers Anthony and Richard (also remembering Richard's wife Joan), and left to Anne Hobday, her 'kynswoman and Wyf to Thomas hobday', the lease of her dwelling house and various household furnishings. Her precise relationship to Anne is unknown, but we might speculate that she was Joyce's sister-in-law

¹⁰⁴ Born Joyce Ward (of Warwick?), Joyce may have been married to Thomas Perry, who died in February 1588, and who had two sons: Francis, baptised 03/01/1583 and buried 06/01/1583; and Nicholas, baptised 26/09/1585 (it is not known when Nicholas died, and Joyce does not mention him in her will). A 'Jeyes Pery' married Henry Russell on 25/04/1588, and he was buried just over a year later, on 28/08/1589. When 'Jeyes Russell' married William Hobday on 10/02/1591, therefore, he was probably her third husband.

by virtue of being married to one of William's brothers (although admittedly the only brother William mentioned in his will was Richard).¹⁰⁵

The fact that William and Joyce chose not to remember each other's families might tell us more about their stage in the life-cycle and their priorities by the time they came to wed, than about their affection for each other and their acquired, extended kin. Both William and Joyce had been married previously and did not raise children together (William's only child Anna had died in 1595): instead their lives may have focused on enhancing their own incomes: Joyce potentially by money-lending, and William through his gloving business, in which Joyce may have had some small involvement. The list of debts appended to Joyce's will contains some which first appeared in William's, and others which may have been loans she arranged on her own initiative after her husband's death: this indicates at least that she took charge of collecting William's business debts in her capacity as executrix. The money owed to her by John Frost of 'Alcetur' [Alcester], moreover, as a new debt apparently of her own making, demonstrates her ability to create and sustain at least an economic or professional relationship outside of Stratford.¹⁰⁶

This is not to say, however, that no mutual beneficiaries were listed in the two wills: both William and Joyce made bequests to William Gilbard alias Higgs, their scribe, and Joyce also left Gilbard's daughter Anne a candlestick. William's gift to Gilbard of 2s 6d may have been by way of payment for his scribal duties, however Joyce's gift of a 'second brasse Cawdren' to Gilbard, coupled with the bequest to his daughter,¹⁰⁷ may indicate that she enjoyed a

¹⁰⁵ No Hobday baptisms are recorded in the Stratford registers.

¹⁰⁶ Jones attributes these debts to Joyce's selling off of William's stock after his death. *Inventories, vol. 1*, 197.

¹⁰⁷ William Gilbard appears to have had at least 13 children by two of his three wives, and was in the habit of naming his later children after those who had predeceased them. As a result, the birth of two daughters called Anne are registered to him: one was baptised in 1569, and the other in 1587. Although there is no burial record for the first Anne, we might reasonably assume that she had passed away by the time the second Anne was born, and that Joyce's bequest of a candlestick was intended for this younger Anne, who would have been fifteen at the time of Joyce's death. For more on Gilbard and William Hobday, see chapter two.

particular relationship with their family. Unfortunately, it is unlikely that we will ever understand the precise nature and dynamic of this relationship.

William and Joyce stand out amongst the case studies: with apparently no children (mutual or otherwise) to provide for, both instead turned to their own natal families, leaving gifts to brothers, nephews and nieces, and other, unspecified kin. The value of the survival of their wills perhaps lies primarily in the insight they provide into the nature of this husband-and-wife relationship, and into wives' involvement in the running of a business and household economy.

Case Study Six – William and Anne Raynoldes

William Raynoldes (1631)

Anne Raynoldes (1635)

Stratford's baptismal register records, on 7th December 1575, a 'William sonne to Mr Raynolds', which may be the baptism of this William Raynoldes, who was designated 'gentleman' in his will. His daughter Anne was baptised in July 1618, and he had another daughter, Eleanor, in either 1620 or 1622.¹⁰⁸

William, like all other men with wives and children, provided primarily for his nuclear family in his will. He left his daughters land and property in and around Stratford, stipulating that his wife Frances should have the use of it during her natural life as long as she provided her daughters with 'meate drinke and apparrell and they contynue together'. Aside from his immediate family, however, William also left money to his sisters and 40s to his godson, William Fetherston, who was in all likelihood the son of one of the sisters and therefore also William's nephew. William left his 'brother Barnes' (his brother-in-law?) his birthing piece, and doubled the £5 he owed to his 'kinswoman' Margaret Pace. To his goddaughter (and probably also his niece) Elizabeth Barnes he bequeathed 'a gold ring that was her Mothers'; in specifying the provenance of the ring he may have wished to highlight its emotional significance. The vast majority of William's property therefore went toward providing for his wife and young daughters, yet he was clearly also desirous to remember his other kin. He may have viewed his relationship with his siblings and their children as particularly important.

¹⁰⁸ An 'Elenor filia mr Gulielmi Raynolls' was baptised on 24/05/1620, while an 'Elinora filia Mri Gulielmi Raynoldes' was baptised on 06/07/1622: Jones thinks it most likely that the Eleanor in question was the younger one, putting her age at Anne's death as thirteen. Jones does not state how she came to this conclusion, however. *Inventories*, vol. 2, 55.

William's daughter Anne died a spinster at the tender age of sixteen, therefore her age and marital status would be expected to have had an obvious impact on who she chose to remember in her will: we might expect that her parents and any siblings would feature heavily or even exclusively. With no children or husband of her own Anne did indeed turn to those remaining members of her nuclear family, leaving gifts to her mother and sister. The fact that she also remembered her uncle Barnes and his children, her cousins, is unsurprising, given their appearance in her father's will. Taken together, the two wills indicate that the families maintained close ties.

Yet Anne's brief, nuncupative will also demonstrates how wide a young, well-off, single woman's social circle could be at this time, with numerous bequests to other, unspecified people: she left her best petticoat to Marie Barnet (a friend?), and other items of clothing to other women whose relationship to her is unknown.¹⁰⁹ Anne also left the rather substantial sum of £8 to 'Master Wagstaffe for his advice & paynes taken w~~i~~th me in my sicknes': this bequest stands out because it might have been expected that Anne's mother would have covered the cost of her medical care. It perhaps indicates that Anne sought medical advice herself, thus demonstrating how independent and resourceful young single women of independent means could be.

Thus William and Anne, like the other Stratford case studies, sought to provide primarily for their closest kin when making their wills. Other friends and kin were mentioned, but were arguably of less importance than the nuclear family. What is more, William's status as 'gentleman' did not seem to affect his testamentary provision in comparison to the humbler inhabitants of Stratford: he exhibited essentially the same concerns as all of the other male testators with families for whom to provide.

¹⁰⁹ She left Margerie Walker 'a gorgett & neckcloth': the baptismal register for 23/04/1620 records 'Margareta Filia Mri Henrici Walker', so it is possible that the two girls, being close in age, were friends. There is no record of either Anne Millard or Isabell Charlett, Anne's two other seemingly unrelated beneficiaries, in the register.

Conclusions

What do these case studies reveal about the nature of kin relations in early modern Stratford-upon-Avon? Some obvious patterns emerge, the first of which being the general preoccupation with the nuclear family. Most testators were primarily concerned to provide for their spouses (where applicable) and children, while many still took care to remember those children who had married (and who had thus presumably already received their portions), even if, as with Alice Hiccox, the bequest constituted a token shilling. Secondly, bequests to nephews and nieces figured highly, both within the case studies and within the wider dataset of wills: 10-12 per cent of all Stratford wills contained bequests to these relations, which may serve to reinforce the general impression of the significance of this bond. Also popular were bequests to siblings, and when considered together these trends demonstrate how many families continued to interact and support their natal nuclear family even once they had married and formed their own units.

The most significant factor affecting the kin remembered in wills appears to have been the testator's stage in the life-cycle at the time of composing their testament. Generally speaking, if a spouse and children were present, then these would be the primary beneficiaries. Sometimes grandchildren would be remembered, although not with any regularity or consistency, and great-grandchildren, when they existed in the case-study families, were not remembered at all. This seems to point to the inevitable conclusion that beyond a certain degree, family relationships were not considered significant enough to warrant inclusion in a will, although again we must be cautious in inferring the absence of emotion from the absence of bequests: it may be that those who were not mentioned had already received gifts during the testator's life.

The testator's sex, meanwhile, seems to have had some minor bearing on those they chose to remember, although the 'male-giving-to-male' and 'female-giving-to-female' divide was not as pronounced in Stratford as elsewhere. Certainly, Stratford's men were concerned to provide for their sons, and the women their daughters, but on the whole parents strove to provide for *all* of their children, regardless of their sex and occasionally their marital status. The theory that women left gifts to a wider circle of female kin and other female contacts to counteract their sex's inherent vulnerability should also be qualified: by the time most women came to make a will they were widows, and were therefore unlikely to be burdened by the need to provide livelihoods for their children. Furthermore, both the men and women of Stratford made bequests to kinswomen (and other apparently unrelated women) outside of their main family unit. These findings concur with those for Terling, with Wrightson stating that 'women did not vary from men on the grounds of sex alone in their recognition of kin.'¹¹⁰

Status, meanwhile, also does not seem to have had much bearing on testators' choice of legatee: the bequests of William Reynoldes, gentleman, for example, mirror those of other Stratford men of more humble standing. The key issue for testators instead seems to have been that of providing for those family members who either had the most right to expect a legacy, or with whom the testator wished to acknowledge a particular bond.¹¹¹ This again echoes Wrightson, who concludes that 'kinship recognition ... varied little with social position'.¹¹²

In conclusion, this analysis of the patterns of testamentary disposition in six case study families from Stratford is found to be in broad agreement with Wrightson's 'narrow and

¹¹⁰ Wrightson, 'Kinship', 325.

¹¹¹ These are also the same concerns expressed by testators found in the depositions of Worcester's consistory court, as set out in chapter two of this thesis.

¹¹² Wrightson, 'Kinship', 326.

shallow' theory of kinship, although it should be noted that few testators *only* remembered their very closest kin: most also took pains to distribute gifts to wider kin and other acquaintances whose relationship to the testator cannot now be recovered. Naturally, it is important to bear in mind that the data presented here are necessarily incomplete: it has not been possible to reconstruct the family trees of these groups in their entirety due to the often partial nature of the sources, therefore it should be acknowledged that there may have been other kin known to the testators who did not receive bequests in their wills.

The following two chapters expand upon the research presented here: the next examines in more detail some of the general patterns of gift-giving in Stratford as evidenced by the statistics drawn from the database, while chapter five considers the implications of the language used by testators in their wills, and explores what this might reveal about how these people wished to express their relationships. Reference will be made throughout to examples from these case studies as a means of providing a qualitative viewpoint on the nature of kin relations.

CHAPTER FOUR

CATEGORIES OF BEQUEST IN STRATFORD'S WILLS

Having explored the nature of kinship in Stratford, this and the next chapter move on to examine in more detail the patterns of gift-giving observable in the wills, while taking into account the stage in the life-cycle and other family responsibilities which may have influenced the town's testators as they came to make the final disposition of their belongings. This chapter considers first of all the pious and charitable bequests made in Stratford's wills. Next, it sets out Stratford's economic and trade situation in the period, in order to provide important context for the subsequent treatment of different categories of material bequests: this is also of importance for chapter five's examination of the significance of the goods bequeathed and the language used to bestow them. Together, these chapters will therefore provide an important mixed-methods analysis of specific categories of bequests and what they might indicate in terms of testators' concerns and wishes for their beneficiaries.¹ Comparisons will be drawn throughout between Stratford and the Essex town of Terling as studied by Keith Wrightson, following on from the treatment of the two begun in chapter three, in order that the findings for Stratford might be placed alongside the most influential literature on the subject of kinship.² These chapters will thus facilitate an exploration of the attitudes of the will-makers to those they left behind, and the significance of the kin relationships explored in chapter three.

¹ J. A. Johnston also treats of the proliferation of material goods in the wills of Worcestershire parish of Powick, but for a later period: 'The Probate Inventories and Wills of a Worcestershire Parish, 1676-1775', *Midland History* 1 (1971): 191-211. Will Coster examines kinship and patterns of bequeathing in wills from three Yorkshire parishes, although his treatment of the bequests themselves is firmly qualitative: he uses examples to illustrate some of the bequests daughters, nieces or grandchildren might receive, for example. *Kinship and Inheritance in Early Modern England: Three Yorkshire Parishes* (York: St. Anthony's Press, 1993). See also Susan E. James, *Women's Voices in Tudor Wills, 1485-1603: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 82-94 and 231-279 for sections on the material culture of women's bequests, although James's treatment of this topic could be more rigorous.

² Keith Wrightson, 'Kinship in an English village: Terling, Essex 1550- 1700', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984).

Pious and charitable bequests

The giving of pious and charitable bequests was common throughout the period under consideration here. In a similar manner to other scholarly studies on this topic,³ for this analysis, gifts given to the church (either for upkeep of the fabric, or to pay for sermons or donations to the high altar, for example) and to the poor have been counted. Examining these kinds of bequests allows insight into the spiritual lives of those whose religious identity was arguably much more intrinsically a part of their sense of self than we can comprehend today. The frequency and type of such giving inevitably varied, however, and in particular according to region, time period, and a testator's social status and sex. J. S. W. Helt, for example, found that in Elizabethan Essex women's wills accounted for nearly one-third of all charitable bequests, despite the fact that they made up only one-sixth of all surviving wills.⁴ In her examination of three Northamptonshire parishes, however, Carmel Biggs found that 'charitable bequests do not appear to have figured in importance within the wills of the female testators.'⁵ Yet her study covers the entire period from 1543 to 1705 and does not provide a more nuanced breakdown of women's charitable giving within this timeframe: in the interests of comparison, for example, it would have been useful for Biggs to have provided further information about any changes in giving over time, or according to the female testators' marital condition. Meanwhile, Claire Cross's study of the wills of women in early modern Hull and Leeds concluded that 'the accession of Elizabeth brought a marked falling off in charitable giving by women testators in both towns.' Further, she found that 'no Hull townswoman gave more than £5 to charity during the reign while in Leeds only one

³ See, for instance, Simone Laqua-O'Donnell, *Women and the Counter-Reformation in Early Modern Münster* (Oxford: Oxford University Press, 2014), 52 and W. K. Jordan, *Philanthropy in England 1480-1660: A Study of the Changing Pattern of English Social Aspirations* (London: George Allen & Unwin Ltd., 1959), 40-53.

⁴ J. S. W. Helt, 'Women, Memory and Will-Making in Elizabethan England', in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* ed. B. Gordon and P. Marshall (Cambridge: Cambridge University Press, 2000), 201.

⁵ Carmel Biggs, 'Women, Kinship, and Inheritance: Northamptonshire 1543-1709', *Journal of Family History* 32 (2007): 119.

female testator ... bequeathed as much as £6 to the poor.⁶ The decline in women's charitable giving noted by Cross, however, contrasts with W. K. Jordan's important early work on philanthropy in early modern England, which, although it does not take into account differences between male and female testators, does note an extraordinary increase in overall giving during the reign of Elizabeth I and into that of James I.⁷

The charitable bequests of Stratford's women correspond with the general trend noted by Jordan, with the majority of their giving (24 bequests out of a total of 45) occurring in the 1610s and 1620s.⁸ The men's charitable giving, however, peaked in the 1540s, with 74 bequests of this kind (out of a total of 261) in this decade alone, although it did recover to some extent in the 1610s and 1620s, in tandem with the women's, with 69 charitable bequests given across these two decades.⁹ Despite these apparently stark differences between the sexes it must be noted that many more men's wills than women's have survived for the earlier period in Stratford: only 6 women's wills survive up to 1589, compared with 60 men's wills. Yet across the entire period the two sexes actually gave bequests of this nature relatively equally, even taking into account the fact that five times more men's wills survive than women's: on average the men made 1.4 charitable bequests per will, and the women 1.2.¹⁰ But to whom did the town's men and women leave these legacies? And what can the evidence of their wills tell us about their spiritual lives?

In terms of Stratford's women, the largest proportion of the 45 charitable bequests they made in total – 19 – went to the town's poor. Those living in poverty were by far their greatest concern: their second most popular recipient of charity, Stratford's parish church, received

⁶ Claire Cross, 'Northern Women in the Early Modern Period: The Female Testators of Hull and Leeds 1520-1650', *The Yorkshire Archaeological Journal* 59 (1987): 92.

⁷ Jordan, *Philanthropy*, 246. See the table on page 246 for totals of charitable benefactions by decade intervals: charitable bequests increased exponentially from the accession of Elizabeth, reaching a peak in the 1610s and 1620s.

⁸ 9 bequests in the 1610s, and 15 in the 1620s.

⁹ 35 bequests in the 1610s, and 34 in the 1620s.

¹⁰ Based on the totals of 261 bequests of this kind in the men's wills, and 45 in the women's.

only 5 bequests.¹¹ Similar to the trend noted in Jordan's study, in Stratford too almost all of the women's bequests to the poor occurred during or after the reign of Elizabeth. Only one was made before this: in 1557 the widow Elnor Gylbart bequeathed 'vnto the pore peopll in stretford ... the som of £iij in money' to be distributed on the day of her burial.¹² Elnor's will employed only a neutral opening preamble,¹³ yet she also made bequests to the high altar of Stratford for tithes forgotten and to the 'mother church' of Worcester; these factors taken together may indicate a conventional, but not a particularly zealous, adherence to Catholicism under Mary I.¹⁴

The next bequests to the poor occurred in the 1580s, although there were only around one or two legacies of this kind per decade until the 1620s, when there was a sharp rise to 8 (although this can probably be explained at least in part by the fact that most of the women's wills survive from the 1610s onwards: 27 of the 39 wills date from this later period. For the number of women's bequests to the poor, see table 4, below). Jordan notes a change in charitable giving from the medieval to post-Reformation periods, from indiscriminate pious giving, to giving motivated by social need:

... we shall observe an immediate and an immense burgeoning out of benefactions for poor relief, secular in form and intent, addressed to the control, if not the cure, of poverty, and designed to relieve the conscience of a society which had come quite

¹¹ Other recipients of the women's charity included: the bridge and highway in Stratford (3 bequests for their repair or maintenance); the churchwardens (2); and the poor of Bishopton, Evesham, Worcester, and Shipston-on-Stour (all with 1 bequest each).

¹² Will of Elnor Gylbart.

¹³ 'In the name of god amen the xxiiijth day of Iunij in the yere of our lord god a thousand fyve hondred lvijth I elnor gylbart of stretford apon aven in the countye of Warwicke & in the diocese of worcester wyddo thankes be geuen to god beinge somewhat sycke in bodye whol in mynd & of perfet remembraunce make orden & dysposee [sic] This my last wyll & testament in maner & form folowinge...'

¹⁴ In addition, she stipulated that 'at the day of my buryall [she should] haue the wholl quyre pristes and clarkes and they to haue for theyr paynes accordinge to the custom'. Elnor was born before the commencement of the parish registers in 1538, therefore it is likely that she was old enough to have lived through the upheavals of the Reformation under Henry VIII, Edward VI, and Mary I. These changes may explain the relatively moderate nature of her will and its gifts.

suddenly to regard poverty as a social evil and as a danger to the strength and well-being of the realm.¹⁵

Any post-Reformation burgeoning of benefactions appears to have happened quite late for Stratford's women, who did not leave gifts to the poor in any significant numbers until the early years of James I's reign (although again the small number of extant wills available must be borne in mind). Their gifts in this period nevertheless reflect the emerging societal conscience noted by Jordan: Joyce Hobday in 1602 targeted her bequest of 40s explicitly towards those who had 'most neede',¹⁶ while in 1622 Alice Williams left an initial sum of £3 6s 8d to the poor, along with a further 20 nobles which were to be put out at interest to 'two pore tradsmen or yonge beginners', with the interest accrued 'to be dealt in bre[ad] [to the] poore of the said towne, yearly vpon the day of my [burial]': with this bequest, Williams was ensuring that the needy would help others and themselves.¹⁷

¹⁵ Jordan, *Philanthropy*, 147.

¹⁶ Will of Joyce Hobday.

¹⁷ Will of Alice Williams.

Table 4 – Stratford women’s bequests to the poor

| Decade | No. of bequests to the poor |
|---------------|------------------------------------|
| 1530s | 0 |
| 1540s | 0 |
| 1550s | 1 |
| 1560s | 0 |
| 1570s | 0 |
| 1580s | 2 |
| 1590s | 1 |
| 1600s | 1 |
| 1610s | 3 |
| 1620s | 8 |
| 1630s | 1 |
| 1640s | 2 |

As a group, then, Stratford’s women gave generously to the poor, although this giving was contingent upon both the social and marital status of the testators. Similarly to Cross’s findings for Leeds and Hull, only one woman in Stratford gave more than £6 to the poor (Alice Williams, mentioned above), although the widow Alice Smith, arguably the wealthiest woman of the sample, left exactly £6 to the poor in her testament of 1632.¹⁸ The rest of the women gave according to their means, generally leaving upwards of 13s 4d, although a couple left less.¹⁹ As Erickson notes: ‘Few willmakers, regardless of their family situation, could not have afforded a shilling or two in charity.’²⁰ All but one of the charitable bequests left by the women were given by widows, although naturally this may be due to the fact that

¹⁸ Will of Alice Smith. See below, pp. 294-295, for a full treatment of the Stratford women’s wealth and social status.

¹⁹ Elizabeth Hancocks’ ‘Four mill sixpences’, for example. Elizabeth Rogers only left 2s.

²⁰ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), 211.

widows' wills comprise at least 84% of the total sample of women's wills (33 of 39).²¹ The only charitable bequest given by a singlewoman was given more as payment for an anticipated service to be rendered than as a straightforward bequest in its own right: in 1619 Elizabeth Hancockes left everything to her 'Coosen' Thomas Bendford, 'except Foure mill sixpences I haue which I giue to fowre poore men to carry my bodie to buriall'.²² The attentiveness of widows to the poor in their wills is also noted by Erickson, who attributes this at least in part to the fact that women were most likely to suffer from poverty in this period.²³ Perhaps widows, no matter what their age, had a greater understanding of the precarity of women's position at this time, and knew that in giving to the poor in general, they were likely to be supporting women in need.

This height of charitable giving in the early seventeenth century coincided with a peak in reformed preambles to women's wills, thus aligning with Jordan's findings that charitable giving changed in nature post-Reformation: 9 of the women's preambles of a reformed bent occurred in the 1620s, with 7 in the following decade (see Chart 2, below).

²¹ See chapter one, p. 49, for a breakdown of the make-up of the group of women's wills.

²² Will of Elizabeth Hancockes. See also the Introduction, pp. 1-2, for Elizabeth's relationship to Thomas. Although, as we have seen elsewhere in this thesis, even 'ordinary' bequests often came with stipulations or implied obligations.

²³ Amy Louise Erickson, 'Possession – and the other one-tenth of the law: assessing women's ownership and economic roles in early modern England', *Women's History Review* 16, no. 3 (2007): 382. Simone Laqua O'Donnell notes a similar trend in women's charitable giving in early modern Münster, stating that 'Women, especially widows and single women, were conscious of their vulnerable position in society, both financially and socially.' She notes that most of the charitable bequests made by both widows and single women went to local poor houses. *Women and the Counter-Reformation*, 71-72.

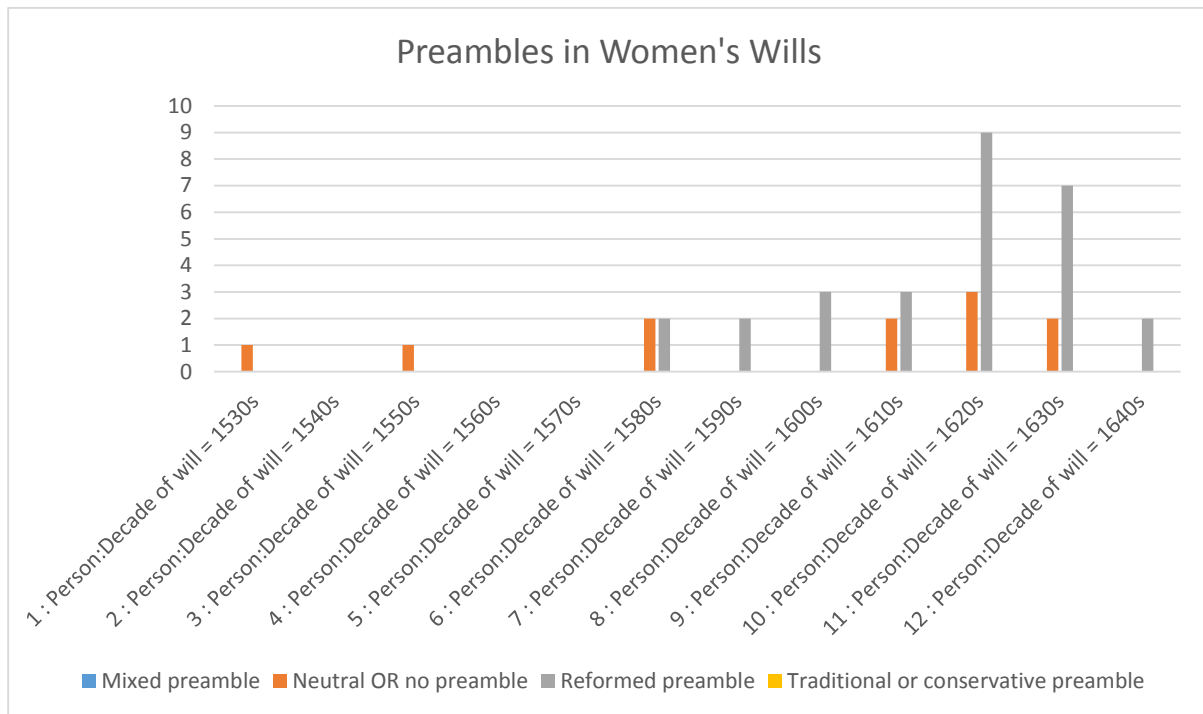


Chart 2 – Preambles in women’s wills

In fact, the majority of all of the women’s preambles adhered to the reformed faith: 28 in total, with the earliest occurring in the 1580s. No Stratford women left traditional preambles,²⁴ and the remaining 11 women left either a neutral declaration at the beginning of their will, or none at all.

As far as the preambles can be taken as an indication of religious persuasion,²⁵ they also generally align in this respect with the pious bequests made by the women – unlike their male counterparts they made no endowments for the setting up of a sermon or mass,²⁶ and gave

²⁴ ‘Traditional’ (or Catholic) preambles generally spoke of the testator leaving their soul to ‘allmyghtye god to owr blessed Ladye Seynte marye & to all the holye cump[any] [of] [h]euen’, as this example from John Penberton’s 1543 will demonstrates. Will of John Penberton. Traditional preambles might also mention angels. For more on the forms of different types of preambles see Margaret Spufford, ‘The Scribes of Villagers’ Wills in the Sixteenth and Seventeenth Centuries and their Influence’, *Local Population Studies* 7 (1971): 29. 7 of the men’s wills included a traditional preamble: 5 of these in the 1540s, and one each in the 1560s and 1570s.

²⁵ This issue has been the subject of much debate since the publication in 1971 of Margaret Spufford’s article, ‘The Scribes of Villagers’ Wills’, in which she observed that ‘A man lying on his death bed must have been much in the hands of the scribe writing his will. He must have been asked specific questions about his temporal bequests, but unless he had strong religious convictions, the clause bequeathing the soul may well have reflected the opinion of the scribe or the formulary book the latter was using, rather than those of the testator’, 30. See chapter two, above, for more on this issue.

²⁶ 14 of the men did this.

only one gift to the choir, priests, and clerks:²⁷ again this occurred in the early will of the widow Elnor Glybart, who wished ‘at the day of my buryall to haue the wholl quyre pristes and clarkes and they to haue for theyr paynes accordinge to the custom’. Women only left four bequests to a preacher, vicar, or curate,²⁸ all of which occurred post-1600, and only one was an explicit bequest for the man in his official capacity: in 1622 the widow Alice Ainge’s will stated: ‘Item I doe entreate master Wilson Vicar of Stretforde to preache at my funerall And I doe give vnto him for his paynes therein Tenn shillinges.’²⁹ The other three bequests to men in this role might be interpreted as being more ‘personal’ in nature: in particular Joyce Hobday’s gift of ‘my second brasse Cawdren’ to William Gilbard alias Higgs.³⁰

Just like Stratford’s women, the town’s men were also primarily preoccupied with providing for the poor: 110 of their 261 charitable bequests were given in this direction; by far the largest number (see Table 5, below). The next most popular recipient of men’s charitable giving was also, like the women, Stratford’s church, with 41 gifts, and in third place were gifts to the choir, priests, and clerks, with 24.³¹ Most of the gifts given to the poor by the men were money (99 of the 110): sums varied from as little as 2d to as much as £20 and as with the women generally – but not always – reflected a man’s status.³² In 1584 the almsman Richard Carleton gave the relatively large sum (for a man in his position) of 13s 4d to be used ‘in bryngyng my corps to the grownd & among the pore’, although evidently some of this

²⁷ 24 of the men did this.

²⁸ This is, however, comparable statistically with the men’s 18 bequests of this kind: on average women left 0.10 bequests of this kind per will, and the men 0.09.

²⁹ Will of Alice Ainge.

³⁰ Will of Joyce Hobday. See above, pp. 173-174, for a discussion about Joyce and William Hobday’s potential kin relationship to Gilbard alias Higgs and his family. See also the 1632 will of Alice Smith, who simply left ‘Master Thomas Wilson our Vicar three poundes’ and ‘Master Symon Trapp our Curate fortie shillinges’. Trapp may well have been Alice’s kin, as just prior to this her will left ‘Master Iohn Trapp my kinseman three poundes’. Will of Alice Smith.

³¹ All of these gifts – to the choir, priests, and clerks – occurred in the earlier part of the time period under consideration: in the 1530s, 1540s, and 1550s.

³² These sums appeared in the wills of Philip Wells of Shottery and John Combe, respectively. Sums of between 20s and £5 were most commonly given, however.

was intended to cover his funeral costs.³³ Thomas Hiccox, however, labelled a ‘yeoman’ in his lengthy will which set out several property dispositions, only gave 10s to the poor, directing that it should be given ‘especially /to\ those of Henlej streate warde’.³⁴ The gentleman Richard Woodward, meanwhile, in accordance with his elevated status, gave a total of £10 to the poor of Butlers Marston, Stratford, Shottery, Old Stratford, and Quainton in 1601.³⁵

Table 5 – Stratford men’s bequests to the poor

| Decade | No. of bequests to the poor |
|---------------|------------------------------------|
| 1530s | 0 |
| 1540s | 13 |
| 1550s | 3 |
| 1560s | 10 |
| 1570s | 2 |
| 1580s | 9 |
| 1590s | 10 |
| 1600s | 15 |
| 1610s | 17 |
| 1620s | 20 |
| 1630s | 10 |
| 1640s | 1 |

These bequests to the poor, unlike those made by Stratford’s women, proved popular in the early as well as the later parts of the period under consideration, although it must be noted that 10 of the 13 bequests of this kind made in the 1540s came from one man, Thomas

³³ Will of Richard Carleton.

³⁴ Will of Thomas Hiccox.

³⁵ Will of Richard Woodward. Quainton may be in today’s Buckinghamshire.

Atwood alias Tailor. His gifts to the poor, which included sums of money, black cloth to make men's gowns, and spinning wheels and cards for women, came in a will which employed a traditional preamble despite the fact that it was made in the latter years of Henry VIII's reign.³⁶ In fact, two of the three wills leaving gifts to the poor in the 1540s employed traditional preambles: Thomas Goolston's will of 1543, for example, left his soul to 'Almyghtye god to owr blessed lady Sent mary and to al[l] the holye company In hevyn'. He then also asked for the dirge and mass to be sung for his soul by 'the hole quere of the churche & the priestes of th[e] Chappell'.³⁷ One will in the 1560s and one in the 1570s also included traditional preambles despite their late date, thus indicating their testators' continued engagement with the tenets of the Catholic faith, which held that good works (such as gifts to the poor) formed part of personal salvation.³⁸

Despite the popularity of gifts to the poor amongst male testators in the earlier period, bequests of this kind drastically increased in number from the 1580s onwards and also, as found with the women's wills, coincided with the testators' use of Reformed preambles (see Chart 3, below), thus appearing to reflect Jordan's noted post-Reformation motivation for giving. Like the women's wills, most of the men's wills employed Reformed preambles (103), with a further 75 testators employing neutral statements or no opening declaration at all. Only 8 men provided a traditional declaration of faith, the latest of these occurring in 1570,³⁹ and 1 other employed a mixed preamble, which incorporated both traditional and Reformed

³⁶ Will of Thomas Atwood alias Tailor. His preamble reads: 'Furste I bequeth my soule vnto almightie god to our blessed lady sainte mary and to all the holye company of heaven And will that my body be buried in the parrishe churche of Stratforde at thende of the seate where I did vse to kneale and sitt...'. He also went on to list bequests to the several alters of the church, and to the mother church of Worcester.

³⁷ Will of Thomas Goolston. Goolston's bequest to the poor was 'at the day of my buryall xxd to [be] dystributed to poore people where as most ned ys by the dyscretyon of myn Executexe'. Thomas Waytely left a neutral preamble in his 1548 will, simply leaving his soul to 'almightie god.' Will of Thomas Waytely.

³⁸ In 1566, by which time Elizabeth had been on the throne for 8 years, John Gefferyes, yeoman, left 4d 'to [a]ny poor howse in this warde', and also prefaced his will with the traditional declaration to 'our blessed ladye ... with all the holye companye of Heaven'. Will of John Gefferyes. Richard Smart of Luddington made a will in 1570 which left his soul 'vnto almyhghty god and to all the cumpany In heaven', and he also listed as one of his witnesses 'Sir Ihon Fryth my my [sic] gostely Father'. Will of Richard Smart of Luddington.

³⁹ Richard Smart of Luddington, as discussed above.

elements.⁴⁰ Stratford’s men, too, were evidently conforming to the official religion of the state as the stability of Elizabeth’s reign took hold.⁴¹ Their charitable bequests reflect this too, much as the women’s did: such gifts as those to the choir and priests occurred only in the earlier period, the 1530s-1550s, while their gifts to the poor, particularly when paired with a Reformed preamble, increased as the sixteenth century turned into the seventeenth.

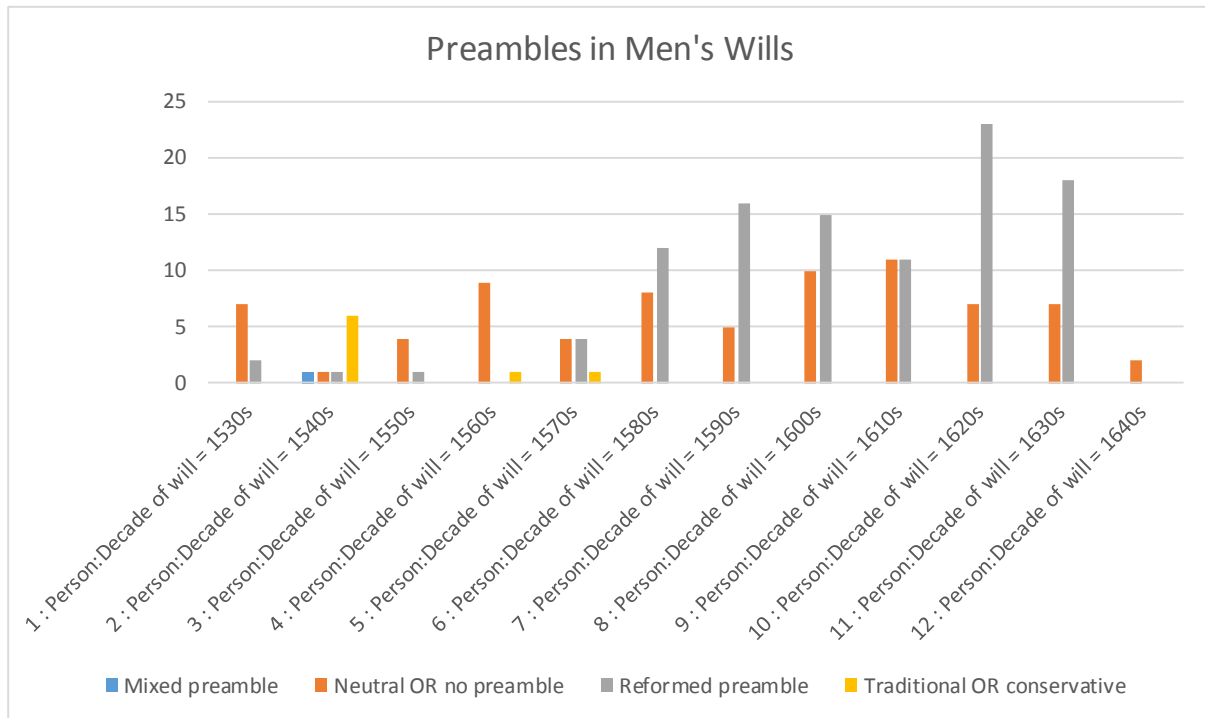


Chart 3 – Preambles in men’s wills

In their charitable giving, therefore, Stratford’s women were dissimilar to the women of Hull, Leeds, and Northamptonshire, who apparently displayed little concern for providing for their local poor. On the contrary, the findings presented here indicate a greater alignment with their counterparts in Elizabethan Essex as noted by J. S. W. Helt, who found the women of this

⁴⁰ This was the 1540 will of Sir Richard Hunt, whose preamble spoke of both ‘Trustyng & belevyng thorough the merytes of owr Savyour Jhesus Crist to have everlastyng lyffe’ (a Reformed statement) and also requested ‘our blessed lady with all the gloryus Coompany of hevyn to praye for me’ (traditional). Will of Sir Richard Hunt.

⁴¹ This reflects a general trend in Stratford towards the ‘hotter’ sort of Protestantism as the seventeenth century got under way: see Ann Hughes’s article which details the admittance of Thomas Wilson, a zealous Protestant, to be the vicar of Stratford in 1619: ‘Religion and Society in Stratford-upon-Avon, 1619-1638’ *Midland History* 19 (1994), 58-84.

county to have provided a significant proportion of all bequests to the poor, despite having far fewer extant wills than the men. The evidence presented here has also allowed a more nuanced consideration of women's charitable giving than has been seen in much scholarship to date, in noting the differences between the sexes and in particular how women's charitable giving varied according to marital and social status, and over time. It has been shown, for instance, that on average Stratford's men and women gave charitably in relatively equal measure, while widows in particular may have been more inclined to give to the poor than never-married women.⁴² In terms of the frequency of their giving, charitable bequests reached a peak for both the men and women in the late-sixteenth century to the early-seventeenth century. This coincided with a peak in Reformed preambles, which suggests that the townspeople may have been spurred on to charitable giving as they moved towards a deeper engagement with the Reformed faith.⁴³ This examination of the pious and charitable bequests of Stratford's men and women provides important insight into their civic and spiritual commitments. The rest of this chapter builds on this consideration of the nature of bequests, focusing attention on common categories of material goods, while the next chapter examines the significance of such bequests.

Stratford-upon-Avon: trade and economy

Stratford underwent a series of economic fluctuations during the period under examination in this thesis. It seems apparent that in its later medieval period, towards the end of the fifteenth century, the town had enjoyed a prosperous textile trade, but that this had diminished as the

⁴² Although the small numbers of women's wills surviving, and the preponderance of widows' wills amongst the dataset, may well have affected the results.

⁴³ See again Hughes, 'Religion and Society'.

sixteenth century progressed.⁴⁴ The town's glove-making experienced a similar decline across the years of Elizabeth's reign.⁴⁵ On the other hand, Stratford's regular markets and its geographical position, lying as it did on a river and at a crucial juncture between two very different agricultural regions, the Arden and the Feldon, afforded it some not insubstantial benefits in terms of trade and commerce across the sixteenth and seventeenth centuries, as the Arden's timber, fuel, and cattle were traded for the Feldon's grain.⁴⁶

Stratford also profited from its placement at a convenient distance from other regional areas of importance: Alan Dyer notes that 'It lay far enough away from major towns – Coventry, Worcester, Oxford and the growing industrial area centred on Birmingham – to benefit from their trade without suffering from their competition.'⁴⁷ Moreover, its place within a thriving network of regional markets and trade fairs would have helped to keep the town's finances buoyant, while Stratford had long been known for its malting.⁴⁸ Town bailiff Richard Quiney acknowledged this and noted Stratford's good regional connections in 1598 when he wrote

⁴⁴ J. M. Martin, 'A Warwickshire Market Town in Adversity: Stratford-upon-Avon in the Sixteenth and Seventeenth Centuries', *Midland History* 7, no. 1 (Jan. 1982): 33-34. According to Levi Fox, this success was due to Stratford's proximity to Coventry, the 'leading centre of cloth and woollen manufacture in the country.' He also says that the trade's decline was 'probably due to the growing competition of the Gloucestershire cloth industry, the increasing importation of calico and the loss of export markets.' *The Borough Town of Stratford-upon-Avon* (Stratford-upon-Avon: The Corporation of Stratford-upon-Avon, 1953), 68 and 70-71, respectively.

⁴⁵ Alan Dyer, 'Crisis and Resolution: Government and Society in Stratford, 1560-1640', in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), 86. See also Margaret Webster, 'The Stratford Court of Record, 1553-1601', in *The Guild and Guild Buildings of Shakespeare's Stratford: Society, Religion, School and Stage* ed. J. R. Mulryne (Farnham: Ashgate, 2012), 122-123.

⁴⁶ Christopher Dyer talks of this and of the 'long-term importance of the river crossing for the prosperity of the town.' 'Medieval Stratford: a Successful Small Town', in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), 54.

⁴⁷ Alan Dyer, 'Crisis and Resolution', 87. See also Alan Dyer, 'Warwickshire Towns under the Tudors and Stuarts', *Warwickshire History* 3, no. 4 (Winter 1976-77): 122-135.

⁴⁸ 'The borough of Stratford-upon-Avon: Historical Account', *British History Online*, <http://www.british-history.ac.uk/vch/warks/vol3/pp234-244> (accessed 4 January 2016). See also Jeanne Jones, *Family Life in Shakespeare's England: Stratford-upon-Avon 1570-1630* (Stroud: Sutton Publishing Limited, 1996), chapter 2, *passim*; Levi Fox, *The Borough Town of Stratford-upon-Avon* (Stratford-upon-Avon: The Corporation of Stratford-upon-Avon, 1953), 18; and Webster, 'Court of Record', 122-123.

that the town was: ‘Auncient in thys trade of malteinge & have [sic] ever served to Burmingham from whence, Walles, Sallopp, Stafforde, Chess. & Lanke allso are served’.⁴⁹

Levi Fox notes the varied employment available in Stratford, with masons, joiners, carpenters, shoemakers, and ironmongers (amongst others) all established in the town.⁵⁰ Alongside these manufacturers and craftsmen stood the mercers, who dealt in what might now be termed ‘commodities’ or luxury items. These men, (who usually boasted residences in the fashionable High Street area of the town)⁵¹ often conducted business in London and, it may be expected, other large regional centres, yet they also made some of their money by selling their wares in Stratford itself. The will of Elnor Gylbart listed ‘ij London platters’,⁵² for example, while the carrier William Greenway leased two shops on Stratford’s Middle Row, the ‘commercial heart of the town’.⁵³ His inventory (1601) listed some of the items held there:

Item certaine pownd flex [flax], hurdes [hurden], sope ... verinshe [a type of tobacco], valences ... bookes to sale, a brasse pestell and mortar, a neste of boxes and an old armoure all ÷iij vjs viijd⁵⁴

Edward Bromley was another Stratford carrier or mercer⁵⁵ who travelled to and from London, and his journeys may also have provided a means for other Stratfordians to accompany him and acquire new goods themselves. As Nicholas Fogg notes: ‘A popular means of travel was to accompany the carriers who made regular journeys between Stratford and London. “If ther

⁴⁹ ‘The borough of Stratford-upon-Avon’.

⁵⁰ Fox, *Borough Town*, 72.

⁵¹ Jones, *Family Life*, 3.

⁵² Will of Elnor Gylbart. A platter was a flat dish or plate.

⁵³ Christopher Dyer, ‘Medieval Stratford’, 46. It is not difficult to see why this became the town’s commercial centre: it would have been the first street encountered by any person entering Stratford after passing over the Clopton Bridge.

⁵⁴ Jeanne Jones, *Stratford-upon-Avon Inventories 1538-1699, vol. 1, 1538-1635* (Stratford-upon-Avon: The Dugdale Society 2002), 189-193.

⁵⁵ It seems that carriers may have acted in a similar capacity to mercers in terms of selling their own wares, with the difference between the two being that whereas carriers travelled to acquire, buy or sell goods, mercers (or at least Stratford’s mercers, who were of a higher social status than the carriers) most probably did not.

be any cloth for mee to bee sent downe, send it by Edward Bromley”, wrote Daniel Baker to Richard Quiney who was in London during 1598.’⁵⁶

Stratford’s economic position was not all positive, however. Aside from the declining cloth and gloving trades, the town also suffered a series of hardships towards the latter end of the sixteenth century, which may have affected its ability to provide for its citizens. A nationwide series of failed harvests in the 1590s meant widespread famine, and Stratford did not escape the effects of this dearth.⁵⁷ Furthermore, the town suffered two devastating fires in consecutive years (1594 and 1595), which destroyed a large amount of its property and prompted the Corporation to petition the government for relief from taxes and for permission to collect financial aid from neighbouring counties.⁵⁸ Fogg estimates that by 1601 around a third of the town’s inhabitants were on the poor list.⁵⁹ Yet in spite of these setbacks, Jeanne Jones finds that there was no ‘serious decline’ in Stratford’s fortunes between 1570 and 1630, while J. M. Martin asserts that the town’s economy was ‘resurgent’ in the first half of the seventeenth century.⁶⁰ This was likely due to improvements in the navigation of the Avon as

⁵⁶ Nicholas Fogg, *Stratford-upon-Avon: Portrait of a Town* (Chichester: Phillimore & Co. Ltd, 1986), 31. See also a letter from Abraham Sturley to Richard Quiney, in which Sturley included a plea from Richard’s wife Elizabeth to bring her back various items of clothing from London. Shakespeare Birthplace Trust (hereafter SBT) ER3/676. Admittedly Elizabeth and Richard were well-placed and of the more substantial inhabitants, but it shows that at least some of the town had connections to London and could acquire clothes and goods from there. The strength of Stratford’s connections with London, despite the fact that it did not lie on a direct route to the capital, are also testified to by the fact that several young men (and at least one woman) went to London to be apprenticed. (In the same letter from Abraham Sturley to Richard Quiney, he also notes Elizabeth’s request that her husband should find an apprenticeship in London for her friend’s son.) Three of these young men went on to become stationers or printers, and in fact one – Richard Field – became the printer of William Shakespeare’s first publication, *Venus and Adonis*, in 1593. Of course Shakespeare himself also went to London, where he certainly found fortune, if not ‘fame’ in our modern sense of the word. Fogg, *Portrait*, 31, and Fox, *Borough Town*, 72-73. See chapter one of this thesis, pp. 59-60, for details of the account of Elizabeth Troute, which resulted in a case being brought to Stratford’s Court of Record.

⁵⁷ Robert Bearman, ‘Introduction’, in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), xvii and Alan Dyer, ‘Crisis and Resolution’, 93-95.

⁵⁸ Robert Bearman, ‘Stratford’s Fires of 1594 and 1595 Revisited’, *Midland History* 25 (June 2000): 180-190. A third fire hit the town in 1614. See also Bearman, ‘Introduction’, xvii; Alan Dyer, ‘Crisis and Resolution’, 95; and Fox, *Borough Town*, 116-117.

⁵⁹ Fogg, *Portrait*, 39.

⁶⁰ Jones, *Family Life*, 124 and Martin, ‘Market Town’, 26.

far as Tewkesbury, which allowed for better communications and trade transport via the river.⁶¹

Indeed, standards of living in Stratford seem to have risen throughout the sixteenth century, despite the setbacks mentioned. This occurred mainly towards the end of Elizabeth's reign, as Jones points out:

It is possible to chart the gradual change from what seem to be the bare essentials owned by even the most affluent townsmen of the mid sixteenth century to such luxuries as pictures, books and escutcheons as the seventeenth century proceeds. Thus we can note the almost complete disappearance of the hitherto ubiquitous painted cloths after the turn of the [seventeenth] century, or the gradual inclusion of such luxuries as the close stool.⁶²

Keith Wrightson finds that this was also the case in early seventeenth-century Newcastle, where the homes of the town's craftsmen and tradesmen were:

... well stocked with domestic goods. Fire irons and sets of cooking pots and pans of brass and iron were virtually universal, as were joined tables and chairs (as well as stools and forms) and cupboards and chests for storage... Almost everyone had a proper bedstead (often several) and featherbeds, bolsters, sheets, and pillows to furnish them. Table linen was abundant, as were pewter plates, dishes, drinking pots, 'salts', candlesticks, and chamber pots... Two-thirds had at least one 'carpett cloth' to lay on the best table and cushions to soften unupholstered chairs, and rugs for the floor were common.⁶³

⁶¹ Alan Dyer, 'Crisis and Resolution', 88-89.

⁶² Jones, *Inventories*, vol. 1, x.

⁶³ Keith Wrightson, *Ralph Tailor's Summer: A Scrivener, his City, and the Plague* (London: Yale University Press, 2011), 121-122.

The situation was similar in early seventeenth-century Cornwall which, even though geographically isolated from the rest of the country, still managed to obtain luxury goods: Christine North notes that in the early 1600s ‘even “remote” Cornwall [was] ready to keep up with new fashions and able to indulge in a few luxuries as well as the necessities of life.’⁶⁴ Indeed this seems to have been the case for vast swathes of the country at this time: Joan Thirsk finds that there was a ‘wide selection of consumer goods being produced in England after 1570’,⁶⁵ while William Harrison’s oft-quoted contemporary account of the living habits of the English people, his *Description of England* (1577), also notes this explosion in the ownership of goods. Harrison remarks upon the recent ‘amendment of lodging’ which provided people with more comfortable sleeping arrangements by way of pillows, bolsters, and featherbeds, and also notes the ‘exchange of vessel, as of treen platters into pewter, and wooden spoons into silver or tin.’⁶⁶ Looking now in more detail at Stratford specifically, it is possible to discern to what extent the inhabitants participated in this apparent burgeoning of material culture and, what is more, how those of differing social statuses invested in their domestic lives, and how this might have changed over time.

Most of the inhabitants constituting the sample group for this study can be designated as ‘middling sort’, those who fell below the level of the elite yet found themselves above the completely propertyless poor, even if only marginally. The very poorest rarely left documentary evidence, particularly of a testamentary nature, as they simply did not own

⁶⁴ Christine North, ‘Merchants and Retailers in Seventeenth-Century Cornwall’, in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press Ltd., 2000), 286. Cornwall did not quite keep up with the speed of acquisition experienced in other areas of the country, however, as is noted further on in this chapter.

⁶⁵ Joan Thirsk, *Economic Policy and Projects: the Development of a Consumer Society in Early Modern England* (Oxford: Clarendon Press, 1978), 118-119. Thirsk says that ‘[l]ocal market towns were the immediately obvious selling places for new wares’ and that many towns came to specialise in different types of good, becoming widely renowned for their area of expertise.

⁶⁶ ‘William Harrison (1534-1593): Description of Elizabethan England, 1577 (from Holinshed’s Chronicles)’, *Modern History Sourcebook* http://legacy.fordham.edu/halsall/mod/1577harrison-england.asp#Chapter_VIII (accessed 8 January 2016).

enough property to necessitate making a will or compiling an inventory. In order to provide a detailed picture of the standards of living for those ‘ordinary’ Stratfordians comprising the large and varied middling sort, it is beneficial to examine each rung of the social ladder found in the sample group.

Occupying the bottom of this group are the almsfolk; those who, generally for reasons of age or infirmity, could no longer work to keep themselves, and who relied on the Corporation and the benevolence of others for their maintenance. As might be expected given their straitened financial means, only a handful of wills and inventories of almspeople have survived, and we can turn to these for evidence of their ownership of goods. The wills of Richard Carleton (1584) and Margret Smith (1586) speak to their poverty.⁶⁷ Richard’s will is concerned primarily with leaving bequests of a few pence to various people, although he did leave his ‘second coffer’ [a small chest] to his ‘fellow’ Elizabeth Reve (thus implying the existence of a first, or best, coffer), while he left a pewter platter to the wife of one William Biddle. Margret, on the other hand, left no money, only possessions: ‘one coffer the newer’ and ‘my other coffer’, two handkerchiefs and her ‘brasse pott & a little corne in the bagge’.

Unfortunately the inventories for Margret and Richard have not survived, so it is impossible to determine whether the goods mentioned in their wills constituted the entirety of their material possessions.

Fortunately, however, it is possible to draw upon the surviving inventories of two other almswomen: Joan Patrick (1597) and Joan Cartwright alias Baker (1606).⁶⁸ The goods listed in Cartwright’s inventory only total 26s 4d, and her living quarters appear to have been sparsely furnished, with no chairs or tables itemised. She did own, however, a brass pot, ‘ij lyttle cawdrems’, a broach [a spit], and links, which will have enabled her to do some of her

⁶⁷ Wills of Richard Carleton and Margret Smith.

⁶⁸ Jones, *Inventories*, vol. 1, 171-172 (Patrick) and 245 (Cartwright). If these women made wills, they have not survived.

own cooking, and some dining ware, including 'iiij peces of pewter', two saucers, and a salt. Her bedding was very limited and apparently of poor quality: she had 'one old flockbed', 'ij pere of sheetes & other smale lynnens'. With no bedsteads listed we might assume that her bedding lay on the floor, however she did own one 'red say' ('say' was fine silk or serge), so her abode was not entirely without colour or comfort.

Joan Patrick's inventory, on the other hand, seems to suggest a more comfortable domestic life. To begin with, she owned many more goods than Cartwright, and her inventory totals £3 12s, nearly three times the value of Cartwright's. Her clothing, while not itemised, was valued at 12s (Cartwright's was valued at a mere 5s), and she owned a wider array of bedding ('three old beddes, one boulster, 3 little pillowes', '4 payer of sheetes'), not to mention the 'pere of bedstedes' which would have allowed her to sleep in a raised bed rather than on the floor. Patrick also owned a variety of kitchen and dining equipment: a brass pot, four kettles, a gridiron, two platters, a saucer, a pewter pot, a salt, two spoons, two bowls, a treen platter, and two trenchers (amongst other items). It is interesting to note here that her treen platter had not yet been superseded by pewter, as William Harrison noted was so frequently the case by the 1570s, twenty years before Joan's death. Finally, Patrick's inventory also lists 'a cheir, 2 stoles & quishshines': not only did she have seating in her home, therefore, (which was entirely absent from Cartwright's inventory) but she also owned cushions, luxury items which elevated her level of comfort.

Despite the apparently stark contrast in the living conditions of these two women as revealed by their inventories, however, scholars such as D. G. Vaisey and Lena Cowen Orlin advise caution when studying probate inventories in isolation: omissions can and often do occur which can prove misleading as to the types and kinds of property people owned. A widow might only have her late husband's goods appraised on his death, for instance, thus giving

their house the impression of being sparsely furnished with one person's belongings; it is only when a second inventory is made on the widow's death and the two documents are studied together, that a more complete picture of their domestic arrangements is revealed. Appraisers, meanwhile, might deliberately undervalue goods to deceive creditors.⁶⁹

Moving up a rung from the almsfolk, next in the social scale are those craftsmen or artisans who plied a trade for a living. The average wage of a craftsman in Stratford in the late sixteenth century was around a shilling a day, and the inventories can be used to gauge the extent of property a householder was likely to have been able to accumulate on this modest income, at a time when the prices of food and clothing were rising.⁷⁰ Arthur Ainge, a shoemaker, died in 1606, and his inventory totalled £48 16s 2d. Yet despite his presumably low income he apparently lived in some comfort: his inventory lists goods like platters, pewter dishes, bedsteads, wool and feather beds, linens, cushions, and 'lytell curtaynes'.⁷¹ When Arthur's inventory is compared with that of another shoemaker, however, who died just under ten years previously, it can be gauged how ownership of goods for someone of a similar occupation or social status may have changed even in that short period of time. Robert Biddle's 1597 inventory totalled only £20 8s 10d, even though he was a capital burgess and therefore, one would expect, one of the town's more substantial inhabitants.⁷² Although the inventory listed an array of bedding (including a 'canapye bed') and included napery ware

⁶⁹ There are many problems inherent in the use of probate inventories, not least of all for obtaining estimates of the valuations of goods. On these problems, see D. G. Vaisey (ed.), *Probate Inventories of Lichfield and District 1568-1680. Collections for a History of Staffordshire, Fourth Series, Volume Five*. Staffordshire Record Society, 1969, 3-5 and Lena Cowen Orlin, 'Fictions of the Early Modern English Probate Inventory', in *The Culture of Capital: Property, Cities, and Knowledge in Early Modern England* ed. Henry S. Turner (New York: Routledge, 2002), 54-55, but see also Orlin *passim* for other reasons to distrust the evidence of inventories.

⁷⁰ Jones, *Family Life*, 38-39.

⁷¹ Jones, *Inventories*, vol. 1, 240-242. The curtains were listed alongside painted cloths, and did not appear with the bedding, therefore we may assume that they would have adorned his windows, thus affording him some insulation, decoration, and a degree of privacy from the outside world.

⁷² *Ibid.*, 172-174.

valued at £4, painted cloths were still present in the hall, only one chair was noted (unadorned by a cushion), and pewter was conspicuous by its absence.

Moving further up the social scale, even slightly, meant an increased ability to acquire more and a better quality of goods. William Smith the elder, a mercer, (and one of the case studies from chapter three) died in 1600 aged around sixty-six, with goods valued at £164 10s, and his inventory listed cushions, feather pillows, ‘vj peare of fine flexen [flax] sheetes’, joined bedsteads, ‘an arryce coverledd’ on his bed, a warming pan, and a wicker chair.⁷³ The interesting thing to note here, however, is that the vast majority of the value of William’s inventoried estate (£111 13s 4d) came from his ownership of land, crops, farm implements and animals.⁷⁴ This indicates that he was able to access a comfortable and aesthetically aspirational standard of living (the arras coverlet, for example) at a reasonable cost and at a fraction of his total wealth.

Just sixteen years earlier, however, and the household goods owned by the substantial woollen draper, John Browne, differed greatly in both number and quality to those owned by Smith. When Browne’s inventory was compiled in 1586, his household, shop contents, and leases totalled £79 17s 9d (with a further £419 in debts, sperate and desperate, listed after this and as additional to the original total).⁷⁵ Yet despite this wealth, his household goods only amounted to £24 2s 2d, his hall and parlour were still decorated with painted cloths, and although he had cushions in his hall, they were ‘syxe old torne quysshenes of all sortes’, only valued at 18d the group. On reading his inventory, the overall impression received of

⁷³ Ibid., 183-186.

⁷⁴ The valuation of these goods (and, indeed their inclusion in inventories at all) could depend on the time of year at which the inventory was taken, and whether the decedent had at that time crops which had lately been harvested: Tom Arkell, ‘Interpreting Probate Inventories’, in *When Death Do Us Part* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press Limited, 2000), 74-79. For more in a similar vein see Margaret Spufford, ‘The limitations of the probate inventory’, in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 142-150.

⁷⁵ Jones, *Inventories*, vol. 1, 64-74.

Browne's domestic life is of one of faded grandeur: the *types* of some of his possessions seem to indicate a better quality of living, but their *quality* was poor. Aside from the 'old torne' cushions there were listed, for example:

In the parler at the ende of the haule

... Item one *cowrse* featherbed & bowlster & pillow with other *symple* furnytire to the same with a *symple* & *old* flock bede at xs

In a nether chamber ther which some tyme was the shoppe

Item one *smale* bedsteed with a clothe tester at iijs iiijd ...

Item fowr bowlsters, one pillow & three *symple* kevorlettes at xiijs iiijd ...

Item one coffer, a boxe & a close stowle at ijs vjd [my emphases]

Even though he possessed luxury items, therefore (the cushions, the tester bed, the close stool), they were not valued very highly, and the descriptions of many of his belongings give the impression that they were rather shabby and well worn. This difference in the quality of the goods owned by Smith and Browne may have been due in part to the different ages at which these men died: Browne was around 48 when he died, nearly 20 years Smith's junior, and therefore presumably had had less time to accumulate a stock of new goods and to replace old items.⁷⁶ Yet the discrepancies might also be read as reflecting the attitudes of the two men's appraisers towards the household goods they encountered: in 1586, when Browne died, tastes were changing fast and it may have been that his appraisers, some of whom were drawn from amongst the most influential townsmen of Stratford, saw his perfectly

⁷⁶ No record of John Browne's baptism or marriage survives. His first child, however, was born in 1566, so if we assume that he married at the mean age (for middling sort men) of 27 in 1565, then he would have been born in around 1538. On the mean age at marriage, see E. A. Wrigley and R. S. Schofield, *The Population History of England: A Reconstruction* (Cambridge, Massachusetts: Harvard University Press, 1981), 255-256 and 422-424; Diana O' Hara, *Courtship and Constraint: Rethinking the Making of Marriage in Tudor England* (Manchester: Manchester University Press, 2000), 164; and Peter Laslett, *The World We Have Lost – Further Explored* (Abingdon: Routledge, 2000), 82-83.

serviceable yet not quite à-la-mode furnishings as of lesser economic value than their own or their contemporaries'.⁷⁷ This may reflect the broader lifestyle expectations of Stratford's middling sort as the sixteenth century progressed and as people came to expect a higher standard of living with access to a wider variety of household goods.

At the uppermost end of the sample of wills and inventories used in this study are those belonging to people who probably found themselves hovering around the cusp of the upper echelons of the middling sort and the lower levels of the gentry, by virtue of their wealth and/or status. This includes those who were designated 'gentleman' in their probate documents, but who may or may not have had sufficient means to live in a manner generally acknowledged as gentlemanly.⁷⁸ The evidence of their ownership of household goods over time tells a slightly different story to that of those firmly located in the middle range of society.

Hugh Reynolds, who was designated a gentleman in his will of 1556,⁷⁹ had an inventory made which valued his possessions and property at £227 11s 4d, with his household goods amounting to £52 5s 4d of that total.⁸⁰ Even though he owned a number of high value items (in his buttery he had a substantial number of expensive silver and gilt objects, for example), the overall impression of his standard of living is that he chose to invest in a few, high quality items, rather than populate his home with a large number of potentially lesser quality objects.

⁷⁷ Two of John Browne's appraisers were Thomas Trussell, gentleman, and Nicholas Barnehurst, who was bailiff 1579-80. See 'Civic History', *Stratford-upon-Avon Town Council*, <http://www.stratford-tc.gov.uk/content/civic-history> (accessed 11 February 2016).

⁷⁸ The term 'gentleman', like most social signifiers in early modern England, was a very fluid one. Some people may not have felt confident enough to employ it in reference to themselves in all social situations, perhaps fearing embarrassment at a contradiction. For the expected living standards and behaviour of a gentleman, see Jonathan Milton, 'Gentility in an Urban Context in late Tudor and early Stuart England (with specific reference to the governing elite of Stratford-upon-Avon, 1553-1640)', (unpublished PhD thesis, University of Birmingham, 2008), 31-37. Some testators termed themselves 'gentlemen' in their wills, only to have their appraisers designate them as 'yeoman' or something similar in their inventories, while some testators provided their occupational identification in their wills, only to have the appraisers of their inventory identify them as 'gentleman'.

⁷⁹ Will of Hugh Reynolds.

⁸⁰ Jones, *Inventories*, vol. 1, 9-12.

His hall and parlour, for instance, both contained cushions and table carpets, the bed in the parlour was well furnished with a featherbed, pillows, and bolsters (and the contents of the parlour alone valued at £4), yet still his hall was hung with a painted cloth, and no books, close stools, pewter, or looking glasses were itemised.

Moving forward 75 years, however, and Avery Fullwood's inventory (1631) suggests how times had changed for the upper levels of Stratford society.⁸¹ Avery was also identified as a gentleman in his will,⁸² but his inventory listed goods valued at a modest £31 5s 10d and itemised a lot of woodworking and farming equipment, which may suggest that he had to undertake some work to supplement his living. Despite the relatively low value of his household goods, however (particularly when compared with Reynolds'), Avery's household was stocked with a greater number of possessions, including 'one Bible & divers other bookes', 'sixteene pieces of pewter great & small', a warming pan and a chamber pot.⁸³ This might suggest that the prices of at least some types of household goods had decreased by this point, allowing people to obtain more for their money, or that the level of lesser quality, more popular and easily affordable goods had simply not been available to those of the middling sort in the earlier period of this study.⁸⁴ It might also indicate a change in attitudes in terms of the kind of domestic life being aspired to, with people of higher social status moving towards owning more property to increase their own comfort (the warming pan, the chamber pot) rather than investing in expensive silverware to display (and preserve) their wealth. This

⁸¹ Jeanne Jones, *Stratford-upon-Avon Inventories, 1538-1699, vol. 2: 1626-1699* (Stratford-upon-Avon: The Dugdale Society, 2003), 36-38.

⁸² Will of Avery Fullwood.

⁸³ Victor Skipp notes that in the Forest of Arden books only started appearing in inventories in the first generation of the seventeenth century, and that they 'tended to be a luxury confined to households of above average wealth'. *Crisis and Development: an Ecological Case Study of the Forest of Arden, 1570-1674* (Cambridge: Cambridge University Press, 1978), 83.

⁸⁴ Carole Shammas also posits this theory, or alternatively that people simply substituted cheaper versions of the same or similar goods they had previously purchased. 'Changes in English and Anglo-American Consumption from 1550 to 1800', in *Consumption and the World of Goods* ed. John Brewer and Roy Porter (London: Routledge, 1993), 191. See also Lena Cowen Orlin, *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), 101-102.

would accord with the general sense noted in publications like Nicholas Cooper's *Houses of the Gentry* (1999), which observe that across this period people were moving away from using their homes for 'public' display purposes (reflected primarily in the structure of the large hall, open to the ceiling), and were instead moving towards domestic life and houses which more closely resemble our modern manner of living (exemplified by the ceiling over of the hall to create upper chambers, and the gradual decline of the hall in favour of the more intimate and comfortably furnished parlour).⁸⁵

The beginnings of a consumer culture have traditionally been placed in the later seventeenth century, yet several scholars have presented evidence for a burgeoning consumer culture in the Tudor period,⁸⁶ and the evidence from Stratford does indeed seem to support the idea that a wider range of goods became available to a greater number of people during the reign of Elizabeth I. Each of the samples provided helps to reinforce Jones's statement, quoted above, that in Stratford there was a move towards owning more luxury goods as the sixteenth century transitioned into the seventeenth. This was particularly true of the middling sort, while for those around the level of the elite, who had always owned goods of greater value, it seems that as the seventeenth century dawned they too became more concerned with filling

⁸⁵ Cooper says: 'The gradual decline in the number and variety of servants and retainers and in the complexity of households takes place alongside an increase in consumption, in the physical complexity of houses themselves, in the specialisation of space within the house, in decoration that is increasingly specific to individuals or to particular usages, and – linking both the more specialised use of space and the growing separation of family from servants – the cultivation of exclusiveness and the increasing value placed upon privacy. Personal identity would come to be provided not by servant companions but by objects and physical surroundings.' *Houses of the Gentry, 1480-1680* (London: Yale University Press, 1999), 11. On the parlour in particular, see 289-292. See also Matthew Johnson, *English Houses 1300 – 1800: Vernacular Architecture, Social Life* (Harlow: Longman, 2010), 89-90.

⁸⁶ On the early advent of a consumer culture and the proliferation of goods during the Tudor period see Elisabeth Ellen Salter, 'Some Differences in the Cultural Production of Household Consumption in Three North Kent Communities, c. 1450-1550' in *The Medieval Household in Christian Europe, c. 850-c. 1550: Managing Power, Wealth, and the Body* ed. Cordelia Beattie, Anna Maslakovic and Sarah Rees Jones (Abingdon: Turnhout, 2003), 402 and in the same volume, Catherine Richardson, 'Household Objects and Domestic Ties', 445; and Thirsk, *Economic Policy*, 8 and 118-119. On consumer culture as beginning in the later seventeenth century, see Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain 1660-1760* (London: Routledge, 1996). Mark Overton et al. state, however, that 'There is now general agreement among early modern historians of consumption that gradual but important changes in consumption patterns occurred between 1550 and 1750, deflating any suggestions of revolutionary change thereafter.' *Production and Consumption in English Households, 1600-1750* (London: Routledge, 2004), 7.

their homes with new, luxury items, rather than investing in a few, substantial pieces, as they had done at the beginning of the sixteenth century.

Other regional studies can be drawn upon to illustrate the proliferation of goods in the early modern west midlands, to provide some important context for the trends visible in Stratford. N. W. Alcock uses evidence from the probate documents of the inhabitants of nearby Stoneleigh (around 15 miles north east of Stratford) in order to recreate what life would have been like across the early modern period. Unlike the findings for Stratford set out above, however, Alcock finds that in Stoneleigh the *quantity* of goods owned by the better sort of householders did not undergo a massive change until well into the seventeenth century; he does find, however, that the *quality* of the goods they owned improved.⁸⁷ For those of the middling sort and below, however, he finds that these improvements did not emerge until the very end of the seventeenth century.⁸⁸ Alan Dyer, on the other hand, in his examination of inventories from sixteenth-century Worcester, finds that although the sheer number of goods owned did increase across this period, due to the effects of inflation ‘the average Worcester testator owned property of almost exactly the same “real” value in the early seventeenth century as he had done in the mid-sixteenth.’⁸⁹ Victor Skipp, in studying the inventories of the Forest of Arden, finds that in this area ‘for virtually all the landed peasantry, the late

⁸⁷ N. W. Alcock, *People at Home: Living in a Warwickshire Village, 1500-1800* (Chichester, Phillimore & Co. Ltd, 1993), 62-63.

⁸⁸ *Ibid.*, 96-99 and 122-123.

⁸⁹ Alan Dyer, *The City of Worcester in the Sixteenth Century* (Leicester: Leicester University Press, 1973), 158-159. Steve Rappaport notes that the wages of skilled and semi-skilled workers increased across the sixteenth century (with intermittent periods of plateau), and this increase in wages may account for the increase in goods observed by Dyer. Steve Rappaport, *Worlds Within Worlds: Structures of Life in Sixteenth-Century London* (Cambridge: Cambridge University Press, 1989), 146-147. Keith Wrightson, on the other hand, notes that ‘real wages steadily declined’ across the sixteenth century, reaching their lowest point in the early seventeenth century, but he also points to the fact that the prices of manufactured goods rose at a much slower rate than the prices of foodstuffs, which might account for the proliferation of goods noted by Dyer. *English Society, 1580-1680* (London: Routledge, 2004), 133. Craig Muldrew agrees with Wrightson’s assessment of the wage rates, but attributes the increase in the ownership of goods to the increased availability of credit. *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke: Palgrave, 1998), 32.

Tudor and early Stuart period is a time of unparalleled prosperity.⁹⁰ He says that ‘increased peasant wealth led to a rise in the demand for consumer products of every kind’, and notes the proliferation of clothes across the sixteenth century, as well as other luxuries such as napkins, linens, joined furniture, pewter tableware, and books.⁹¹ Likewise, in her study of early modern Oxfordshire, Carole Shammas notes that there was ‘a considerable increase in the real amount spent on consumer goods between the late sixteenth and the late seventeenth century’.⁹²

So although a far from uniform pattern is observable in the acquisition of property throughout the midlands region, broadly speaking it seems clear that people in most other parts of the south midlands, like the townspeople of Stratford, experienced an increase in personal wealth during Elizabeth’s reign and a desire to spend this wealth on new and/or better household goods. Not only this, but it is evident from the pious and charitable bequests found in their wills that many Stratfordians committed funds to benefit the community. But how representative was Stratford in terms of the kinds of new goods found across this period? Did Stratfordians lag behind their southern and eastern counterparts in terms of sleeping in featherbeds, for example? When did householders begin to exchange their treen dining ware for pewter? In order to address these questions and others like them, this chapter now moves on to consider the most popular categories of bequest found in the wills, investigating when some of the new or more luxurious goods emerged and started to become commonplace. The work presented will prove useful for the next chapter, which will consider the significance of these goods when given as bequests.

⁹⁰ Skipp, *Crisis and Development*, 68. The Forest of Arden was a local wooded area which provides part of the setting in Shakespeare’s 1599 play, *As You Like It*.

⁹¹ *Ibid.*, 69-71 and 82-83.

⁹² Shammas, ‘Changes in Consumption’, 188.

Material goods

It is universally accepted that London's 'major role as a centre of consumption made it unique in pre-industrial England'.⁹³ Here the latest fashions and the newest wares could be obtained, and this remained the case throughout and beyond the period under examination here: Lorna Weatherill reports on the prevalence of new goods in London which continued well into the latter stages of the seventeenth century.⁹⁴ Outside of London, the east and south-east were well served in their access to consumer goods by dint of their ease of connection with the capital, while the north east's trading of coal for consumables in London meant that it too could obtain the latest commodities.⁹⁵ However, the role of pedlars and travelling chapmen in dispersing luxury goods across less well-connected areas of the country should not be underestimated. As Thirsk explains, 'Through them a multitude of lightweight consumer goods were carried to customers in the smallest hamlets of the kingdom.'⁹⁶ One such pedlar was operating in Stratford when she died: Avery Clarke's inventory (1624) listed her wares, which included gloves, many 'quives' [coifs], laces, points, thread, bone lace, and other items of dress ware or clothing.⁹⁷

In fact, clothing is one of the most frequently occurring bequests in early modern wills and, as will be discussed later, potentially one which was most loaded with emotional significance for testators. Individual items and their importance as bequests will be examined in chapter five, however here it is worthwhile considering the types of materials available during the sixteenth and early seventeenth centuries, to find out which of these might have been most readily accessible to Stratford's testators. In Stratford, it was not common practice to list the

⁹³ John Patten, *English Towns 1500-1700* (Folkestone: William Dawson & Sons Ltd, 1978), 52.

⁹⁴ Lorna Weatherill, 'The meaning of consumer behaviour in late seventeenth- and early eighteenth-century England', in Brewer and Porter, eds. *Consumption and the World of Goods*, 209.

⁹⁵ *Ibid.*

⁹⁶ Thirsk, *Economic Policy*, 123.

⁹⁷ Jones, *Inventories*, vol. 1, 329-330. In her will she left 'one Peeter Woodhouse (a Chapman of small wares) /a bande a handkercher & a paire of garters the best I haue in my box\ & ... fiue shillinges of currant money of England.' A coif was a woman's close-fitting cap.

material of garments bequeathed in wills: of the 387 bequests of clothing made, only 65 actually stipulated the fabric. Furthermore, it is unfortunate that in the inventories – in Stratford’s inventories at least – clothing was rarely itemised, usually simply being listed as ‘his/her apparel’. This makes it difficult to determine when certain fabrics became widely available to the ordinary townsfolk, but thanks to research in this area focusing on other regions of the country, and also to one particularly detailed Stratford inventory, it is nevertheless possible to determine the cost of some of the fabrics and an idea of their availability.⁹⁸

Shammas sets out the relative cost of some of the most common woollen fabrics found in early modern England, asserting that the older, heavier, and more expensive draperies were broadcloths, kerseys, and frieze, whereas the newer, lighter, and cheaper fabrics were serge, baize, flannel, and stuffs.⁹⁹ In Stratford, of the clothing bequests which named a fabric, the most common material mentioned was worsted, a widely accessible, light yet strong woollen yarn fabric.¹⁰⁰ Frieze was next most commonly mentioned, appearing in wills dating across nearly a 100-year period (1545-1637) and from a range of testators of different financial standings, from a wealthy woollen draper to a man who was described in his will as a ‘batchler’ but who was actually a butcher by trade.¹⁰¹ The 1585 inventory of John Browne, woollen draper, provides important information about the price of some fabrics in late sixteenth-century Stratford: for example, frieze of various colours found in his shop was

⁹⁸ See above, pp. 199-200, for some of the problems inherent in the use of probate inventories.

⁹⁹ Shammas, ‘Changes in Consumption’, 192.

¹⁰⁰ Kathleen Ashley, ‘Material and Symbolic Gift-Giving: Clothes in English and French Wills’, in *Medieval Fabrications: Dress, Textiles, Clothwork and Other Cultural Imaginings* ed. E. Jane Burns (Basingstoke: Palgrave Macmillan, 2004), 141. On 21st January 1568 the ship ‘Sparrow Hawk’ brought 44 pieces of narrow worsted from Antwerp, which were valued at £22 when they reached the London ports. Brian Dietz, ed., *The Port and Trade of Early Elizabethan London Documents* (Leicester: London Record Society, 1972), 47.

¹⁰¹ Some of those listing frieze were Stratford’s more substantial inhabitants: for example, Henry Samuel, draper (1545); John Brechgirdle (1565), vicar from 1560 until his death in 1565; and Daniel Baker (1637), the puritan alderman and woollen draper. It also appears in the wills of those of less worth, however: Richard Samuel (1568) and John Such of Luddington (1602). (John Such was named in his will as ‘batchler’, but all other documents relating to him call him a butcher.)

listed as being priced between 7d and 4s a yard.¹⁰² Even though frieze appears on Shammas's list of more expensive fabrics, then, Browne's inventory demonstrates that different qualities of cloth could be purchased according to one's personal means, and the fact that testators of differing statuses bequeathed garments made of this material also bears this out.

The next most commonly mentioned materials were fur and leather, although fur in all instances appeared only as a decoration to a garment, rather than as a garment itself: as, for example, in Hugh Raynoldes' bequest of a 'gowne furred with fytchowe' in 1556.¹⁰³ This no doubt testifies to the relatively ordinary status of the testators; even the wealthiest inhabitants were unlikely to have owned complete garments made of this luxurious material.¹⁰⁴ Silk and wool were next most frequently mentioned, with the remainder of the group consisting of many other materials which only received one or two mentions each: taffeta, Holland, jersey, canvas, linen, felt, stammell, velvet, grosgrain (commonly called 'grogram'), fustian, kersey, camlet (commonly called 'chamlet'), medlow or medley, flax, broadcloth, buckskin, buckram, dowles [feathers], and satin.¹⁰⁵ Satin in 1610 could command a price of 22s a yard,¹⁰⁶ while at the end of the sixteenth century silk had to be imported from the continent, and as such was a costly commodity.¹⁰⁷ According to John Browne's inventory of his shop goods, medlow

¹⁰² Jones, *Inventories*, vol. 1, 64-74.

¹⁰³ Will of Hugh Raynoldes. Fitchew was the fur of the polecat.

¹⁰⁴ Even if they had, it is likely that their social status would have precluded them from wearing such an item: the sumptuary laws of the sixteenth century restricted the wearing of certain types of fur to those of the nobility. Paige L. Hanson, 'Renaissance Clothing and Sumptuary Laws', *Shakespeare and Renaissance England Resources*, <http://www-personal.umd.umich.edu/~cfinlay/sumptuary.html> (accessed 11 February 2016). Having said that, in January 1604 the Corporation borough court presented 'the greatest part of the inhabitants' of Stratford 'for wearing theyr reparrell contrary to the statutt.' Robert Bearman, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon, and other Records, volume VI, 1599-1609* (Stratford-upon-Avon: The Dugdale Society, 2011), 40-41. On fur as a luxury material, see Ashley, 'Material and Symbolic', 143-144.

¹⁰⁵ On 21st October 1567 the ship 'Prym Rose' brought 45 cwt of unwrought flax to the London ports, valued at £30. On 23rd January 1568 the ship 'Cloverblade' brought five pieces of Holland cloth from Haarlem, valued at £6; and on 2nd September the same year the 'John Baptist' brought two bales of Ulm fustian from Antwerp, valued at £46 6s 8d. All from Dietz, *Port and Trade*, 7, 47 and 127, respectively.

¹⁰⁶ Ann Rosalind Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (Cambridge: Cambridge University Press, 2003), 21.

¹⁰⁷ Roze Hentschell, *The Culture of Cloth in Early Modern England: Textile Constructions of a National Identity* (Aldershot: Ashgate, 2008). Hentschell also notes how the import of silk was perceived as a threat to the English domestic cloth trade, 6 and 105. On 6th, 7th and 8th October 1567 the ship 'Lion' brought in 100 yards of

could cost 6s a yard at its most expensive, and kersey 2s 6d. No silk or velvet was listed. The broader context of these prices is provided by Jones, who notes that the price of cloth in general was rising throughout the sixteenth and into the seventeenth century: 'In 1585 broadcloth was being sold at between 3s and 6s a yard, but by 1613 it was 10s a yard. White cotton, which sold at 5d and 6d a yard in 1585, retailed at 1s a yard in 1613.'¹⁰⁸ These valuations may help us to understand the significance of some of the bequests of clothing which will be examined in chapter five.

Beds (often the most valuable item of furniture in the house)¹⁰⁹ and bedding were also given as bequests in a significant number of wills. William Harrison held forth on the subject of bedding in his *Description of England*, declaring that it was by the 1570s an 'old fashioned' custom to sleep on a mattress on the floor. He did, however, acknowledge that the custom had yet to be superseded in parts of Bedfordshire 'and elsewhere, further off from our southern parts.'¹¹⁰ In fact, evidence from Stratford's inventories suggests that some of the less well-off testators still slept in this manner in the seventeenth century: the almswoman Joan Cartwright mentioned above, for example, or the widow Margaret Smith (who died in 1625), who received various concessions from the Corporation due to her poverty.¹¹¹ These women were the exception rather than the rule, however, and certainly by the early seventeenth century bedsteads and joined beds were fairly commonplace household items in Stratford: in the 1570s only 12.5 per cent of inventories listed a standing bed, yet by 1610 52 per cent

taffeta to the London ports (valued at £33 6s 8d); 75 yards of velvet (valued at £56 5s); and 250 ells of sarcenet, 70 yards of satin, and 35 yards of damask valued at £84 8s 4d together. Dietz, *Port and Trade*, 3.

¹⁰⁸ Jones, *Family Life*, 46-47. On 21st October 1567 the ship 'Prym Rose' brought 36 dozen yards of Cyprus cotton into London, valued at £7 3s 5d. Dietz, *Port and Trade*, 7. This cotton would therefore have been valued at just under 4d a yard (3.98, to be precise), and presumably would have retailed for more than this. Giorgio Riello also notes that cotton was imported into England from Venice as early as 1200: *Cotton: The Fabric that made the Modern World* (Cambridge: Cambridge University Press, 2013), 74.

¹⁰⁹ Erickson, *Women and Property*, 65.

¹¹⁰ Hanson, 'Renaissance Clothing', (accessed 8 January 2016).

¹¹¹ Jones, *Inventories, vol. 1*, 339-341 (Margaret Smith).

listed at least one.¹¹² Even people of relatively low wealth would have been likely to own a bedstead by the seventeenth century: the 1619 inventory of widow Eady White, who also lived in the almshouses, listed a bedstead worth 11s 8d even though the soft furnishings she had for it were described almost entirely as ‘course’ or ‘little’.¹¹³

In terms of furnishings for the bed, featherbeds were the most expensive mattress or covering one could acquire, and while they appear in Stratford’s inventories from around the 1560s onwards, these earlier inventories tend to belong to the wealthier inhabitants.¹¹⁴ Featherbeds start to appear more frequently in the inventories of those below the level of wealthy mercer or yeoman only during the 1580s, only becoming really prevalent in the early seventeenth century: despite her poverty, for example, Margaret Smith owned a featherbed (even though she apparently lacked a bedstead on which to place it), which was valued as part of a group which also contained two bolsters, a flockbed, and a pillow, at 50s.¹¹⁵ Elsewhere in the country the ownership of featherbeds increased as the seventeenth century progressed, in a similar manner to that observed in Stratford: in Kent, for example, 44 per cent of inventories made between 1600 and 1629 listed featherbeds, rising slightly to 48 per cent from 1630-1659.¹¹⁶

Another popular category of household good bestowed in wills was dining ware, with pewter vessels and implements falling into this category.¹¹⁷ Of the 289 bequests of dining ware made in Stratford, pewter was specified as a material 42 times. By the final quarter of the sixteenth century, pewter was listed in ‘almost all of the inventories which list household goods’.¹¹⁸

Pewter also appears in one of the earliest Stratford inventories, that of John a Charley, dated

¹¹² Jones, *Family Life*, 69.

¹¹³ Jones, *Inventories*, vol. 1, 313-314.

¹¹⁴ Jones says that ‘Feather, flock or wool beds were placed on the mat or mattress or else used as a cover, much as a duvet is today’. *Family Life*, 69.

¹¹⁵ Jones, *Inventories*, vol. 1, 349-351.

¹¹⁶ Overton et al., *Production and Consumption*, 91.

¹¹⁷ For the categorisation of objects employed when coding in the database, please see appendix 3.

¹¹⁸ Jones, *Family Life*, 73.

1538,¹¹⁹ and as soon as the inventories start surviving in any numbers (i.e. from around 1550), it appears with regularity in the vast majority. Ownership of pewter dining ware in Kent was similarly high, being listed in 94 per cent of inventories made between 1600 and 1629. Cornwall's pace of acquisition was slower, however: only 46 per cent of inventories made in the first thirty years of the seventeenth century listed pewter.¹²⁰

Other luxury items which appeared occasionally in Stratford's wills and inventories were musical instruments and books, which were rare commodities in all areas of the country.

Only the inventories of Leonard Kempson, gentleman, and Ann Lloyd, a wealthy widow with connections to some of Stratford's leading townspeople, listed musical instruments:

Leonard's lists in his hall 'one payre virginalles, vj cushins, two vialles, one case, one citterne, one recorder & flute & musick books', together valued at £1 10s, while Ann's lists 'a fiddle & fiddle cloth' at 5s.¹²¹ Rather intriguingly, however, Ann chose not to bequeath the fiddle in her will; she left the residue of her goods to her mother, so it might be assumed that the fiddle passed to her, if indeed it was still in Ann's possession when she died. Unfortunately Leonard's will, if he made one, has not survived. Catherine Richardson examined 1,430 inventories from the Archdeaconry and Consistory Courts of Canterbury for the period 1560-1600 and only found 38 instruments.¹²² In a later period in London (between 1660 and 1680) one in seven households possessed at least one musical instrument, but they were virtually unheard of in Writtle, Essex, throughout the seventeenth century.¹²³

¹¹⁹ Jones, *Inventories*, vol. 1, 7.

¹²⁰ Overton et al., *Production and Consumption*, 99. The ownership of pewter in Cornwall increased substantially to 71 per cent in the period 1630-1659, however.

¹²¹ Jones, *Inventories*, vol. 1, 345-346 and 297-300, respectively.

¹²² Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England: The Material Life of the Household* (Manchester: Manchester University Press, 2006), 210.

¹²³ Tom Arkell, 'Interpreting Probate Inventories', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Limited, 2000), 94.

Books, although still relatively rare, were rather more common than musical instruments, particularly during the sixteenth century. In Stratford, reading matter was noted in only four inventories during the 1500s, but this figure increased to fourteen in the first three decades of the 1600s.¹²⁴ Books were bequeathed 39 times in the wills from 1537-1649.¹²⁵ A similar picture is observable in other areas of the country: Shammas finds the distribution of books in sixteenth-century Oxfordshire to have been ‘limited’,¹²⁶ while Cornwall again was found to be lagging behind Kent in its ownership of this item: only 9 per cent of Cornish households owned at least one book between 1600 and 1629, compared with Kent’s 19 per cent. The difference between the two becomes even more marked for the period 1630-1659, with books appearing in just 10 per cent of Cornish wills, compared with 31 per cent of Kentish.¹²⁷ Keith Thomas points to the change in the ownership of books across the entire early modern period: he states that they were ‘rare or non-existent in the early sixteenth century but commonplace by the mid-eighteenth’.¹²⁸

Despite the rarity of some of these objects, however, it is undeniable that on the whole, Stratford’s inhabitants experienced an increase in the ownership of goods across the period studied. Yet they simply did not own more goods, but they began to own a greater variety of objects, too: from chamber pots, to pewter vessels, to books, warming pans and, very occasionally, musical instruments. So what might it have meant to the people of Stratford to leave these possessions as gifts in their wills? And is it possible to infer what it may have meant to the beneficiaries to receive them? In order to shed some light on the possible motivations of the testators, this chapter turns finally to examine the kinds of goods left in wills, and their most common recipients.

¹²⁴ Jones, *Family Life*, 65.

¹²⁵ For a consideration of the significance of books given as bequests in Stratford, see chapter five.

¹²⁶ Carole Shammas, ‘Changes in Consumption’, 199.

¹²⁷ Overton et al., *Production and Consumption*, 111.

¹²⁸ Keith Thomas, *The Ends of Life: Roads to Fulfilment in Early Modern England* (Oxford: Oxford University Press, 2009), 118.

Family and Gift-Giving in Stratford

In his 1984 essay, Keith Wrightson examined 192 wills from the Essex parish of Terling, along with Hearth Tax records and family reconstitution forms, in order to address the question “How important was kinship in the social structure of an English village community and in the lives of English villagers in the early modern period?”¹²⁹ While some of the sources used by Wrightson differ from the ones employed in this thesis, both Wrightson and I employ our most significant body of sources – wills – with the same end in mind: in order to investigate the *quality* of testators’ family and kin relations.¹³⁰

Already established in chapter three was that children and spouses were the most frequent beneficiaries in both Terling and Stratford. Spouses received bequests in 59 per cent of Stratford’s wills (and these were necessarily all men’s wills, no wives’ wills having survived, if any were written), while children were mentioned in 66 per cent and received the greatest number of bequests. In general, testators provided for their most immediate kin, although friends and godchildren also figured prominently. More specifically, the men of Stratford were concerned with providing for their sons, and the women their daughters, although other notable legatees for male testators were spouses, brothers, and grandsons, and for female testators, nieces and granddaughters. Stratford therefore followed the trends noted by other scholars studying testamentary provision, who observed a similar propensity for men and women to favour relations of the same sex.¹³¹ Yet in order to provide a deeper understanding

¹²⁹ Keith Wrightson, ‘Kinship’, 313.

¹³⁰ Wrightson draws upon Hearth Tax assessments, Overseers of the Poor accounts, wills, recognizances, and family reconstitution forms in his research, whereas in this thesis inventories, parish registers and other related documents, and church court depositions are utilised alongside wills.

¹³¹ See, for example, Margaret Spufford, ‘Peasant inheritance customs and land distribution in Cambridgeshire from the sixteenth to the eighteenth centuries’, in *Family and Inheritance: Rural Society in Western Europe, 1200-1800* ed. Jack Goody, Joan Thirsk and E. P. Thompson (Cambridge: Cambridge University Press, 1976), 156-176; and Nigel Goose and Nesta Evans, ‘Wills as an Historical Source’, in *When Death Do Us Part:*

of the value of kinship in this early modern town it is also beneficial to consider the *types* of gifts given, which Wrightson does not do in any detail in his study. Furthermore, comparing women's and men's patterns of bequeathing in this respect will allow for comment to be made on the traditional assumption that men tended only to concern themselves with leaving money and land, and that women were primarily concerned with leaving more (allegedly) inconsequential gifts.¹³²

On this, Lucinda Becker's statement exemplifies the view commonly held amongst historians, that:

Whilst men tended to leave the bulk of a family estate [to their male line], a woman was much more concerned with leaving keepsakes and the minutiae of life to her family circle. To leave items such as "a brass pot" or "a piece of linen" was commonplace in women's wills...¹³³

Elsewhere she states that women 'tended to bequeath laterally, to give tokens of affection to a wide family circle'.¹³⁴ An examination of the different types of bequests made by Stratford's men and women reinforces this view. Chart 4 demonstrates that men left nearly six times as many monetary gifts as women, and nearly 22 times as many legacies of land or property, although this latter is hardly surprising, considering the restrictions on married women's ownership of property¹³⁵ and their ability to make wills. It is useful in this instance, however,

Understanding and Interpreting the Probate Records of Early Modern England ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard's Head Press Limited, 2000), 68-69.

¹³² It is worthwhile remembering that land might not be mentioned in a will if it had already been set aside in a marriage agreement or by entail. Erickson, *Women and Property*, 103.

¹³³ Lucinda Becker, *Death and the Early Modern Englishwoman* (Aldershot: Ashgate, 2003), 141-142.

¹³⁴ *Ibid.*, 110. Carmel Biggs also holds this view: 'Women, Kinship, and Inheritance', 111. See also J. A. Johnston, who states that: 'The wills made by widows were less constrained by custom and obligation than those made by their husbands. They used their freedom to make bequests as they pleased and to support those of their children who were most in need.' 'Family, Kin and Community in Eight Lincolnshire Parishes, 1567-1800', *Rural History* 6 (1995): 184.

¹³⁵ Not including land or property held in trust for women according to a pre-nuptial agreement, although even in these cases legal ownership of the land would have been transferred to another male other than the woman's husband. Erickson, *Women and Property*, 26, 104. James does, however, note instances of wives in the north of

to examine the statistics proportionally according to sex: there are nearly five times as many men in the dataset than women,¹³⁶ and the figures on their own do not reveal much. The 39 women made 251 bequests of money, and the 187 men 1442: this means that on average every woman made nearly 6 and a half monetary bequests, and every man nearly 8.¹³⁷ Proportionally, therefore, men made almost a third more monetary bequests than women.¹³⁸ With land and property, the disparity is even greater: each woman made on average only 0.48 bequests per will, whereas the men made an average of 2.22 per will. This means that in Stratford, men were over four times more likely to bequeath land or property than women.¹³⁹ Money and property aside, the disparities in the frequency with which men and women left their moveable goods is even greater, and it is worth examining the nuances of the proportions of moveable goods left by both groups. Table 6 sets out the average number of bequests per male and female will of each type of moveable good.

England continuing to own and distribute land in their own right in the Tudor period: *Women's Voices*, chapter four, *passim*.

¹³⁶ Claire Cross also found this to be the case in her study of Leeds and Hull wills: of the wills which survive for the period 1520-1650, around one in every five testators was a woman: 'Northern Women in the Early Modern Period: The Female Testators of Hull and Leeds 1520-1650', *The Yorkshire Archaeological Journal* 59 (1987): 83.

¹³⁷ Precisely, 6.44 per woman and 7.71 per man.

¹³⁸ In Northamptonshire, Biggs found that female testators were more likely to concern themselves with monetary bequests, while men focused more on land and property. 'Women, Kinship, and Inheritance', 128.

¹³⁹ 4.62 times more likely, to be precise.



Chart 4 – Types of bequest by sex

Table 6 – Average number of bequests per male and female will of each category of moveable good¹⁴⁰

| | Men | Women |
|---------------------------|------|-------|
| Beds/Bedding | 1.5 | 5.4 |
| Clothing | 1.5 | 2.7 |
| Household goods (general) | 1.4 | 3.1 |
| Dining ware | 0.76 | 3.7 |
| Animals | 0.72 | 0.38 |
| Kitchen ware | 0.45 | 2.2 |
| Food/drink/crops | 0.27 | 0.18 |
| Jewellery | 0.25 | 0.49 |
| Books | 0.2 | 0.05 |

Evidently, these figures largely reinforce the orthodoxy of the gendered nature of property ownership and gift-giving in the early modern period. Most significant are the disparities in the statistics relating to goods found in the domestic sphere, traditionally the domain of women in this period. Women, for example, were nearly five times more likely to bequeath dining ware than men, and over three times more likely to bequeath beds or bedding. Women were also twice as likely to bequeath general household goods as men, although this may have been due to the propensity to view these items as part of women’s paraphernalia.¹⁴¹

Yet it is possible to explore patterns of gift-giving in even greater detail. Table 7 sets out some of the key categories of bequest, and lists the three most popular recipients of each in the men’s and women’s wills.¹⁴² This demonstrates, for example, that in terms of bedding, Stratford’s men favoured first their sons, then their daughters, and then their spouses. The women, on the other hand, favoured female recipients, bestowing items from this category

¹⁴⁰ For the purposes of statistical analysis, decisions had to be taken early on in the coding process about which items would be included within each category. For this, see appendix 3.

¹⁴¹ Anne Laurence, *Women in England, 1500-1760: A Social History* (London: Phoenix Press, 1996), 228.

¹⁴² Biggs conducts a similar study for three Northamptonshire parishes: ‘Women, Kinship, and Inheritance’, 120.

first on their daughters, then their granddaughters, and thirdly their nieces. The desire of all will-makers to provide essential household property to establish their children in adult life no doubt explains the prevalence of sons and daughters in the men's wills, while the fact that women left bedding primarily to their daughters and other female kin can probably be attributed to the stage in the life-cycle at which the women's wills were written.¹⁴³ The widow Alice Smyth, for example, made it clear in her will (1584) that her late husband had already provided for their children, giving them 'their severall legacies and porcions [and] referring many thinges to my pleasure and discession.'¹⁴⁴ As a result, within her own will she chose simply to 'ratifie and confirme the sayde guiftes and Legacies of my said husband vnto every one of his saide children', although she later added a codicil leaving various other bequests, including a ring to one son-in-law; a 'guilte bowle with the couer' to another; and clothing and 'the fetherbedd wherein I laye' to her (married) daughter.¹⁴⁵

¹⁴³ Most of the women concerned were widows, thus their male children were likely already to have received their inheritance. Biggs noted that in all three of the Northamptonshire parishes she studied men gave more household goods to their daughters than they did to their sons, although she did not define exactly what would have been encompassed within this term. 'Women, Kinship, and Inheritance', 120.

¹⁴⁴ Will of Alice Smyth. This is also a comment on William's estimation of his wife and her capabilities.

¹⁴⁵ In her article on northern female testators, Claire Cross notes that 'the priorities of [the women] very closely reflected those of their husbands, fathers and brothers in the period between 1520 and 1650' and that in particular they 'expressed their intention of fulfilling the provisions regarding their children set out in their husband's wills'. 'Northern Women', 93-94.

In their legacies of clothing, too, Stratford's testators exhibited the same concern for providing for their children. Men left clothing primarily to their brothers (perhaps a sign of the importance of this relationship, and of the anticipated uncle/nephew bond highlighted by Wrightson and discussed in the previous chapter), but their sons and daughters took second and third place, respectively. As with bedding, women in distributing clothing demonstrated a desire to provide for their female kin: daughters appear first in the list, and sisters second. Even though sons-in-law appear third, it is likely that at least some of these gifts were intended to reach the testators' married daughters, whose status as wives denied them the legal right to ownership.

In fact, in all but one of the categories both sons and daughters appear in the top three recipients of male wills, thus reinforcing the impression that men in particular were concerned to provide for all of their children.¹⁴⁶ In the case of the female testators, a slightly different picture emerges, due at least in part to the fact that the majority of the women were widows by the time they came to make their wills. Stratford's women still wanted to provide for their daughters (whether married or not), yet they had greater scope to leave gifts to other members of their extended families, most notably nieces and granddaughters. Amy Louise Erickson also examines the differences in women's patterns of bequeathing in her *Women and Property in Early Modern England* (1995). She examines probate records (accounts, inventories, and wills) from over 500 parishes across the country and notes that:

Widows and women who never married had different ideas about property from men.

These women gave preference to their female relatives in dividing their property, they enabled their daughters or nieces or female cousins to live independently in cottages

¹⁴⁶ The only exception is the category of jewellery, in which overseers are placed first within the men's wills. This may be due to the fact that jewellery was particularly suited to act as a fairly generous 'reward' for those acting in this capacity. Jewellery and its symbolic significance is discussed in more detail in the next chapter.

and smallholdings, and they gave bequests to the poor, tacitly recognizing women's susceptibility to poverty.¹⁴⁷

Unfortunately, attempting to compare the bequest patterns of Stratford's women by marital status is a tricky task, firstly because of the small size of the sample (only 39 women's wills having survived) and secondly because within that sample, only four of the women can positively be identified as spinsters.¹⁴⁸ 33 of the wills were made by widows, and the two remaining wills have been classified as 'female unknown' within Nvivo, because it has not been possible to identify with any certainty their marital status at the point at which they made their wills.¹⁴⁹ These difficulties aside, it is still useful to examine the statistics and observe what they might suggest about women's testamentary preferences according to marital status.

Stratford's widows, it appears, were overwhelmingly concerned with providing for their children: daughters and sons were their most common beneficiaries. Within this, however, there was a clear favouring of daughters, who received over double the amount of bequests than sons (217 to 99, respectively).¹⁵⁰ Furthermore, the third most popular beneficiary was nieces, who received a total of 94 bequests, followed very closely by granddaughters, with 92. Sons-in-law followed, with 46. This evidence therefore substantiates Erickson's argument that unmarried women sought to provide primarily for their female relatives.

¹⁴⁷ Erickson, *Women and Property*, 16-17 and 19.

¹⁴⁸ Those women are: Anne Raynoldes, Avery (or Avis) Clarke, Elizabeth Hancockes and Elizabeth Williams. As Erickson explains: "Spinster", originally a woman who spun, had come to designate an unmarried woman in the sixteenth century, and it had only that legal connotation, a meaning it retains today. Both the sneering epithet 'old maid' and the derogatory use of 'spinster' appeared only in the late seventeenth century.' Erickson, *Women and Property*, 48. She also acknowledges the fact that only relatively small numbers of single women's wills from this period have survived, 208-209.

¹⁴⁹ The women in question are Isabel Andrew and Margret Smith.

¹⁵⁰ This is based on counting only the number of bequests made, not the economic value of each bequest, which does not fall within the parameters of this study.

Unfortunately, the figures for bequests made by the four identifiable single women are too small to be quantitatively meaningful, but it is nevertheless worth presenting them here to provide some idea of the possibilities afforded by the evidence. The greatest number of bequests given to any one group by the spinsters of Stratford was 5, with 5 bequests each to brothers and aunts. It should be noted, however, that every single one of these ten bequests was made by Elizabeth Williams of Luddington, who left money to each of her five brothers, and several bequests of household linens and goods to her aunt, Jane Bickerton.¹⁵¹ This is perhaps indicative of the stage in the life-cycle at which Elizabeth's will was written, and reinforces what was said in chapter three about the most significant kin for the people of Stratford: for this unmarried testatrix, who may have been in her early twenties when she died,¹⁵² her closest kin were her siblings, while we might speculate that she had a particular fondness for her aunt. Interestingly, her father was alive when she made her will, and although he received a gift of ten pounds, Elizabeth did not make him an executor: she appointed two uncles in the role, leaving them the residue of her goods. She also charged her uncle Robert Bickerton (presumably the aforementioned aunt Jane's husband) with distributing the money due to her brothers as they reached their majority. This testifies to the significance of these close kin ties, as discussed in chapter three, although it may also have been the case that Elizabeth's father was old or infirm, meaning that this young lady had to look elsewhere for support in executing her will.

Legatees who also figured highly for single women were sisters and cousins, who received four bequests each. Anne Raynoldes left her sister Elinor all of her unbequeathed clothes and jewels,¹⁵³ while Elizabeth Williams left her sisters Anne and Marie twenty pounds each, for example. Moreover, Anne Raynoldes was the only single woman to remember her mother in

¹⁵¹ Will of Elizabeth Williams.

¹⁵² Jones states that all of her brothers were under the age of 21; therefore she may have been just a couple of years older than the eldest. *Inventories*, vol. 2, 27-28.

¹⁵³ Will of Anne Raynoldes.

her will, and one of only three women from the entire sample to do so: she left her 'dere mother' £120 and a heifer, and appointed her sole executrix.¹⁵⁴ Again, a testator's age would have been a likely factor in determining how many mothers received bequests: Anne, for example, was only 17 when she made her will, thus making it more likely that one or both of her parents would still be alive.

Conclusions

Having examined the evidence of the types of bequests left in men's and women's wills, and to whom these gifts were given, the existing view of early modern men's and women's testamentary preoccupations is reinforced. Stratford's will-makers adhered to the conventions observed elsewhere across the country and left the majority of their possessions to their closest kin, in particular their children. Furthermore, the men favoured male relations and the women female, and there was also a divide in the kinds of goods left by each type of testator: men left more property and money, with women leaving more in the way of domestic goods. Yet how might we best begin to assess the likely significance of these goods to the people of Stratford? The next chapter considers the emotional significance of some of the key categories of bequests for both men and women, analysing the material culture the phraseology employed by testators in order to address this.

¹⁵⁴ Anne Lloyd, widow, left her mother 'my bedd wherin I lye & all that belongeth vnto it' and the residue of her goods, while Elnor Gylbart, also a widow, left her mother her 'best wolsted kertill'.

CHAPTER FIVE

LANGUAGE, GIFTS, AND AFFECT

In order to explore the attitudes of Stratford's will-makers to those they left behind, and the significance of the kin relationships observed in the previous two chapters, this chapter will deal first of all with some of the most significant phraseology employed when making bequests in wills. Specifically, the language of 'remembrance', 'keepsake', 'token', and 'love' will be considered, and this work will argue for a more rigorous academic treatment of this topic than has been typical to date. In its final stages the chapter will examine the different types of goods bequeathed in the wills, and how the overall context of each type of gift (its general availability at the time, its likely economic value, and the language used in making the bequest) might reveal its emotional or affective significance. This chapter will necessarily be essentially qualitative in its approach, and will sit alongside the quantitative data provided elsewhere: here specific examples from the wills will be drawn out and analysed in order to consider the affective significance of the bequests.

This treatment of material culture and emotions engages throughout with the flourishing scholarship on the history of emotions. Jack Goody warns of the perils of attempting to evaluate emotions from this period, cautioning that they are 'poor material for historians who are likely to make untold mistakes in assessing them.'¹ His warning is well-intentioned, given the ephemerality of emotion in any context, but his claim that emotions are 'poor material' is refuted by the field's burgeoning scholarship. Susan Broomhall, for instance, states that 'analysing the dynamics of emotion in the household and the role of the household as a unit that shapes social and emotional identities of individuals, is crucial',² while Lisa Liddy

¹ Jack Goody, *The European Family: An Historic-Anthropological Essay* (Oxford: Blackwell, 2000), 4.

² Susan Broomhall, 'Emotions in the Household', in *Emotions in the Household, 1200-1900* ed. Susan Broomhall (Basingstoke: Palgrave Macmillan, 2008), 2.

praises the work already achieved in this relatively young field, saying that it has ‘contributed much to our understanding of the feelings and motivations of the people of the past.’³ Within the discipline of history, recent publications from Broomhall and Barbara Rosenwein are of particular note.⁴ Broomhall’s edited volume, *Emotions in the Household 1200-1900* (2008), explores ‘how we can understand emotional displays and responses in the household’. Methodologically speaking, the essays within its covers tend to be microhistories which use a variety of textual sources – advice manuals, romantic literature, legal documents, and family letters – to investigate the loci of emotion in the early modern household.⁵ The research presented in this thesis follows a similar strategy, in focusing on the language of historical texts in order to reveal emotions, and it is hoped that the findings presented will help to advance this field from a historical perspective.

³ Lisa Liddy, ‘Affective Bequests: Creating Emotion in York Wills, 1400-1600’, in *Understanding Emotions in Early Europe* ed. Michael Champion and Andrew Lynch (Turnhout: Brepols Publishers, 2015), 273. It must be said, however, that to date the scholarship has tended to focus on emotion as represented in literature; see, for instance, the work by Andrew Lynch, Erin Sullivan, Gail Kern Paster and Tiffany Watt Smith. Andrew Lynch is currently working on a project entitled ‘The Emotions of War in Medieval Literature’ at the Australian Research Council Centre of Excellence for the History of Emotions: <http://www.historyofemotions.org.au/research/researchers/andrew-lynch/> (accessed 12 February 2016). See also Erin Sullivan, *Beyond Melancholy: Sadness and Selfhood in Renaissance England* (Oxford: Oxford University Press, 2016); Erin Sullivan and Richard Meek, eds., *The Renaissance of Emotion: Understanding Affect in Early Modern Literature and Culture* (Manchester: Manchester University Press, 2015); and Gail Kern Paster, Katherine Rowe and Mary Floyd-Wilson, eds., *Reading the Early Modern Passions: Essays in the Cultural History of Emotion* (Philadelphia: University of Pennsylvania Press, 2006). Tiffany Watt Smith researches the cultural history of emotions, particularly of the late nineteenth century, and has published *The Book of Human Emotions* (London: Profile Books in Association with the Wellcome Collection, 2015). This literature focus has been challenged lately, however, with the advent of interdisciplinary institutions such as The Centre for the History of Emotions, at Queen Mary, University of London, and The Centre for the History of Emotions at the Max Planck Institute, in Berlin. For more on this, see the Queen Mary blog: projects.history.qmul.ac.uk/emotions/ (accessed 11 February 2016).

⁴ Barbara H. Rosenwein, *Emotional Communities in the Early Middle Ages* (New York: Cornell University Press, 2007) and Susan Broomhall, ed., *Emotions in the Household, 1200-1900* (Basingstoke: Palgrave Macmillan, 2008). Broomhall’s volume nevertheless contains three essays which focus on literature. See also Alec Ryrie, *Being Protestant in Reformation England* (Oxford: Oxford University Press, 2013), which includes a section entitled ‘The Protestant Emotions’, in which Ryrie examines the Protestant cultivation of certain emotions as a means of heightening faith.

⁵ Broomhall, *Emotions in the Household*, 11.

Despite the proliferation of goods among all levels of society which occurred during this period, and particularly during the later sixteenth century,⁶ it must be remembered that ‘ordinary’ middling sort people like the majority of Stratford’s townsfolk did not own goods in anywhere near the numbers we do today. Until recently, knowledge of this fact seems to have clouded scholarly judgment somewhat, with historians projecting modern sensibilities onto the actions of past people. In particular, scholars have assumed that because people owned less property, that necessarily those few items must have been of special significance. Jeanne Jones implicitly acknowledges this with her statement that:

Living as we do in a consumer society, we find it hard to visualize the paucity of goods owned by even the most affluent of sixteenth-century Stratford townsfolk, *or the loving care with which they bequeathed those possessions.*⁷ [My emphasis.]

The second half of this statement alludes to the assumption made by most scholars studying gift-giving in pre-industrial society: that almost every bequest was laden with emotional significance, certainly on the part of the benefactor, if not also the beneficiary. The possibility of emotional motivations for bequests in early modern wills is given weight by historians who have revised Lawrence Stone’s theory of ‘affective individualism’, which posited that before around 1700, and due to factors like low life expectancy and high infant mortality, familial affection as it is understood today did not exist.⁸ Since the publication of Stone’s thesis on this subject, scholars including Amy Louise Erickson, Ralph Houlbrooke and Linda Pollock have worked to disprove the theory, with Erickson for example asserting instead that

⁶ Lena Cowen Orlin argues that it was the proliferation of goods which sparked the ‘Great Rebuilding’ noted by W. G. Hoskins: *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), 100-105. See also Jane Whittle and Elizabeth Griffiths, who note that William Harrison’s comments on changing living standards in his *Description of England* ‘reminds us that Elizabethans also perceived themselves as living in a period of rapid change.’ *Consumption and Gender in the Early Seventeenth-Century Household: The World of Alice Le Strange* (Oxford: Oxford University Press, 2012), 117.

⁷ Jeanne Jones, *Family Life in Shakespeare’s England: Stratford-upon-Avon 1570-1630* (Stroud: Sutton Publishing Limited, 1996), 55.

⁸ See Lawrence Stone, *The Family, Sex and Marriage in England, 1500-1800* (London: Harper & Row, 1977), 4-9 for a summary of this theory.

there is a ‘...preponderance of evidence in support of the idea of an essential continuity in human emotion.’⁹ Many scholars now adhere to this revisionist position which, although attractive because it sounds logical and reasonable, becomes problematic when applied specifically to testamentary gift-giving. Susan E. James, for instance, takes the traditional approach to bequests, asserting that wills provide the ‘emotional context’ for a testator’s possessions and that in these documents:

... items of special importance [are] singled out, those things that linked her to the past, to memorable events, to the people who had shared them, and to those whom she had chosen to carry her memory into the future. Each object curated during the will-maker’s lifetime and personally selected as a bequest had a human value as well as an intrinsic one.¹⁰

It is true that items of significance were singled out in wills, but it is also true that items which we might expect would be of special importance, whether because of their economic worth or their rarity, were often omitted from wills altogether (Ann Lloyd’s fiddle, for instance, noted in chapter four). Meanwhile, as the evidence of the court depositions has shown, sometimes bequests were not ‘personally selected’ but were imposed during deathbed conferences,¹¹ while James’s use of the verb ‘curated’ implies a certain careful selection process in the acquisition of property during a person’s lifetime, which may have the effect of

⁹ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), 7. Erickson quotes Ralph Josselin’s mourning the loss of his daughter to substantiate this statement. See also Ralph Houlbrooke, *The English Family: 1450-1700* (London: Longman, 1984), 134-40; and Linda Pollock, *Forgotten Children: Parent-Child Relations from 1500-1800* (Cambridge: Cambridge University Press, 1983), 64-5. The numerous scholars of the history of emotion cited above also provide insight into this debate.

¹⁰ Susan E. James, *Women’s Voices in Tudor Wills, 1485-1603: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 231. Giorgio Riello also asserts the emotional significance of wills, stating: ‘The affective and personal value of goods is only rarely conveyed in inventories; wills are much more suitable documents to make material culture tangible and meaningful. They are personal documents that explain and contextualize the actions of the deceased and often refer to his or her belongings in the forms of presents and bequests to friends and family. [Economic] [v]alues in this case become unnecessary because objects are invested with emotional and personal meanings.’ ‘“Things Seen and Unseen”: The Material Culture of Early Modern Inventories and their Representation of Domestic Interiors’, in *Early Modern Things: Objects and their Histories, 1500-1800* ed. Paula Findlen (Routledge: London, 2013), 143.

¹¹ See the will-makings of Christian Delamere and John Wilcox cited in chapter two.

romanticising the early modern experience of the acquisition of new goods. In a similar vein Catherine Richardson asserts that, particularly in cases where items were bequeathed to children, and were recognised within the will as having previously belonged to a family member, there was ‘... a desire to record previous ownership for the added affective value which it gives to the bequest’.¹² Richardson bases this conclusion on no more overt evidence of such motivations than those bequests stating, for example, that an item “was his mothers’’: it is argued in this thesis that the most that can be ascertained from this statement and others like it is that the testator wished the object to be easily identifiable or distinguishable from others of its type.

Such assumptions about the perceived emotional value of early modern gift-giving adhere to our modern sensibilities, and do not seek to understand these bequests in their specific social, cultural and historical milieux. To date only one other scholar has urged caution in interpreting the emotional significance of bequests: Lena Cowen Orlin, who asserts:

Even if personal possessions played an affective role in the lives of their owners, at the moment of will-making the demands of custom and of law required them to take up again the status of disinterested commodities.¹³

For Orlin, the language of the wills indicates that the primary concern of testators was to describe their goods in such a way that would enable them to be easily identifiable to appraisers and legatees post mortem. She argues that this therefore demonstrates that ‘early modern possessions were generally represented as carriers of economic worth, and little more.’¹⁴ As a result, she states that if certain items did have a personal significance during the

¹² Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England: the Material Life of the Household* (Manchester: Manchester University Press, 2006), 70.

¹³ Lena Cowen Orlin, ‘Empty Vessels’, in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009), 307.

¹⁴ *Ibid.*, 300.

testator's lifetime, that 'the language of [their wills] does not allow us to access it.'¹⁵ Her argument is an important counterpoint to the scholarship cited above, yet to assert that there was no emotional import represented in the descriptions of bequests arguably goes too far. This thesis seeks to understand how much weight should be placed on the terminology used in wills by treading a cautious – but hopefully fruitful – line between the opposing arguments of Orlin and the other scholars: the contention here is that in order to recover the significance (symbolic, if not affective) of the bequests made in these wills, a holistic approach should be adopted, examining the gifts given in terms of their materiality, their likely economic value, the testator's relationship to the recipient, and – perhaps most importantly – the language used in making the bequest. Such an approach should help to mitigate modern assumptions about testamentary gift-giving and in doing so provide greater insight into the 'true' meanings of these bequests, although always with the caveat that these 'true' meanings are by their very nature intangible.

Despite her reluctance to read emotion in bequests, however, Orlin does concede that there are a couple of occasions in which the language of wills might provide access to emotional import: when testators employed the language of 'remembrance' or 'token', and when goods were 'identified by means of their own remembered histories of ownership'. She argues that this is because these strategies 'eschew physical description for a vocabulary that engages the potentially affective faculty of memory.'¹⁶ Ultimately however, Orlin still finds that even those bequests made using the language of remembrance only 'seem to have had symbolic value and financial value, but no recoverable sentimental value.'¹⁷ The first section of this chapter will consider the significance of the terms 'remembrance', 'token', and 'love' in the context of gift-giving in Stratford, challenging Orlin's conclusions, before moving on finally

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid., 303.

to consider the types of goods given in the wills, where the legacies will be treated holistically in order to provide balance to the arguments cited above.

Phraseology

In the scholarship relating to early modern material goods, any seemingly small or apparently insignificant gift is generally judged to have been a ‘token’ or ‘keepsake’, regardless of whether the item was given as a bequest or in another context. Ilana Krausman Ben-Amos, for example, describes ‘tokens’ being offered to guests at christening dinners,¹⁸ while Keith Wrightson identifies as ‘tokens’ bequests of small sums of money, clothing, household goods, and, intriguingly given their scarcity and high economic value, musical instruments, in the wills of seventeenth-century Newcastle plague victims.¹⁹ Lucinda Becker, meanwhile, claims that the typical early modern woman was ‘concerned with leaving keepsakes and the minutiae of life to her family circle. To leave items such as “a brass pot” or “a piece of linen” was commonplace in women’s wills...’²⁰ Becker’s comment here illustrates how the categorisations of ‘keepsake’ and ‘token’ have naturally been applied to the majority of women’s bequests which, being concerned as they are primarily with the domestic sphere, are often viewed as trifles in comparison to men’s more substantial gifts of land and property.

It is argued here, however, that historians have failed to engage with the historical usage of these terms, and that employing them in this way trivialises women’s gift-giving,

¹⁸ Ilana Krausman Ben-Amos, *The Culture of Giving: Informal Support and Gift-Exchange in Early Modern England* (Cambridge: Cambridge University Press, 2008), 166.

¹⁹ Keith Wrightson, *Ralph Taylor’s Summer: A Scrivener, his City, and the Plague* (London: Yale University Press, 2011), 91-94.

²⁰ Lucinda Becker, *Death and the Early Modern Englishwoman* (Aldershot: Ashgate, 2003), 141-142. Indeed, Becker talks of the ‘differing motivation behind a man’s will, necessarily produced principally in order to distribute the family’s goods upon his death ... and a woman’s will, used more often to confirm personal and family relationships...’, 154. See also Will Coster, *Kinship and Inheritance in Early Modern England: Three Yorkshire Parishes* (York: St. Anthony’s Press, 1993), 14-17; and pp. 268-269, below, for a Worcester court case which testifies to the potential economic and emotional significance of brass pots.

undervaluing the potential practical, economic, and emotional significance that gifts of household or other ‘personal’ goods could have. This is particularly the case when women’s gifts are compared with men’s. Furthermore, such asseverations do not allow for the possibility that men also bequeathed goods as ‘keepsakes’ or ‘tokens’, and therefore preclude any consideration of what such bequests might have signified. Indeed, as Wrightson notes, while the giving of ‘tokens’ was ‘particularly evident among women ... it was also pronounced among men, two-thirds of whom distributed tokens in their wills.’²¹ Moreover, in categorising bequests in this way, historians also apply what is arguably a very modern definition of what denotes a ‘keepsake’ or ‘token’, with the implications of diminutive, not necessarily useful or economically valuable gifts.²² Yet older notions of ‘token’ in particular refer instead to ‘Something serving as proof of a fact or statement; an evidence.’²³ Rather than simply accept these modern assumptions, therefore, and apply them uncritically to Stratford’s wills, it is important to examine only those gifts given when the language of ‘keepsake’ or ‘token’ is used: only in this way is it possible to recover a more historically accurate sense of the context in which these bequests were made.

Current scholarship tends to assume that almost all ‘tokens’ or ‘keepsakes’ were left by women, but in fact in Stratford only men employed the word ‘token’ in their wills, while the

²¹ Wrightson, *Ralph Taylor’s Summer*, 92. Like Becker, Wrightson identifies as ‘tokens’ small sums of money, clothing, and household goods, and he talks of the ‘language of tokens’ (94) but does not provide a single example of a bequest made using this word. He assigns these economically smaller bequests the status of ‘token’ because they appear to him less significant than those of land or property. This categorisation is problematic because it rests on our assumption that these bequests were of less significance to both the testators and beneficiaries, and this may not necessarily have been the case.

²² Informal surveys conducted by this author suggest that, anecdotally, these assumptions about the size and intrinsic value of keepsakes persist even though they are not alluded to in the *Oxford English Dictionary’s* definition of the term, which describes a ‘keepsake’ as: ‘Anything kept or given to be kept for the sake of, or in remembrance of, the giver.’ “keepsake, n.” *OED Online*. (Oxford University Press, December 2015) <http://www.oed.com/view/Entry/102788?redirectedFrom=keepsake&> (accessed 16 February 2016). Similarly, the *OED* describes ‘token’ thus: ‘Something given as an expression of affection, or to be kept as a memorial; a keepsake or present given especially at parting.’ “token, n.” *OED Online*. (Oxford University Press, December 2015) <http://www.oed.com/view/Entry/202947?rskey=u28P99&result=1&isAdvanced=false> (accessed 16 February 2016).

²³ This definition dates back to the eleventh century, pre-dating the definition given in footnote 22 by around three hundred years.

word ‘keepsake’ was not used at all. Four testators spoke of ‘tokens’, and most of the bequests given in this context were money. In 1622 Anthony Nasshe of Old Stratford, gentleman, left ‘to my daughter Coxe in token of a remembrance the some of Fortye poundes’, leaving half this sum, also ‘in token of a remembrance’, to his son-in-law William Coxe, should both his daughter and then his executor die.²⁴ In 1611 yeoman Thomas Hiccox left to his niece, Dorothy Hiccox, ‘in somme parte and token of mj good Will for hir longe service Five poundes of good and lawfull mon[ej] of Englande...’.²⁵ It seems likely that Dorothy had been living with her uncle, probably in the capacity of maidservant, so while it is possible that at least some of this money was wages due to her, what is clear is that Thomas nevertheless wished to convey his ‘good Will’ towards his niece.

The bequests made by Richard Boyce (1603) and Humfrey Brace (1591) are worthy of more comment, however, because they provide some qualification to the assertion that only women left goods of an allegedly more trifling nature in order to – as Becker asserts – ‘confirm personal and family relationships’.²⁶ Boyce, a tailor, employed the language of love, friendship and neighbourliness in appointing his overseers and leaving them a small monetary gift:

I doe desire my loving frendes and <seed> good neighbours John Smythe the Iron monger and William wyet to be over seers of this my last wyll and testament to whom I geve in token of my love xijd a pece²⁷

Brace, a mercer, also drew upon the language of love and friendship in nominating his overseers:

²⁴ Will of Anthony Nasshe. The language of ‘remembrance’ will be discussed in more detail below.

²⁵ Will of Thomas Hiccox.

²⁶ Becker, *Early Modern Englishwoman*, 154.

²⁷ Will of Richard Boyce.

I Desire my trustie and loving freindes Master Richard Lane and Master Iohn Combe to be the ouerseers of this my laste will and testament ... and to haue for their paynes /eche of them\ a Dozen of the best silke poyntes as a token or remembraunce hereof.²⁸

Both men left their ‘token’ bequests to men they had appointed to oversee the execution of their wills, and the language used undoubtedly served to impress a sense of obligation or duty on those nominated. Both utilised conventional adjectives (‘trustie’, ‘loving’, and ‘good’) to qualify their descriptions of their ‘freindes’: this tactic would have served to declare the nature of their relationship to those present at the will reading and to reinforce these bonds publicly at this time of crisis. Boyce also highlighted the men’s residential proximity to him, probably as an additional nod to the important bond often noted between neighbours at this time and as another means of calling upon the help of local social networks.²⁹ Meanwhile, Brace’s addressing his friends as ‘Master’ simultaneously highlighted their superior social status and his upwardly mobile connections, acting as a deferential means of ensuring their cooperation.

Yet even though the statements framing these bequests were undoubtedly intended to impress a sense of obligation upon the chosen overseers, this does not negate the significance of the bonds these will-makers wished to express and the manner in which they did so. Brace in particular deviated from the others, who all left monetary bequests as tokens, and chose to bestow a dozen silk points upon each of his overseers. Points were used by both sexes to lace garments together (i.e. to connect breeches to trunk hose, or sleeves to a bodice), and these essential yet decorative items would have been visible when fully dressed and therefore a

²⁸ Will of Humfrey Brace.

²⁹ Will Coster, *Family and Kinship in England, 1450-1800* (London: Pearson Education Limited, 2001), 44.

good way to display one's wealth or superior social standing.³⁰ An idea of their monetary value can be gleaned from the inventory of the pedlar Avery Clarke, who died in Stratford in 1624: amongst the contents of her pedlar's box were listed 'nine silk ponntes' valued at 12d.³¹ At this valuation, a dozen would have cost 16d, and probably rather more in real terms in 1591, when Brace made his will. Brace, therefore, chose to bestow this generous gift to demonstrate his estimation of the men in question.³² Stratford's women were nearly twice as likely as the men to leave bequests of clothing, therefore this gift is noteworthy: if it had been left by a woman then traditional scholarship would have considered it only a trifle or a simple declaration of affection, but Brace clearly left it as a generous reward for undertaking the overseeing of his will. Silk was a costly fabric, and its economic value would not have been lost on his overseers.

Each of these examples demonstrates that more caution should be exercised in applying our modern understanding of the term 'token' (and by extension 'keepsake' also) to early modern wills: there is clearly an important distinction to be made between the meaning intended to be conveyed by a testator's use of the term, and that inferred by historians where the term has not been employed, on the basis of the perceived economic or emotional worth of the gift alone. None of Stratford's female testators used this language, and the men who did clearly did so not in order to bestow a small gift of little worth, but rather to impress upon the recipient the gift's significance as material evidence of their bond. Moreover, if the word 'token' had been considered conventional and commonly employed by Stratford's scribes

³⁰ For an example of what these might have looked like when worn, see Jenny Tiramani, 'Pins and Aglets', in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2010), 90-91. For images of the points, see plates 2 and 3.

³¹ Jeanne Jones, *Stratford-upon-Avon Inventories 1538-1699, vol. 1, 1538-1635* (Stratford-upon-Avon: The Dugdale Society 2002), 329-330.

³² In Diana O' Hara's article, 'The Language of Tokens and the Making of Marriage', she tells how a man gave his beloved 'a doosen & an halfe of silke poynts conditionallie to bestowe them at their marriadg ... she tooke them & sayd she would bestowe them & distribute them at their maryadg, or promised to do so.' *Rural History* 3, no. 1 (1992): 3. This might indicate that points had a common significance as gifts designed to be universal and to bestow favour on the recipient, and that they were transferable between, or relevant to, a variety of situations.

then it would be expected to occur with much more frequency in the wills, perhaps on a par with the numerous occurrences of ‘welbeloved wife’ which appear in married men’s testaments.³³

Many scholars, meanwhile, also assert the importance of goods given explicitly in ‘remembrance’ at this time, and not just in the context of the deathbed. Diana O’Hara, for example, notes the importance of the term in the making of marriages,³⁴ while she also highlights how the language of remembrance used in making these marital gifts could be applied to different situations, in a ‘society which might seek to transact all kinds of relations by means of symbolic gestures and objects.’³⁵ James, meanwhile, notes the language of remembrance used in Tudor women’s wills as a means of reinforcing the social networks forged in life.³⁶ Yet as has been seen in relation to the term ‘token’, ‘remembrance’ might also be employed by male testators. In the wills of Humfrey Brace and Anthony Nasse, the term was used alongside the language of ‘token’. The particular phrasing of Nasse’s will – ‘in token of a remembrance’ – suggests that the money was given to his daughter and son-in-law in lieu of a physical object which would have been classed as the remembrance itself.

³³ Thus the relative scarcity of this term, along with the fact that none of the wills appears to have been contested, indicates that on the whole, the town’s scribes were trusted to write wills according to the wishes of the testators, and that the wills which remain extant can be considered the expressions of the testators themselves.

³⁴ ‘Some [marriage] gifts were ostensibly given unconditionally, or were otherwise bestowed for purposes of remembrance, goodwill, or reciprocation, serving to maintain a relationship and confirm positive sentiments.’ O’Hara, ‘The Language of Tokens’, 22. Catherine Richardson similarly notes the contractual implications of gifts given and received in a spirit of remembrance amongst lovers in early modern Wye, near Canterbury. A marriage dispute from the ecclesiastical court records of 1567 tells of a young man’s dismay as his betrothed, who had previously accepted from him several gifts offered in the language of ‘remembrance’, married someone else instead. ‘“A very fit hat”: Personal Objects and Early Modern Affection’, in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009), 290-292.

³⁵ O’Hara, ‘The Language of Tokens’, 5.

³⁶ James, *Women’s Voices*, 77.

This is reinforced by reference to the language of Brace's will, in which he left his overseers the dozen silk points 'as a token *or* remembrance' [my emphasis].³⁷

The wills of two other testators also employed the language of remembrance. Daniel Baker, alderman and one of Stratford's most substantial inhabitants, added a codicil to alter an earlier bequest to his granddaughter Marie who had married since the drafting of his will, and who had thus evidently already received her portion. His revisions left her 'five poundes and noe more as a Remembrance of my love' in his 1637 will.³⁸ Here, the stringency of the stipulation 'and noe more' contrasts strikingly with the invocation of remembrance and the declaration of love which follow immediately after. It is doubtful, however, that this wording should be interpreted negatively in terms of his relationship with his granddaughter. In his codicil he made it clear that he had provided amply for Marie on her marriage, endowing her with:

two hundred poundes of lawfull money of England besides much other charges in apparrell for the said Mary and other Expence concerninge the said marriage amountinge vnto a good value...

This statement, dealing as it does with inter-vivos gifts, technically has no place in a will, designed as they were to be legally sound vehicles for the distribution of goods post mortem. Its appearance, along with the wording of the altered bequest in the codicil, probably indicates that Daniel thought that he had done enough for Marie financially, but that he

³⁷ The *OED* also defines 'token' as a verb in this sense: 'To be a token or sign of; to signify, represent, denote, mean, betoken.' "token, v.". *OED Online*. <http://www.oed.com/view/Entry/202948?rskey=6nXU2E&result=2&isAdvanced=false> (accessed 17 August 2016).

³⁸ Will of Daniel Baker. Originally, Daniel had left Marie £100 to be paid to her in compensation for her cousin being given land and property once he had turned twenty-one; £5 a year for her breeding until she turned 21, and then £5 a year until she received her portions as set out in the will; and a further 100 marks if she were to marry with the consent of Baker's executors when she turned 21.

nevertheless wished to acknowledge his affection for her in his will. His use of the word ‘love’ in bestowing upon her the additional gift of five pounds serves to confirm this.

In the 1625 will of Margaret Smith, meanwhile, the widow left ‘to Mistress whyat a peece of white ~~Ch~~ Cloth of Three yardes in Remembrance’.³⁹ The import intended in this bequest is rather more difficult to recover, however. Margaret specified no familial or other connection to Mistress Whyat, and it might therefore be assumed that the two were friends. Neither did she specify the kind of cloth her friend should receive, which may have impacted on its likely economic value: the prices of most fabrics declined from the late sixteenth into the early seventeenth centuries, although some may have held their value better than others.⁴⁰

Furthermore, exactly why she chose to use the language of ‘remembrance’ is unclear: it might instead be expected that a complete garment would be left as a remembrance (a handkerchief or an apron, perhaps), due to the items’ proximity to the wearer’s body and the ‘personalisation’ endowed upon them by their use.⁴¹ The description of this piece of cloth, however, indicates that it was not a garment, but in fact just a length of fabric. The logical inference to make here would be that Margaret expected Mistress Whyat to make something out of the cloth, but exactly why she framed her gift in the language of remembrance remains unclear: had Margaret intended to make or been commissioned to make something for her friend but had not managed it? Or had Mistress Whyat given Margaret a handmade item of clothing previously, and was this Margaret’s way of reciprocating?

³⁹ Will of Margaret Smith.

⁴⁰ Carole Shammas, ‘Changes in English and Anglo-American Consumption from 1550 to 1800’, in *Consumption and the World of Goods* ed. John Brewer and Roy Porter (London: Routledge, 1993), 192.

⁴¹ See, for example, the 1635 will of spinster Anne Raynoldes, in which she left a handkerchief each to an uncle and a cousin, and the case of the will-making of Cecily Batchler of Pershore, in which Cecily wished to leave her sister some clothing, but forgot to include the bequest while the will was being written. Due to this omission she left the disposal of her clothing to the discretion of her brother, who subsequently gave the sister in question a silk apron. Worcestershire Archive and Archaeology Service (hereafter WAAS), Ecclesiastical court depositions 794.052 vol. 8, ff140r.

Margaret's particular naming of her beneficiary in this instance may also be significant: by referring to her as *Mistress Whyat*, Margaret acknowledged the woman's elevated status and thus potentially reframed this gift as one loaded with social aspirations, rather than as one given between equals. This may be particularly true considering the decline in Margaret's personal circumstances following her husband's death: John Smith had been an alderman and a bailiff, but had fallen out of favour with the Corporation shortly before his death in 1601. Afterwards, Margaret found her finances straitened and the Corporation offered her cheap rent on a barn and garden, which she ultimately declined.⁴² It may be that by making this bequest in this way, Margaret was attempting to maintain or possibly revive the favoured social network of which she had previously been a part.⁴³

Conspicuous by their absence in the remembrance bequests made in Stratford's wills are gifts of rings, although rings and money to make rings were given in some numbers (and these will be discussed in greater detail further on). This is contrary to most writing on the subject of remembrance, which asserts how important rings were as markers of memory and tokens of affection, not only from the deceased to the living, but also during life, for example in the making of spousals. O'Hara points to the symbolic significance of the ring, noting its signification of 'the continuous flow of love',⁴⁴ and it is therefore due to this powerful symbolism of eternal and infinite love that rings achieved their prominent place in marriage and betrothal ceremonies.⁴⁵ Both James and Orlin, meanwhile, comment on the frequency with which rings were given as remembrances in wills of this period. James provides examples from women's wills of the highest ranks of society down to the middling sort: in

⁴² Jones, *Inventories*, vol. 1, 339-341.

⁴³ Kathleen Ashley notes that gifts of clothes (and presumably, by extension, material to make clothes) can convey 'multiple meanings, from personal affection to pious almsgiving and the maintenance of social networks.' 'Material and Symbolic Gift-Giving: Clothes in English and French Wills', in *Medieval Fabrications: Dress, Textiles, Clothwork and Other Cultural Imaginings* ed. E. Jane Burns (Basingstoke: Palgrave Macmillan, 2004), 142.

⁴⁴ O' Hara, 'The Language of Tokens', 8-9.

⁴⁵ *Ibid.*, 5.

1558 Alice London, Lady Borough, left £24 for a dozen rings to be made and distributed to her family and friends, with each to include the engraving “Remember Dame Alice Burgh” within it. In 1582 Parnell Legate, an Essex woman of much lesser means, left 20s for each of her grandchildren to buy a ring “for a remembrance of me, their grandmother”.⁴⁶ James talks of these objects conveying ‘the triple message of identity, mortality, and remembrance’, yet implicit throughout her discussion is their importance as carriers of affection.⁴⁷ By contrast, Orlin asserts that, particularly in instances where money was bequeathed in order to make a ring, ‘[t]hese remembrances cannot possibly have had special meaning to the testators because they were goods not in existence at the time of their bequest...’.⁴⁸ It may be the case that the giving of money to make rings was a common convention, yet this does not by extension render these conventions devoid of meaning, or their (future) gifts of emotional charge.⁴⁹

Only one bequest of a ring in Stratford came close to invoking a remembrance: in 1628 Richard Whiting, yeoman, left his brother Thomas Whiting of London forty shillings ‘to buy him a Ringe to weare for my sake’.⁵⁰ Even though this gift was an object in prospect, and as such under Orlin’s interpretation would have held no special significance for the testator, the language of Richard’s bequest in fact indicates his emotional engagement with the future item, in that he wished his brother to commission and wear the ring in his memory.

The evidence provided here concerning the use of the language of remembrance in both marital negotiations and will-making indicates that early modern people gave gifts framed in this language during their most significant life events. This language was often invoked in

⁴⁶ James, *Women’s Voices*, 81.

⁴⁷ *Ibid.*, 82.

⁴⁸ Orlin, ‘Empty Vessels’, 301.

⁴⁹ Orlin does note, however, that while some testators may have hoped that rings would ‘accrue relational import’, that she has not come across a single instance of a beneficiary passing a remembrance ring on, with a note that the object held special significance because it had once been given as a remembrance. *Ibid.*, 302.

⁵⁰ Will of Richard Whiting.

order to demonstrate love, affection, and respect, and also to stir feelings of obligation or duty. This contrasts with Orlin's finding that gifts given in remembrance had no 'recoverable sentimental value.'⁵¹ Declarations of love or affection, meanwhile, were slightly more common in Stratford than those of remembrance, appearing in six wills (again, all men's). Perhaps the most significant occurs in the 1611 will of Thomas Hiccox, yeoman, in which he made the following bequest:

*First for the kinde affection which I beare vnto my beloued wife Elisabethe and vpon confidence which I repose in hir faithfull and carefull loue whiche she will shewe vnto me in the virtuous and well breedinge of those children whiche are or shalbe betwene vs ... mj will is That she shall haue and enioie all and euerie the houses barnes stables yardes gardens and all and singuler edifices and buildinges ...*⁵² [My emphasis.]

Here Thomas publicly declared his 'kinde affection' for his 'beloued wife', also announcing the trust he held in her regarding the rearing of their children. Even though the phrasing of the bequest relating to her custody of the children hints at Thomas's impressing upon his wife a sense of duty in raising them in the manner in which he had specified, his affection for Elizabeth as expressed here cannot be denied. What this bequest also does is neatly illustrate the range of language used by testators when making their wills, and show how problematic this can be for historians seeking to recover the 'true' nature of relationships. Contrasting this bequest with those in which husbands refer to their 'lovinge' or 'welbeloued' wives in particular seems to indicate a greater degree of displayed affection on Thomas's part: his

⁵¹ Orlin, 'Empty Vessels', 303.

⁵² Will of Thomas Hiccox. The other wills are: Edward Hunte, Richard Baker (1639), Richard Boyce, Thomas Atwod, and Michael Smart.

phraseology is unconventional and explicitly sets out his affection for his spouse.⁵³ This is not to say that Thomas necessarily loved his wife more than the other will-making husbands of Stratford did their own, only that the language of *his* bequest explicitly acknowledges that affection: the language of the other wills is conventional, and affection only implied.

This treatment of the language of ‘remembrance’, ‘token’, ‘keepsake’, and ‘love’ in Stratford’s wills has demonstrated the perils of applying modern assumptions to these historical documents. In contrast to the assertions of many scholars who insist that women were concerned with bequeathing such seemingly trivial gifts, the evidence presented here has instead shown that only Stratford’s men bequeathed goods framed in this language, and that their import was far from trivial. The final section of this chapter considers the significance of the different types of bequests found in the wills, paying particular attention to the language used in the framing of legacies. As explained above, many scholars have assumed that certain types of bequest, even when not couched in the language of love or remembrance, also nevertheless signified a demonstration of affect. This final section will consider this theory.

Types of Bequests

Money

With a total of 1693 bequests, this was by far the largest category of gift given in Stratford.

Men left far more gifts of money than women, with 1442 bequests, compared to the women’s

⁵³ The word ‘welbeloved’ is used 76 times in Stratford’s wills, in reference to wives, friends, sons, and other family members. This points to its conventional nature. Houlbrooke comments that husbands’ use of such adjectives to describe their wives became ‘more common and finally customary by the end of the [seventeenth] century.’ ‘Death, Church, and Family in England Between the Late Fifteenth and Early Eighteenth Centuries’, in *Death, Ritual and Bereavement* ed. Ralph Houlbrooke (London: Routledge in Association with the Social History Society of the United Kingdom, 1989), 32. In Stratford it seems that these expressions were conventional, if not customary, by a much earlier period.

251 (see chart 4). However, nearly five times as many men's wills as women's survived: on average, therefore, Stratford's male testators actually made almost a third more monetary bequests than their female counterparts.⁵⁴ This is a not-insignificant disparity, although the gulf between the two is not enormous, and it demonstrates that the women (at least the widows and the single women) were proportionally almost as concerned to dispose of money in their wills as the men. This allows us to challenge the assertion that women were only concerned with disposing of 'keepsakes' and moveable goods, in comparison with men's preoccupation with distributing their financial assets and property.⁵⁵

But were there any differences in the men's and women's preferred recipients of their money? As charts 3 and 4 demonstrate, aside from legatees who were 'unknown or unspecified', who charted first in women's wills and second in men's, there are a few small but significant differences in the distribution patterns in this category. Male testators were keen to provide their daughters with monetary legacies first of all, perhaps in compensation for their tendency to leave land and property to sons. However, men also left cash to their sons in significant numbers, with male children appearing third on the list, only fifty-nine bequests behind their sisters. Friends were the next most common recipients of men's money. Female testators, however (as suggested in chapter four), proved most keen to provide for their female descendants, with granddaughters and daughters being the second and third most popular recipients of money, respectively. Sons and grandsons followed in fourth and fifth.

⁵⁴ See chapter four for more on this.

⁵⁵ Becker, *Early Modern Englishwoman*, 141-142 and 154.

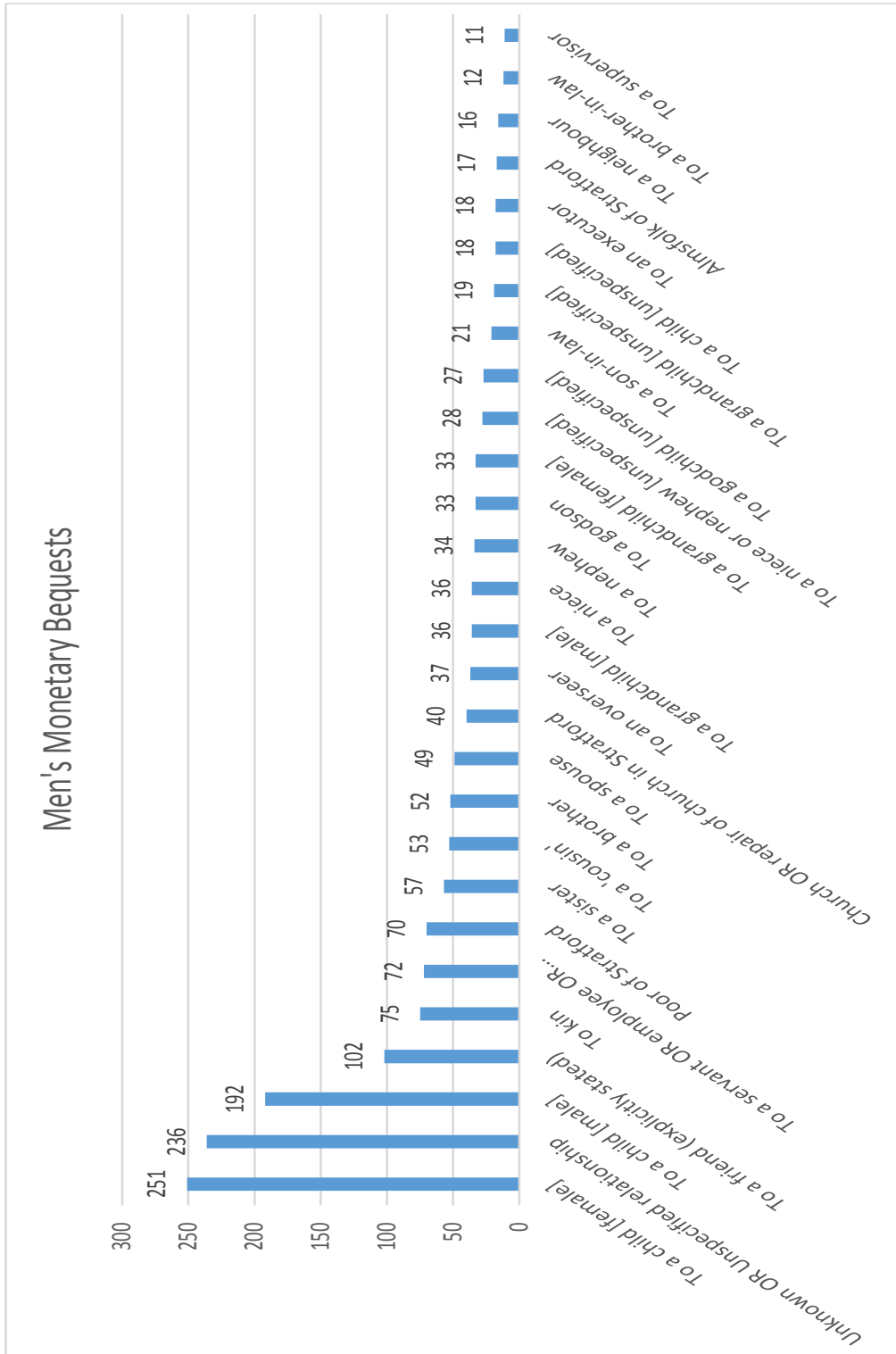


Chart 5 – Men's monetary bequests

In a similar manner to the analysis of bequests conducted above, in which focus was placed on phrasing to uncover affective significance, it is also important to examine the language used by Stratford's testators when leaving gifts of money. Money was arguably a rather anomalous commodity during the early modern period, at a time when hard cash was in short supply and when business was generally conducted by the periodical settling of running accounts or on the basis of reciprocity, or payment in kind.⁵⁶ The evidence from the wills indicates, perhaps as a result of this scarcity, that bequests of this kind may have held a special significance for testators and their beneficiaries, in that money was often used to impress upon the recipient a sense of obligation. The language used in making these bequests differed according to the proposed legatee, their relationship to the testator, and the testator's intended role for them, however.

In the entire set of wills there is only one monetary bequest which set out explicitly the testator's love for the recipient, and in which money was given with no apparent obligation. It is found in Edward Hunte's 1634 will, in which he left his daughter-in-law Susanna Parker 'Fyve shillings as a Testimonye of my love'.⁵⁷ This is the only time Edward made such a declaration, therefore we might reasonably assume that he wished to acknowledge the loving relationship he enjoyed with his daughter-in-law.⁵⁸ Monetary bequests in other wills did involve the language of affect but were less overt: the teenaged spinster Anne Raynoldes, for example, left one hundred and twenty pounds and a heifer to her 'dere mother' in 1635,⁵⁹ while the innkeeper Anthony Bell made the following gift in 1631:

⁵⁶ Judith Spicksley, "'Fly with a duck in thy mouth": Single Women as Sources of Credit in Seventeenth-Century England', *Social History* 32 (2007): 190, and Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke: Macmillan, 1998), 98 and 107-108.

⁵⁷ Will of Edward Hunte.

⁵⁸ The significance of this bequest has been discussed more fully in chapter three.

⁵⁹ Will of Anne Raynoldes.

Item I give and bequeath vnto my loveing kinsmen Anthony Bell Brian Bell, and Thomas Bell of London vnto every of them the somme of tenne pounds of like lawfull money of England within sixe moneths next after my decease...⁶⁰

Usually a bequest framed in this way would specify that the recipients should act as executors or overseers, however in this case Anthony evidently simply wished to remember his kinsmen and acknowledge their ‘loveing’ relationship. These bequests and a few others like them were given without any conditions, however almost every other bequest of money which was couched in the language of love or affect was made to people fulfilling a specific role, such as overseer or supervisor.⁶¹ The sheer number of these bequests testifies to the importance of money as a tool for bargaining or for insinuating ties of obligation or duty, and by examining the language used it is possible to build a more nuanced understanding of exactly what that entailed.

The language of monetary gifts to supervisors and overseers can be arranged on a spectrum, ranging from fairly straightforward declarations of friendship, to avowals of trust combined with the invocation of kin relationships, to more convoluted expressions of sentiment which may have been intended to impress upon the recipient some sense of their duty to the testator (often for the good of the testator’s family). A typical example of the first kind of bequest occurs in the will of John Wylkenson alias Sadler (1542), in which he declared: ‘Also I orden & mak my *welbelouyd friend* Oliuer lyzthfott⁶² super-visor of this my last wyll & testament to see hit performyd & done and he to have *for his labor & paynes takyng* vjs viijd’ [my emphases].⁶³ Here Wylkenson’s use of the language of friendship in conjunction with the adjective ‘welbelouyd’ foregrounds the precise nature of his relationship with Lightfoot,

⁶⁰ Anthony was described as ‘inholder’ in his will.

⁶¹ As, for example, in the wills of Daniel Baker, Richard Boyce, and Thomas Lucas. This list is not exhaustive.

⁶² ‘Lightfoot’. The ‘z’ is a yogh.

⁶³ Will of John Wylkenson alias Sadler.

while his specification that Lightfoot was to ‘see hit performyd & done’ and to receive money ‘for his labor & paynes takyng’ seems to declare a certain expectation of Lightfoot’s assiduity in carrying out the tasks required of a supervisor. The statement makes it clear that Wylkenson expected that Lightfoot *would* take pains to ensure that his wishes were obeyed. Rather more stringent phrasing occurs in some wills, as, for example, in that of the widow Julian Smyth alias Courte (1592), who nominated as her overseers:

... William Barnes of Clyfforde esquier Richarde Hawle of [?vtlecote] gentleman & William Smyth alias Courte my sayde kinsman, desiering them *as my speciall trust is in them* to see this my Laste will and testament performed, *and for their payne therin takeng* I giue vnto the sayde william Barnes and Richarde Hawley twentie shillinges a peece &c. [my emphases]⁶⁴

Julian arguably went one step further than Wylkenson in the language used in appointing her overseers. It is notable in the first instance that she took pains to specify the social status of the first two men, and her appointment of Barnes and Hawle along with her public acknowledgment of their standing may have helped this widow to achieve one of two aims: by pointing to the men’s elevated status Julian may have been seeking to raise her own standing by association; or she may have been demonstrating the exalted nature of her connections in order to maintain her own place within Stratford’s hierarchy.⁶⁵ Julian also evoked the language of kinship in the appointment of her third overseer and referred to the anticipated aid of all of the men in question, as most testators did, however the declaration of

⁶⁴ Will of Julian Smyth alias Courte.

⁶⁵ No inventory survives for Julian, however she left monetary bequests to the value of £184 10s in her will, which was proved in the Prerogative Court of Canterbury. Wills proved in the PCC usually belonged to the wealthier sort of people, as its jurisdiction covered the testaments of people who owned property valued at over £5 or whose property was located in more than one county. Erickson, *Women and Property*, 141; and Tom Arkell, ‘The Probate Process’, in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press Limited, 2000), 11.

her ‘speciall trust’ in them stands out. With this Julian may simply have wished to declare that she trusted the men to oversee the execution of her will, yet there may also have been an important subtext involved in this particular choice of words: such an assertion was probably intended to impress upon the men a sense of the importance of their duties, thus rendering it more likely that they would be extra diligent in their work.⁶⁶

Finally, there occur bequests to supervisors and overseers which explicitly request that the recipient should perform some specific task in return for their gift, as in the 1638 will of the innholder Henry Hiccox, who asked his ‘lovinge friends’, his overseers, to:

... be aydinge helpinge & assistinge vnto my said wife in & about the performance & execucion of this my will, & especially for the managinge & placinge forthe from time to time & at all times of my said Childrens legacies, And I doe give them Sixe shillings /& eight pence\ a peece for their paines to be taken therin [my emphasis]⁶⁷

Stipulations like these were never made without the language of love or friendship, or without the testator specifying their particular relationship to their chosen overseer.⁶⁸ In this example Henry clearly demonstrated concern for the future welfare of his offspring, yet in doing this he adhered to what seem to have been acknowledged conventions in terms of how this concern could be conveyed to the overseers. First of all, the language of friendship was employed once again, signifying in its most basic sense Henry’s relationship with his overseers. However the term ‘friend’, denoting as it did a reciprocal relationship ‘based on

⁶⁶ There is evidence that in Stratford, groups of men of some standing may have operated as overseers in a semi-professional capacity. William Walford, Henry Wilson, and Robert Butler all appeared as witnesses or overseers in a number of wills, sometimes alongside each other, which may indicate that, being in positions of trust and responsibility in the local community, these men may have been viewed as some kind of workforce to be called upon to ensure that a will would be executed in the appropriate manner.

⁶⁷ Will of Henry Hiccox.

⁶⁸ The 1606 will of the minister John Marshall demonstrates a similar concern to Henry’s, and uses comparable tactics to impress a sense of duty upon its overseers: ‘And I intreate *mj lovinge neighbours and good frendes* Abraham St[u]relej Frances Ainge, William Ainge and mj Father in lawe Ralfe Lorde, to be mj overseers of this mj laste will and testamente, *desiringe them to take care, to haue mj childrens portions vsed to their beste profit* vntill they accomplishe the yeares aboue set downe: *and thej to haue for their paines xijd apeece.*’ [My emphases].

active support', simultaneously also signified a level of trust placed in the so-named person by the testator.⁶⁹ Moreover, statements which simply noted these relationships were clearly not considered sufficient when nominating an overseer or supervisor: instead, in most cases any relational term was employed in conjunction with adjectives such as 'lovinge', 'good', 'trusty', or 'welbeloued'.⁷⁰ This occurs in all of the examples given here, and in the vast majority of all supervisor and overseer appointments made in the wills. The use of these loaded, conventional, yet no doubt sincere adjectives evoking ties of affect would have served to impress upon those in question a sense of moral obligation to the testator: in return for their monetary gift (and by implication any other gift they may have received in the will) they were expected to follow the testator's instructions and ensure the completion of the will according to the terms given.⁷¹ The often public reading of these wills meant that all present would have been impressed with the import of these messages, and this publicity may have provided a sort of informal, communal guarantee to the testators: if their supervisors or overseers were found to be lax in their duties, then there was potential for community pressure to be brought to bear to ensure that they fulfilled the role correctly.

⁶⁹ Keith Wrightson, 'Mutualities and Obligations: Changing Social Relationships in Early Modern England', *Proceedings of the British Academy: Volume 139, 2005 Lectures* (Oxford: Published for the British Academy by Oxford University Press, 2006), 164. Wrightson says that friendship ties at this time involved 'a high degree of trust and moral expectation', 166. Referring to an overseer as a 'neighbour', meanwhile, as John Marshall did, may have been a means of invoking the strong bonds of community. Wrightson also talks of the enduring nature of the neighbourly bond, 166-167. Alan Macfarlane also asserts the importance of neighbourly ties for the diarist and clergyman Ralph Josselin: *The Family Life of Ralph Josselin, a Seventeenth-Century Clergyman: an Essay in Historical Anthropology* (Cambridge: Cambridge University Press, 1970), 149.

⁷⁰ For the different roles enacted by overseers, supervisors, and executors, see above, p. 19, n. 39.

⁷¹ This reinforces the view of will-making at this time as a reciprocal act, as discussed in chapter two: although testators were keen to bestow their goods for the benefit of their family and friends, it seems to have been widely acknowledged that they might expect something in return for their generosity from those taking on roles of responsibility. This was particularly true in the case of supervisors and overseers, who by their very nature had an important role to play in aiding the executor(s) in ensuring the enactment of wills' conditions. As Bernard Capp has noted: 'Early modern conceptions of social order were rooted in the principle of reciprocal obligations.' *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England* (Oxford: Oxford University Press, 2003), 131. See also Ashley, 'Material and Symbolic', 146.

Beds and Bedding

Moving on from the singular category of money, the rest of this chapter will treat of bequests of material culture, which formed the bulk of gifts given in the wills. The second category of bequest to be considered is therefore beds and bedding, which, along with clothing, were usually the most valuable items owned by early modern people. Beds and bedding in Stratford garnered a total of 496 bequests. As set out in chapter four, both men and women left beds and bedding (men mostly to their children and spouses; women to their daughters, granddaughters, and nieces), although proportionally over three times more women than men did so. Examining the detail of some of these bequests allows a consideration of whether men's and women's motivations differed in giving gifts of this kind, and it will also indicate what, if any, emotional import might have been intended.

Perhaps the most famous of all bequests from this period is William Shakespeare's 'second best Bed', which he left to his wife.⁷² Traditionally, this has been interpreted as William's slighting of Anne: after all, the bequest was inserted into the will as an interlineation (and therefore must have been merely an afterthought), while the quality of the bed itself ('second best') has been interpreted as denoting William's scathing assessment of the quality of their relationship.⁷³ This view has been revised in recent years, however, as a greater understanding of beds and their uses in the early modern period has become available. It is now understood that the second best bed would have been the one used by William and Anne, as in the interests of status and hospitality, early modern people reserved their best bed for

⁷² Will of William Shakespeare.

⁷³ Stephen Greenblatt, *Will in the World: How Shakespeare Became Shakespeare* (London: Jonathan Cape, 2004), 146. This view persists in the popular imagination: a recent Guardian article advertising the display of Shakespeare's will describes this bequest to Anne as 'notorious'. Maev Kennedy, 'William Shakespeare's will featuring his last signatures goes on show', *The Guardian Online*, <http://www.theguardian.com/culture/2016/feb/02/william-shakespeares-will-featuring-his-last-signatures-goes-on-show> Article dated 2 February 2016 (accessed 5 February 2016). Most who discuss this bequest fail to mention the fact that Shakespeare left Anne all of the bed's 'furniture' with the bed, too: these soft furnishings would have added significantly to the economic value of the bedstead itself.

their guests.⁷⁴ This knowledge allows a different interpretation of the gift, and in fact indicates that it can be read as a gesture of affection from William to Anne, in leaving her the bed which they had occupied together. The fact that it was inserted into the will after the main body had been written was in all likelihood a simple scribal omission, and not an intentional slight by William at all.⁷⁵

Another William, William Homes, also left his wife bedding in his will (1590):

... I geve & bequeth vnto the same margery my Wyf all such howshold goodes that
<she> I had With her at the day of our maryage Which goods are these one fetherbed
one hillyng one boulster v pere of sheetes...⁷⁶

As is set out in chapter one, husbands and wives frequently retained a sense of the wife's separate property (over and above her right to paraphernalia) throughout their marriage, despite the laws of coverture, and this appears to be the case here: with this bequest, William returned to his wife the property that she had brought with her to their marriage.⁷⁷ For what it might have meant for a husband to do this, however, we have to look to Newcastle, and the will of a man quoted in Wrightson's *Ralph Tailor's Summer*. Wrightson tells how Thomas Swan dictated his will in 1636 and stipulated that:

"All such goods as were his owne" were to be appraised as part of his estate [i.e. go towards the settling of his debts], but "none of the goods which were his wives and

⁷⁴ Nicholas Fogg, *Stratford-upon-Avon: Portrait of a Town* (Chichester: Phillimore & Co. Ltd, 1986), 48. Also Elizabeth Sharrett, 'Beds as stage properties in English Renaissance drama: materializing the lifecycle' (unpublished doctoral thesis, University of Birmingham, 2014), 232. With thanks to Elizabeth for her comments on this point.

⁷⁵ As has been discussed in chapter two, will-making was in most cases an iterative procedure, and on many occasions testators were not able to finalise their wills in a 'perfect' form which would be recognised today: perfectly legally valid end products often included crossings out, interlineations, and additions.

⁷⁶ Will of William Homes. The bequest continues, listing various other household goods, including towels, a brass pot, and pewter items.

⁷⁷ See Orlin, 'Empty Vessels', 304. She says that there was 'an active compensatory ethic at work in common culture, outside the law, which acknowledged women's moral claims to their former possessions.' See also W. S. Holdsworth, who notes that '[A husband] is not the owner of "res paraphernal", which are all other goods than the dos; and of these the wife may make her will.' *A History of English Law, Volume III* (London: Methuen & Co., 1909), 406.

which she brought to him at their intermarriage should be any way diminished but that they should wholly be and remaine to her sole and proper use, saying further that *he would be sorie to leave her in worse estate then he found her*".⁷⁸ [My emphasis.]

This is a dying husband's explicit statement that he wanted to ensure that his wife would not be financially worse off at his death than when they married. We might reasonably extrapolate from this that William Homes felt similarly, in returning to Margery the goods she had brought to their union. Perhaps in this instance and others like it Orlin's assessment of the value of bequests is correct: the particular goods involved in these examples seem to have been valued primarily for their economic worth and for the standard of living they would confer upon the soon-to-be-widowed women; no explicit statement of sentimentality concerning the objects themselves appears in either will, although the men's affection for their wives, along with their recognition of separate property, seems clear.

The economic value of beds and bedding seems evident, therefore.⁷⁹ Any emotional attachment to bedding is more difficult to locate, however, with only two examples existing in the Stratford wills. The only bequests in this category which could arguably be interpreted as playing more of an emotional role than economic are those which itemise a 'Whome made fetherbed', or 'the fetherbedd wherein I laye', in the wills of Alice Bell (1587) and Alice Smyth (1584), respectively.⁸⁰ The language used in these bequests explicitly draws attention

⁷⁸ Wrightson, *Ralph Taylor's Summer*, 91.

⁷⁹ Other examples exist to corroborate this. For example John Brechgirdle, vicar of Holy Trinity Church from 1560 until his death in 1565, provided his two sisters with items of bedding in his will, but distinguished between the quality of the goods they were to receive. To his sister Mawd he left: 'my fetharbed my beste Matteris my iij beste Whytte blanckettes my Neweste bedcoueryng of tapestry woорcke a bolster and a pelowe & ij peare of my beste flaxen shettes', while to his sister Elizabeth, 'wife of John Fynlowe', he left: 'my second Matteris one blanckett my old lardge Coverynge of tapestrye woорcke & one peare of sheates'. Here there is a clear distinction between the goods given to the two women, with Mawd to receive the 'beste' and 'Neweste' items, and Elizabeth the 'old' goods. This, coupled with the attention drawn to Elizabeth's married state, indicates that John felt that Elizabeth had already been settled and therefore had less need of the better quality goods. Maybe he had Mawd's marriage prospects in mind: as Richardson explains, providing both male and female relations with the property necessary to establish a home was a common practice in wills of this time: *Domestic Life*, 76-82.

⁸⁰ Wills of Alice Bell and Alice Smyth.

to the personal manufacture of the item, or its location and proximity to the body of the decedent. In the case of the homemade bed, which Alice Bell left to her daughter Margery, the temptation could be to read this as her setting up of an affective bond between herself and her daughter, perhaps intending that the knowledge that her hands had worked the bed should be a comfort to Margery after her death. Alice Smyth's bequest, meanwhile, to her daughter Alice, could be interpreted as representing a desire on the part of the testatrix to retain a certain physical closeness to her child, even after death, in evoking the shared usage or ownership of the bed.⁸¹ Yet once again the language of both of these bequests simply does not provide enough information to corroborate either of these theories: as far as it is possible to ascertain, both of these descriptions could have been given solely to allow identification of the objects. As far as the surviving evidence indicates, therefore, bedding it seems played primarily an important economic role, in providing for a surviving spouse or for the future domestic comfort of children. There is some evidence to suggest that it might have played a more significant role in the emotional lives of testators, but without explicit declarations of that fact, we must be cautious in our assessments.

Household Goods

With a total of 387 gifts, this category encompassed a broad range of items, including much of the furniture or decoration of a house which was not explicitly related to dining ware, kitchen ware, or bedding. The beginnings of the proliferation in the ownership of goods becomes particularly apparent in the wills by around the 1550s, when the style of will-making changed drastically. Stratford's earliest wills in the vernacular survive from 1537 but

⁸¹ James applies a similar reasoning to her analysis of women's bequests of handmade goods in *Women's Voices*, noting that the items' 'personalized connection to a deceased relative would have in the mind of the will-maker carried to their new owner a persuasive emotional weight.' 87, but see also more generally 82-91.

generally only consist of a few lines in which little to no effort is made to itemise property. See, for example, appendix 1 for the entire 12-line will of John Atwood (1538), in which he simply demonstrated his concern for the disposal of his soul, the final resting place of his body, and the settling of his debts; beyond this, he was content to leave his worldly goods to his wife, imposing no restrictions on her ownership of the property should she remarry. In this aspect, too, the earlier wills differ from those made by husbands towards the end of the sixteenth century onwards, where a definite shift is observable in men placing restrictions on the rights of their soon-to-be-widows.⁸² In many cases men stipulated that their wife should lose all right to the goods were she to remarry, as, for example, Daniel Smith, who in 1613 left his house to his wife ‘yf shee contayne hir selfe soe longe sole and unmarried’.⁸³ Barbara Todd also observed this shift in the wills of men from Abingdon after about 1570: she attributed this to an increase in their sense of individualism and their desire to ensure the transfer of property to their children.⁸⁴ In Stratford the shift might also be indicative of a desire to retain the economic benefits of one’s property for the advancement of one’s chosen legatees (whether children, friends, or extended kin), and it might likewise signify a deeper engagement with or stronger attachment to household goods.

As the sixteenth century advanced and moved into the seventeenth, the variety and number of goods left in wills, and the detail provided to describe them, expanded.⁸⁵ When itemising their household goods will-makers often noted items’ locations and physical characteristics:

⁸² Between 1543 and 1566 there were only six such restrictions made in wills, whereas by the 1580s and 1590s onwards around five to six such stipulations were being made per decade (based on the only available evidence of surviving wills, of course).

⁸³ Will of John Atwood.

⁸⁴ Barbara J. Todd, ‘The remarrying widow: a stereotype reconsidered’, in *Women in English Society, 1500-1800* ed. Mary Prior (London: Routledge, 1991), 72-73. She says that ‘testators made certain that their wives should take none of their wealth into a new marriage by inserting a penalty withholding or reducing the wife’s share of the estate if she remarried.’ See also B. A. Holderness, ‘Widows in pre-industrial society: an essay upon their economic functions’, in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 431-432. Erickson comments on the trend of restricting a widow’s jointure to the duration of her widowhood as the seventeenth century progressed: *Women and Property*, 120.

⁸⁵ John Atwood’s 1538 will of just twelve lines is dwarfed by the ten-page probate copy of Daniel Baker’s 1637 will, for example, although naturally some of these differences will be due to the relative wealth of the testators.

for example, ‘a broad greene chayre in the Hall’,⁸⁶ ‘one large coffer that standeth at my beds Feete’,⁸⁷ a ‘velvett quysshyn’, and ‘one other chest that is in the howse wherin her granndmother dwelled’.⁸⁸ Some of the language employed in making bequests like these might traditionally be interpreted as signifying an emotional attachment between testator and beneficiary: the coffer at the foot of Edward Bramley’s bed, for instance, was given to his daughter, and he may therefore have chosen to highlight its proximity to him in life in order to make some tangible physical connection between them. The ‘chest that is in the howse wherin her granndmother dwelled’ left to Joyce Strayn, meanwhile, whose relationship to Joyce Hobday is unknown but who may have been her goddaughter, could conceivably also have been made with affect in mind, in evoking the connections between Hobday, Strayn, and the girl’s late grandmother. Without any explicit declaration of affection, however, the most that can be inferred from bequests made in these terms is that the testators wished to ensure the easy identification of objects after their decease.

In fact, only one bequest of household goods exists where the testator did employ the language of love, and it is found in the will of Richard Woodward, gentleman (1600). He left ‘vnto Frauncys my lovinge wief the moytye or one half of all my howsholde stuffe and plate to hir owne vse and the other moytye thereof vnto my Executors...’.⁸⁹ Interpreting the precise meaning of this bequest is difficult because of its phrasing: on the one hand Richard chose not to specify the ‘howsholde stuffe’ he was leaving to Frances, so we can assume no particular attachment to the furnishings in question. Yet on the other hand, he referred to Frances as his ‘lovinge wief’, thus pointing in a conventional way to the affectionate nature of their relationship, if falling short of an outright declaration along the lines of Thomas

⁸⁶ Will of Alice Smith.

⁸⁷ Will of Edward Bramley.

⁸⁸ Will of Joyce Hobday.

⁸⁹ Will of Richard Woodward.

Hiccox's for his wife.⁹⁰ Although the use of such terms as 'lovinge' or 'welbeloved' in reference to wives is problematic, in that married men frequently employed this language, the fact that not all husbands did so indicates that it was obviously not entirely devoid of genuine feeling. As Will Coster notes: 'the way in which affection, particularly between men and women, was expressed, was moulded by the terminology of the day, but nevertheless affection was expressed.'⁹¹

Other means of differentiating between household goods included describing items as 'best', 'greatest', or 'of the second sorte', which allowed individual objects to be identified from a group of one type. This would also have signified the relative economic worth of the item in question, in this way perhaps simultaneously serving as a comment on the nature of the testator's relationship with their beneficiary, particularly when compared with the values of other gifts given. Overall, however, the impression given by the descriptions of these general household objects is less one of emotional engagement with or attachment to the items (as will be observed with clothing and jewellery, for example), and more one of concern to describe the goods sufficiently well, to allow for their identification post-mortem. This suggests that the qualities peculiar to these items meant that they did not accrue affective meaning as readily or to the extent that others did: it might have been the communal nature of their daily use, or the lack of overtly pleasing aesthetic attributes. Richardson notes, for example, that Kentish testators did not leave stools – surely amongst the most mundane of household items – as gifts in their wills: 'they were an essential household item, but clearly not thought especially suitable as a bequest.'⁹² In Stratford, however, stools were bequeathed in many wills made by both the wealthy and the less well-off: this different regional trend

⁹⁰ See above, p. 242.

⁹¹ Coster, *Family and Kinship*, 14.

⁹² Richardson, *Domestic Life*, 77.

may indicate the perceived value of all household goods in Stratford, even those of comparatively lesser economic worth.

Stratford's women were around twice as likely to bequeath general household goods as their male counterparts, although this may in part be attributed to the women's propensity to itemise more of their property than the men: they were twice as likely to detail their household objects, for example.⁹³ Yet other than this disparity, there were very few differences between the types of household objects itemised by the sexes. Only one chamber pot and one close stool were bequeathed, and these were both left by women to women: Alice Bell left the chamber pot to her daughter, and Ann Shaw left the close stool to the wife of William Smith, haberdasher, whose precise relationship to her is unknown (they were probably friends, if not kin). In both cases, the – what would be termed today – 'intimate' nature of these household items clearly did not hinder the perceived practical value they would have had.⁹⁴ In terms of the more extraordinary household items found in wills of this period, as noted in the previous chapter, although a couple of inhabitants (male and female) owned musical instruments, neither of these was bequeathed in a will. One will, meanwhile, mentioned the only clock found in the Stratford wills: in his testament John Brechgirdle, vicar, declared: 'And I bequethe my Clocke ... to Iohn sauckye Clercke parson of shalston'.⁹⁵ As a member of the clergy, it would have been important for John (and his beneficiary after him, being a parson) to have had access to a timepiece, and this, combined with his elevated

⁹³ Having said that, more men itemised their household goods than left them under a catchall term such as 'householde stuffe': 50 men itemised their possessions in this category, while only 22 bulked them together. 20 women itemised their household goods, and only 1 did not.

⁹⁴ Richardson states that in Kent close stools were considered an 'inappropriate' gift: *Domestic Life*, 77. Orlin talks of the people of London basing their toilet habits on the avoidance of smell and displeasure to their homes, even if that meant eschewing their own personal privies for communal ones. *Locating Privacy*, 160-161. Perhaps in Stratford the inverse was true: ownership of a chamber pot or a close stool meant the owner could avoid using an unpleasant communal privy.

⁹⁵ Will of John Brechgirdle. The clock was valued at 25s 8d in his inventory: Jones, *Inventories*, vol. 1, 28-29.

social status as vicar, renders it unsurprising to find the only instance of a personal timepiece in this man's will.

In summary, the evidence of the household objects bequeathed in Stratford's wills points first to the proliferation of goods across the period in question, and second to a potential change in attitudes towards these possessions, with testators taking greater care to itemise their furnishings as the sixteenth century progressed. Although women showed a greater propensity to bequeath household goods than men, this may have been due to their stage in the life-cycle (most women's wills of this group being made by widows who had presumably inherited the contents of their houses and had leisure to dispose of them to a greater number of people), and in part can be attributed to the manner in which they itemised these goods. While more men than women grouped their household possessions together in bequests, still more men chose to itemise their goods than not, therefore their apparent lack of inclination to bequeath these items should not be taken to indicate less familiarity with the domestic sphere than the women. The types of goods left by the sexes, furthermore, were largely similar. Finally, testators seem not to have harboured any affective engagement with these items, perhaps because of their quotidian nature and the communality of their use.

Clothing

384 gifts were made in this category. Most scholars hold bequests of clothing to have been the most 'personally' significant of all, mainly due to their economic worth (as noted above), and also due to the proximity of garments to the wearer's body. Richardson, for example, informs us that: 'Doublets and kirtles, cloaks and petticoats have had exclusive use in the lifetime of the testator, and their closeness to the body forms a clear bond between object and

identity.⁹⁶ Secondly, clothing has been interpreted as the most significant gift due to its mnemonic capacities and its ability to transfer memories from one person to another. Ann Rosalind Jones and Peter Stallybrass talk of clothes as ‘the material establishers of identity itself’,⁹⁷ and although their discussion is framed around clothing’s significance in terms of livery, patronage, and the social hierarchy, they acknowledge that much of what they say rings true for the giving of garments generally:

We need to understand the animatedness of clothes, their ability to ‘pick up’ subjects, to mold [sic] and shape them both physically and socially, to constitute subjects through their power as material memories. Memories of subordination (e.g. of the livery servant to the household to which he or she ‘belongs’) ... memories of love (e.g. of the lover for the beloved from whom he or she receives a garment or a ring); memories of identity itself.⁹⁸

When examining bequests of clothing it is prudent to consider the total value of the testator’s apparel (where a sufficiently detailed inventory survives), the condition of the garment, and, where details are provided, its provenance.⁹⁹ The language framing the bequest should also be analysed. Only in this manner is it possible to build a picture of how significant each particular gift might have been to both testator and beneficiary. Jones estimates that the average value of a Stratford testator’s clothing at this time was 30s, although more often than not it could be significantly less; even the most apparently trifling bequests of ‘smale’ or

⁹⁶ Richardson, *Domestic Life*, 71. Beverly Lemire agrees, and states that ‘[t]extiles and clothing are among the most personal relics of the past, some even holding the body’s impression in the worn fibres of a coat or the distorted drape of a quilt.’ ‘Draping the body and dressing the home: the material culture of textiles and clothes in the Atlantic world, c. 1500-1800’, in *History and Material Culture: A Student’s Guide to Approaching Alternative Sources* ed. Karen Harvey (Abingdon: Routledge, 2009), 99. Ashley notes that clothes are ‘dense with meaning for both giver and receiver’. ‘Material and Symbolic’, 141.

⁹⁷ Ann Rosalind Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (Cambridge: Cambridge University Press, 2003), 4.

⁹⁸ *Ibid.*, 2.

⁹⁹ As Whittle and Griffiths note, one of the main problems with inventories of this period is that they often do not itemise clothing in any detail. *Consumption and Gender*, 117.

‘old’ clothes might have held considerable economic if not emotional significance for both testator and legatee, therefore.¹⁰⁰

Giving gifts of clothing has traditionally been seen as a primarily female preoccupation, as Becker indicates:

... women frequently left their clothes to other women, and occasionally to men, either as keepsakes or so that the material might be used elsewhere. The giving of clothes in this way is, with very few exceptions, a peculiarly female phenomenon ... In many cases each item is separately listed, even down to petticoats, and the recipients are named, sometimes with a few words of appreciation for the affection that they have shown the testatrix in the past.¹⁰¹

She asserts that only women left clothing of poor quality; that there would be ‘no question’ of a man leaving ‘shabby suits’ to his children. Men’s clothes, she states, ‘are symbolic and they are not being used in the same way that we see women using their entire wardrobes in their wills.’¹⁰² In Stratford it is certainly true that gifts of clothing seemed to occupy the minds of the women to a greater extent than it did the men: women were twice as likely to leave clothing, even though they were outnumbered nearly five to one. Yet we should not underestimate the significance of the clothing bequests made by Stratford’s men: after all, they still left 278 gifts of this kind, and furthermore, contrary to Becker’s assertion, this included clothing of all qualities. The will of Henry Samuell (1545), for example, left an ‘old

¹⁰⁰ Jones, *Family Life*, 58, and Jones, *Inventories*, vol. 1, 54-55. The wheelwright John Ashwell’s apparel was valued at only 4s, for example.

¹⁰¹ Becker, *Early Modern Englishwoman*, 159.

¹⁰² *Ibid.*, 160.

dublett of worstedd tawny' to one Thomas Glover, and to a Henley Street labourer 'a sleueles violett cote and a olde paire of hose'.¹⁰³

The will of the baker John Wall (1615), meanwhile, can be read as another indicator of the importance attributed to the contact clothes had with the human body, as asserted by Richardson and Becker. His will declared: 'Item I give vnto my said sister dorothie Smyth the gounde that my mother did ware everie daye and her best pettycote and all the rest of her wearing Lynnyns'.¹⁰⁴ This bequest is remarkable in a couple of ways. First of all, in describing his mother's gown in his will, it would surely have been more practical to detail its colour or condition, as most other testators did, although it is feasible that John's appraisers knew his mother well enough to be able to identify this particular gown as the one that she wore each day.¹⁰⁵ Instead, John chose to draw attention to the gown's relationship with and proximity to the body of his mother, with the phrasing of the bequest suggesting that he wished his sister to have something which would enable her to feel close to a dear, deceased, parent. The second noteworthy point about this bequest, however, is the fact that further on in the will John revealed that his mother was yet alive, and that if she were to:

survive and over live mee that shee shall peaceably and quietly enioye all these my giftes and bequestes whatsoever duringe her naturall lyfe Notwithstandinge one former deede of guift which shee made vnto mee of all her goodes and Chattells whatsoever

With this statement it becomes apparent, therefore, that John's mother had relinquished the ownership of her property to her son and therefore was, for all intents and purposes, already

¹⁰³ Will of Henry Samuel. 'Sleueles' here may not necessarily denote 'incomplete' or otherwise old or shabby; coats and doublets were often made without sleeves in order to have them pinned on, thus providing more manoeuvrability for the wearer. Tiramani, 'Pins and Aglets', 89. Henry's inventory has not survived.

¹⁰⁴ Will of John Wall.

¹⁰⁵ John bequeathed two other gowns in his will, indicating that there would have been at least three to choose from in his house. (His inventory has not survived.)

legally dead and unable to bequeath anything of her own. In a similar manner to the husbands making note of the property ‘belonging’ to their wives, however, John recognised that his mother should be able to use her own possessions until such time as she should pass away.

Only one other clothing bequest exists within the Stratford wills which makes an explicit connection with the body of the testator. Many wills list such bequests as ‘all *my* old weryng clothes’ or ‘*my* best Cloake’ [my emphases], but all that these possessive pronouns do in the strictest sense is point to ownership. The unusual phrasing and level of detail included in the bequest found in the will of widow Urseley Loode (1619), however, may indicate the significance of the item for both testator and recipient. It reads: ‘Iteme I geeue and bequewe vnto my daughtare vrseleye on[e] newe smocke of my owne spinninge the which is ovare bodyed with dowles [feathers]...’.¹⁰⁶ There are two points of interest to be noted in relation to this smock, perhaps reflecting a twofold desire on the part of the testatrix. First, the fact that she left her daughter ‘one’ new smock of her own spinning would indicate that there was more than one in existence, which may have prompted her clarification in the added detail about the feathers. This must surely relate to Urseley’s desire to make the object easily identifiable to her executrix and/or overseers, and again this is what Orlin asserts was commonly the case.¹⁰⁷ Second, and perhaps of most importance here, her highlighting the creation of the garment by her own hands is an unnecessary point considering that the smock was sufficiently well described to allow for its identification. This suggests that this detail was included in order to imbue the garment with resonances of a specific, personal provenance, perhaps evoking images of the mother crafting the smock, and thus making tangible a connection between mother and daughter.

¹⁰⁶ Will of Urseley Loode. Her inventory has not survived. The feathers might have been for insulation purposes, rather than decoration: such an elaborate smock would have been unusual for someone of this social level.

¹⁰⁷ Orlin, ‘Empty Vessels’, 300.

Many testators left clothing to their children, therefore it is worthwhile considering what might have been the social significance of this.¹⁰⁸ Particularly for those at the upper levels of society, the practice demonstrated a desire to perpetuate a family's lineage,¹⁰⁹ while even for those further down the social scale the dressing of children might be done in such a way as to reflect the taste and status of the parents.¹¹⁰ Jones and Stallybrass state that it was 'investiture, the putting on of clothes, that quite literally constituted a person as a monarch or a freeman of a guild or a household servant'¹¹¹ which by extension means that in putting on their late parents' clothes, children became endowed with the characteristics or attributes of those parents, publicly embodying their virtues and values, while simultaneously filling the gap left by their demise in the local society.

At this point, an ecclesiastical court case from Worcester can be brought to bear to illustrate how significant bequests of clothing could be. The depositions relating to Anne Lambe of Himbleton's will-making (1624) detailed two sisters' wrangling over their deceased sibling's clothing. One sister, Joanne, told the court that just before Anne died about two years previously, she had said that she would give 40s to her mother to bring her home, and 40s to each of her three sisters (Joanne, Frances, and Elinor). Frances, however, claimed that Anne had actually declared:

mother I thinke I shall nott lyve longe wherefore I give to yow to bringe me home xls
and to my three single sisters xls a peece and speakeinge to this deponent [i.e. Frances]

¹⁰⁸ For this, see table 7 in the previous chapter, p. 221.

¹⁰⁹ Jones and Stallybrass, *Renaissance Clothing*, 2.

¹¹⁰ Maria Hayward, 'A Shadow of a Former Self: Analysis of an Early Seventeenth-Century Boy's Doublet from Abingdon', in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009), 118.

¹¹¹ Jones and Stallybrass, *Renaissance Clothing*, 2.

my Clothes will serue noe bodie soe fitt as yow therefore my will is yow shall haue them...¹¹²

Frances's recalling of Anne's declaration suggests that Anne had not bequeathed her clothing with alteration in mind, but instead that she had envisaged Frances being able to wear her clothes as they came to her. This might indicate that Anne had made the bequest in order to demonstrate her affection for her sister, rather than to point to the economic value achievable from ownership of the garments. Unfortunately the case is not lengthy and its result is unknown, yet we might speculate that the suit had been brought against Frances as a result of her inconvenient insistence on claiming both the money and clothing left to her by her sister. Anne's clothing was valued at 6s 8d in her inventory,¹¹³ and although this was well below the average value for Stratford's testators (whose clothing was usually valued at around 30s), it still would have enhanced Frances's bequest significantly, and was evidently considered unfair enough for her siblings to launch a suit. This case therefore testifies to the economic significance of clothes at this time, but it may provide some indication of their emotional significance, too.

In comparison to the bequests of household goods discussed above, the evidence of the wills demonstrates the personal significance attributed to clothing; both men and women bequeathed garments framed in language which evoked personal relationships or which highlighted the proximity of the clothes to the wearer's body, thus serving to perpetuate the relationships which were threatened with fracture by the testator's impending death.

Moreover, the intrinsic economic value of these objects is also demonstrated by the fact that 'old', 'smale', or incomplete garments were often left as gifts by both men and women, and

¹¹² WAAS, Ecclesiastical court depositions 794.052 vol. 7, f247v. No date is given for the case, however it appears between two others from 1624.

¹¹³ Anne's inventory and administration survive at Worcestershire Record Office (hereafter WRO) 008.7 1624/167. The administration was ultimately granted to John and Alice Walker (Anne's sister and brother-in-law).

by the evidence of the court case, in which family members fought over a deceased sibling's clothing. For the early modern people of Stratford, their clothing held a number of meanings: emotional, economic, and lineal.¹¹⁴

Dining Ware and Kitchen Ware

The fifth and sixth most popular bequest categories (which garnered 289 and 171 bequests respectively) can be considered together, due to their closely related nature. In both categories men and women made almost exactly the same number of bequests (as illustrated in chart 4), although proportionally women left five times as many legacies of these goods as the men in both cases. This points to the women's greater engagement with the domestic sphere, while their distribution of these items – primarily to their daughters, sons, and nieces – also affirms Erickson's claim that 'women gave preference to their female relatives in dividing their property'.¹¹⁵ Furthermore, there are differences between the two categories which may shed some light on the attitudes of Stratford's women to their children and what they expected of their offspring in adulthood: as illustrated in table 7, women left dining ware primarily to their daughters and sons (with 45 and 31 bequests respectively), and then to their nieces (22 bequests). With kitchen ware, however, daughters received 36 bequests, and nieces 11, with sons in third place with only 8 bequests. What seems evident here is that the gender division between what was expected of men and women in the home was very much in place in Stratford: the kitchen was seen as primarily the woman's domain, with most bequests in this category going to the daughters of testators of both sexes.

¹¹⁴ Ashley found in her study of early modern English and French wills that the socio-economic class of testators determined the significance of their gifts of clothing. For those lower down the social order, clothing served more as a commodity than a gift. 'Material and Symbolic', 139-140.

¹¹⁵ Erickson, *Women and Property*, 19.

This does not mean, however, that men were not invested in these aspects of the domestic, although a Worcester court case indicates that their investment may in some instances have tended toward the mercenary. In 1627 a case was heard which detailed the purloining of a brass pan belonging to Bess Sexton of Arrow, near Bromsgrove.¹¹⁶ Bess's father had died several years previously, leaving instructions that Bess should receive the pan in her majority, but one Norburie, who had apparently taken custody of Bess, retrieved the pan from its guardian, Alicia Burte, claiming that 'because he had the Childe ... it might be an occacion to cause him to deale the better with her, for beinge trusted with the Child he thought he might be trusted with the pann alsoe'. Upon this reasoning, Alicia had handed over the pan. When Norburie subsequently died, the pan, which was 'allwayes called by the name of Besse Sextons panne' during her father's lifetime, passed to his son (the defendant). When it finally became time for Bess to take ownership of her pan she evidently found Norburie Jr reluctant to relinquish it, and was forced to bring the suit for its recovery. The deponents' testimonies imply that they suspected that Norburie may have had the pan melted down or traded for its scrap value: Alicia stated that she had previously seen the pan in Norburie's house but that now 'shee knoweth not whether it be there or noe'. She also commented on its perceived value, stating that 'yf it have not beene abused it cannott be much lesse worth then Fortie shilinge for soe it cost when it was bought, but yf it be nowe all to peeces the brasse must needes be worth xxs at the least'. The most damning evidence of the pan's disappearance came with her account of a trip she and Bess had taken to the defendant's house in hope of retrieving the item: Norburie Jr told Alicia to 'goe shite goe shite, what have yow to do with it It shall cost me £xx before shee shall have it'.

Once again the result of this case is unknown, but its proceedings are nevertheless suggestive: it demonstrates first of all the intrinsic economic value that kitchen goods might have, and

¹¹⁶ WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff208r-209v.

how widespread the awareness of this value was. Second of all, it illustrates how goods of this kind could therefore form a significant part of a person's legacy; the primary importance of the pan in the depositions appears to be its economic worth, but it is likely that it held some personal significance for Bess, too, being as it was a gift from her late father. In the same year the inventory of Robert Johnson, a Stratford yeoman, detailed brass items in his milkhouse with a total value of £3 10s: this group consisted of three brass pans, a brass pot and a brass dabnet, plus five kettles, a dripping pan, two frying pans, and a skimmer of unspecified materials.¹¹⁷ Together, the evidence demonstrates that these items and others like them should not be thought of purely as gendered markers, suitable only for female recipients. It was clearly not thought odd that Norburie Sr had been desirous to obtain Bess's brass pan, while his son evidently recognised its value and sought to exploit that himself.

One of the most widely gifted items of dining ware was the spoon, with silver spoons predominating. Sons were the most frequent recipients, with 12 bequests.¹¹⁸ Beneficiaries of an unknown relationship to the testator came next, with 8 (although there was one identifiable nephew in this category, which is likely to have been made up largely of kin and close family connections), then daughters (7), wives (5), and kin (4).¹¹⁹ These items held both practical and symbolic significance. Some, for example, were 'maidenhead' or 'apostle' spoons, as found in the wills of Richard Hill and Thomas Atwood alias Tailor: Richard left his daughter Anne Sturley 'one dozen of siluer spoones with the mayden head',¹²⁰ while Thomas left a cousin 'three siluer spones pictured w^{ith} appostles' and 'to Richarde Sharpe of Stratforde

¹¹⁷ Jeanne Jones, *Stratford-upon-Avon Inventories, 1538-1699, vol. 2: 1626-1699* (Stratford-upon-Avon: The Dugdale Society, 2003), 11.

¹¹⁸ Due to the nature of the coding necessitated by the Nvivo database, these bequests do not necessarily count individual spoons. In cases where a testator has left, for example, 'one dozen of siluer spoones', this has had to be counted as one bequest.

¹¹⁹ Godsons and sons-in-law received 2 each, and sisters, sisters-in-law, goddaughters, and grandsons one each.

¹²⁰ Will of Richard Hill.

draper ... vj siluer spones pictured with mayden heddes'.¹²¹ These spoons were decorated at the end of the handle – the 'knop' – with either a representation of the Virgin Mary or of the Apostles. A full set of apostle spoons commonly comprised 12 spoons, each depicting one of the twelve apostles; occasionally a thirteenth depicting Jesus was included.¹²²

The castings on these spoons may originally have indicated the traditional religious beliefs of the testator, although it seems that later they may simply have denoted an interest in pre-Reformation material and visual culture.¹²³ Richard Hill's testament, for example, made over thirty years into the Protestant Virgin Queen's reign, demonstrates his adherence to the reformist faith:

First and cheifely I yeald and Committ my soule vnto the Almightye god my maker and most mercyfull father in oure Lord and savyoure Iesus Christe my most gracy-ous redeemer, trusting by his meanes and merittes only to obteyne euerlastinge saluacion thoroughe the eternall comforte of the holie ghoste

In particular, the statement that Richard's salvation would come through Christ's merits alone situates him on the Protestant end of the spectrum.¹²⁴ Spoons of this kind, then, despite their spiritual decoration, appear to have been unproblematic objects in the post-Reformation English context, holding the weight of family connections but not being considered likely to entice people to idolatry.¹²⁵ Status considerations would also have come into play in bequests of this kind. As Victoria Jackson notes, early modern people took their own cutlery to dinner,

¹²¹ Will of Thomas Atwood alias Tailor.

¹²² Details of the decoration of spoons have been taken from Dr Victoria Jackson's 'Shakespeare's World in 100 Objects' blog entry, 'A Monk's Head Spoon': <http://findingshakespeare.co.uk/shakespeare%E2%80%99s-world-in-100-objects-number-9-a-%E2%80%98monks-head%E2%80%99-spoon> Entry dated 19 April 2011 (accessed 1 March 2016).

¹²³ Dr Victoria Jackson, private correspondence, 1 March 2016.

¹²⁴ This contrasts with much earlier wills from the Stratford dataset, such as that of Thomas Atwood alias Tailor, who died in 1543 with an undeniably traditional preamble, which read: 'Furste I bequeth my soule vnto almightye god to our blessed lady sainte mary and to all the holye company of heaven...'

¹²⁵ Tara Hamling, *Decorating the 'Godly' Household: Religious Art in Post-Reformation Britain* (London: Published for the Paul Mellon Centre for Studies in British Art by Yale University Press, 2010), 204.

so owning a spoon of some quality would have been an important marker of one's social standing. Furthermore, only wealthier citizens would have been likely to own a complete set of apostle spoons; those lower down the social scale may only have owned a few or perhaps just a single spoon.¹²⁶

Yet aside from the potential religious symbolism and their role as signifiers of status, spoons also held a more personal significance, as objects which accrued meaning through their daily use in the household and which conveyed that significance through their role as heirlooms.

As Richardson explains:

Necessarily, smaller items [like spoons] which are in daily use bear the weight of the transmission of familial identity and emotional connections to the dead... Domestic goods are used by all, in the sense that they may be handled by many within the household. But their use is also common because the fruits of the labours in which they are employed are shared by all ... and this defines a notion of belonging and of community.¹²⁷

This sense of the communal use of spoons is made apparent in the will of Roger Smith (1626):

Item I giue moreouer vnto my said daughters Anne & Mary to be equally parted & diuided betwixt them at the discretion of my Ouerseers foure siluer spoones *which are vsed about the house*, & the other odd siluer spoone *which is likewise about the house vsed* vnto my said sonne <Henry> /Richard\... [My emphases.]¹²⁸

The weight of family ties in connection to these particular spoons might be inferred from the peculiar phrasing of this bequest: it is the only one of its kind to occur in the Stratford wills, although at no point in his testament did Roger express any overt affection for his children.

¹²⁶ Jackson, 'A Monk's Head Spoon'.

¹²⁷ Richardson, *Domestic Life*, 71.

¹²⁸ Will of Roger Smyth.

Again, therefore, the identification of these spoons as ones which were ‘used about the house’ may have been in order to differentiate them from other, perhaps better quality, spoons, although if these existed Roger chose not to bequeath them, while his inventory unfortunately has not survived. It was perhaps for these reasons – the aesthetic qualities of the item, its role as social marker and its perceived practical and affective worth within the family – that spoons were also commonly given as baptismal gifts. They were clearly thought of as an essential item required for the setting up of an independent household: both boys and girls were given spoons and sets of spoons as gifts by their godparents throughout the period in question, both at baptism and as bequests in wills.¹²⁹

Some spoons might also have the initials of their owner engraved upon them, although no such examples are to be found in Stratford’s wills.¹³⁰ There were, however, other items bequeathed as gifts which had been modified in this way. The apothecary John Courte, for example, left his daughter Susanna ‘a silver bowle weron her name is ingraved’,¹³¹ while the widow Isabel Sadler left her granddaughter Eleanor Quiney ‘Six peeces of pewter one Flaxen tablecloth and halfe a dossen of napkins, wh^{ic}h lynnens are marked I S’.¹³² Clearly with both of these bequests there are status implications: both John and Isabel were among the wealthier sort of inhabitants, and this would have provided them with the motive and the means to customise their goods in this way.¹³³ Yet we must also consider the personal significance of these bequests. We might ask whether Susanna already had possession of the bowl which bore her name, or whether, as with Bess Sexton’s brass pan, her future ownership

¹²⁹ Richardson, *Domestic Life*, 77-78 and 80-81. See also the wills of Ann Shaw and Joyce Hobday. Ilana Krausman Ben-Amos identifies spoons as one kind of ‘personal token’ often given in wills which ‘signalled sentiment and personal bonds.’ *The Culture of Giving*, 155.

¹³⁰ See Jackson, ‘A Monk’s Head Spoon’ for examples of this. See also Richardson, *Domestic Life*, 78.

¹³¹ Will of John Courte.

¹³² Will of Isabel Sadler.

¹³³ The inventories for John and Isabel have not survived. John’s will, however, was proved in the Prerogative Court of Canterbury, thus testifying to his means, while Isabel’s husband’s inventory has survived, and itemises goods worth over £73.

of the object was assumed but that she was waiting to take possession at her majority, marriage, or other significant life event.

Meanwhile, did Isabel's personalised napkins hold any affective significance for her and her granddaughter? Orlin comments on a similar case found in the 1605 will of a widow from County Durham, noting that such initials were 'as likely to have been scrawled on a paper tag as worked in silk thread', and that this therefore shows no pride in the linens themselves.¹³⁴

This may have been the case generally, however the particular composition of Isabel's will suggests otherwise, as image 2 demonstrates:

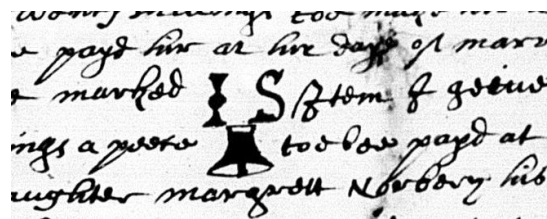


Image 2 – Detail of Isabel Sadler's will

The letters 'I S' are enhanced by a drawing of a bell, situated underneath but crucially in contact with the letters: the fact that John Beddome, Isabel's scribe, took the time to include this detail, along with the fact that it is obviously a play on Isabel's name, suggests that it was in fact a motif or crest embroidered onto the napkins, and that either he – or, perhaps more likely, Isabel – felt that it should be included. The very particular description of these napkins may of course simply have been provided to identify them after Isabel's death, but that it might have been done as part of a memorial strategy must also be countenanced. In bequeathing and describing the napkins in this way Isabel made sure that they would continue along the female line, while Eleanor Quiney, in using them at mealtimes (an important

¹³⁴ Orlin, 'Empty Vessels', 300.

occasion for the cementing of family and kin bonds in early modern England),¹³⁵ presumably would have been reminded of their provenance and of their connection with her grandmother.

For the people of Stratford, therefore, their bequests of dining and kitchen ware indicate that these items often carried connotations of gender; this is particularly true for kitchen ware, which was most commonly bequeathed to daughters and thus signified their anticipated role within the home. Yet issues of status and wealth also came into play, with the economic value of these items considered important, while the personalisation of objects by the more well-off inhabitants points to a certain preoccupation with provenance and lineage, perhaps in part for the affective values this practice conveyed.

Jewellery¹³⁶

Items in this category were bequeathed 65 times, with rings the most common bequest: their significance as gifts has been touched upon above, with the unusual finding that in Stratford, these objects were not bequeathed explicitly as tokens of remembrance, as other scholars have found to be the case elsewhere.¹³⁷ But if Stratford's testators did not bestow rings upon their legatees as a means of remembrance, they did frame these bequests in other significant language, suggesting their concern with provenance, ownership, and identity.

Three testators made bequests of rings in which their description of the item explicitly referenced its provenance. The widow Alice Smith left her wedding ring to her (married) daughter in her will of 1632: it might reasonably be assumed that – being married – Alice's daughter would have been in possession of her own wedding ring, and would have had no

¹³⁵ Ben-Amos says that 'such practices [i.e. feasts and dining] reminded individuals of their obligations to one another and consolidated intricate social networks and the types of support embedded in them'. *The Culture of Giving*, 156-157, but see also 156-180, *passim*, for more on this general topic.

¹³⁶ See appendix 3 for notes on what was included in this category.

¹³⁷ Only one testator, the yeoman Richard Whiting, came close to making a bequest in this spirit, leaving his brother forty shillings 'to buy him a Ringe to weare for my sake'.

need of a ring to perform this specific function.¹³⁸ Alice's description of the ring in this manner may have been given primarily to ensure its identification after her death, but we might also speculate whether Alice included this detail in order to remind her daughter of its particular connection to her late father and soon-to-be-deceased mother. Ann Shaw, another widow, left her 'Cosen master Thomas dighton' her 'gould Ringe which was my Late husbandes beinge A gimmole Rin[g]e' in 1629,¹³⁹ while William Reynoldes (1631) left his goddaughter Elizabeth Barnes 'a gold ring that was her Mothers'.¹⁴⁰ The particular phrasing of both of these gifts suggests the testators' preoccupations once again: Ann for instance took care to specify both her relationship to Thomas and his social status,¹⁴¹ while she also drew attention to the physical features of the ring (gimmel rings resemble two hands clasping) and its previous ownership. Arguably, Ann would have had no need to mention the ring's previous ownership had she been making her will only in the interests of post-mortem identification of the item: the ring's distinctive design would have rendered it easily recognisable. In phrasing her bequest in this way, therefore, Ann may have had a couple of aims in mind: to draw attention to the ring's provenance in order to demonstrate its emotional significance to her (and its implied emotional significance to Thomas), and to impress upon Thomas a sense of duty in his forthcoming execution of her will (Ann had made him joint residuary legatee and executor) by reminding him of his connection (and perhaps indebtedness) to her and her late husband. Meanwhile, William's gift to his goddaughter of a ring previously owned by her mother immediately suggests to modern eyes the emotional currency of the object, to be transferred to Elizabeth on her taking possession of it. This appears particularly true because the ring's description does not mention any distinguishing

¹³⁸ Will of Alice Smith.

¹³⁹ Will of Ann Shaw.

¹⁴⁰ Will of William Reynoldes.

¹⁴¹ Although, as has been discussed, the term 'cousin' could be used to denote any close connection and was often employed in order to invoke a sense of obligation.

features which would have allowed for its identification. Care must be exercised in making such a judgment, however, because explicit language pointing unequivocally to the emotional import of this bequest is absent.¹⁴²

At other times, the testator's physical connection to the ring seemed to be most significant. Another widow, Anne Lloyd, acknowledged this when she left to Master Thomas Lucas 'the Ringe I doe vsually weare on my Thombe'.¹⁴³ The exact nature of the relationship between Anne and Thomas is unknown, although he may have been kin of some kind,¹⁴⁴ but again, Anne took care to specify the status of her beneficiary, while her statement about the habitual wearing of her ring indicates that she wished to convey her personal attachment to the object. Her inventory itemised 'In her trunck ... foure Gould ringes' at 26s 8d, so the fact that she took care to specify the one she habitually wore on her thumb suggests that this one may have been her favourite or particularly special to her.¹⁴⁵ Her description of the item in this manner may have served in a similar way to those descriptions provided by Alice, Ann, and William in the bequeathing of their rings: by highlighting the object's previous ownership and/or its proximity to the previous wearer's body, the ring's power as a receptacle and transmitter of emotion or memory is invoked. This theory is given credence by Becker's account of a young single woman's nuncupative will-making, during which she made bequests of rings to her family:

“[She] distributed to every one according to her own mind, her several Rings to be worn distinctly, as she directed, by her Father, Mother, and Sisters; two of these Rings

¹⁴² William's inventory has not survived, therefore we cannot tell whether this was the only gold ring he owned. It was the only one mentioned in his will.

¹⁴³ Will of Anne Lloyd.

¹⁴⁴ She names her mother in her will, but the hand is unclear; the name might be either 'Lucas' or 'Lumnes' (or something similar).

¹⁴⁵ Jones, *Inventories*, vol. 1, 297-300.

she put upon her fingers, and taking them off again, gave them to be kept for her two Brothers beyond the Sea, as a token to them from her dying hand...”.¹⁴⁶

There seems for this young woman to have been a special significance in the placing of the rings on her fingers and their removal at the time of making the bequest: as her brothers were at sea and therefore unable to take possession of the goods immediately, this distinctive symbolic gesture suggests her desire to endow the rings with her presence somehow, in ensuring that they should touch her skin last of all, before being given over to be delivered to her siblings on their anticipated return.¹⁴⁷

The power of family connections and lineage is also invoked in some bequests of rings. John Sadler in 1583 left his son ‘one Gold Ryng commonly called assigns’: this could have been a seal ring engraved with John’s initials or perhaps a crest relating to one of his previous roles as alderman or bailiff.¹⁴⁸ Thomas Combe, meanwhile (1608), left his godson Henry Rainsford ‘a gould Ryng worthe Fortie shillings With the Armes of the Rainsfordes therein to be engraven.’¹⁴⁹ The apparent desire to acknowledge and perpetuate a family line in each of these cases is complicated slightly if the precise nature of the bequests is examined, however. John, for instance, left his son the gold ring as part of a group bequest which ran:

Item I geve & bequeth to the same I[ohn] [...] sonne one Gold Ryng commonly called assigns & all the Tymber that shall fortune to remayne in the forestr[?eet] [...] my howse Wherin I nowe dwell at after my decesse, Wⁱth all the Asshes & Wythes,

¹⁴⁶ Becker, *Early Modern Englishwoman*, 132.

¹⁴⁷ John Evelyn’s account of his mother’s death in 1635 seems to note a similar occurrence: his mother called all of her children to her deathbed and “she gave to each a Ring with her blessing”. Quoted in Lucinda McCray Beier, ‘The Good Death in Seventeenth-Century England’, in *Death, Ritual and Bereavement* ed. Ralph Houlbrooke (London: Routledge in association with the Social History Society of the United Kingdom, 1989), 45.

¹⁴⁸ Will of John Sadler.

¹⁴⁹ Will of Thomas Combe. Thomas’s inventory has not survived.

Whatsoever are myn[e] [... ...] Alscote To Haue & enjoy the sayd Ri/n\ge Tymber & Asshes, & Wythes When he shall accomplyshe the full [...] of xxiii^{ti} yeares....

It seems peculiar to modern eyes that a man should include a gold ring in the same category as ashes and wood: this to us serves to devalue the perceived personal and economic value of the ring. Yet perhaps John had grouped these items together simply because they were the final effects to be given to his son. Moreover, the apparent disparity in economic value – again to modern eyes – between a gold ring, and ashes and wood, is dispelled by an examination of John’s inventory, which notes ‘the pyles of fyer wodd, tymber & of chipps’ valued at an enormous £20. In making this bequest to his son, John was bestowing upon his child goods of a great value, while John Jr’s anticipated use of the ring served to cast the son in a similar light to his father, in terms of his status and perceived role within the community.¹⁵⁰

Thomas Combe’s bequest to his godson, meanwhile, is problematic because it appears to refer to an object in prospect, although the language is ambiguous: if the ring did not yet exist, then who was to be in charge of obtaining one and securing the necessary engraving for Henry? If the ring did exist yet was unadorned, would Thomas’s executors or Henry’s guardians necessarily have ensured that the engraving was carried out as per Thomas’s wishes? As Orlin states, ‘executors and overseers will not always have ensured that legatees used legacy monies as directed’.¹⁵¹ It seems clear that Thomas wished to acknowledge Henry’s lineage and social status with this gift, probably as a means of highlighting his own elevated social standing in his fortunate connection with the Rainsfords, a local elite family. The same preoccupation with status can be found in William Shakespeare’s bequests of money to make rings: he singled out Hamlet Sadler (his late son’s godfather), three

¹⁵⁰ Jones, *Inventories*, vol. 1, 51-54. The ring is not mentioned in John’s inventory, which was dated April 12th, so John Jr may already have taken possession of it; John Sr was buried on March 12th.

¹⁵¹ Orlin, ‘Empty Vessels’, 301.

gentlemen, and his London theatre ‘felowes’ to receive 26s 8d each for this purpose. In this, Shakespeare, as a relatively newly-made gentleman with a reputation to uphold, demonstrated how rings might be used to cement and augment one’s social standing.¹⁵²

In two of the cases cited here, the rings were intended to follow a female line of descent, whether directly (from Alice to her daughter), or via a more circuitous route (as in William Reynoldes’s case). The bequests of Anne Lloyd and Ann Shaw, however, show rings going to male recipients and thus confirm James’s assertion that the giving of rings was a peculiarly non-gendered phenomenon.¹⁵³ The giving of rings as gifts to overseers and executors also confirms this: rings (or money to buy rings) were left by both men and women to the men and women they chose to act in these roles, so we evidently need to look deeper than gender for the significance of bequests of this kind. Rings bestowed in this particular context, for instance, seem to have served a very specific function. Occasionally the testator set out explicitly that the money or ring was to be for the executor’s or overseer’s efforts in the role, as in the 1631 will of innkeeper Anthony Bell:

And I doe request nominate and appoint my welbeloved friends Iohn Beddome of Stratford aforesaid Scrivener and Richard Smith of the same Iron-monger to be the overseers of this my will vnto whom for their paines therein to be taken I doe give twentie shillinges apeece to buy them Ringes¹⁵⁴

At other times this was only implied, as in John Courte’s will of 1638:

¹⁵² The Shakespeare coat of arms was granted to Shakespeare’s father in November 1596, although it is likely that it was William who oversaw the completion of the application. Peter Holland, ‘Shakespeare, William (1564–1616)’, in *Oxford Dictionary of National Biography Online* ed. H. C. G. Matthew and Brian Harrison (Oxford: Oxford University Press, 2004) <http://www.oxforddnb.com/view/article/25200> (accessed August 16, 2016). See also Tarnya Cooper, ‘Predestined Lives? Portraiture and Religious Belief in England and Wales, 1560-1620’, in *Art Re-formed: Re-Assessing the Impact of the Reformation on the Visual Arts* ed. Tara Hamling and Richard L. Williams (Newcastle: Cambridge Scholars Publishing, 2007), 55, for rings and jewellery as a key part of displaying gentry status.

¹⁵³ James, *Women’s Voices*, 80.

¹⁵⁴ Will of Anthony Bell.

And I doe make Ouerseers and superuisors of this my last will my lovinge friend
Master Edward Wagstaffe, Master Iohn Trapp Master Thomas Dighton and Iohn
Brookes mercer and doe give to euery one of them twenty shillinges apeece to buy
them ringes, and doe desire them to lett my wife and Children to have their best
furtherance¹⁵⁵

Nevertheless, what is implicit in these bequests and others similarly phrased is the sense of obligation impressed by the testator upon their designated overseer or executor. The symbolic nature of rings, representative as their form is of an infinite bond, obviously lent them well to being given in this context, and as such they allowed testators to convey (however delicately) their message that their chosen officials should be bound by a sense of duty to execute or oversee the will in the manner they had requested.

There were very few alternative bequests in this category: rings predominated. Occasionally a testator left unspecified ‘jewels’ too,¹⁵⁶ but aside from this there were only one or two other more distinctive gifts given, as for example, in the will of Henry Samuel (1545). Samuel, a wealthy draper, left his godson’s daughter ‘a harte of blacke Iett closed in syluer With a Image of saint Iames apon hit’.¹⁵⁷ It is probable that the item, which may have been a brooch or pin, was shaped like a heart because of the saint’s image adorning it, although no inventory for Henry survives to enable absolute clarification of this point. The image of St. James, along with Henry’s (mostly) traditional preamble, suggests Catholic leanings.¹⁵⁸ Of further significance to this bequest is that Henry also remembered this same godson’s other children, leaving them 12d each, yet he obviously chose to single Mary out by giving her this

¹⁵⁵ Will of John Courte.

¹⁵⁶ As in the wills of Anne Raynoldes, Daniel Baker, Thomas Bentley, and Thomas Williams.

¹⁵⁷ Will of Henry Samuel.

¹⁵⁸ His preamble speaks of the ‘merites of Cristes Passion’ but then goes on to state that he desires ‘the glourious virgin saint mary our Lady With all the holly companye of Heuen to praye for me’. He also requests that his body be buried within the parish church, and leaves bequests to the ‘mother Churche of worcester’, ‘the high alter in the parishe churche of stratforde’, and also ‘euery other Aulter in the foaresaide Churche’.

particular gift. Despite this apparent favouritism, however, and no doubt as Orlin would argue, Henry used no particular language to indicate his emotional attachment either to the object itself or indeed to Mary. Nevertheless, his clear distinguishing of the girl by way of the gift points towards a special degree of affection for her.¹⁵⁹

The bequeathing of jewellery by Stratford's testators was predominantly limited to rings and money to buy rings, and the language of remembrance was never explicitly used in this context. The status implications of bequests of this kind are obvious, with only the wealthiest inhabitants having the funds necessary to buy (and the social capital necessary to wear) jewellery. Status considerations must therefore be considered implicit in all of the bequests made in this category. Examination of the gifts and the language in which they were framed suggests that testators were also keen to acknowledge lineage, previous ownership, and proximity to the wearer: they may have done this in order to cement familial ties and to convey their feelings of affection for their beneficiaries, although again these intentions were not necessarily set out explicitly in the language of the wills.

Linens

Receiving 45 bequests in total, this category included all materials which were not clearly bedding, clothing, or dining ware, and included raw materials, such as 'a blacke flysse of woole' and 'halfe my woll as yet vnbequethed', as found in the will of Edmund Cale of

¹⁵⁹ In another early will (1543) the goldsmith Thomas Goolston left his daughter – amongst other items – 'a payer of Curroll [coral] bedes With syluer gandyes': these were coral rosary beads, with 'gandyes' being the larger beads placed between the decades of 'aves' on the rosary. Thomas's conservative religious beliefs are evident in his traditional preamble which left his soul to God, 'owr blessed lady Sent mary and to al the holye company In hevyn', therefore it might be assumed with confidence that these rosary beads were used by him, perhaps regularly. Whether he had any hand in the manufacture of the beads is not indicated in his will, in which almost all of his goods were left to his daughter, Agnes, who was not yet sixteen and who may have been his only child. The fact that he chose to describe the rosary in this way (which obviously would primarily have made it easily identifiable to his executor), and moreover to specify that it should go to Agnes, may be indicative of his desire to facilitate his daughter's piety, if nothing more can be inferred from the neutral language of the bequest itself.

Shottery.¹⁶⁰ The bequests in this category tended to be unadorned by language which might indicate affect or other emotional engagement with either the object or the recipient: the ‘square clothe’,¹⁶¹ ‘2 Towells wherof one is Dioper’,¹⁶² and ‘j square blew Towell’,¹⁶³ all typical bequests in this group, are predominantly concerned with the physical features of the items, no doubt to allow for their easy identification. The only exceptions to unremarkable bequests like these are two bequests of christening cloths.

In 1640 the widow Anne Dawkes left her unmarried daughter Joan ‘my Christening sheete’, while Richard Homes made the following bequest in his 1593 will: ‘Item I give & bequeathe vnto ~~my sonne Richard~~ Ione my dawghter nowe Wife vnto Iohn Aylson of drayton one Christeninge sheete that she hathe already’. These items, which were similar to the ‘bearing sheets’ women used during childbirth and which were also used to carry the child at christening, were symbolic of family legacy, as they often served multiple generations. James notes that as such they ‘had a natural gendering to them’ (unlike rings), and were often passed from mother to daughter, which is what can be seen in Anne Dawkes’ will.¹⁶⁴ The bequest of the second christening sheet differs, however, in its being given by a father to his daughter. Richard’s wife had apparently died by the time he came to make his will,¹⁶⁵ and it seems that he may originally have intended for the sheet to be given to his son, as indicated by the crossing out of his name. This, along with the added detail that Joan was ‘nowe Wife’ to John Aylson, and the fact that she had the sheet already, may suggest that Joan and John had recently married and were expecting a child. Ultimately, Richard may have felt that Joan’s need for or right to the sheet was greater than her brother’s, thus explaining why she

¹⁶⁰ Will of Edmund Cale.

¹⁶¹ Will of Richard Homes.

¹⁶² Will of Grace Gregory alias Amsden.

¹⁶³ Will of Anne Dawkes.

¹⁶⁴ James, *Women’s Voices*, 275.

¹⁶⁵ There is no record of her burial in the Stratford registers, yet if she had been alive we would expect Richard to have made some mention of her in his will, as the other male testators did.

had already taken possession of it. As an inter-vivos gift there would have been no need for Richard to mention this in his will, but the fact that he did so may indicate that he wished to acknowledge this transfer publicly, as a sign of his pride at his daughter's marriage and fecundity.

Most items of general linen were therefore bequeathed as components of general stock with which to supply a household: as a result it appears that bequests of uncategorised linens and raw materials only occasionally held a value other than their immediate economic or practical one. In the few cases where additional meaning does seem to have been applied to the objects in this category, the items in question apparently held connotations of social status and lineage.

Books

The final category to be considered, with the smallest number of bequests, is that of books, which were only bequeathed 39 times. This low number is hardly surprising, given the low literacy rates of those below the elite (and the majority of Stratford's testators fell into this social category), and the expense of books, which were still very much a luxury item until the latter stages of the seventeenth century.¹⁶⁶ The majority of books bequeathed in Stratford were left by one man, the vicar John Brechgirdle, which, given his position, education, and status, is not surprising. All of the texts he left were classical, theological, or educational in subject matter, such as 'my vergyll with comentt', 'the actes of the apostelles in Englyshe

¹⁶⁶ David Cressy, *Literacy and the Social Order: Reading and Writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 2006), 47-48. According to the *British Book Trade Index*, within the period under consideration here, there were three men working in trades related to bookselling operating in Stratford: Thomas Taylor, a 'chapman' with premises on the High Street (trading 1514-1544); Edward Rogers, a bookbinder also on the High Street (1646-1668); and Moses Hyatt, a leather dresser/currier (1648). So the citizens of Stratford would have been able to acquire books should their means have allowed. <http://bbti.bodleian.ox.ac.uk/#> (accessed 17 March 2016).

meter’, and ‘a sharte dictionarie for yonge begynners’.¹⁶⁷ Most of the books were left to people of an unknown or unspecified relationship to him, however some were given to godsons, friends, and for ‘the comon vse of the scolars of the free scole of stretford vpon Avon’.

John was not the only man of God to bequeath books, although the sheer size of his collection was only rivalled by one other: John Marshall, the minister of Bishopton, owned 168 books according to his inventory, although unlike Brechgirdle he chose only to bequeath three books in his will itself (1606).¹⁶⁸ All were theological texts. Sir Richard Hunt (1540) and Sir Richard Kyrston (1543) also left religious texts in their wills, although these were not detailed to the same extent as in Brechgirdle’s will.¹⁶⁹ For the other testators who bequeathed books (almost all of which were religious texts),¹⁷⁰ it can be said that these items were markers of their social status, wealth, and devotion, a means by which they ‘might express various forms of status and identity.’¹⁷¹ Daniel Baker, for example, left ‘my booke of Master Greenhams Workes’ with the stipulation that it should be:

for the vse and benefitt of such as shall bee soe well disposed to reade the same And the same Booke to bee made fast with a Chaine in some convenient place in the same Church for the more better and safe keepinge thereof.¹⁷²

¹⁶⁷ Will of John Brechgirdle.

¹⁶⁸ Jones, *Inventories*, vol. 1, 255-264 and Jones, *Family Life*, 65-66. Will of John Marshall.

¹⁶⁹ Wills of Richard Hunt, and Richard Kyrston. Hunt was a gild priest, however Kyrston’s precise occupation has been lost due to damage to his will. ‘Sir’ was an honorary title commonly prefixed to the names of clergymen at this time. Sylvia Gill, ‘“Where one is a scolemaster of grammar”: The Guild School and Teaching in Stratford-upon-Avon c. 1420-1558’, in *The Guild and Guild Buildings of Shakespeare’s Stratford: Society, Religion, School and Stage* ed. J.R. Mulryne (Farnham: Ashgate, 2012), 61.

¹⁷⁰ Leonard Kempson’s inventory of 1625 lists an unspecified number of ‘musick books’ alongside his recorder, flute, cittern, viols, and virginals, but unfortunately any will he may have made has not survived. Jones, *Inventories*, vol. 1, 345-346.

¹⁷¹ Ryan Perry, ‘Objectification, Identity and the Late Medieval Codex’, in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009), 311.

¹⁷² Will of Daniel Baker.

As noted previously, Baker was an alderman and one of Stratford's most substantial and influential townsmen, therefore the public display of this book in the church would have demonstrated to the entire congregation his breeding, his piety (Greenham was a sixteenth-century Church of England clergyman, the epitome of moderate Puritanism, renowned for his sermons and sayings), and his generosity.¹⁷³ The widow Anne Lloyd left a Bible to William Bromley in 1616, although it has not been possible to identify the precise nature of their relationship.¹⁷⁴ Anne was clearly of some means, with an inventory totalling over £56 made at her death, although this document did not list the Bible gifted to Bromley. It did, however, make note of '20 lyttle bookes', valued at 5s: what these books were it is impossible to know now, and Anne obviously did not consider them significant enough to warrant bequeathing them individually.¹⁷⁵

The evidence of the wills therefore indicates that books were given primarily as a means of signifying social status, personal means, and religious belief. According to James, however, they could also act as memorials: she asserts that the testators' frequent use of the possessive 'my' when making these bequests indicated the 'close connection of the owner with her property',¹⁷⁶ while the regular use of objects like books within the home meant that these items had 'become extensions of their owner, instantly recognizable, encoded with memory, and invested with potent emotional properties'.¹⁷⁷ For Stratford, at least, there is not enough evidence found within the language of the wills to substantiate this assertion. Richardson, meanwhile, notes that the locations of books specified in inventories provided some indication of how testators viewed themselves: if books were displayed publicly in the hall

¹⁷³ Eric Josef Carlson, 'Greenham, Richard (early 1540s–1594)', *Oxford Dictionary of National Biography Online* (Oxford: Oxford University Press, 2004) <http://www.oxforddnb.com/view/article/11424> (accessed 4 March 2016). See also G. J. Mayhew's article for the buying of Bibles as a sign of Protestant faith: 'The Progress of the Reformation in East Sussex 1530-1559: the evidence from wills', *Southern History* 5 (1983): 41.

¹⁷⁴ Will of Anne Lloyd.

¹⁷⁵ Jones, *Inventories*, vol. 1, 297-300.

¹⁷⁶ James, *Women's Voices*, 86 and 88.

¹⁷⁷ *Ibid.*, 90.

rather than ‘privately’ in a study or parlour, for example, this would have spoken to their owners’ ‘learning and religious commitment’.¹⁷⁸ Once again, Stratford’s inventories do not provide enough evidence to back up Richardson’s claim: in those cases where books were itemised, they were either treated as an entirely separate category (as in John Marshall’s inventory), or were simply listed in and amongst other items like clothing and musical instruments, neither of which categories received a placement in terms of location within the testator’s abode.

Conclusions

This chapter has examined the patterns of gift-giving found in Stratford’s wills, paying particular attention to the material culture of the types of bequest made and the language in which these gifts were framed. In doing so, this and the previous chapter have argued for a more holistic engagement with bequests than has typically been applied to wills. Only occasionally does the language of wills provide access to explicit declarations of affection, and because of this it is argued in this thesis that more caution must be exercised in applying modern assumptions to the bequests of the past. By considering the language of the bequest alongside the materiality of the gift itself and its economic context, it is asserted here that historians can move away from such uncritical assumptions on the significance of these gifts, and move closer to recovering a truer sense of what these legacies may have meant to their early modern donors and recipients. In applying this more rigorous framework it has been seen how evidence of emotions is not always recoverable from the extant sources: most bequests (and particularly those framed in the language of love or remembrance) appear to have been part convention, part description of the object for identification, and part public

¹⁷⁸ Richardson, *Domestic Life*, 89.

declaration. Nevertheless, the nuanced method employed in this thesis demonstrates that significant language was selected and deployed by testators (usually via a scribe) to convey some special attachments, although it is argued that historians have to date been too eager to read modern notions of love or affection into such instances.

CHAPTER SIX

STRATFORD'S WOMEN: OCCUPATIONS AND MONEY LENDING

This thesis has explored early modern women's legal status, the kin relationships of the inhabitants of Stratford, will-making practices, and the significance of gifts given on the deathbed by the town's testators. This final chapter turns to consider the economic lives of Stratford's women as revealed by the wills: in particular their opportunities for work, wage earning, and money-lending. This is important because, as Amy Louise Erickson has stated: 'it is vital to know about women's economic position in order to say anything at all about social relations in a society in which more than half the population was female'.¹ Of course, the surviving evidence relating to middling sort women was almost always compiled by men and concerned men's affairs (the running of local government, for example). Even when the documents did pertain to women (as with their wills), their identities were still obscured: it has been noted previously that wives were prohibited from making wills, while the wills and inventories of single women and widows only noted their marital status, not their social status or any employment they might have pursued, unlike those of their male kin.² Yet these definitions reveal more about how women were viewed in terms of the prevailing patriarchal social order than about the reality of their everyday lives.³ This chapter, therefore, in setting out the types of work women might undertake, and how they might have disposed of any income available to them, provides important context for understanding the economic lives of

¹ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1995), 4.

² Lena Cowen Orlin, 'Fictions of the Early Modern English Probate Inventory', in *The Culture of Capital: Property, Cities, and Knowledge in Early Modern England* ed. Henry S. Turner (New York: Routledge, 2002), 56. Another layer of obfuscation comes from the fact that women's wills were also most commonly written by male scribes. Despite these problems, however, Jane Whittle insists that 'no other type of document from this period can equal the reach of wills and inventories' in terms of providing information about women's employment. Jane Whittle, 'Housewives and Servants in Rural England, 1440-1650: Evidence of Women's Work from Probate Documents', *Transactions of the Royal Historical Society* 15 (2005): 53. Only one of Stratford's male testators is identified by his marital status in his will: Edmund Cale, 'batcheler of Shottrey'.

³ Indeed, as Erickson again notes: 'The absence of occupational descriptions does not mean that women did not practice trades in addition to housewifery, but that these trades were only occasionally specified...'. Erickson, *Women and Property*, 39.

a significant social group; those ‘ordinary’, non-elite women who constituted the vast majority of the early modern female population.⁴

Women’s work

The publication in 1919 of Alice Clark’s seminal text, *Working Life of Women in the Seventeenth Century*, was arguably the first step in the scholarly drive to understand the lives of early modern women which has gathered pace across the last century. One advancement in understanding that this accumulated scholarship has provided is the knowledge that ‘ordinary’ women of this era fulfilled numerous roles alongside the traditional one of housewife (and everything that that entailed).⁵ Clark was the first to set out women’s work in many areas of industry, finding that they worked in agriculture, textiles, crafts, and trades, as well as the firmly ‘female’ professions of teaching, nursing, and midwifery.⁶ More recently, many others have confirmed Clark’s findings, and there are now numerous dedicated studies about early modern women which provide important information about their employment

⁴ Scholars, when studying women, have tended to focus on the lives of upper middling or elite women, simply because a greater number of sources have survived for them (particularly in the later period and for wealthier women) in their own hand (diaries, household accounts, letters, etc.). We have to look much harder for evidence pertaining to the lives of ordinary women.

⁵ For a good indication of the kinds of work housewives of different statuses might be expected to undertake, see Whittle, ‘Housewives and Servants’, 62-64, and Jane Whittle and Elizabeth Griffiths, *Consumption and Gender in the Early Seventeenth Century Household: The World of Alice Le Strange* (Oxford: Oxford University Press, 2012), 11-13. See also Alexandra Shepard, *Accounting for Oneself: Worth, Status and the Social Order in Early Modern England* (Oxford Scholarship Online, Oxford University Press, March 2015), [10.1093/acprof:oso/9780199600793.001.0001](https://doi.org/10.1093/acprof:oso/9780199600793.001.0001) (accessed 9 May 2016), 257-259.

⁶ Alice Clark, *Working Life of Women in the Seventeenth Century* ed. Amy Louise Erickson (London: Routledge, 1992). For Clark, this pre-capitalist, pre-industrialist society seemed preferable to the one which had ensued, due to the comparative freedom and autonomy it had allowed women, in giving them scope to work outside the domestic arena. See Erickson’s introduction to the volume, vii-viii and *passim*. Vivien Brodsky, however, provides a counter to this opinion, citing evidence that the majority of London widows who were left businesses by their husbands between 1553 and 1640 actually chose to dispose of them, rather than continue running them: ‘Widows in Late Elizabethan London: Remarriage, Economic Opportunity and Family Orientations’, in *The World we have Gained: Histories of Population and Social Structure* ed. Lloyd Bonfield, Richard M. Smith and Keith Wrightson (Oxford: Blackwell, 1986), 143. Susan E. James also notes women providing end-of-life care as ‘nursekeepers’: *Women’s Voices in Tudor Wills: Authority, Influence and Material Culture* (Farnham: Ashgate, 2015), 16-17. On the long-standing tradition of women as nurses from the medieval period onwards, see Margaret Wade Labarge, *A Small Sound of the Trumpet: Women in Medieval Life* (London: Hamish Hamilton Ltd, 1986), 169-194.

opportunities.⁷ We know, for example, that wives helped in their husbands' trades, with some taking on the business after their spouse's death and even continuing to bind and train apprentices,⁸ while single women went out to work in service or, particularly from the end of the seventeenth century onwards, became apprentices and worked in such trades as millinery, weaving, shop-keeping, or other appropriately 'feminine' roles.⁹

These women also undertook jobs which demanded great physical labour: during times of harvest, for instance, they worked alongside men to bring in crops. Naturally, however, they were paid less for their pains:¹⁰ Erickson notes that women labourers received between one

⁷ See, for example, the following works, although this is not an exhaustive list: Anne Laurence, *Women in England, 1500-1760: A Social History* (London: Phoenix, 1996); Judith M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World 1300-1600* (Oxford: Oxford University Press, 2006); M. K. McIntosh, *Working Women in English Society 1300-1620* (Cambridge: Cambridge University Press, 2005); Michael Roberts, 'Women and Work in Sixteenth-Century English Towns', in *Work in Towns 850-1850*, ed. P. J. Corfield and D. Keene (Leicester: Leicester University Press, 1990), 86-102; Sara Mendelson and Patricia Crawford, *Women in Early Modern England 1550-1720* (Oxford: Oxford University Press, 2003); Patricia Crawford and Laura Gowing eds., *Women's Worlds in Seventeenth-Century England* (London: Routledge, 2000), and N. H. Keeble (compiler and editor), *The Cultural Identity of Seventeenth-Century Woman: A Reader* (Oxford: Routledge, 1994) (two very useful compilations of primary sources relating to the lives of early modern women, with commentaries); Mary Prior, ed., *Women in English Society 1500-1800* (London: Routledge, 1991); Lindsey Charles and Lorna Duffin, eds., *Women and Work in Pre-Industrial England* (Oxford: Routledge, 1985); Barbara A. Hanawalt, *The Wealth of Wives: Women, Law, and Economy in Late Medieval London* (Oxford: Oxford University Press, 2007); Amy M. Froide, *Never Married: Singlewomen in Early Modern England* (Oxford: Oxford University Press, 2005); and Brodsky, 'Widows in late Elizabethan London'.

⁸ See Clark, *Working Life of Women*, 162 for widowed women printers taking on their own apprentices; 168-169 for women booksellers; and 173 for carpenters' widows taking on their husbands' businesses and their apprentices. Mary Prior also provides an example of a seventeenth-century Oxford widow continuing to take on apprentices for her tavern after her husband's death: 'Women and the Urban Economy: Oxford 1500-1800', in *Women in English Society, 1500-1800* ed. Mary Prior (London, Routledge, 1991), 97-98. B. A. Holderness also notes that 'many wives were also active as partners in business and agriculture, often at every level of activity, from sharing hard physical labour to the casting of accounts': 'Widows in pre-industrial society: an essay upon their economic functions', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), 425. See also Erickson, *Women and Property*, 149-150. For the earlier period of the 1390s, Jeremy Golberg notes several instances of York wives working alongside their husbands. One widower in particular was granted permission by the local authorities to take on a second extra apprentice after the death of his wife, specifically because his wife was no longer available to help him in the running of the business. This and similar examples indicate the significant roles wives could and did play in the running of family businesses. P. J. P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire c. 1300-1520* (Oxford: Clarendon Press, 1992), 128. Published to Oxford Scholarship Online October 2011, DOI: [10.1093/acprof:oso/9780198201540.001.0001](https://doi.org/10.1093/acprof:oso/9780198201540.001.0001) (accessed 4 February 2017).

⁹ Froide, *Never Married*, 87 and 91. On urban women's employment generally see chapter 4, *passim*. It should be noted, however, that the numbers of girls being apprenticed were far outstripped by boys, particularly before around 1650, and that on the whole they learned the art of housewifery. Erickson, *Women and Property*, 53.

¹⁰ Today women still receive less pay than their male counterparts for the same work, as found by the Office for National Statistics and reported by the BBC: Brian Milligan, 'Gender pay gap almost unchanged, says ONS', *BBC News Online* <http://www.bbc.co.uk/news/business-34855056> (accessed 31 March 2016).

half and three fifths of the food allowance commonly granted to men for the same job,¹¹ while in Wigmore (Herefordshire) in 1647 local accounts record that women were paid 4d a day to the men's 6d for haymaking.¹²

All of this demonstrates that women below the levels of the elite and gentry were most certainly not occupied solely within their domestic arena, and this is because in many cases a wife's wage, however small, could mean the difference between an economically solvent household, and one which failed to provide for its occupants. Lorna Weatherill has commented on the importance of women's 'informal work' to the economic stability of middling households in this period, noting that: 'although the main sources of income into a household derived from the occupation of the head of the household, the labour of women and children could give flexibility and contribute to the living standards of the whole...'.¹³

However, the important informal work provided by women at this time necessarily entailed their contravening the prescribed, ideal image expounded and reinforced by contemporary commentators, who praised the silent (and by extension chaste) woman who concerned herself almost exclusively with running her home. Henry Smith's 1591 treatise, *A*

Preparative to Marriage, set out in no uncertain terms that:

... we call the wife *housewife*, that is, house wife, not a street wife like Tamar (Gen. xxxviii. 14), nor a field wife like Dinah (Gen. xxxiv. 1), but a house wife, to show that

¹¹ Erickson, *Women and Property*, 50. See also 85 for women earning 'one half to two thirds of the salaries of their male counterparts', regardless of the job.

¹² 'Accounts for rents and disbursements for Wigmore, Brompton, Buckton, Pedwardine, Walford, Borrsford, Burrington, Byton, Eyton, Kinton, Bucknell, Kingsland, Adforton, Newton, Marlow (chiefly tithes), etc.; also Wantage (Brk.)', Nottinghamshire Archives, DD4P/56/19/16/5. With thanks to Stuart Davies for permission to cite this.

¹³ As evidence, she states: 'Thus [Adam] Martindale felt that "my wife being willing to keep a little stock of kine, as she had done formerly" contributed markedly to the family's economic security.' Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain 1660-1760* (London: Routledge, 1996), 105. For the importance of women's and children's work to the domestic economy in a later period, see Sara Horrell and Jane Humphries, 'Women's labour force participation and the transition to the male-breadwinner family, 1790-1865' *Economic History Review* 48, no. 1 (1995): 89-117.

a good wife keeps her house. And therefore Paul biddeth Titus to exhort women that they be chaste and keeping at home...¹⁴

Yet even within his admonitory text Smith acknowledged that a good housewife would need to help her husband to provide for their household, declaring that: ‘Beside a yoke-fellow, she is called a *helper* (Gen. ii. 18), to help him in his business, to help him in his labours, to help him in his troubles, to help him in his sickness, like a woman physician...’.¹⁵ This view of woman was well established: in 1530 John Fitzherbert’s *Book of Husbandry* advised that wives should:

... go or ryde to the merket to sell butter / chese / mylke / egges / chekyns / capons / hennes / pigges / gese/ and all maner of cornes. And also to bye al maner of necessary thynges belongyng to houshold / & to make a true rekenyng & accompt to her husband what she hath receyued & what she hath payde.¹⁶

Indeed, as Catherine Richardson has observed:

It has become clear that, although the literature admonished wives to stay within the household and to speak seldom, the demands of the domestic economy for those of low and even middling status necessitated wives’ frequent trips to market to sell their wares aggressively.¹⁷

¹⁴ Henry Smith, *A Preparative to Marriage. The summe whereof was spoken at a contract, and enlarged after*, London: for Thomas Man, 1591. Reprinted in Keeble, *Cultural Identity*, 148-149.

¹⁵ *Ibid.*, 148.

¹⁶ John Fitzherbert, *Here begynneth a newe tracte or treatyse moost p[ro]fyttable for all husba[n]de men and very frutefull for all other persones to rede, newly correcte [sic] [and] amended by the auctour, wuth dyuerse other thynges added therevnto* (London: In Southwarke, at the sygne of the wodowes, by Peter Teruerys, 1530), f50v. *Early English Books Online* (accessed 13 May 2016).

¹⁷ Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England: the Material Life of the Household* (Manchester: Manchester University Press, 2006), 29-30. See also Erickson, *Women and Property*, 10. Tim Stretton and Krista Kesselring state that ‘Another reason why wives could be so active in the marketplace was the tacit presumption that they acted on behalf of their husbands. The optimistic assumption underpinning marriage and its legal effects was that a married couple formed a team, united against the world, and working towards the same ends. A wife buying or selling eggs was regarded as acting as her husband’s

Ordinary women therefore possessed a certain degree of autonomy due to the pressure to sustain their household economy, even though their sense of self must have been fraught with the opposing pressure to conform to the contemporary ideal of womanhood. Indeed, the line between assiduous housewife and scandalous busybody was a fine one even for women used to negotiating these activities regularly: several cases from the Worcester ecclesiastical court report women being reprimanded or harassed for being too visible or audible in the street. See, for example, this witness's report in a case from Evesham (1617/1618):

This deponent hapning to be in the streete ... heard the defendant William Bird call the plaintiff [a Mrs Taylor] whose arrant whore and sayd it was more fit for her to stay at home to follow her husbandes buisnes then to <F> goe [?hoytinge]¹⁸ abroad...¹⁹

It is not clear whether Bird's chosen attack on Taylor was solely concerned with her apparent failure to be a good wife, or whether it related to a previous dispute. Yet arguably the precise nature of the dispute is not the important element under consideration here: the fact is that Bird knew that he could draw upon a widely recognised language of slander relating to a woman's 'proper' position in order to insult Taylor, and that this language would be sufficient to impugn her character.²⁰

agent and in his best interests.' *Married Women and the Law: Coverture in England and the Common Law World* (London: McGill-Queen's University Press, 2013), 9.

¹⁸ The *Oxford English Dictionary* defines 'hoit' as "'To indulge in riotous and noisy mirth" (Nares); to act the hoyden, to romp inelegantly.' It provides an example of 'hoiting' from 1612: 'The Court is not ... a Market-place, for boyes, hoytings, and knaueries.' "Hoit, v.". OED Online. September 2016. Oxford University Press. <http://www.oed.com/view/Entry/87661?redirectedFrom=hoiting> (accessed 8 September 2016).

¹⁹ Worcestershire Archive and Archaeology Service (hereafter WAAS), Ecclesiastical court depositions 794.052 vol. 6, f257v.

²⁰ This is affirmed by Laura Gowing's study of defamation in early modern London, in which she sets out how the language of sexual insult was almost entirely reserved for women, and might be used as a vehicle for criticism of some other aspect of the woman or her life. *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1998), 62-79. See also 115-116, where she states that women might be subjected to 'random verbal attacks', and that 'the words of insult might not necessarily be related to any actual incidents'. See chapters three and four, *passim*, for a full treatment of the language of insult.

Women of the middling and lower sorts therefore had to work to support their households. A variety of options was available to them, however they were disadvantaged in terms both of the pay they received and the potential impact that employment ‘abroad’ might have on their good name. In light of these factors, this chapter now turns to consider the experiences of Stratford’s women, in order to ascertain how typical their experience of work might have been. Beforehand, however, some context for their economic and social status is required.

First of all, it is fair to say that all 39 women whose wills have survived fell within the broad social category of ‘middling sort’ (perhaps with one exception), but there are gradations within this, as illustrated by Table 8.²¹

Table 8 – Wealth of Stratford’s women

| VALUE OF INVENTORY (OR WILL IF INVENTORY UNAVAILABLE) | No. OF WOMEN |
|--|---------------------|
| Up to £10 | 10 |
| Up to £20 | 8 |
| Up to £50 | 8 |
| Up to £100 | 7 |
| Up to £200 | 4 |
| Up to £300 | 1 |
| Over £600 | 1 |

²¹ For this table, I have used, where available, the totals of the women’s inventories as an indicator of wealth. Where no inventory was available, I have considered the monetary bequests made by the women in their wills as a *very* rough guide to their economic condition: of course this approach is flawed and could be improved by a more detailed examination of the value of the other goods they left, but it serves an illustrative purpose here.

This table demonstrates that most of the women – over a quarter of the sample – clustered towards the lower end of Stratford’s economic scale, owning or bequeathing goods worth no more than £10. In all, the property of 33 of the 39 women was valued at up to £100: only 5 women owned between £200 and £300 worth of goods, and only one owned more: the widow Alice Smith, who made £667 worth of bequests in her 1632 will.²² In terms of status, Alice clearly led a life in a different league to the majority of Stratford’s women: some of the wares itemised in her will included a silver bowl, ‘six thrommed Cushions’, and several complete bedding sets, yet whether she should properly be considered one of the ‘elite’ is debatable: ‘upper middling’ might be more appropriate.²³

On the basis of their economic and social standing, therefore, we might expect to find the women engaging in a variety of employments, and indeed there is evidence that they enjoyed a range of occupational opportunities similar to those discussed above. Jeanne Jones, for instance, notes that many wives operated as brewers and ale-sellers, even if their husbands were employed in unrelated professions. In the Warwickshire Corn Inquiry of 1595, for example, which recorded Stratford’s corn growing and victualling in light of the recent harvest failures and dearth, one Foulke Johnson was listed as a surgeon, with a note that his wife “utterethe weekly iii strikes of malte” (a strike was equivalent to eight gallons or a bushel).²⁴ Rarely, however, do the women’s wills and inventories themselves provide clues about the kinds of employment their subjects might have undertaken. The will of Isabel Sadler, widow (1627), for example, detailed a bequest to her daughter of: ‘one stammell

²² Will of Alice Smith. Her inventory has not survived.

²³ It has not been possible to identify Alice in the records: there was more than one Alice Smith living in Stratford at this time, therefore no more concrete evidence about her social status can be offered.

²⁴ Warwickshire Record Office (hereafter War RO), CR 1886/Bloom 2663, f8v. Numerous wives in the document are listed as brewing and uttering malt. Discussed in Jeanne Jones, *Family Life in Shakespeare’s England: Stratford-upon-Avon, 1570-1630* (Stroud: Sutton Publishing in association with The Shakespeare Birthplace Trust, 1996), 24-26. Jones also notes that the widow Joan Biddle continued to brew ale after her husband’s death: 48. See also Jeanne Jones, *Stratford-Upon-Avon Inventories 1538-1699, vol. 2: 1626-1699* (Stratford-upon-Avon: The Dugdale Society, 2003), 352. Wade Labarge says that ‘Brewing was an ideal occupation for women as the processes in its manufacture stretched over several days but did not require continuous attention, so they could be fitted in between other tasks.’ *A Small Sound of the Trumpet*, 162.

petticoat my Twoe guardes of veluett *with all my pattern & parchments For boane lace & twenty shillings toe make hir a Ringe*' [my emphasis].²⁵ It is unlikely, however, that Isabel had been making these items out of financial need: her will listed several items of value alongside numerous not insubstantial sums of money, and her husband had been an alderman: for a woman of such status lace making would have been a genteel way of filling Isabel's leisure time.

The 1617 inventory of the widow Anne Lloyd, meanwhile, lists an 'instrument for cherurgerie' [surgery] valued at 4s.²⁶ While Jones assumes that this item must have belonged to Anne's late husband, and that he therefore may have been a barber-surgeon,²⁷ it must surely be countenanced that Anne herself may have worked in a medical or nursing capacity, as many women did. The inventory itself seems to suggest this: the instrument is listed as having been located 'In her trunck', while the rest of the document is concerned almost entirely with itemising her extensive wardrobe: no other work tools which might most commonly be associated with a man are found, which gives the impression that only Anne's goods were appraised, and that the surgical instrument was, therefore, hers.

Occasional glimpses of women's trades appear in the ecclesiastical records. One example noted by E. R. C. Brinkworth is that of the widow Anne Shaw, who continued her late husband Raphe's business of wool merchant.²⁸ In Raphe's will (1593) he left Anne:

my howse or Tenyment Wherin I nowe dwell With all & synguler the apurtenaunces duryng her naturall lyf (yf she kepe her self Wydowe) but if the sayd anne my wif shall fortune to marry then I geve & bequethe the same howse & Tenyment With all

²⁵ Will of Isabel Sadler. Although the will was written in 1627, Isabel only died in 1635. Stammel was a coarse woollen fabric.

²⁶ Jeanne Jones, *Stratford-Upon-Avon Inventories 1538-1699, vol. 1: 1538-1625* (Stratford-upon-Avon: The Dugdale Society, 2002), 397-300.

²⁷ *Ibid.*, 299, and *Family Life*, 49.

²⁸ E. R. C. Brinkworth, *Shakespeare and the Bawdy Court of Stratford* (Chichester: Phillimore & Co. Ltd, 1972), 102.

& synguler the apurtenaunces vnto Wylyyam my sonne, & to the heres of his body lawfully begotten for ever.²⁹

The will stipulated further that if William should die without issue, then the tenement and its appurtenances should descend to Raphe's second son Julius, and this is in fact what happened, with Julius also eventually becoming a wool merchant.³⁰ But Brinkworth yields more interesting information about Anne, revealing that she later married the schoolmaster Alexander Aspinall, and that her new husband 'helped her in the business which she still carried on'.³¹ How was this possible? Were the terms of Raphe's will simply ignored, or by the time of her second marriage had Anne built up a substantial enough client base of her own to divide the business with Julian and move her share to her new husband's premises? It is unlikely that the exact circumstances will ever be known, but examples like this help to add more information to the scholarship surrounding women's work.

Evidence of women's occupations can also be found in Stratford's official civic records: in particular, the Corporation's *Minutes and Accounts*, which provide a wealth of evidence of the types of work women of all marital statuses undertook in order to earn money. In 1574 the chamberlains recorded having paid one Agnes Tynner 3d 'for a strike of cooles':³² Agnes (or Anne) was a married woman with as many as three young children to support,³³ so it

²⁹ Will of Raphe Shawe.

³⁰ Brinkworth, *Bawdy Court*, 23.

³¹ *Ibid.*, 102.

³² Richard Savage, trans. and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620, vol. II, 1566-1577* (London: The Dugdale Society, 1924), 76.

³³ It has not been possible to determine exactly how many children Anne and her husband John had before John's death in 1576. John and Anne wed on 21st January 1566, and the records note the baptism of a girl, Johanna, on 18th October that year. A boy, John, followed two years later, on 1st October 1568. Jump forward to 1572, however, and the records note that on 25th May another John was baptised, and on 26th December another Johanna. It is not possible that the second John and Johanna were both born of Anne, therefore one of two things may have occurred: first, that the first Johanna had died (although there is no record of her burial in the registers), and that the second John had been born of a different John Tiner; or second, and perhaps more plausibly, that the first John had died (although again there is no record of a burial), and the second Johanna had been born to another John Tiner. (These theories are based solely on the spelling of John Sr's name in the accounts: he is 'Johannis' for all births except John of 1572, where he is 'Johanni' – perhaps a spelling mistake – and his surname is 'Tiner' for each baptism except Johanna of 1572, where it is 'Tyner'. It is marginally more

seems that in selling coal to the Corporation she was contributing to her family economy as many wives did. In the 1576 and 1577 accounts the Corporation noted having paid ‘mother margarett’ 3d on two occasions for ‘makinge cleane afore the chappell’ and ‘swepinge before the Chappell’.³⁴ It is likely that Margaret was an elderly widow by this point, fallen on hard times and seeking work that was not physically demanding to supplement whatever meagre income she already had. In January 1577 the Corporation also paid another, unnamed, woman ‘for makinge of the strete Cleane before the Chappell xijd’³⁵ and later on, just 1d ‘to a poore woman for beringe in of Chippes’.³⁶ Marjorie McIntosh notes that the practice of paying poor people to undertake menial tasks, rather than provide for their maintenance, was not uncommon in early modern parishes, citing strikingly similar examples from Chester, Melton Mowbray, and Northill (Bedfordshire).³⁷

Again in 1577 the chamberlains recorded what had evidently been rather a substantial job in the chapel garden the previous year, which had involved the clearing of straw and the making of a new wall. What is particularly interesting about these entries in the context of this chapter, however, is the light they shed upon Stratford women’s wages and married women’s working lives. The first entry relating to this task records that the chamberlains paid an unnamed weaver 2s for three days’ work in the chapel garden, as well as a further 12d ‘to the women for drawinge of strave [straw] in the Chappel garden’.³⁸ The Corporation then paid to the same weaver 8d ‘for an other dayes worke’, stating also that they paid 4d ‘to a woman that servid him’. Further on it is noted that they paid ‘Jane salt for drawinge of strawe iijd’,

likely that different John Tiners would have been distinguished in the record by the spelling of their surname, although spelling at this time was not standardised, rendering it an unreliable check). On 7th August 1575 a son Raph was baptised, and Anne was buried 9th January 1578.

³⁴ Savage and Fripp, *Minutes and Accounts*, vol. II, 106 and 119.

³⁵ *Ibid.*, 115.

³⁶ *Ibid.*, 117.

³⁷ Marjorie Keniston McIntosh, *Poor Relief in England, 1350-1600* (Cambridge: Cambridge University Press, 2012), 242-243.

³⁸ The Thatched Owners Group website defines ‘drawing’ as ‘the technique of aligning jumbled material for use as thatch’: ‘Thatching Glossary’, *Thatched Owners Group: Thatched Articles*. <http://www.thatched-group.com/articles/building/ThatchingGlossary.htm> (accessed 4 May 2016).

‘Empson wyf for bearinge of strawe ijd’, ‘wevers wyff for drawinge of strawe iiijd’, and ‘Jane plumer for drawinge of strawe iij ob’.³⁹ Was the weaver’s wife paid more than the other women by virtue of her marriage to the weaver, or had she drawn more straw than her colleagues? The laconic nature of the records means that we will probably never know. Yet despite these apparent discrepancies these entries nevertheless provide evidence about women’s work on two counts: first, that married women were undertaking paid work in Stratford: the weaver’s wife evidently helped him in his trade (which might be expected, considering the foregoing discussion about wives’ involvement in their husbands’ businesses), yet Empson’s wife also left her home to work in the chapel garden and earn some money. Second, these entries reinforce what is known about the disparity in pay between men and women, even though this would be expected, given the skilled nature of the man’s work, and the menial nature of the women’s straw gathering.⁴⁰

Most evidence for the women’s working activities, however, comes from the men’s wills: Richard Baker (1638), and Richard Ballamy (1580), for example, both divided the tools of their trades equally between a male and a female recipient. Baker, a shoemaker, made the following bequest:

... I giue all the rest of my estate as money goodes shooes bootes: working geare and what soeuer else that is not here in particular mentioned: both w[i]th in doores and with out doores ... to my sonne Richard & my daughter Margery...⁴¹

³⁹ Savage and Fripp, *Minutes and Accounts*, vol. II, 116.

⁴⁰ Even more striking evidence of the pay gap between the sexes comes from another two entries of the same year’s accounts: the Corporation paid just 1d to ‘Conwayes wyffe for Caringe in a loode of sand’ and a comparatively enormous 10d to William Tayler’, also ‘for Caringe a lood of sand’. Ibid., 117. Elsewhere it has been demonstrated that women typically earned between three fifths and a half of what their male counterparts earned, but it is nonetheless extraordinary to see a man’s wages recorded as being ten times that of a woman’s for the same work. It is perhaps likely that the load of sand carried by Tayler was much larger than that carried by Conway’s wife, however this must remain speculation, as such details are not provided in the accounts.

⁴¹ Will of Richard Baker (1638). See Robert Bearman, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon, and other Records, volume VI, 1599-1609* (Stratford-upon-Avon: The Dugdale Society, 2011), 233 for evidence of Baker’s occupation.

Ballamy, meanwhile, a general smith and locksmith, left: ‘... vnto my Brother Robert Ballamy and my wife Katherin the whole <fur> furniture of my shoppe to be equally deuided betwixt them.’⁴² Exactly what these men intended for their work tools is unclear, although they may have envisaged their beneficiaries selling the goods and splitting the proceeds: as McIntosh explains, it is unlikely that women would have entered into occupations ‘that were considered specifically male, such as working with heavy leather items or metals.’⁴³ Further on in Ballamy’s will, however, he declared: ‘what debtes be due vnto me from others and who they <th> be that owe it my wife doth knowe by the stores witch she hath of theirs’. Katherine evidently had a close hand in running her husband’s business, although whether this extended beyond a managing role is debatable.

Something similar occurs in the case of William and Joyce Hobday, a couple who died within four months of one another. Fortunately, both parties’ wills and inventories have survived, thus providing a useful ‘snapshot’ of a couple’s possessions and a widow’s subsequent ownership of goods after her husband’s death, although it must not be assumed that Joyce’s experience was in any way typical. The documents also provide clues to Joyce’s apparent involvement in William’s gloving business. William’s December 1601 will noted the following debts:

Item George Shacleton oweth me xxiiij s

Item Antony Wolston oweth me v s

Item Master Guttredge oweth me for calves lether iij s <viiij d> viij d

Item Master busshell oweth me for gloves iij s vj d⁴⁴

In Joyce’s will of March 1602, some of these debts and others like them appeared:

⁴² Will of Richard Ballamy.

⁴³ McIntosh, *Working Women*, 40.

⁴⁴ Will of William Hobday.

Inprimis George Shackleton oweth me for Woll xxiiij s

Item Master Guttredge oweth me for Calves lether iiij s viij d

Item Master Busshell oweth me iiij s vj d

Item /John\ haws of Warwycke oweth me for one hundred of lether xxv s

... John Edwards of Allveston alias allston oweth me for two pere of gloves viij d⁴⁵

With three of her late husband's debtors noted in her will, Joyce had evidently been occupied in collecting William's debts after his death (with Anthony Wolston apparently having cleared his account). As William's sole executrix, this would have been natural. Yet the appearance of two more men (Haws and Edwards) whose debts clearly also related to the business of gloving, may at first seem to suggest that Joyce had taken over the running of the business, contracting new sales of goods. Jones, however, notes that almost all of the goods listed as William's stock-in-trade in his inventory had been disposed of by the time the appraisers made Joyce's inventory, and that the list of debtors included in her will suggests that she had in fact sold these goods on.⁴⁶ This would indicate that Joyce had not had any involvement with William's business during his life, and had only been concerned to clear his debts in her role as executrix. Joyce and William may have been an extraordinary case, however: both had been married previously (William two and Joyce three times), and aside from gifts to William Gilbard alias Higgs and the children of Robert Strayne, there were no

⁴⁵ Will of Joyce Hobday. Her will itemised several more debts due to her, which will be discussed in more detail further on in this chapter.

⁴⁶ Jones, *Inventories*, vol. 1, 193-197 (William) and 198-201 (Joyce). George Shackleton was a weaver (Richard Savage, trans., and Edgar Fripp, ed. *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620*, vol. IV, 1586-1592 (London: The Dugdale Society, 1929), 148); Anthony Wolston a butcher (Savage and Fripp, *Minutes and Accounts*, vol. II, 82); Master Guttredge was possibly Michael Goodrich of Snitterfield, a local gentleman (Bearman, *Minutes and Accounts*, vol. VI, 246); Edward Bushell was a town taster and, later, a burgess, constable, and chamberlain (Richard Savage, trans., and Edgar Fripp, ed., *Minutes and Accounts of the Corporation of Stratford-upon-Avon and other Records, 1553-1620*, volume III, 1577-1586 (London: The Dugdale Society, 1926), 143 and Savage and Fripp, *Minutes and Accounts* vol. IV, 33, 39 and 68).

shared recipients in their wills. As Jones states: ‘Joyce and William were married for eleven years but their wills bear witness to the fact that both had led full lives before their marriage to each other.’⁴⁷ It seems plausible that the couple had continued to work separately after their marriage, perhaps with Joyce feeling no need to contribute to a business which she had not helped to build and therefore in which she probably also had no expertise or skill.

There were other wives who may have worked alongside their husbands, however, and evidence for these comes again from their husbands’ wills. In 1605, for example, the fuller Richard Balis made the following stipulation:

Item I geve & bequeth vnto my kynsman Mathewe balis one pere of sheres belongyng to my occupatyon so that Isabell [my] wyf to take ij of the best pere, & then the sayd Mathewe to take his chose of the ij other pere⁴⁸

Matthew was also Richard’s apprentice,⁴⁹ yet we might infer from Richard’s requirement that Isabel should have first choice of the shears, that she was pivotal in running the business, and probably also, by extension, Matthew’s training.⁵⁰ Richard also made Isabel his sole executrix and this, along with his bequest to her of the best shears, implies that he expected Isabel to continue running the business after his death. And that, it seems, was exactly what she did: Jones notes that three years after Richard’s death the Corporation decreed that Matthew should be the under-tenant of the shop and tenement which was already leased to ‘Widow Baylis’.⁵¹

⁴⁷ Jones, *Inventories*, vol. 1, 197. For more on Joyce and William Hobday, see chapter three.

⁴⁸ Will of Richard Balis.

⁴⁹ As stated in Richard’s will: ‘my wyll is that /if\ hit please god I decease <that I> before the /sayd\ bylls of Indentures be expyred made to me for the byndyng of the sayd Mathewe that he shall be free of his occupatyon as though he had served the full terme of his years’.

⁵⁰ Clark also notes instances of women working as fullers alongside their husbands: *Working Life of Women*, 145, 155 and 157-158.

⁵¹ Jones, *Inventories*, vol. 1, 236-238. For the entry in the Corporation’s records, see Bearman, ed., *Minutes and Accounts*, vol. VI, 487. While it has not been possible to trace any women or widows being admitted into Stratford’s trade guilds formally, it seems that the Corporation was nevertheless willing to let them trade, and to

Stratford's men also left work tools to women to whom they were not married, however: Thomas Atwode alias Tailor, for example, took care to provide for the poor women of Stratford in his 1543 will, leaving 'to fyve pore woomen fyve spynnyng wheales And to fyve other pore woomen fyve paire of woollen cardes to be delyverid as myne executours shall thincke goodde'.⁵² He could have provided these women with clothing, as he did the five poor men to whom he left 'fyve shertes of the price of xijd every sherte', yet Thomas obviously wished instead to equip the women with the means to provide for themselves, perhaps in order to combat idleness and with the idea that they might work to raise themselves above a life of penury.⁵³

One extraordinary example of the varied and extensive nature of women's work in Stratford, and of the fact that many roles might be undertaken by just one woman, is provided by Lena

take rent from them for their shops and premises. In addition to the evidence concerning Isabel Baylis, for example, Elizabeth Quiney, widow of Richard, was included in a list of mercers drawn up in 1606. Ibid., 349. McIntosh notes that women 'were not usually admitted as independent members of the craft guilds unless they inherited a position from their father or husband.' *Working Women*, 133. Diane Willen and Susan E. James, however, both assert that women's participation in the economic lives of their home towns and cities has been underestimated. Willen in particular notes instances of widows carrying on their husbands' trades as pewterers, curriers, barber surgeons, and tailors: 'Guildswomen in the City of York, 1560-1700', *The Historian* 46, no. 2 (1984): 217. James, *Women's Voices*, 100-101. Widows were often also allowed to continue their late husbands' trades in order to allow apprentices to complete their indentures: Goldberg, *Women, Work and Life-Cycle*, 127-128, 131.

⁵² Will of Thomas Atwode alias Tailor.

⁵³ Idleness was condemned at this time, and had implications for the honour and credit of both men and women, although women in particular might feel the force of such an accusation. Eleanor Hubbard, for example, notes that: 'For a wife to sit idly by [i.e. not go out to work] while her family foundered and fell upon the poor rates [would be considered] ... near-criminal negligence of her own responsibility for the family's welfare.' *City Women: Money, Sex, and the Social Order in Early Modern London* (Oxford: Oxford University Press, 2012). Published to Oxford Scholarship Online May 2012. DOI: [10.1093/acprof:oso/9780199609345.001.0001](https://doi.org/10.1093/acprof:oso/9780199609345.001.0001) (accessed 9 August 2016). A deposition of 1625 can be brought to bear to demonstrate the widespread assumption that women would – and should – work. Thomas Courte of Shottery, blacksmith, claimed that one Isabel Silvester, daughter of Thomas Silvester, was: '[living] with her Father verie lazylie and Idely not willinge to take any paynes but goeth about gatheringe Crabbs and peares at the time of yeare and Leasinge corne and such other idle businesses thoughe worke be proffered her, whereby shee maye in good sorte Live and maynettayne herselfe...'. From the depositions given, it appears that Thomas Silvester may have been bribed to deny the will-making of one Timothee Allen (actually a woman, despite the name), and all of the witnesses used his and his daughter's idleness and unwillingness to work as evidence of their bad character. Clearly for Thomas Courte, Isabel as a young, able, single woman, was expected to work diligently to earn her keep, while the fact that she chose to be idle 'maketh manye thinke the worse of her'. This last statement came from another deponent in the case: Roger Barnard of Shottery. WAAS, Ecclesiastical court depositions 794.052 vol. 8, ff24v-25r.

Cowen Orlin in her article ‘Anne by Indirection’ (2014).⁵⁴ In order to recover the kinds of work William Shakespeare’s wife might have undertaken, Orlin first charts the ‘employment’ of Elizabeth Quiney who, despite functional illiteracy, appears to have managed her household and run her husband Richard’s affairs while he was away on Corporation business, often for considerable periods of time. It should be noted that Elizabeth is unique among Stratford’s women in two respects: first, in the very fact that correspondence relating to her and her family has survived, and second, in her elevated social status. She is, nevertheless, a useful indicator of the sorts of employments which might be undertaken by some Stratford women. Orlin identifies six occupations held by Elizabeth during her husband’s lifetime: firstly, she ran their household and supervised their all-female domestic labour force; secondly, she took in lodgers and managed the subsequent rental income; and thirdly, she was a malt-maker, also advising Richard in investment strategy in this area, telling him in a letter of 1598 that “in barley is the surest profit”. Fourthly, she operated as a mercer, advising Richard of the best place to acquire Holland cloth in London (which, incidentally, was from a female vendor); fifthly, she worked as a grocer, procuring goods of various kinds for sale in Stratford (including edible delicacies, tobacco, and gunpowder); and finally, she worked as a vintner, providing wine for the Corporation and also no doubt her own lodgers. In addition to this impressive list of occupations undertaken while married, in her widowhood Elizabeth continued to work as a mercer (being listed as such in a presentment of 1606), and she also managed a substantial portfolio of property, collecting rents on more than twenty five properties, and selling, buying, and trading these assets as she saw fit.⁵⁵

In a similar vein to Elizabeth Quiney, Orlin then reveals that Anne Shakespeare also ran the household while her husband was away, which included taking in lodgers to New Place; that

⁵⁴ Lena Cowen Orlin, ‘Anne by Indirection’, *Shakespeare Quarterly* 65, no. 4 (Winter 2014): 421-454.

⁵⁵ *Ibid.*, 431-436 (Elizabeth was a licensed vintner, see 436 n. 37.), 434 and 438.

she probably also worked in brewing and malting;⁵⁶ and that she may have acted as landlord to tenanted properties owned by Shakespeare (although the evidence Orlin presents for this is hardly definitive).⁵⁷ There is also evidence that Anne participated in money-lending which, although a common pursuit for widows and single women at this time, has rarely been documented in the case of wives. The money-lending pursuits of Anne and other Stratford women are discussed below.

To conclude this section, it has been demonstrated that there were numerous opportunities for early modern women, whether married, single, or widowed, to earn money. Wives worked alongside their husbands, certainly, but they also sold produce at market on their own or helped with harvesting at important times of the year. Evidence from the probate documents, Corporation records, and church court depositions has reinforced this, providing case studies of wives, maids, and widows working in a variety of roles. It was a given at this time that women's remuneration would not be comparable to men's, yet still women's ability to earn provided them with a certain degree of autonomy, and the means with which to provide for their households. Yet what exactly did women do with their money? The final part of this chapter moves on to examine the women's ownership and distribution of this resource.

Wages and money-lending

The evidence of the previous chapter has demonstrated that Stratford's single women and widows, at least, had access to cash to almost the same extent as the men, and that they too

⁵⁶ Ibid., 446-448. The possibility of Anne brewing and malting is given weight by the recent archaeological excavations at New Place, which revealed the presence of a brew house at the property: 'Shakespeare's "kitchen" discovered during archaeological dig', *Shakespeare Birthplace Trust*, <https://www.shakespeare.org.uk/about-us/news-media/press-releases/shakespeares-kitchen-discovered-during-archaeological-dig/> (published 27 November 2015, accessed 14 September 2016) and 'Shakespeare's last house: Archaeologists reveal more', *BBC News Online*, <http://www.bbc.co.uk/news/uk-england-coventry-warwickshire-25484161> (published 22 December 2013, accessed 1 April 2016).

⁵⁷ Orlin, 'Anne by Indirection', 447-448. Orlin simply details William's property portfolio and states that 'Anne was the landlord on site', with no further evidence to support this.

were keen to dispose of it in their wills.⁵⁸ One might be tempted to assume, meanwhile, that any wages married women earned would have passed directly into their husbands' hands, although as will shortly be demonstrated, to assume that this would have been the case for all wives may be unwise. Before moving on to consider married women, this thesis will explore what spinsters and widows did with their money.

First, these women used their money as a means of providing for their own housing or wellbeing. The following statement appears in the 1614 will of widow Anne Salisburie:

... at the time of the makinge of this my Las[t] [will and testament] I haue given and delyuered vnto william Morrell of Stretforde aforesayde Wⁱth whom [...] and dwell the somme of Fortie poundes of Lawfull money of England for euer vppon Con^dicⁱon [...] the sayd William duringe my Lyfe shall finde me sufficient meate drinke Lodginge Washeinge and Wringinge, And after my deceasse to Content and paye vnto my brother Iohn Knight the yearely Rent of Foure poundes quarterly...⁵⁹

This declaration is not a straightforward bequest: it records first of all an inter-vivos transfer of funds and the reason for that transaction, which technically has no place in Anne's will. However, Anne's stipulation that Morrell should pay quarterly rent to her brother means that the money she had given to Morrell was at least partly intended to ensure a bequest. Anne evidently wished to use the legal forum of the will as a platform for stating the terms of her agreement with Morrell and its subsequent bearing on her brother's legacy. Yet this bequest is also useful in that it reveals the key conditions this widow thought essential to achieve a

⁵⁸ Several of Stratford's widows appear in the town's subsidy rolls from the earliest date (1524/5), having lands or property sufficient enough to qualify for the payment of this tax. In 1592/3, for example, 'Anne Clapton, widdowe', had lands valued at £3 12s, and was listed alongside 'Thomas Combes, gent.', whose lands were valued at £4 10s 8d. J. O. Halliwell, ed., *Extracts from ancient subsidy rolls, showing the values of goods and lands upon which assessments were made in respect to the inhabitants of Stratford-upon-Avon. Taken from the original records of the Court of Exchequer* (London: Chiswick Press, 1864), 23.

⁵⁹ Will of Anne Salisburie. See also the will of Christopher Mace in which he leaves his son Henry 'the Full and Iuste Sume of twentie Poundes of lawfull English money for the which he is to Keepe Me all my liefte tyme'.

level of personal comfort: a roof over her head, enough to eat and drink, and somewhere to do her laundry.

Furthermore, there is evidence to suggest that women used their money to obtain medical care. The seventeen-year-old spinster Anne Raynoldes made the following bequest in her 1636 will: 'Item I giue to Master Wagstaffe for his advice & paynes taken with me in my sicknes eight powndes'.⁶⁰ The Stratford physician John Lane had died November 1635, therefore it is possible that Mr Wagstaffe had been operating locally as a competitor.⁶¹ We might speculate about the precise nature of his role, however: as a gentleman ('Master') it may have been the case that Wagstaffe did not conduct the medical work himself, but that he had appointed physicians and carers to look after Anne at her request. Either way, it was he who Anne wished to remember in her will.

Yet probably the most attractive option open to these women would have been to engage in money-lending to increase – or at least maintain – their capital. It has long been recognised that single women (particularly widows) played an important economic role in early modern communities by their money-lending activities: B. A. Holderness notes the 'financial acumen' of women from right across the social spectrum, and states that '[t]he most prominent economic function of the widow in English rural society between 1500 and 1900 was money lending'.⁶² Erickson states that 'widows were a fertile source of free-floating capital to fund small rural credit markets',⁶³ and that 'single women in particular, were a

⁶⁰ Will of Anne Raynoldes.

⁶¹ It has not proved possible to trace this particular Mr Wagstaffe: there is no record of him in the town's *Minutes and Accounts*. Several Wagstaffes appear in Joan Lane's edition of John Hall's medical records, but none of them is noted as having been a physician or apothecary. Joan Lane, medical commentary by Melvin Earles, *John Hall and his Patients: The Medical Practice of Shakespeare's Son-in-Law* (Stratford-upon-Avon: The Shakespeare Birthplace Trust, Alan Sutton Publishing Limited, 1996).

⁶² Holderness, 'Widows in pre-industrial society', 426 and 435.

⁶³ Erickson, *Women and Property*, 194. On this, see also Barbara Todd, 'Freebench and free enterprise: widows and their property in two Berkshire villages', in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 175-200; J. S. W. Helt, 'Women, Memory and Will-Making in Elizabethan England', in *The Place of the Dead: Death and*

significant source of cash in the local lending market.⁶⁴ Stratford's non-married women certainly proved no exception. Of those studied here, fourteen can be said from their wills to have been money lenders, lending money a total of thirty nine times.⁶⁵ Of these fourteen women, thirteen were widows, with the last, Margret Smith, designated only as 'almswoman' in her will.⁶⁶ Thirty seven of the sums in question were owed by male debtors, and one by a female. (One final instance has been classified as 'non-specific': the widow Elnor Gylbart's 1557 will only referred generally to 'my dettes owinge vnto me'.)⁶⁷ This initial evidence therefore indicates that Stratford's women lent primarily to men, yet still questions remain. To what extent did the women (particularly the widows) fund the town's credit market, as Erickson asserts would have been the case? Were they simply lending to their kin? And were they lending further afield than Stratford?

The majority of the money owed to Stratford's female testators was owed by men whose relationship to them cannot be identified, although in some cases the men in question were likely to have been neighbours or prominent members of the local community.⁶⁸ Barbara Cotten, for example, left her son Hugh 'five poundes nowe in the handes of Nicolas Baker and Alsoe other five povnd now in the handes of Thomas Godwine' in her 1631 will.⁶⁹

Although it is not possible to say anything about Barbara's relationship with these men, they were probably locally influential characters: there is no record of Baker in the Corporation

Remembrance in Late Medieval and Early Modern Europe ed. B. Gordon and P. Marshall (Cambridge: Cambridge University Press, 2000) 188-205; and Holderness, 'Widows in pre-industrial society', 428.

⁶⁴ Erickson, *Women and Property*, 81. See also Froide, *Never Married*, 128-141 *passim*. Carmel Biggs, on the other hand, notes that Northamptonshire women did not appear to participate in money-lending, although her study examined three rural parishes, and is therefore not directly comparable with a borough: 'Women, Kinship, and Inheritance: Northamptonshire, 1543-1709', *Journal of Family History* 32 (2007): 128.

⁶⁵ Only a few women's inventories provide information about the loans they had made, and often without specifying the debtor. The following inventories list money or goods owed *to* the testator: Isabel Andrew, Joyce Hobday, Anne Lloyd, Isabel Mecok, Alice Williams, Mary Milles, Elizabeth Williams of Luddington, Barbara Cotten, Anne Reynolds, and Mary Edwards. Only one lists debts owed *by* the testator: the inventory of Alice Hiccox.

⁶⁶ Will of Margret Smith. It has not been possible to clarify Margret's marital status on her death.

⁶⁷ Will of Elnor Gylbart.

⁶⁸ Froide also finds that single and widowed women of Southampton, Bristol, York, and Oxford mostly lent money to men: *Never Married*, 135-136.

⁶⁹ Will of Barbara Cotten.

records, but Godwin had acted as a capital burgess for a brief period in 1599.⁷⁰ Due to their standing, therefore, one possibility is that Barbara had provided the men with funds to be ‘put out’ for her children at interest; a common enough practice at this time.⁷¹

Aside from these unidentifiable men, other people indebted to Stratford’s women whose relationship to the testator could be identified included a daughter, a nephew, a male tenant, sons-in-law, and a brother. Furthermore, and as discussed above, the widow Joyce Hobday also acquired debtors who were work associates of her husband; the nature of their debt is not always specified in her will, however it is likely that most if not all of them related to Joyce’s sale of William’s stock after his death.⁷² In accordance with these findings, Holderness also notes that the most likely borrowers of widows’ money were kin and neighbours, ‘not least because lending beyond the horizon of acquaintance incurred risks which may have been too great for comparatively poor folk.’⁷³ This predominance of money-lending within one’s ‘horizon of acquaintance’ may also relate to Shepard’s recent work on the early modern ‘culture of appraisal’: Shepard asserts that money-lending was not grounded, as has been thought previously, in an assessment of one’s moral worth, but instead in an assessment of

⁷⁰ Bearman ed., *Minutes and Accounts*, vol. VI, 8.

⁷¹ Erickson, *Women and Property*, 80-81. Barbara appears to have done something similar for her daughter, Alice: ‘Item I give and bequeve vnto Alis Cotten eaght povndes now in the handes of John Edwardes with the considerationes there vnto belonging and also that mony that Is in the handes of Thomas Higin to the somme of fifty shilings and allsoe twenty shillings now in the handes of william Cotten of dwelling in worsester’. The language of ‘considerationes’ here suggests ‘use’ or interest due on the money loaned. See also the wills of George Colchester, and Julian Smyth alias Court. Judith Spicksley suggests that some people acted as primitive banks, simply holding on to money for people until they needed it back: “Fly with a duck in thy mouth”: single women as sources of credit in seventeenth-century England’, *Social History* 32, no. 2 (2007): 193.

⁷² Jones, *Inventories*, vol. 1, 197.

⁷³ Holderness, ‘Widows in pre-industrial society’, 440. Ralph Houlbrooke asserted that for the seventeenth-century clergyman Ralph Josselin, lending to neighbours was more important than lending to kin: *The Family Life of Ralph Josselin, a Seventeenth-Century Clergyman: an Essay in Historical Anthropology* (Cambridge: Cambridge University Press, 1970), 139 and 149. For more on this, see chapter three.

the value of one's moveable goods, which local people would have been aware of, and which was 'conceived of as the foundation for credit and expenditure'.⁷⁴

Similarly, in terms of the geographical distribution of Stratford women's money-lending, we might infer that where no place designation was given either that the testator assumed that their executors and overseers would have known the debtor, or that the debtor was resident in Stratford or its environs, and thus easily traceable. The widow Isabel Mecok's 1621 will declares, for instance: 'Item there is remayning in John sheffells hand due vnto Isbell mecok the some of: £ 9: to be payed vnto her or her exsecutere admininestartors or asines at mickell mas nex[t]...'.⁷⁵ Sheffield was mentioned in three other wills, appearing as an overseer in one, so he was clearly a local man of some standing.⁷⁶ On the whole, therefore, most sums of money appear to have been lent within the Stratford area,⁷⁷ although there are a few exceptions to this trend which help to shed light on the potential extent of women's social networks at this time. The widow Jone Griffyn's son-in-law Richard Sheward was listed in her 1598 will as owing her 20s, and was noted as living in the Worcestershire village of Inkberrow, around 12 miles west of Stratford.⁷⁸ Joyce Hobday was owed 25s for a quantity of leather by a John Haws of Warwick, while a John Frost of 'Alcetur' (surely today's Alcester, 8 miles west of Stratford) owed her a total of £3 15s 2d.⁷⁹ Other women lent money to men from Worcester, Tiddington, Alveston, Coventry, Kington (Worcestershire), and 'Auston' (perhaps today's Aston Cantlow). It will be noted that Jone Griffyn's lending remained within her family, as Holderness explained was commonly the case, although she obviously

⁷⁴ Shepard states: 'People monitored material possessions as much as virtuous behaviour ... as the basis for decisions about the conditions of exchange... [T]he brokerage of credit had a very hard material edge.' Shepard, *Accounting for Oneself*, 36.

⁷⁵ Will of Isabel Mecok. The debt is also listed in Isabel's inventory: Jones, *Inventories*, vol. 1, 320-321.

⁷⁶ Sheffield acted as overseer in the 1612 will of Thomas Allen. He also stood surety for a Corporation loan of £5 to John Gune in 1608, see Bearman, ed., *Minutes and Accounts*, vol. VI, 495.

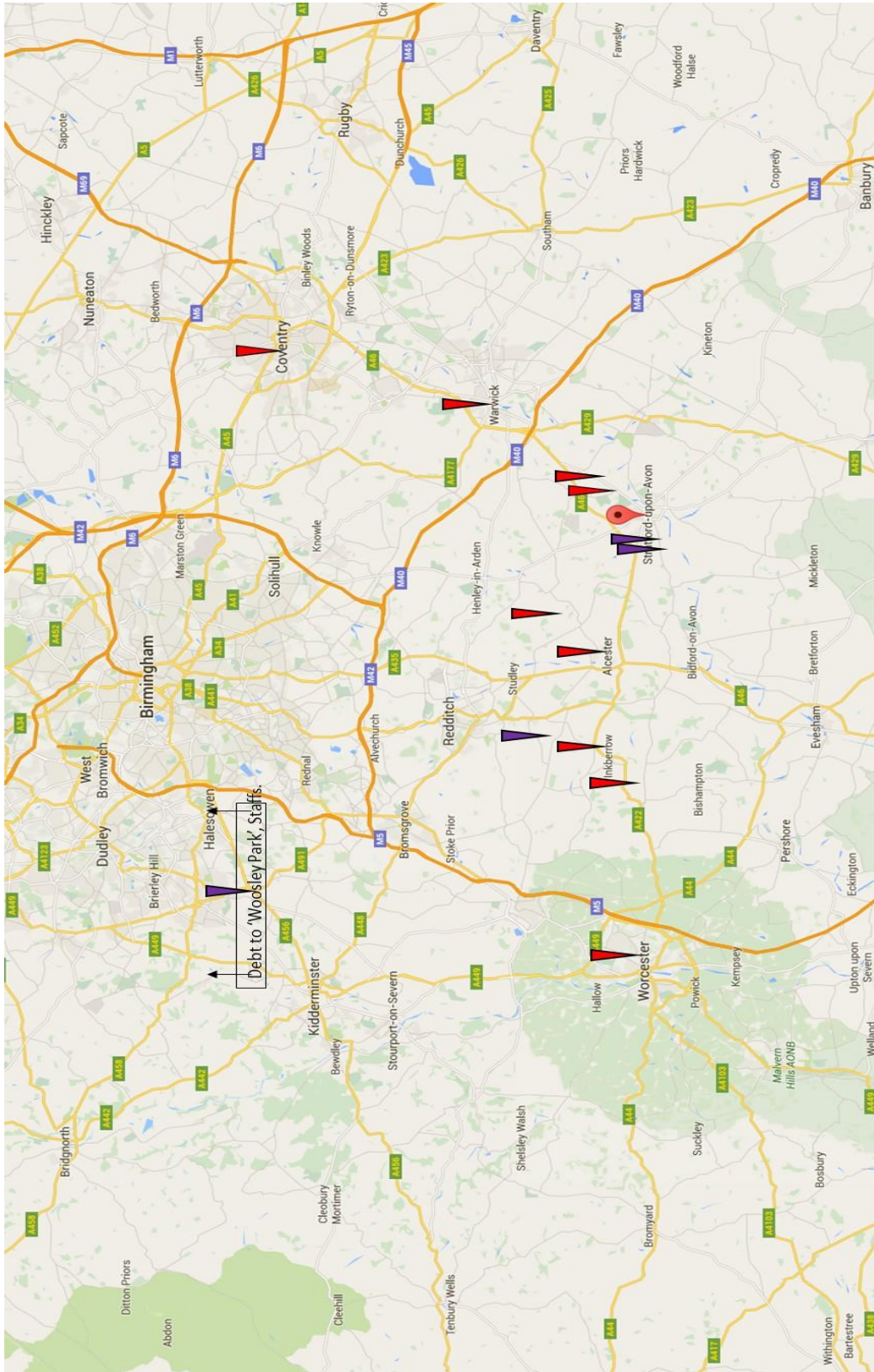
⁷⁷ For the purposes of this analysis, 'within Stratford' refers to the parish of Stratford-upon-Avon and its environs which '... comprised the Borough, the chapelries of Luddington and Bishopton, with Bridgetown, Clopton, Dodwell, Drayton, Ruin Clifton, Shoterly and Welcombe.' Brinkworth, *Bawdy Court*, 5.

⁷⁸ Will of Jone Griffyn.

⁷⁹ Will of Joyce Hobday.

anticipated being able to recover the debt, even at a distance, as it was not listed as 'desperate' within either her will or inventory.⁸⁰

⁸⁰ Holderness, 'Widows in pre-industrial society', 440-441.



Map 2 – Geographical distribution of women’s money-lending

Map 2 provides an illustration of the geographical distribution of women's money-lending, from the evidence of both the men's and women's wills (where the location of debtors was specified). The red markers indicate debtors of the female testators; the purple markers indicate female lenders listed in the wills of Stratford's men. It is apparent that most transactions of this nature took place along an approximate 25-mile east-to-west route from Worcester to Stratford. Considering that Stratford was still under Worcester's jurisdiction as the diocese's power base at this time, it is likely that the townspeople had regular ties with the place, and were used to travelling to and from this important regional centre.⁸¹ Alan Dyer also comments on Worcester's importance as a commercial centre, noting that Stratford's distance allowed the town to benefit from its trade without suffering from its competition, and stating that '[Worcester] was the chief source of most goods and services which could not be supplied by a local market town'.⁸² In their journeys to and from this important regional location, therefore, Stratford's citizens would naturally have forged connections with other villages along the route.⁸³

Stratford's women, therefore, when they were not lending within the environs of the town, on the whole kept their transactions to a regional, but predominantly a local, level. When taking into account only those debtors which were explicitly stated as residing in Stratford, only 5.12 per cent of the money lent by the women was lent within the town itself. This figure, however, is likely to be a substantial underestimate. Loans to people whose residence was unspecified constitute nearly 66 per cent of the sample, and it is likely that the vast majority,

⁸¹ Alan Dyer, *The City of Worcester in the Sixteenth Century* (Leicester: Leicester University Press, 1973), 14-15.

⁸² Alan Dyer, 'Crisis and Resolution: Government and Society in Stratford, 1560-1640', in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997), 87, and Alan Dyer, 'Midlands', in *The Cambridge Urban History of Britain Volume 2, 1540-1840* ed. Peter Clarke (Cambridge: Cambridge University Press, published online March 2008), 106. <http://dx.doi.org/10.1017/CHOL9780521431415> (accessed 9 May 2016). See also Alan Dyer, 'Warwickshire Towns under the Tudors and Stuarts', *Warwickshire History* 3, no. 4 (Winter 1976-77): 122-135.

⁸³ The anomalous Staffordshire debt occurs in the will of William Cootes. It reads, under 'detts due to me the sayd testator': 'Item Wyllyam kyngs wyf of Wooseley parke xiiijd'. This may have been Wolseley Park, Rugeley.

if not all, of these people were resident in Stratford: some were children of the deceased, while the names of others appear elsewhere in the records. If, therefore, all those from the ‘unknown’ pile are counted amongst those debtors who lived in and around Stratford, then the figure for women lending money in the town jumps to 72 per cent. Examining women’s money-lending practices in other areas of the country reveals that Stratford’s women may have been more conservative in the geographical spread of their transactions than others. In seventeenth-century Durham for example, Judith Spicksley found that around 37 per cent of identifiable borrowers lived within five miles of their creditor.⁸⁴ 44.4 per cent of the transactions of the wealthy Herefordshire spinster, Joyce Jefferies, occurred within a radius of four miles, although she did lend to people as far away as London.⁸⁵ The women of Woodstock (Oxfordshire) were perhaps most similar to those of Stratford: Mary Hodges observed that they tended to lend to women of their own status in the town.⁸⁶

When examining solely the women’s wills, the evidence therefore demonstrates that it was primarily Stratford’s widows who operated as money lenders; that they lent mostly to apparently unrelated men; but that they also lent to family and kin. The majority of loans were extended to residents of Stratford and its immediate environs, yet widows also forged connections in the wider regional area. Broadening the enquiry to consider the men’s wills, however, can provide more information about the money-lending exchanges between the sexes. The men’s wills reveal, for instance, that nine men owed money of varying amounts to a range of women: from local widows, to their own daughters, to maidservants. The 1605 will

⁸⁴ Spicksley, “Fly with a duck in thy mouth”, 198.

⁸⁵ Robert Tittler, ‘Money-Lending in the West Midlands: the Activities of Joyce Jefferies, 1638-49’, *Historical Research* 67, no. 164 (October 1994): 257. Froide examined single women’s money-lending in Southampton, York, Oxford, and Bristol, and also found that women in these areas lent mostly to their urban communities, but sometimes further afield: *Never Married*, 135.

⁸⁶ Mary Hodges, ‘Widows of the “Middling Sort” and their Assets in Two Seventeenth-Century Towns’, in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press Limited, 2000), 319.

of fuller Richard Balis, for instance, noted his debt of 4s to ‘Margery Tayler Wydowe’;⁸⁷ Roger Burman of Shottery (1590) owed ‘vnto Agnes my dawghter vs iiijd’;⁸⁸ and the well-to-do Roger Sadler (1578) owed his maid, Elizabeth Jackstone, forty-six shillings, which in all likelihood was at least in part wages due to her for her service.⁸⁹ So although Stratford’s men only lent to women in a few instances (in comparison, thirty-six men listed debts owing to other men), this evidence is still useful in that it adds important context to what is known about early modern women’s economic activities.

All of this evidence testifies to the relationships generated between men and women on the basis of financial aid, and to the importance of money-lending as a means of income for many women.⁹⁰ It also appears to show that Stratford’s women created and sustained relationships with men based on money-lending in their own right. Such autonomy may be thought to have been possible only for single women or for widows freed from coverture, however perhaps more surprising is the fact that *wives* too appeared to participate in similar relationships with men who were – as far as can be discerned – neither their husbands nor relatives. As may be anticipated due to the common law restrictions on married women at this time,⁹¹ this kind of money-lending is much less documented due to its relative scarcity, but there are a few notable cases within the set of wills.

⁸⁷ Will of Richard Balis.

⁸⁸ Will of Roger Burman. Agnes was a widow.

⁸⁹ Will of Roger Sadler.

⁹⁰ See also the depositions relating to the case of Woodhams and Guest v Taylor, for one widow’s extensive money-lending and the problems this caused her relations after her death: Margaret Taylor of Northfield had lent sums ranging between £3 and £25 to various men during her lifetime, yet did not manage to take repayment of them all before she died. Her estate was valued at only £5, so her eight children entered into a dispute which centred around the alleged non-payment of their legacies and the loan repayments their brother Roger, Margaret’s administrator, was receiving from his mother’s debtors. WAAS, Ecclesiastical court depositions 794.052 vol. 6, ff436r-440r, ff442r-443v, ff503r-507r, and ff510v-511r. Shepard also notes how important money-lending and obtaining of credit was for maintaining one’s social status at this time: *Accounting for Oneself*, 36.

⁹¹ On this see Mary Prior, ‘Wives and Wills, 1558-1700’, in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 201-206. See also chapters one and two of this thesis.

First, it is important to note that there is only one example of a married woman lending money to a man who – as far as it is possible to determine – was not a relation: Richard Balis’s will noted that he owed ‘to Sycilly Collens Wyf to Rychard Collens iiijs’.⁹² Richard Collens had married Sicely Baynton in December 1598, and the couple’s last child was born in 1607,⁹³ so evidently Sicely was still married at the time Balis noted his debt to her. Based on the sum owed, and the evidence of women’s occupations presented elsewhere in this chapter, it might be reasonable to assume that Sicely had sold some goods to Balis, or that she had, over time, gathered some wages of her own and had decided to put them out at interest for the long-term benefit of her family (and access to this kind of credit would have also benefited Richard and tradesmen in similar positions, who may have needed access to cash at seasonal intervals in order to purchase more tools or goods). She may have undertaken this step with or without her husband’s knowledge and permission, but either way, the debt is listed in Baylis’s will as being due to her, not her spouse, even though as a ‘feme covert’ she would not legally have been allowed to negotiate such a transaction.⁹⁴

In addition to this example of a wife lending money, there are several examples relating to married women’s borrowing to be found in the men’s wills. Henry Gatlyf, for example, noted in his 1604 will that ‘old Stannells Wyf’ owed him 15 ½ pence, and that ‘dunstons Wyf oweth me xijd’,⁹⁵ while a much larger debt is found in the will of the yeoman Edward Bramley (1606), which declared that ‘my ladye Grevell of Mylcote oweth me fyfty shillings’.⁹⁶ Sir Edward Greville, Lady Greville’s husband, was a notorious spendthrift; by the end of Elizabeth’s reign he was in serious financial trouble, and had begun selling off

⁹² Will of Richard Balis. Richard also owed 4s to the widow Margery Taylor.

⁹³ *Stratford on Avon, Warwick, Parish Registers of Marriages, 1558-1812*. Author’s own copy, PDF pagination, 13. Nicholas was born on 28th June 1607: *Stratford-upon-Avon, Warwick Parish Register of Baptisms, 1558-1652 and Burials, 1558-1652. From the Original 1899 Transcriptions*. Author’s own copy, PDF pagination, 54.

⁹⁴ Despite this prohibition, as Erickson notes, this was a society in which debts appear to have been paid to married women in their own right on a regular basis. *Women and Property*, 146.

⁹⁵ Will of Henry Gatlyf.

⁹⁶ Will of Edward Bramley.

parts of his estates to generate cash.⁹⁷ It is likely that Lady Greville had had to look for money to support herself and her household during one of her husband's frequent periods of insolvency. In fact, Lady Greville was not the only member of their household to approach Bramley for loans, as he also had sums outstanding to 'mayster payne syr Edward Grevells man' and 'master Robert Somerfild the same syr Edwards man'.

Other married women owing money appear in the wills of Griphyn Ap Roberts (1592),⁹⁸ Raphe Boote (1575),⁹⁹ Thomas Alegh (1593),¹⁰⁰ and William Cootes (1597),¹⁰¹ but perhaps the most interesting example, by dint of its connection to Stratford's most famous resident, occurs in the 1601 will of Thomas Whittington of Shottery.¹⁰² Thomas was a shepherd (although described as a 'husbandman' in his will) with links to the Hathaway family, and in his will he left:

... Vnto the poore people of Stratford <& stratford parish> xls [th]at is in the hand of Anne Shaxspere Wyf Vnto master Wyllyam Shaxspere & is due dett unto me beyng payd to myne executor by the sayd Wyllyam Shaxspere or his assigns...¹⁰³

Anne's borrowing of this money from Thomas may well point to the role she undertook in running the household finances, either alongside her husband, or in his absence. Orlin posits that 'there may have been a difficult scramble to balance earnings and expenses' for her

⁹⁷ 'Greville, Sir Edward (1566-1634), of Milcote, Warws.; later of Pishobury, Herts. And Fulham, Mdx.' *The History of Parliament Online: British Political, Social & Local History*, <http://www.historyofparliamentonline.org/volume/1604-1629/member/greville-sir-edward-1566-1634> (accessed 6 April 2016).

⁹⁸ Will of Griphyn Ap Roberts. 'Item the good/Wif\ Peton of barrowod in the parish of fecknam oweth me xxxiij*s* iiij*d*'.

⁹⁹ Will of Raphe Boote. 'Inprimis mistris RaynFord ovveth me ðiiij'.

¹⁰⁰ Will of Thomas Alegh. 'Item mistris wheeler <oweth> and her sonne Iohn oweth me ðiiij v*s* viij*d*...'

¹⁰¹ Will of William Cootes. Under 'dett*s* due to me the sayd testator' is listed 'Item Wyllyam kyng*s* wyf of Wooseley parke xiiij*d*'.

¹⁰² Will of Thomas Whittington of Shottery.

¹⁰³ As far as I can tell, Jones was the first to write about this particular bequest in 2002 in *Inventories, vol. 1*, 186-187. Germaine Greer, however, has made the knowledge more well-known with her *Shakespeare's Wife* (London: Bloomsbury, 2007), 219-221. Orlin also discusses it in 'Anne by Indirection', 448.

family, leading to this advancement of cash from Whittington.¹⁰⁴ The sum, however, is a large one, and does not suggest the sort of ‘everyday’ borrowing that most housewives would have engaged in to provide for their households’ most immediate needs. Thomas may have lent Anne the money at interest, by way of a long-term investment, but the ambiguous phrasing of the bequest begs the question as to why, if this was the case, did he specify that William should pay it back? This stipulation might have been made for a few potential reasons: perhaps Thomas or his scribe were simply adhering to the law which asserted that husbands were responsible for their wives’ debts;¹⁰⁵ or perhaps Anne had exercised her right to contract debts on her husband’s behalf (with the husband being responsible for payment).¹⁰⁶ Maybe the debt was William’s but was in Anne’s hands because he was away from Stratford at that time. Or maybe the particular dynamics of their relationship simply meant that William assumed responsibility for the settling of all financial matters. It is possible that Anne had contracted the debt without William’s knowledge, and that Thomas knew that his executor would only be able to recover the money from William.

The examples given here illustrate how, in the absence of extant wives’ wills, recourse to the men’s wills must be had in order to uncover evidence of married women’s money-lending. In the wills discussed here, there is evidence that at least *some* Stratford wives enjoyed a degree of economic autonomy within their coverture, which enabled them to manage finances independently of their spouses, probably to maintain the economic solvency of their

¹⁰⁴ Orlin, ‘Anne by Indirection’, 448.

¹⁰⁵ Erickson, *Women and Property*, 100, and McIntosh, *Working Women*, 105-107. Although, as Hanawalt explains, sometimes the laws regarding ‘feme sole’ status ‘were not completely clear in practice and may not even have been well known.’ *The Wealth of Wives*, 180.

¹⁰⁶ For the ‘law of necessities’ or ‘law of agency’ available to women under coverture, see Cordelia Beattie, ‘Married Women, Contracts and Coverture in Late Medieval England’, in *Married Women and the Law in Premodern Northwest Europe* ed. Cordelia Beattie and Matthew Frank Stevens (Woodbridge: Boydell Press, 2013), 133-137. Beattie explains that by around 1500, women needed the *express* permission of their husbands in order to contract debts for necessities (loosely defined as food, drink, clothing, and medicine appropriate to the husband’s social status).

households.¹⁰⁷ These examples provide a tantalising glimpse of the economic lives of wives which might have been revealed had they been permitted to make wills.¹⁰⁸

The social and cultural significance of women's – and particularly wives' – money-lending and borrowing at this time is revealed by our understanding of the contemporary implications of the activity. As Robert Tittler explains in his 1994 article 'Money-Lending in the West Midlands: the Activities of Joyce Jefferies, 1638-49', money-lending at this time 'still retained the connotation of trust and reputation' which it had held throughout the medieval period.¹⁰⁹ Thus, for women in particular, a sense of their good financial credit was inextricably bound up with a sense of their chastity and virtue, however it seems clear that women's moral credit was also seen to impact directly on their (or by extension their husband's or their household's) economic standing. As Laura Gowing explains:

As a measure of honour, its [credit's] financial implications suggest a reputation that can be spent, wasted or accrued... A central word in slander litigation, 'credit' encompassed a series of overlapping meanings that included good neighbourliness, trustworthiness, financial independence, sexual virtue, and social class... For both men and women, then, credit was measured through a combination of factors; but for women, that combination was filtered through the lens of sexual honesty.¹¹⁰

Craig Muldrew expands on this:

¹⁰⁷ In this era before the advent of banks the women – and indeed, most people – may also have lent money simply as a means of keeping it somewhere safe that was not, quite literally, under the bed.

¹⁰⁸ However, in her study of 97 wives' wills from the Prerogative Court of Canterbury and from Oxfordshire, Prior noted no instances of married women having lent or borrowed money. Most of the wives in her sample group belonged to the upper echelons of society (being the wives of MPs, gentry, or lawyers), although the sample does stretch down to yeomen's wives, labourers' wives, and a husbandman's wife: 'Wives and Wills', 210-213.

¹⁰⁹ Tittler, 'Money-Lending in the West Midlands', 252.

¹¹⁰ Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford: Oxford University Press, 1998), 128-129.

Because much buying and selling was done by wives, servants and apprentices, the honesty [sic], fidelity and modesty of a wife, and the honesty of servants, all contributed to the credit or reputation of a family, which would have been assumed in the community to be reflected in whoever was undertaking a transaction.¹¹¹

Declarations and judgments relating to women's credit abound in church court and other local records. In the proceedings of Stratford's Court of Record, a case of trespass was brought against Christopher and Margaret Smith by Richard and Elizabeth Simmons in 1560/61; Richard and Elizabeth claimed that Christopher and his wife had 'plott[ed] unjustly to harass Elizabeth Simmons and utterly undermine her name, reputation & the status in which she was previously held' by claiming that Elizabeth had stolen their gander. Not only was Elizabeth's reputation damaged, however: the record notes that 'By these false words Richard Simmons and Elizabeth his wife have been injured in many ways, not only concerning their reputation, but also concerning profits & advantages in regard to their adequate sustenance & support, to the loss of Richard Simmons of thirty shillings.'¹¹² In this case, the loss of Elizabeth's reputation was directly linked to her husband's subsequent loss of property and money.

So despite the threat to their good name, and the fragility of a woman's sense of credit within her local community, the research presented here shows that early modern women nevertheless viewed money-lending as a worthwhile pursuit. This was probably due both to its potential to provide financial rewards, and to the concomitant social benefits it brought in terms of facilitating the creation, expansion, and maintenance of social networks. Exactly

¹¹¹ Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke: Macmillan, 1998), 158. Hubbard says that this was a society in which 'social and financial credit were largely synonymous.' *City Women*, 11.

¹¹² Margaret Webster, *Court of Record Transcript, Mary I (1553-1558)* (Unpublished: author's own copy, undated), 109. Simmons v. Smith, 20th March 1560, Shakespeare Birthplace Trust (hereafter SBT) BRU 12/5 No. 122.

how remunerative money-lending could be is difficult to determine, although officially any interest charged over ten per cent was seen as excessive and therefore ‘usury’.¹¹³ Still, Stratford’s women evidently viewed this return as beneficial enough to prompt some of them to transact loans outside of the town’s immediate environs. Some, meanwhile, risked most of their livelihood on money-lending ventures: a few seem to have relied upon money-lending to survive to the extent that most of the value of their inventoried goods constituted money out on loan. Take, for example, Isabell Mecok, widow. Her 1621 will listed debts totalling £13, but her inventory, which included these outstanding debts, revealed that the sum total of her wealth only amounted to £14 15s, meaning that the £13 out on loan constituted over 88 per cent of her assets. Another example is provided by the widow Margaret Smith. The total of her inventory came to £16 19s 6d, yet her loans, described as ‘desperate’ (i.e. unrecoverable), totalled a comparatively enormous £23 17s, meaning that she had more out on loan than the total value of her estate. It is no surprise, therefore, that her poverty eventually came to the attention of Stratford’s Corporation.¹¹⁴

There are also examples of money-lending widows from the other end of the economic spectrum, however, which demonstrate that Stratford’s widows did not always lend money simply in order to survive. The more affluent widows who chose this path presumably did so as an attractive supplement to their already substantial estates. Mary Milles, for example, who made her will in 1624, had £62 out on loan, while her inventory totalled £268 9s 4d.¹¹⁵ This woman had no apparent need to lend money for the interest it returned her, and presumably

¹¹³ Holderness, ‘Widows in pre-industrial society’, 442. Erickson says that interest of ten per cent could be earned in the sixteenth century, dropping to five per cent by the early eighteenth century, but that these rates of return still compared favourably with income from land: *Women and Property*, 81.

¹¹⁴ Wills of Isabell Mecok and Margaret Smith. Jones, *Inventories*, vol. 1, 340. For more examples of this see also Froide, *Never Married*, 132. Similarly, Spicksley notes the case of a beggar woman who at her death in 1661 was owed 80s in cash: “Fly with a duck in thy mouth”, 191. Keith Wrightson also provides examples of Newcastle testators dying in similarly straitened circumstances: *Ralph Taylor’s Summer: A Scrivener, his City and the Plague* (London: Yale University Press, 2011), 126-130. See also footnote 90, above, which details Margaret Taylor of Northfield’s extensive money-lending, despite the fact that her property was only valued at £5 at her death.

¹¹⁵ Will of Mary Milles.

could have lived quite comfortably without it, but nevertheless took the initiative to do so, probably because of the economic and social benefits available. The interactions between these money-lending women and their network of contacts, fellow lenders, and debtors may have been a particularly fulfilling aspect of their lives.

Conclusions

This chapter, in seeking to understand the economic lives of Stratford's women, has explored the types of work they undertook, and noted the important role they played in contributing to the upkeep of their households. It has been demonstrated that the women (maids, wives, and widows) earned money throughout their lives to support themselves and their families; that they might borrow money in times of hardship; and that it was common for widows and single women to lend money, too. Very occasionally, a married woman might engage a loan on her own authority, despite the laws of coverture. In this, the women of this provincial town did not differ greatly from their counterparts elsewhere in the country, who also worked, borrowed and lent in order to provide for themselves and their families. The extensive and flourishing field of research concerning early modern women's everyday, economic, and occupational lives, cited at the beginning of this chapter, demonstrates just how resourceful these women could be, and the economic activities of Stratford's women only serve to reinforce this view. The research presented here, although regionally focused, by extension provides greater context for our understanding of the lives of ordinary early modern women across the country.

CONCLUSION

The prominent Stratford Puritan, Daniel Baker, made a lengthy and detailed will, as befitted a man of his means and elevated standing. In it – amongst other bequests – he left various Bridge Street tenements to his grandson Samuel and his heirs, stipulating that in return they should pay a yearly sum to the almshouses, plus 26s in cloth each year to clothe two poor widows of Henley-in-Arden.¹ Baker stipulated that the widows should be: ‘yerelie nominated and chosen by my sister in Lawe Margery Baker of Henley aforesaid Widowe and by the consent of her sonne my kinsman Iohn Baker of Henley senior’. Later on, Baker made another bequest to the same John: ‘And tenn shillings more to my Cozen Iohn Baker thelder of Henley aforesaid to make him a Ringe’. What these examples from Baker’s will so neatly exemplify in the first instance is the flexibility of naming employed by early modern people. John Baker’s ‘true’, biological, relationship to Daniel was that of nephew, yet at no point did Daniel use this designation: instead he referred to John as his kinsman and his cousin. If he had not also specified that John was the son of his sister-in-law, then modern readers would be ignorant as to the true nature of their relationship. Traditionally, historians using wills to extract data on such issues as the types of gifts given to different kin, or how many different types of kin were mentioned in testaments, have not acknowledged the fact that such flexibility in naming could impact on how they calculated their results. In most cases like this, scholars would simply have chosen one of the three designations assigned to John, thus effectively erasing the other two from all consideration. This thesis, however, by adopting a holistic approach and a new methodology for the study of wills, has provided more nuance to the interpretation of these historical documents, bringing to the fore for the first time the flexible naming practices used and, more importantly, how these interchangeable

¹ Will of Daniel Baker. Daniel had the first draft of his will drawn up in 1637, and added codicils in 1640 and 1641.

designations might affect our understanding of the quality of relationships.

This thesis also challenges the conventional interpretation of bequests like Daniel's gift of money to John 'to make him a Ringe'. The assumption in much of the scholarship has been that bequests of this kind must have been intended to convey a sense of attachment to, or affection for, the recipient.² Yet recently the work of Lena Cowen Orlin has questioned this,³ and this thesis has engaged with Orlin's research to argue that modern sensibilities should not impinge on a scholarly interpretation of the significance of bequests. In particular, however, this thesis has gone one step further than Orlin and argued that greater attention needs to be paid to the full context of the gift (examining its economic worth and its materiality, as Orlin does, but also analysing its perceived emotional worth and the language used), in order to come closer to understanding its historical significance.

Further to these two new areas of enquiry, this thesis is also the first historical study to employ the entire body of surviving wills for Stratford-upon-Avon (1537-1649) to shed light on the experience of everyday life in the town. Scholars have traditionally been concerned primarily with the life of William Shakespeare, or with the political and religious climate of early modern Stratford.⁴ In those rare instances where studies have examined the lives of the town's women, they have been viewed as important only by virtue of their relation to the

² Susan E. James, *Women's Voices in Tudor Wills, 1485-1603: Authority, Influence and Material Culture*, (Farnham: Ashgate, 2015), 82; and Ann Rosalind Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (Cambridge: Cambridge University Press, 2003), 2.

³ Lena Cowen Orlin, 'Empty Vessels', in *Everyday Objects: Medieval and Early Modern Material Culture and its Meanings* ed. Tara Hamling and Catherine Richardson (Farnham: Ashgate, 2009).

⁴ The latest example in the quest to understand Shakespeare and the people with whom he associated is Paul Edmondson and Stanley Wells, eds., *The Shakespeare Circle: An Alternative Biography* (Cambridge: Cambridge University Press, 2015). Some important works on Stratford's political and religious climate are: Alan Dyer, 'Crisis and Resolution: Government and Society in Stratford, 1560-1640', and Ann Hughes, 'Building a Godly Town: Religious and Cultural Divisions in Stratford-upon-Avon, 1560-1640', both in *The History of an English Borough: Stratford-upon-Avon 1196-1996* ed. Robert Bearman (Stroud: Sutton Publishing Limited, 1997); and Ann Hughes, 'Religion and Society in Stratford-upon-Avon, 1619-1638', *Midland History* 19 (1994): 58-84.

town's most substantial men.⁵ Yet this thesis has argued for the importance of understanding the experiences of Stratford's women on their own merit and, wherever possible, through the sources they left behind. It is only by conducting regional and local studies of this kind that the broader picture of the experiences of women across early modern England can be enhanced: in particular it should be questioned whether the lives of wealthier women or those who lived in large urban centres should be considered representative of the entire female population.⁶ The focus of this thesis on the town's women has therefore also provided a new lens through which to view life and death in Stratford.

The thesis has focused on the whole range of Stratford's women, although mainly those of the middling sort with enough property to warrant leaving a will. To begin this exploration, chapter one provided important context relating to women's legal status in the sixteenth and seventeenth centuries, as a means of grounding the succeeding discussion. It highlighted the complexity of women's legal position, and emphasised that reliance on the common law interpretation of women's legal status should be eschewed, in favour of a more comprehensive examination including the records of the other legal jurisdictions of the time. Alternative courts operated alongside, and in competition with, the common law, and thanks in particular to the work of Maria Cioni and Tim Stretton on the Equity courts of Chancery and Requests,⁷ it was shown that women of all social statuses were well aware of their rights in these other arenas, and frequently availed themselves of alternative courts when recourse

⁵ For example Germaine Greer, *Shakespeare's Wife* (London: Bloomsbury, 2007); and Lena Cowen Orlin, 'Anne by Indirection', *Shakespeare Quarterly* 65, no. 4 (2014): 421-454.

⁶ As found, for example, in Lena Cowen Orlin, *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), and James, *Women's Voices*.

⁷ Tim Stretton, *Women Waging Law in Elizabethan England* (Cambridge: Cambridge University Press, 1998); Tim Stretton, *Marital Litigation in the Court of Requests, 1542-1642* (London: Cambridge University Press, 2008); Tim Stretton and Krista J. Kesselring, eds., *Married Women and the Law: Coverture in England and the Common Law World* (London: McGill-Queen's University Press, 2013); Maria Cioni, 'The Elizabethan Chancery and women's rights' in *Tudor Rule and Revolution. Essays for G. R. Elton from his American friends* ed. Delloyd J. Guth and John W. McKenna (Cambridge: Cambridge University Press, 1982); and Maria Cioni, *Women and Law in Elizabethan England with Particular Reference to the Court of Chancery* (New York & London: Garland Publishing Inc., 1985), 223.

to the common law looked unfavourable. Most significantly, it was shown that married women retained some degree of legal autonomy under other jurisdictions, even while subsumed under the identity of their husbands at the common law, thus allowing them in some instances to trade, own property, and sue in their own right.

In chapter two the ‘culture of will-making’ in early modern England was explored, from the guidance issued in contemporary legal handbooks, to practice in Stratford and the wider region of the Diocese of Worcester. What was established here was the gulf between ‘ideal’ and ‘real’ deaths which persisted in this period: most people made their wills when death was imminent, despite advice to the contrary, while the depositions of Worcester’s consistory court illustrated the potentially invasive and unpleasant role that attendees at the bedside – supposed to administer comfort – might play. The role of women in will-making was also scrutinised, which found the guidance literature to have underestimated the level of involvement women might have: they made their own wills (sometimes – as in the case of Mary Prior’s Oxfordshire wives – despite legal prohibitions),⁸ while they also acted as scribes and care-givers. Some – again contrary to contemporary advice – occasionally contravened the caring role they were expected to play while attending the deathbed (as witnessed with Thomas Warner’s wife and stepdaughter). Finally, chapter two examined the culture of will-making in Stratford, by examining the body of wills written by Stratford’s prolific scribe, the curate and minister William Gilbard alias Higgs. The 50 extant wills written by Gilbard form the joint-largest body of surviving wills in one hand (tied with Margaret Spufford’s Cambridgeshire set),⁹ and are important in that they allow unrivalled access to one scribe’s procedure, and form a group large enough for comparison between individual wills.

⁸ Mary Prior, ‘Wives and Wills, 1558-1700’, in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk* ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), 216 and 219. No Stratford wives’ wills – if made – have survived.

⁹ Margaret Spufford, ‘Religious Preambles and the Scribes of Villagers’ Wills in Cambridgeshire, 1570-1700’, in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press Ltd, 2000).

Exploration of patterns within or differences between wills can thus reveal whether the contents could be said to be a result of the scribe's or the testator's direction. This exploration corroborated the findings of other scholars researching will-making elsewhere in the country: most Stratford testators made their wills when they felt death was imminent, and the evidence indicated that Gilbard on the whole adhered to the wishes of his clients when drafting their testaments. This important body of wills thus proves significant in allowing historians to build a more comprehensive picture of the culture of will-making across early modern England.

The third chapter was the first of three to consider the significance of the contents of Stratford's wills, and focused on what these documents can reveal about the nature of kin relationships in the town. The research presented constituted the first study to acknowledge that the early modern propensity for flexibility in naming can cause problems for historians analysing these important sources, and it was also the first to attempt to mitigate these problems as part of the methodological process.¹⁰ The unique advantages of the Nvivo database were brought to bear on this issue, as it allowed the tracking of different relational terms used within each will. Six case studies of families were used in this chapter, in which the comprehensive reconstruction of family trees was compared with the extent of kin actually mentioned in wills. Together, these analyses demonstrated the testators' general preoccupation with the nuclear family in line with Keith Wrightson's findings for Essex,¹¹ but they also showed that siblings, nieces, and nephews were frequently remembered: Stratford's inhabitants continued to support members of their own natal families even once they had established households of their own. The analysis of the case studies moreover

¹⁰ While fluidity in naming amongst early moderns has long been recognised, to date no scholar has addressed this or the problems it causes in a study which uses wills as its source base. On fluidity of naming, see David Cressy, 'Kinship and Kin Interaction in Early Modern England', *Past and Present* 113 (1986): 65-67; and Will Coster, *Family and Kinship in England, 1450-1800* (London: Pearson Education Limited, 2001), 40-41 and 44.

¹¹ Keith Wrightson, 'Kinship in an English village: Terling, Essex 1550- 1700', in *Land, Kinship and Life-Cycle* ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984).

demonstrated that stage in the life-cycle was the most significant factor affecting those remembered in wills: those with family responsibilities prioritised their children and spouses, whereas those later on in life, with grown children who had already been provided for, had more flexibility to remember wider kin and friends. Results relating to the women's patterns of distribution also allowed some qualification to be made to the commonly-held theory that early modern women were only concerned with remembering their female kin:¹² as Wrightson found in Essex, in Stratford 'women did not vary from men on the grounds of sex alone in their recognition of kin.'¹³ Those widows whose children had been provided for took the opportunity to give to more people when they made their wills, and this naturally included friends of the same sex, but on the whole the women's wills did not exhibit a concern to provide *solely* for female relations.

Chapter four at its outset examined the pious and charitable bequests of the townspeople, finding that both the men and women gave most of their charitable bequests to the poor. Widows in particular seemed to demonstrate a propensity for giving in this direction, perhaps as a result of their knowledge of how precarious women's lives could be. The preambles of the townspeople were also examined in relation to their bequests, revealing that on the whole the inhabitants adhered to the prescribed state religion, perhaps moving towards a more zealous Protestantism as the sixteenth century turned into the seventeenth. Next, the chapter turned to Stratford's economy and trade, finding that although some trades declined as the sixteenth century progressed (gloving, for example), on the whole Stratford thrived as a market town with regular fairs, an important river route to facilitate trading, and access to the capital's luxury goods via the carriers operating in the town. This economic background provided important context for the remainder of this chapter and for chapter five, which

¹² Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1995), 19.

¹³ Wrightson, 'Kinship', 325.

together examined in detail the significance of the material bequests found in the wills. It was found in chapter four, for instance, that, in a similar manner to testators elsewhere, Stratford's men and women left most of their possessions to their closest kin, and in particular their children. There was a tendency for men to favour male relations and women female, while men and women also left different kinds of goods: men distributed more property and money than the women, while the women left more domestic property.

Chapter five continued the work begun in chapter four and considered the significance of bequests by examining the materiality of items, their economic context, and the language used to frame the gifts. Much scholarship to date has interpreted bequests (and particularly those framed in the language of 'token' or 'keepsake') as unequivocal indications of affection or a special bond, and has viewed the use of this language as something inherently feminine and trivial.¹⁴ Yet by drawing out the examples of the language of 'token' employed in Stratford's wills (the term 'keepsake' was not used at all) it was demonstrated that in fact it was only the men who utilised this terminology, and that they did so not to give a trifling gift as a sign of love, but in order to impress upon their recipients the importance of the gift in question, which was usually associated with issues of status or obligation. Moving on from this focused treatment of phraseology, the chapter then considered each category of bequest qualitatively, drawing out particular examples: objects' materiality, 'value' (economic or otherwise), and the language used to bequeath them were analysed and revealed that only occasionally do wills provide access to explicit declarations of affection. This treatment suggested that the most that historians can hope to recover from the majority of bequests is a mixture of an object's description to allow for its identification post-mortem, and a public declaration of the significance of a relationship, generally framed in conventional language.

¹⁴ Lucinda Becker, *Death and the Early Modern Englishwoman* (Aldershot: Ashgate, 2003), 110; and Carmel Biggs, 'Women, Kinship, and Inheritance: Northamptonshire 1543-1709', *Journal of Family History* 32 (2007): 111. Orlin has proved the only exception to these approaches, although she arguably goes too far the other way in her chapter 'Empty Vessels'.

The final chapter of the thesis narrowed the focus even further onto Stratford's women, and used the wills as a basis for an exploration of their economic lives. Once again the gulf between precept and practice was noted: contemporary literature urged women to be quiet and remain at home, yet also expected them to venture abroad to conduct business and contribute to their husbands' running of the household. Many scholars have noted that middling sort women in particular had little choice but to work outside of their domestic sphere if they were to maintain a household which provided successfully for its occupants,¹⁵ and this proves to have been the case for Stratford's women. While the women's wills themselves are usually frustratingly silent on the issue of their occupations, the men's often made mention of their wives' involvement in their businesses, while the Corporation's records provided further evidence of women's varied employment: from clearing straw in the church grounds, to sweeping the street before the Chapel. Another means by which women, whether married or widowed, might provide money for their households was by money-lending, and again there was found ample evidence of this in the wills. It was shown that wives might borrow and lend relatively small sums, probably in order to tide their families over until the next period of solvency, while widows often lent out their capital to creditors within and beyond the town. While financial security or profit may have been the primary concern for these women, it is likely that their network of creditors and lenders also provided them with a means of enriching their social lives. Thus the research presented in this chapter, focusing as it did on the women within one locality, adds important regional colour to the already growing knowledge of 'ordinary' early modern women's daily lives.

Illuminating the everyday lives of the people (particularly the women) of Stratford-upon-Avon has been an important part of this study's remit, and through its use of the

¹⁵ Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England* (Manchester: Manchester University Press, 2006), 29-30.

townspeople's wills as a lens through which to view the culture of will-making, kinship, affect, and women's legal status and economic opportunities, it has achieved this aim. Yet the research presented has broader implications for historical analysis which should be noted. The use of the Nvivo database in particular has created a new, more rigorous methodology for the historical exploration of these sources: its mixed-methods capabilities have allowed for the recognising and accounting for fluidity in naming common at this time, and any historian seeking to explore kinship through an examination of wills should take this into account when conducting and presenting their research. The holistic approach to the bequests found in the wills, meanwhile, has led to a more nuanced understanding of the amount of emotion which can be gauged from these sources. It is anticipated that use of these methodologies would enhance and improve any further studies of this kind; in mitigating the effects of modern assumptions of affect in wills, for example. It is not possible to know for certain how people of the sixteenth and seventeenth centuries felt about their friends and family, but it is argued that the approaches and methodologies outlined in this thesis can make it possible to strip away modern assumptions and come closer to more historically and culturally specific conclusions.

APPENDIX ONE
STRATFORD WILLS

Only those wills cited in the text of the thesis are presented here. Wills are listed alphabetically by surname.

TNA – Public Record Office wills (held at The National Archives)

SBTRO – Shakespeare Birthplace Trust Record Office wills

WRO – Worcester Record Office wills (held at the Worcestershire Archive and Archaeology Service)

Alice Ainge, widow¹

In the name of god Amen the second day of Ianuarie in the yeare of our Lord god One thows[and]² sixe hundred Twentie and one I Al[i]ce Ayng of Strettford vppon Avon in the Countie of Warwi[ck] Wydowe the Vnprofitable seruante of god, Weak in bodie, but stronge in mynde, and of perfect memo[ry] blessed be god therefore doe make and Orda[in] this my last Will and Testament in manner and forme followeing (that is to saye) First I doe Willingly and With a free harte Commend and give agayne into the handes of my Lord god and Creator my soule Which he of his Fatherly goodnes gave vnto me when he first fashioned me in my mothers Wombe Nothinge doubtinge but that (for his infinit mercyes sett forth in the pretious bloud of his dearely beloved sonne Iesus Christ our onely Savioure and Redeemer) he Will receaue my soule into his glorie and place it in the Com-panie of his holy <Angles> Angells and blessed Sainctes. And as Concerninge my bodye I doe Willingly give it ouer Commendinge it to the earth Whereof it came; Nothinge doubtinge but accordinge to the article of my faythe, at the great daye of the generall Resurreccion When we shall appeare before the Iudgment seate of Christ I shall Receaue the same agayne by the mightie power of god wherewith he is able subdue all things to himselfe, not a Corruptible, mortall weake and vile bodye as it is nowe, but an Incorruptible, mortall, stronge and perfect bodye lyke to the glorious bodye of my Lord and Saviour Iesus Christ. As touchinge my Worldly goodes Which the Lord hath Lent me I dispose of them in this manner followeing. Inprimis I give and bequeath vnto the poore people of this Towne of Strettford Five poundes to be distributed as my executor and ouerseers shall thinke Fitt Item I give and bequeath Vnto the Chamber of Stretford Twentie shillings to be employed towards the Repayinge of the great Bridge Item I doe give and bequeath vnto my sonne William Ayng Twentie poundes to be payde vnto him by my executor within one yeare (after my deceasse) next ensueinge after my deceasse Item I doe give and bequeath vnto the Sixe Children of my sayd sonne Christofer to each of them Twentie shillings to be payde vnto them Within one yeare after my deceasse as aforesayd Item I doe give and bequea[th] Vnto my daughter Elizabeth Warde Tenn poundes and to her daughter Anne Warde Tenn poundes to be payde Vnto them at the aforesayde time It[em] I doe give and bequeath Vnto my daughter Kather[ine] Gressingham Tenn poundes to be payde vnto her as is abouesayd, And I doe alsoe give vnto her one Featherbedd, one payre of sheetes, Two bolsters, one payre of Blanckettes and one Couerled Item I doe give and bequeath Vnto the Five daughters of my sonne in Law Frauncis Smyth to eache of them

¹ WRO 008.7 1621/312 and 313.

² Part of the text disappears into the margin, due to how the document has been microfilmed.

Twentie shillings and to Edward Smyth and Iohn Smyth sonnes of the sayd Frauncis to eache of them Tenn shillings And to Richard Smyth and Frauncis Smyth sonnes of the aforesayde Frauncis to each of them Twentie shillings to be payde w^{ith}in one yeare as is aforesayd Item I doe give and bequeath vnto the three daughters of Thomas Hornebee to each of them Twentie shillings, an[d] to the Foure sonnes of the sayd Thomas Hornbee to each of them Tenn shillings, And to the sayd Thomas Hornbee himselfe (beinge my sonne in Law[e]) Fortie shillings to be payde w^{ith}in one yeare as aforesayd Item I doe give vnto Ioane Samuell Twentie shillings Item I give to m[y] sister in Lawe Elizabeth Ayng Five shillings and to my god daughter [blank] davenporte Fiv[e] shillings. Item I give to all the Rest of my go[d] Children Twelue pence a peece Item I giv[e] to the [?two] Children of my graundsonne Richa[rd] Smyth to each of them Tenn shillings. Item I doe give vnto Thomas Ayng my kinsman no[w] seruaunt in my house Five shillings, And to the mayde seruauntes in my house Two shillings and sixe pence a peece Item my will is that yf any of my Children shall happen to dye before the sayd yeare be expired after my deceasse or before the sayd Legacies be payeable that then his or her parte (soe dyeinge) shall Remayne to their Children And yf any of their sayd Children doe dye before the sayd time, his or her parte soe dyeinge shalbe equally devided amongst his or her Brothers and sisters then Lyvinge. Item my Will is that the Tenn poundes bequeathed to Anne Warde shalbe sett forth or employed to her vse by my executor vntill shee come to the age of Twentie and one years, or vntill her daye of marriage which of them shall first happen: Item I doe entreate master Wilson Vicar of Stretforde to preache at my funerall And I doe give vnto him for his paynes therein Tenn shillings. Item all the Rest of my goodes and Cattayles moveable and vnmmoveable my funerall Rites performed I doe give and bequeathe vnto my sonne Frauncis Ainge, And I doe make and Ordayne him sole executor of this my last Will and Testament. And I doe appoynt my welbeloved kinsman master Frauncis Smyth thelder and my sonne Christopher Ayng Overseers of the same And I doe give vnto them for their paynes therein three shillings and foure pence a peece <H> In Wittnes Whereof I haue here to this my last Will and Testament sett my hande and seale the daye and yeare first aboue written The marke of Al[i]ce Ainge, wittnesses herevnto Iohn Eston. Christopher Ainge Thomas fisher Notarie public

Thomas Alegh³

In the name of god Amen the xvjth daye of August in the xxxvth yeare of the raigne of our Soveraigne Ladye Elizabeth by the grace of god of England France and yerland queene defendor of the faith etc. I Thomas Aleygh beinge sicke in bodye; but of sound and perfect memory, do make this my Last will & testament in manor and forme followinge first I bequeth my soule vnto almighte god and my bodye to be buried in the church yeard of Bidford in the dioces of worcester Also I geve vnto Thomas Sandell my god sonne one chilver sheepe Item I geve vnto Robert A Leigh my brother All the rest of my goodes whom I make my true and Lawfull Executor to see this my Last Will and testament truly Executed and performed The goodes that I geve vnto the abovesaid Robert A leigh my brother and also my debtes are these the one halfe of eleven sheepe which are to be parted betwixt Fulke Sandall and me and also the one halfe of viij Lambes that are to be parted betwixt the said Fulke and me and also vj sheepe which are in the kepinge of the said Fulke and also the one halfe of xxvj^{ti} fleeces of woole that are to be parted betwixt the said Fulke and me The widdow Burman oweth me vjs viijd Item mistress wheeler ~~<oweth>~~ and her sonne Iohn oweth me £iij vjs viijd vnto the which dept william Codrey ys wittnes Item I haue one coffer, one girkyn,⁴ one dublet, ij Paire of breeches, one fleece of woole all which deptes and goodes I geve vnto the saide Robert Aleigh aforesaid These beinge witnes Thomas Chapman Thomas Sturdy Iohn [?Barret] with others.

³ WRO 008.7 1593/95.

⁴ 'Jerkin'.

Thomas Allen⁵

Anno Domini 1612

In the name of god amen: The thirteenth daye of december in the yere of the Raighe of oure drede soveraigne Lorde Iames by the grace of god of England Fraunce and Irelande kinge defendor of the faithe &c. the tenth and of Scotland the fourtie six I Thomas Allen of Stretford vppon Avon in the Countye of Warrwick Baker beinge at this tyme weake and sicke in bodye yett of good & perfect re-membraunce (God be thancked for it) doe make and ordaine this my last will and testament in manner and forme followinge Firste I commende and bequeathe my Soule to allmightye god my maker and to his sonne Iesus Christe my only Savior and Redeemer and my bodye to be buried in the Parrishe Church or Churcheyard of Stretford vppon Avon as shall seeme good to my executrix And as touchinge the disposinge of these worldly goodes which it hath pleased god to lende me I give and bequeathe them in manner and forme followinge Firste I give Tenn shillinges to be distributed in Breade to the Poore of the Towne Item I giue to my twoe daughters Alice and Ioane the Leasse of Sir Thomas Puckeringes Landes which I am in possession of And that the Rent thereof shalbe payde in this manner (viz) Six shillinges eighte pence by my daughter Alice Six shillinges eighte pence by my daughter Ioane and Six shillinges eighte pence by Adrian Allen my sonne for the passage to the Backsyde and Muckhillock Hoole. Item my Will is that Richarde Hathwaye shall see the Buyldinge which as yett is not finished on Sir Thomas Puckeringes grounde accordinge to the Lease performed oute of that parte of the Corne which is amongst vs (that is to saye) Richard Hathwaye Frauncys Ange and my self. Item I give to my twoe daughters Alice & Ioane Allen Seaven pound a peece to be payde by my executrix. Item I give to my twoe sayde daughters all the Howshould goodes that were myne before I married my Wief that nowe ys equallye to be divided betwixte them. Item my will is that my Wief shall haue my howse duringe hir widdowes estate And if shee marrie the Howse to be sett foorth for the benefitte of the three Children And my Will is if my Sonne doe dye withoute heires begotten of his bodye that the Feesimple of my Howse with the appurtenances shall come to my twoe daughters. Item I give to Adrian my sonne the Bedd Boorde Cupbord /wainscote and\ six Stooles in the Chamber wherein I lye. And if they doe dye withoute heires lawfullye begotten of their bodies I give the sayde Howse with the appurtenance[s] to daniell Packesfordes my Sisters sonne and to his heires for [sic]. The rest of my Goodes Cattells and Chattells moveable and vnmovable vnbequeathed I give to my Wief Iane and Adrian hir sonne And I make them executors of this my last will and testament And my Will is that my Funeralles shalbe bestowed by my executors And I make Iohn Sheafyld and Richard Hathwaye overseers to this my last will and testament to whome I give Twelve pence a peece In Wittnes whereof I have setto my Marke /in /the\ presence of theise\ Thomas Allens marke⁶ I woulde have my Wief to give to my twoe maydes Five shillinges a peece. Iohn Gibbes his marke Alexander Aspinall Iohn Sheafyldes markes Richard Hathwaye. Debtes that I doe owe. To Allen Adams Eighte poundes. Debtes oweinge to me: Inprimis Widdowe Tongue Twentye shillinges. Master Rogers Preacher Thirtye three shillinges fower pence. Thomas Wilkes of Bradsnorton⁷ fowrtene Strike of Barley at Three shillinges fower pence

⁵ TNA PROB 11/121/793.

⁶ These words have been written in a slightly different hand – perhaps the scribe indicating a change of hand in the original?

⁷ Possibly Bredon's Norton in Worcestershire?

strike which commeth to Fourtie six shillinges eighte pence. Item Iohn Wheeler for three yeares Bakinge one and twentye shillinges. Master Lane in Lent monye Fiftie twoe shillinges More in Horsebread viijs vjd. Item in Bread for his owne Table xviijs vjd Item lent to his Sonne Edwarde xs. Item Master Busshell oweth for Bread £vj xvijs. Henrye Tames oweth fower Load of Furres which cometh to xijs Item Hughe Medes hathe received of him xxvs for which he is to have the Furres of three Leaze William Slatter oweth ix*s* iiijd Mathewe Walford is to paye for the makinge of thirtye quarter of maulte (save a stryke) ijs ijd a quarter £iij iiijs ix*d*

Isabel Andrew⁸

In the name of god amen in the yer of our lord god a thowsond d & xxxvijth the xxiiij day of February I yssabell andrew make orden & dysposse thys my present last wyll & testament in maner & form folloyng fyrst I bequeth my soull to god almyghety & my body to be buryd within the church yard of Stratford Vppon avin my body beyng buryd & thys my present wyll performyd the resydwe of my goodes /& my child\ I gyve & bequeth to my welbelouyd frynd, Iohn wykenson them for to vse as he shall thynk best vppon Concyons & farther I mak & desyr my welbelouyd olyuer lyehtfott ouersear that thys my present wyll be performyd Wytnes Thomas round Thomas boyes william dabney with other mo

⁸ WRO 008.7, 1538/251.

Arthur Ange⁹

In the name of god Amen the xvth day of March 1605 & in the <thyr< /Forthe\ yeare of the Raynge of our Soverayngne Lord James by the grace of God of great Bryttayne Fraunce, & Ierland kyng defender of the Fayth &c. / I Arthur Ange of Stratford Upon Avon in the Countye of Warwycke Shewmaker / being sycke in body but of perfect memory I thanke my Lord God, ordayne & make this my last will & Testament in maner & forme followyng /. Fyrst I bequeth my sowll vnto Allmightie god (trustyng to be saved by the merytts of Christes passion) & my body to be buryed in the Church yard of Stratford aforesayd /. Item I geve and bequeth vnto my sonne Rychard Ange xl s of lawfull money to be /payd\ vnto hym at the age of xxj^{ti} years or at the dyscretyon of myne exekatrix & overseers Item I geve & bequeth vnto Frauncis Ange my sonne xl s of lawfull money to be payd vnto hym at the age of xxi^{ti} yeares or at the discretion of myne exekatrix & overseers /. This bequest done detts payd & legaces levied & my body honestlye buryed, then I geve & bequeth all the rest of my goods moveable & unmoveable in whose hands soever they be vnto Jone my Wyf Who I ordayne and make my sole exekatrix of this my last wyll & Testament / And I desyre my trustye good frynds Master henry wylson & Thomas hornbee to be my supervysers of this my wyll & testament & they to have for theyr paynes therin to be taken vj d a peece of them /.

Arther Testator
Ange

Wyttnesses as followeth

Per Me William Gilbard alias higgs scriptor

Master henry Wilson Robert butler
Thomas Hornby

⁹ SBTRO BRT 3/1/1.

Griphyn Ap Roberts¹⁰

In the name of god Amen the xxxth day of Iuly 1592 & in the xxxiiijth yeare of the Raynge of our soveraynge Lady Elizabeth by the grace of god Queene of Eyngland Fraunce & Ierland defender of the Fayth &c. I Griphyn Ap Roberts of Stratford Vpon Avon in the county of Warwycke butcher beyng Weake in body but of perfect memory I thanke my lord god ordayne & make this my last Will & testament in maner & forme followyng Fyrst I bequeth my soull to Almightye god (trustyng to be saved by the merits of Christes Passyon) & my body to be buried in the Church or Church yard of Stratford aforesayd Item my Wyll is ~~that~~ that my sonne Thomas Ap Roberts & my dawghter margret Ap Roberts shall haue half my moveable goodes & howshold stuf equally devided betwene them /at\ after my decesse by the discretyon of ~~m~~ Margret my Wyf & the overseers of this my last Wyll & testament at such tyme or tymes as shall by them be thought most fitt & convenyent for the sayd Thomas & margret to receve the sayd goodes to theyr best comodytie & profytt Item I geve & bequeth vnto my sayd sonne Thomas xls of lawfull money to be payd to hym at the age of xxiiijth yeares or els at the day of his maryage Which of them shall fyrst happen Item I geve & bequeth to Margret my sayd dawghter xls of lawfull money to be payd to her at the age of xxiiijth yeares or at day of her maryage Which of them shall fyrst happen And if /it\ shall fortune ~~any of~~ /eyther\ my sonne or my dawghter to decesse before the receate of theyr legaces then my Wyll is that the porcyon & part of the decessed shall be & remayne vnto the other of them & to the longest lyver of them ~~both~~ This bequest done, detts payd and legaces levyed & my body honestly buried then I geve & bequeth all the rest of my goodes Moveable & vnmouable in Whose hands soever they be vnto Margret my Wyf Who I ordayne & make my sole exekatrix of this my last Wyll & testament & I desyre my trusty frynds Raphe lord & Wyllyam hobday to be my supervisers of this my last Wyll & testament & they to haue for theyr paynes therin to be taken xijd a pece of them Wyttnesses Iames Solsbury & Wyllyam Gilbard alias Higgs mynister with others

detts owyng to me the sayd Gryphyn

Item the good/Wif\ Peton of barrowod in the parish of fecknam¹¹ oweth me xxxiijs iiijd

Thomas Price Tynker oweth me £ijj

Item Wyllyam Samson oweth me xxvjs viijd

Item Wyllyam Sutton of old Stratford oweth me xs

Item Wyllyam Russell of the same oweth me vjjs

the sign of ~~mark~~ Griphyn

Ap Roberts testor

¹⁰ SBTRO BRU 15/6/67.

¹¹ Feckenham is approximately 15 miles north west of Stratford.

John Ashwell¹²

In the name of god Amen the xxvijth day of August in the yeare of our lord 1578 & in the xxth yeare of the Rayngne of our soverayngne lady Elizabeth &c. I Iohn Ashwell of Stratford vpon Avon in the county of Warwycke /Whelewright\ beyng sycke in body but perfect memory I thanke my lord god order & make this my last Will & testament in maner & forme followyng Fyrst I bequeth my sowll to almyghty god & my body to be buryed in the church yard of Stratford aforesayd Item I geve vnto thomas Ashwell my son all my Workyng toowls <in> exceptyng one axe a flocke bed one boulster one hillyng ij pere of sheetes a syngle canvesse a blanket, Item I geve vnto my son Rychard xijd Item I geve vnto Antony my son xijd Item to Iulyan my dawghter xijd The Rest of all my goodes moveable & vnmmoveable my detts beyng payd & my body honestly buryed I geve & bequeth them vnto Elizabeth my Wif Who I make my sole executryx & I desyre my trusty frynd & neyghbor William Wilson to be my supervisor of this my Will & testament

Item I Will that my Wyf shall pay vnto my son thomas xijs that he lent vnto /Thomas\ <Iohn> mo/o\res Wyf at theyr maryage

Wyttnesses William Gilbard alias higges Curate in Stratford Rychard Rodman & Thomas Wylkynson With others

detts to be payd

Inprimis to master Yemons of Wasperton iiijjs

Item Iohn Gibbs vjs

Item I owe vnto master Perrot of Stratford xxxiijjs

detts to be Receved

Item Iohn Rogers of Bysshopton oweth me a quarter of good barley

Item Thomas Allyn of Shottre oweth me for one carte Wheele iijs iiijd

Item Iohn Shaxspere of Clyfford oweth me for caryage of a loode of Tymber xxd

¹² WRO 008.7 1583/24.

Thomas Atwod¹³

In the name of god amen In the ye[r] of ovr lord god 1559 & 15 day of maij I thomas Atwod of stretford vpon auen In the cownty of warweke & dioces of Worseter beyng syke yn bod[i]e but of perfet memory I thanke my lord god ordeyn & make thys my laste testament & wyll, fyrste I bequeyth my soll to allmyghty god & my bod[i]e to be Buryed yn the churche of stretford Item I be queyth to ovr mother holy church xijd Item I be queyth £vj xiijs iiijd to be dystributed amonge the poyr pepull yn the day of my buryall, Item I wyll that Elisabeth atwod my mother shall haue & inioie all my landes dewrynge hydr naturall lief & at after the dyseys of hydr I be queyth to Edward holeocke a peyse of land yn hownall Callyd botley & nowe yn the handes of of [sic] Ihon [?wolds] wyf wydoe to hym hys heys exekatur & a syens foreuer Item I bequeyth to Ioies my syster my howes yn hvnall with medeys pastur & all that longes to yt and the cheif [?Reynt] of phelyp [?hobayntiene] land wych ys xijd by yer Item I be queyth to my syster Isabell my howse yn packwod with medeys closes pasturs & all that longes to them and iij closes lyeing at hokley heyth & she to pay vs to the churche theyr foreuer aquordynge to my fathers wyll, Item I be queyth to wylliam atwod my brother £viiij Item I be queyth to Ihon [?collet] my brother yn lawe & to Alys hys wyf & my syster £x Item I be queyth to Annes quene Wydowe yn stretford xls Item I be queyth to wylliam herynge vjs viiid Item I be queyth to george bardell vjs viiid Item I bequeyth to Ihon quene vjs viiid Item I be queyth to Anne Hyend iijs iiijd Item I be queyth to Ioyne smyth iijs iiijd Item I wyll to haue the whoyll quyr prysts & clerks yn the day of my buryall & they to Haue vs for theyr payns, Item I be queyth to Ione [?Cuyght] iiijs Item I be queyth to Elisabeth [?beyntun] iijs iiijd Thys be queste doyne detts payd & legac[ie]s leueyd then I geyue & be queyth all the Resydew of my goods not be quethed to [?Adrye]¹⁴ quene & to Robart parrot my truste louers Whoe I make to be my full exekatur Wyllynge my louyng brother wylliam atwod & thomas bergor my truste frynds to be my superuisers & they to haue vjs viiid A peyce for theyr payns Theys beyng wytnes Arthor boys Roger atkens & wylliam locke with moe

dauid Tong priest

¹³ SBTRO BRU 15/6/70.

¹⁴ Adrian.

Thomas Atwode alias Tailor¹⁵

In the name of god amen. The xxjth day of October In the yere of our Lorde god a Thousande fyve hundreth fourtie and three. I Thomas Atwode alias Tailor of Stratforde vppon Aven in the Countie of Warwicke and dioces of worcestre. thanckes be vnto god beinge of good mynde and parfytte remembraunce ordeyne and make this my laste will and testament as hereafter followeth Furste I bequeth my soule vnto almightie god to our blessed lady sainte mary and to all the holye company of heaven And will that my body be buryed in the parrishe churche of Stratforde at thende of the seate where I did vse to kneale and sitt Also I bequeth vnto the highe Aulter of the same churche for my tithes and oblacions negligently forgotten xxd. Also I bequeth to Ih[es]us Aulter xxd And to every other Aulter in the same churche iiijd Also to the mother churche of worcester xijd. Also I will that my bodye beinge deceased shalbe broughte to the churche withe the pristis Clarkes and quiresters bothe of the parrishe churche and also of the chapell in Stratforde. All whiche personnes I will be at my masse and dyrige to pray for my soule and all Christien soules. Also I will that vppon the day of my buriall fyve poundes starling money be distributed and dealed amonges the poreste and mooste neady people dwelling in Stratforde aforsaide as shall seme mete and convenyent to myne executours Also I will that every monneth the firste yere next after my decease therebe saide and don within the saide parrishe churche for my soule and all Christien soules masses and dyrige And at my firste monnethes mynde I will it be solempnely kepte by note withe all the saide pristis clarkes and Quiristers and I will that the pristis of the Guylde in Stratforde say masse of Requiem and also Dyrige within their chapell every of the said monnethes saving the furste at whiche tyme I will that they be at the saide parrishe or college churche at dyrige and to have distributed amonges theyme every of the same monnethes xxd And that the pristis and other mynisters of the parrishe churche haue dealed and geven amonges theyme iiij s vjd At whiche monnethes mynde I will that myne executours doo distribute dispose and geve amonges the pore people twentie shillinges in money. and at every other of the saide monnethes myndes I will that the Curate of the saide parrishe say dirige and masse and that the parrishe clarcke of the said churche at all tymes of the saide obite be there also redy to doo his duetie vnto whome for suche paines taking I will that myne executours doo pay ijd and to the saide Curat iiijd. Also I will that at my yeres mynde lyke masse dyrige payment and distribucion be made as at my firste monnethes mynde Also I will that the day of my buriall yerely for the space of vij yeres next and ymmediatly folowing my decease be kepte hadd and don within the saide parrishe churche of Stratforde for my soule and all Christien soules with all the said pristis and Clarkes a solempne obyte withe masse and dyrige. And I will that the pristis Clarkes and Quiristers of the same churche haue iiij s And the pristis of the same Chapell xxd to be distributed amonges theyme whiche vs viijd I will shalbe levied and hadd owte of the Rentes yssues and proffettes of my Barne standing and beinge in the Streate of Stratforde and my gardeyne adioynyng vnto the same And I will that the Residue of the saide Rentes and proffettes be yerely during the saide vij yeres other distributed amonges the saide porest people in Stratford or elles be bestowed vppon the amending of the highe wayes as shall seame mete and convenyent to my feoffers therein Aftre the whiche vij yeres ended I geve and bequeth the Barne and gardeyne aforsaide with their appurtenances to Robert Taylor of Solyhull within the saide Countie of Warwike To haue and to holde vnto hyme and to his heires for ever. And further to take effecte according

¹⁵ TNA PROB 11/30/101.

vnto a certeyne deade of feoffament of and therevppon made vnto hughe Reynoldes Thomas Whateley Thomas phillippes and Richarde Quynie Also I will that vppon the next good Fryday afre my decease twentie shillinges in money to be devided and distributed by myne executours amonges the pore people as beforaide And I will also that Hughe Reynoldes Richarde Quynye Thomas whateley and william Smythe feoffers of truste named in a deade ioyntly made by me and Elizabeth my wiffe bering date the xxj^{ti} day of November In the xxxiiij^{ti} yere of the Reigne of our soueraigne lorde kinge henry the viijth their heires execucioners and assignes yerely and quarterly from tyme to tyme according to the tennor of the same deade receve and gather vpp the Rent of the howse or tenement sett and being in the forue streate¹⁶ in Stratforde nowe in the tenure and occupation of one Fraunces Harbage skynner and to pay therof for a solempne yerely obite to be kepte saide and done for euermore vppon the Assumption day of our Lady within the saide Colledge churche of Stratforde iiij^s and the rest of the yssues & proffettes of the saide tenement to distribute as god shall putt theyme in mynde and where moste neade and povertie ys aswell within the Almes howse of Stratforde as in the towne there Also I geue and bequeth vnto fyve pore men dwelling in Stratforde fifteen yardes of blacke price every yarde xijd to make theym gounes withall Also I geve and bequeth vnto Elizabeth my wiffe the howse wherein I nowe dwell with the appurtenances and all and singuler ymplymentes therof and also the Lease of the same howse twentie poundes in Redy money and all my plate whatsoever it be saving suche as I haue bequethed vnto other personnes and vses by this my present testament and laste will. Whiche howse and Lease I will that the same Elizabeth my wiffe haue holde and occupie vnto her moste proffett during her lyffe And I will that afre her decease the same Lease and howse with the appurtenances doo remayne to the next of kynde of me the saide Thomas Atwode alias Taylor To have holde and enioye during my terme of yeres therin Also I geve and bequeth vnto Humfrey Tailor scoller in Oxforde one fetherbedd one boulster one pillowe one pillowbere one paire of blankettes my seconde beste covering three poundes sixe shillinges and eighte pence in money and my best Cupp of siluer and gilte whiche cupp I will shalbe delyvered vnto hym vppon the day that he shall singe his firste masse And yf the same humfrey doo not take vppon hym the ordre of priste hodd. I will that the same Cupp be souled and the money therof to be receaved to be distributed amonges the poriste people then enhabyting within the saide towne of Stra[t]forde Also I will that ymmediatly afre my buriall therebe a priste of good name and conversacion provided to singe and celebrate for my soule and all Christien soules by the space of one hole yere then next folowing within the saide Colledge churche of Stratforde vnto whiche priste I geve and bequeth for his stypende or sallary fyve poundes six shillinges and eighte pence. Also I geve and bequeth to fyve pore men fyve shertes of the price of xijd every sherte to fyve pore woomen fyve spynnyng wheales And to fyve other pore woomen fyve paire of woollen cardes to be delyverid as myne executours shall thincke goodde Also I geve to everyone of my godchilderin what or where so ever he or she be vjd in money. Also I geve and bequeth towards the reparacion of Stratforde bridge twentie shillinges and towards the amending of the highe wayes of Rowselen bridge and Soldycot lane fourtie shillinges Also I geve and bequeth to henry Lee of knowle in the saide Countie of Warwike my beste Iackett and my beste dublett. And vnto my suster his wiffe three yardes of clothe to make her a gowne And I will that euery yarde be of iiij^s price And also to Ioyce and Iohan doughters of the saide henry twentie shillinges starling

¹⁶ 'Fore Street'.

money equally to be delyuered vnto theyme when they shall come to lawfull age And if it fortune other of theyme to decease before the saide age then I will [?thole] to remayne to the longer lyver. Also I geve to Ierom my cousin Thomas Attwode sonne three siluer spones pictured wth appostles. Also I geve and bequeth vnto william the sonne of Roger poole deceased twentie shillinges sterling to be delyuered vnto hym when he shall come to lauffull age And I geve vnto Iohan the same williams suster in lyke manner twentie shillinges in money And I will that ymmediatly aftre my decease myne executours doo delyver and pay vnto the saide Iohan liijs iiijd whiche the said Roger her father did geve and leave vnto her by his laste will and testament And yf it please god to take other the saide William or Iohan vnto his marcy before the delyveraunce of there saide legacies Then I will the longer lyver of theyme to have and enjoy the hole Also I geve and bequeth to Richarde Sharpe of Stratforde draper three poundes in money and vj siluer spones pictured wth mayden heddes And to every of his sixe childerne nowe lyving one siluer spone of the same sorte and twentie shillinges in money to be delyuered to theyme and every of theyme when and assone as they shall come vnto there lauffull age. And yf anny of theyme departe this worlde before the saide age that then I will that his or her legacie so departed remayne vnto hym her or theyme survyving And if it fortune all to dye before the delyveraunce of the saide legacies Then I geue & bequeth all and every suche legacies vnto suche yssue as shall please god to be procreate and come betwixte the saide Richarde Sharpe and Iohan his wiffe Also I geue to Richarde Southwodde one Cowe and a Cote And vnto Olyver Fraunces /[?of warwick]\ my best gowne furred wth Fitches Also vnto his Childerne vj siluer spones Also I geve and bequeth vnto Richarde Symons of Stratforde my kentishe tawny gowne furred wth blacke lambe To Danyell Tailor my blacke gowne furred wth blacke lambe To Reynolde Tailor my cousin my best Iackett and vjs viijd in money. Also I geve and bequeth to Thomas Phillippes of Sylhole¹⁷ aforsaide husbonde vnto my cousin Isabell xxxs To Robert Tailor of Beoley my brothres sonne my violet gowne furred withe foxe my dublett and my best hose Also I geve vnto Thomas Tailor my brother sonnes sonne xls in money and a goblett of siluer And I will that the same goblet be not delyvered vnto hym before he shall come vnto the age of xxⁱⁱ yeres And if he decease before the same age Then I geve the saide goblet vnto the next of kinde vnto the said Elizabeth my wiffe Also I geve to Bawldewyn my brothers sonne fyve hundreth of yron To Richarde Hill xxs vnto Richarde Shakespere of Snytfelde my foure Oxen w^hich are nowe in his keping And vnto Thomas the sonne of Thomas Bager of bydforde my godsonne fyve poundes in money to be paide vnto hym at his lauffull age owte of suche dettes as the saide Thomas his father dothe nowe vnto me oue And I will that the saide Thomas doo pay and delyuer all the rest of suche money as he oweth vnto me to and amonges thoder of his Childerne at every of their lauffull ages. And yf anny of them departe owte of this transitorie lyffe that his or her parte so departed be devided amonges the Survivors of theyme Also I geve and bequeth to Thomas the secoude sonne of Robert tailor my brothers sonne £vj xiijs iiijd And £xiiij vjs viijd to be eqaly devided amonges the oder of the saide Robertes childerne in like manner and fourme as is resyted and declared concernyng my legacies made vnto the childerne of the saide Thomas Bager Further I geve and bequethe vnto my sarvaunte phillipp Caell £vj in money To Richarde Gilbert myne apprintice twentie shillinges Vnto Anne lankote my maide sarvaunt xls And I will that myne executours doo distribute and devide amonges suche other of my maide sarvauntes as shall chauce to be and dwell wth

¹⁷ ‘Solihull’?

me at the tyme of my decease xxxs whiche I geve and bequeth vnto theyme Also I geve and bequethe to sir Iohn Bartelett my Curate three yarde and a haulfe of clothe of vs le yarde to make hym a gowne All the Residue of my goodes and Cattalles movable and vnmouable what soeuer they be my Funeralles honestly discharged my dettes paide and this my present testament and laste will performed I geve and bequeth vnto the saide Robert Tailor and Thomas Bager whome I ordeyne and make myne executours And will that they in annywise shall ne[i]ther vexe nor trouble anny manner of person or personnes named in my booke of dettes where as they shall see [?them lie or] written for anny dett therein conteyned but that rather remytt pardon and forgyve the [?same] Dett And I make my welbeloued freendes Thomas whatcley [sic] and Richarde Quynye beforenamed Oversears of this my will and testament requiering and desiering theyme somuche as in theyme may be to see the same truly performed and fulfilled according vnto the contentes therof Vnto whiche Thomas and Richarde for their paines so to be taken I geve and bequeth fourtie shillinges starling money equally to be devided betwixte theyme two Theis beinge wittnes Reynolde Patchett Roger Egerton Thomas Hawkynnes and Iohn Bartelett pristis Hughe Reynolde William Smythe and Olyver Fraunces laymen withe other moo

John Atwood¹⁸

In the name of god amen the thyrty day of march in the yer of our lord god a thowsond fyve hundred xxxviiij I Iohn atwood of Stratford vppon avin thankyd be god beyng wholl in mynd Syk in body & of good rememberaunce mak order & dysposse thys my present last wyll & testament in manner & forme folloyng fyrst I bequeth my Soull to allmyghty god my body to be buryd Within the parish church of Stratford vppon Avin my body beyng buryd my dettes well & truly Contentyd & payd the resydue of my goodes As well moveable as on moveabull I gyve & bequeth vnto my trysty & welbelouyd Wyf Anne atwood whom I mak my executor Item Charretably I desyer my trysty & welbelouyd Vncull Thomas Atwood & my father inlaw Thomas Whatley ouerseares that thys my present & last wyll be well & truly performyd & done accordyng to the tennor prescribyd Wytnes /Iohn payne Curat [?Esqr]\ Richard Symondes Iohanna Carles & margery Rylond, with others moe¹⁹

¹⁸ WRO 008.7 1538/55.

¹⁹ None of the witnesses have actually signed or 'marked' their names, and neither has the testator.

William Ayng²⁰

In the Name of god Amen the xxvijth day of January 1619. and in the xvijth yeare of the Raigne of our Soueraigne lord James by the grace of god of England France and Ireland king²¹ defender of the faith &c. and of Scotland the liijth. I william Ayng of Bishopton in the parish of Stratford Vpon Avon in the Countie of warwickshire yeoman, being in health and perfect memorie (god be prayed) doe make And ordayne this my last will And testament in manner and forme following First I bequeath my soule into the handes of Almightye god trusting And stedfastly beleeuinge (through his mercy) to be saued by the merrites of Christ Jesus, And my my bodie to the earth and to be buried in the parishe Churchyard of Stratford aforesaid, Alsoe I giue and bequeath vnto the repaire of the parish Church of Stratford twelue pence and to the repaire of the Chappel of Bishopton two shillinges /. Item I giue & bequeath vnto Jone Norman and Elizabeth Ayng my daughters ten shillinges apeece. And vnto Margaret Price, Anne Walford, Francis Edwardes And Katherine Edwardes my daughters xijd apeece to be paid within six monthes next after my decease /. Alsoe I giue And bequeath vnto Elizabeth Smart my grandchild Fourtie shillinges, and to william Ayng my grandchild one of my best ewes And one lambe, and to all the rest of my grandchildren in generall one with another xijd apeece to be paid vnto them within one yeare next after my decease /. Alsoe my will is, And soe I devise that Katherine my wife shall haue the disposinge of hir chest or coffer And all thinges therin to whome she shall thinck good at Any tyme before hir decease, And that my executor shall pay or cause to be paid within tweluemonthes next after the decease of Katherine my wife the full And perfect somme of ten poundes²² vnto such person or persons as she shall will and bequeath the same vnto, at or before hir decease / And that Katherine my wife shall haue and enioy to hir owne vse duringe hir naturall lyfe the proffitt And Comoditie which may arise or increase of and from all such goodes, cattles & chattles as shall be (by right) myne at the tyme of my decease, of what kind or nature soeuer, and that she shall leaue the same, or to the value of them in as good sorte estate & plight as by the estimacion of indifferent men she receiue the same. Without Embezilinge, settinge, giuinge, or wastfull spending vnto my Executor at <my> hir decease /. Finally all my goodes. Cattell[s] And Chattells whatsoever so to be vsed by Katherine my wife as aforesaid And all other my goodes And chattells whatsoever vnbequeathed I doe giue & bequeath vnto Thomas Ayng my sonne whome I ordayne & Make sole Executor of this my last will And Testament, And I desire william walford And Henrie Norman my sonnes in lawe to be the ouerseers heerof, requesting my Executor to giue them xijd apeece /. In wittnes wherof I haue herevnto put my hand And seale the day & yeare first aboue written /. published declared And sealed in the presence of William wells Humphrie Greenhill /.

William Ayng

his Marke

²⁰ SBTRO BRT 3/1/2.

²¹ It looks as if the 'k' here may have been added at a later date, as the ink is a slightly darker colour to the rest of the text.

²² The edge of the page is slightly torn/frayed here, partially obscuring the last couple of letters of this word.

Daniel Baker²³

In the name of God Amen the tenth daie of March in the yere of our Lord God One thowsand six hundredth thirtie and seaven accordinge to the Accompt of the Church of England &c. I Daniell Baker of the Burrough of Stratford vpon Avon in the Countie of Warwick Woollen Draper beinge in perfect health both of bodie and mynde (All praise and thankes bee given to God for the same) Doe make this my last will and testament in manner and forme followinge viz^t: First I giue and bequeath my Soule to Almightye God my Creator and Maker, and to Iesus Christ my Saviour and most mercifull Redeemer, And to God the holy Ghost my Sanctifier and contynuall Preservor. And my bodie to bee buried in the south Isle of the parish Church of Stratford aforesaid neere vnto my wives deceased. Item I giue and bequeath to the same Church there to remaine for ever, my booke of Master Greenhams Workes for the vse and benefitt of such as shall bee soe well disposed to reade the same And the same Booke to bee made fast with a Chaine in some convenient place in the same Church for the more better and safe keepinge thereof. Item I giue and bequeath vnto my Grandchilde Samuell Baker the sonne of my sonne Richard Baker and to the heires of his bodie lawfullie begotten, All my free land and tenementes and all other my freeholde and inheritaunce whatsoever and wheresoever lyinge and beinge charged with such paymentes and porcions as are and shalbee hereafter appointed lymitted and declared in this my last will and testament. And [?nan..g] I giue and bequeath vnto my said Grandchilde Samuell Baker (in manner and forme aforesaid) and to the heires of his bodie lawfullie begotten All those my two tenementes With their severall appurtenances and the yardland be it more or lesse in the Common Fieldes of Aston Cantlowe in the Countie of Warrwick, And all those my Tenementes howses and inclosed groundes sett lyinge and beinge in little Wilmcote in the parish of Ould Stratford alias Stratford vpon Avon. And alsoe the inheritaunce of the tithes of grasse and hay arrisinge in two meadowes called Shollery meadowe and broad meadowe lyinge and beinge within the Parish of Ould Stratford alias Stratford vpon Avon in the said Countie of Warwick And all those my two Sault Phattes [?wellinge] lyinge and beinge in Droyght wit[c]h in the County of Wigorne, And alsoe I giue and bequeath vnto my said Grandchilde Samuell Baker (in manner and forme aforesaid) All that my nowe dwellinge howse with the appurtenances sett lyinge and beinge in the high streete of Stratford vpon Avon in the said Countie of Warwick As alsoe all that my tenement next adioyninge wherein one Iohn [?Captane] Taylor late dwelled And wherein one Walter Davies nowe dwelleth Alsoe I giue and bequeath vnto my said grandchilde Samuell Baker (in manner and forme aforesaid) All those my severall tenementes or Cottages with their appurtenances sett lyinge and beinge in Stratford aforesaid in a streete there called the Bridge-streete nowe or late in the severall tenures of Daffy Abby Richard George Ioyner, Iohn Milman Currier, Iohn Cawdry Glover, Henry Broome Cutler George Johnson Glover and Isabell Cooper widowe or spinster. To have and to holde vnto the saide Samuell Baker and to the heires of his bodie lawfullie begotten or to be begotten, All these landes tithes Sault Phattes howses and tenementes aforesaid, To bee charged with such paymentes legacies and pensions as are or shall bee expressed or declared in this my last will and testament. Never-thelesse and vpon Condiçion, That the said Samuell Baker shall paie or cause to be paid vnto his thre sisters Marie, Martha and Elizabeth Baker one hundred poundes apeece within one yere after he shall accomplish the full age of one and twentie yeres, And if anie of the said sisters happen to dye before that time Then I will and devise, That the porcion

²³ TNA PROB 11/186/579.

of her or them soe dyinge to remaine and come to the Survivour or Survivours of them which are then livinge. But if they shall dye all before that age, Then the said payment of three hundred poundes to cease and determyne. And alsoe vpon Condiçion that hee shall paie or cause to bee paid vnto his two Cozens Marie and Anne Baker the Daughters of my sonne Danyell Baker deceased One hundred poundes a peece of currant English money to bee likewise paid vnto them within one yere after that he the said Samuell Baker shall accomplish the full age of one and twentie yeres And if either of them the said sisters departe this life before hee the said Samuell Baker shall accomplish that age, That then her porçion soe dyinge to remayne to the Survivour of them, But if they shall both happen to dye before hee the said Samuell shall accomplish that age, Then that payment of two hundred poundes to cease and determyne. And for want of heires of the bodie of the said Samuell Baker lawfullie to bee begotten, That then all the said landes howses tithes tenementes and Sault Phattes, I giue devise and bequeath to the three sisters of the said Samuell Baker viz^t Mary Martha and Elizabeth Baker and to their heires to bee equally devided betweene them at the iudgement and discreçion of my executors and Overseers hereafter named and appointed And if it shall happen, that my said landes howses and tenementes, tithes and sault phattes shall soe come to the handes and possession of the said Mary Martha and Elizabeth Baker the sisters of the said Samuell Baker or vnto two or one of them, Then my will is, and soe I devise, That then the said Marie Martha and Elizabeth and their heires Owners of the said landes howses and tenementes Tithes and sault Phattes shall paie or cause to be paid fiftie poundes a peece more vnto the two daughters of my sonne Daniell, Mary and Anne Baker if they bee then livinge or to their or either of their Childe or Children if they haue anie at that tyme lawfullie begotten, or fiftie poundes to one of them if there be but one of them livinge. But if they bee both dead, without Childe or Children, then the said paymentes of fiftie poundes a peece to cease and determyne. And theis payments to bee made accordingle, within ten yere after that the said Samuell Baker shall dye without issue of his bodie, And further whereas I haue given and bequeathed my said tenementes or Cottages in Bridgestreete vnto my said grandchild Samuell Baker and to the heires of his bodie lawfullie begotten, And for want of heires of his bodie to his three sisters Mary Martha and Elizabeth Baker my will is, and soe I devise that the said Samuell and the heires of his bodie and the said Mary, Martha and Elizabeth Baker and their heires shall houlde theis tenementes in Bridgestreete subiect to this Condiçion That they shall for ever paie vnto the fower and twentie Almes people dwellinge in the Almes howses in Stratford aforesaid, The whole somme of Eight and fortie shillings yerelie or per Annum And to the Towne of Henley in Arden in the Countie of Warwick for gownes for two poore Widowes twentie six shillings and Eight pence per Annum in such manner, and with such Covenauntes and Condiçions as in and by this my last will is lymitted and declared that is vpon speciall trust and confidence, And soe I will ordaine and devise that the said Samuell Baker and the heires of his bodie and the Owners and possessors of those tenementes aforesaid scituate in the Bridgestreete to whome the same are lymitted and given by this my last will for the time beinge shall yerelie for ever at or vpon the feast daie of Saint Michaell Tharchaugell paie vnto the Chamberlaines of the Burrowe of Stratford aforesaid for the time beinge to bee by them bestowed and given to the fower and twentie Almes people as for the time beinge shall bee then dwellinge in the Almes howses in Stratford aforesaid the somme of Eight and fortie shillings per Annum of Currant English money for ever. And vpon further trust and confidence that the said Samuell Baker and the heires of his bodie, And the Owner and Owners possessor and possessors of the aforesaid Tenementes in the

Bridgestreete to whome the same are given or lymitted by this my will shall yerelie and for ever paie twentie six shillings and Eight pence more of like lawfull money of England vnto the Church or Chappell Wardens of Henley aforesaid for the time beinge to bee bestowed by them in soe much stronge Cloth or frize as will make two gownes for two poore widowes of the said Towne of Henley to bee bestowed on them. And further I will and ordaine that the said Widowes which shall haue the said two gownes shall be yerelie nominated and chosen by my sister in Lawe Margery Baker of Henley aforesaid Widowe and by the consent of her sonne my kinsman Iohn Baker of Henley senior duringe their lives, And after their decease the said Widowes to bee yerelie nominated and Chosen by the high Bayliff of the said Towne of Henley for the tyme beinge together with the Ministers and Chappell Wardens of the said Chappell of Henley aforesaid for the tyme beinge or the more of them for ever. And further my will is those poore people that shall bee soe appointed to haue those gownes shall bee such as are or haue beene labouringe people and of good name and fame, And such as are or haue beene duringe their abilities dilligent frequenters of the Church. And for want of such poore Widows there to bee found, Then the said glownes or Cloth for gownes to bee given yerelie vnto two other poore people men or women to bee qualified as aforesaid and nominated and chosen yerelie as is before expressed, And the said Cloth or gownes to bee delivered to them twentie daies before Christide yerelie for ever. And the said twentie six shillings and Eight pence to bee paid out of the rentes of the said Tenementes in Bridgestreete yerelie for ever at the feast of Saint Michaell the Archaungell Which said yerelie somme of twentie six shillings and Eight pence yerelie I giue and devise for the cause aforesaid. And I further Will and devise that if the said twentie six shillings and Eight pence shall happen to be behinde or vnpaid in parte or in all by the space of one moneth at anie time after the said feast daie wherein the same ought to bee paid beinge lawfullie demaunded at anie of the said Tenementes by her him or them that haue or shall haue anie right or authoritie hereby to nomynate the said poore people or by her his or their lawfull Deputie or deputies by them or anie of them to bee respectiuelie nominated and appointed vnder her his or their hand and seale or handes and seales, That then it shall and maie bee lawfull for anie of them respectiuelie to enter and distreyne in and vpon anie of the said tenement for the said twentie six shillings eight pence and three shillings fower pence more in nomine penae, And the distresse soe taken to deteyne and keepe vntill they shall be satisfied and paid the whole somme of thirtie shillings of currant English money that is to saie Three shillings and fower pence over and above in name of a paine and for a forfeiture, And to bee wholly ymployed to and for the vse and benefitt of those two poore people men or women to bee Chosen as aforesaid. And that those poore people that haue Cloth or gownes given them anie one yere, shall not haue any given them the next yere followinge, But others shall bee chosen in their roomes and places. And further I will and devise, That if at anie tyme the said somme of fowertie and Eight shillings given and appointed for the Almes people of Stratford or anie parte thereof shall bee behinde or vnpaid vnto the Chamberlaines for the tyme beinge, for the space of one moneth after anie feast daie of Saint Michaell beinge lawfully asked or demaunded by the said Chamberlaines or their lawfull deputies at the Tenementes in Bridgestreete aforesaid, That then and soe often it shall and maie bee lawfull for the said Chamberlaines for the time beinge and for their lawfull Deputie or Deputies into the said Tenementes or Cottages or into anie of them to Enter and distreyne for the said fortie Eight shillings and arrerages thereof if anie such happen, And the distresse or distresses there had and taken to holde and keepe vntill the said Eight and fortie shillings be truly paid

And fower shillings more of like currant money in name of a forfeiture or nomine penae, And then the whole somme of fiftie and two shillings to bee at all tymes as often as it shall happen disposed of to and for the benefitt of the said fower and twentie Almes people by the said Chamberlaines for the tyme beinge And my Will and meaninge is and soe I devise that the Whole profittes of those landes and tenementes lyinge in Stratford Great Wilmcote and litle Wilmcote and tithes and sault phattes soe given vnto my said grandchilde Samuell Baker duringe his minoritie shall bee ymployed for the breedinge and bringinge vpp of my said fower Grandchildren viz^t: Samuell Mary Martha and Elizabeth Baker respectiuey vntill they shall accomplish the full age of one and twentie yeres, And afterwarde duringe his said minoritie, And for the raisinge of further porcions for them by my Executors hereafter named. And alsoe tenn poundes per Annum shall bee allowed out of my personall Estate and not out of my free landes to Marie and Anne Baker the Children of my sonne Daniell Baker deceased viz^t five poundes a peece towardes their breedinge vntill respectiuey they shall accomplish the full age of one and twentie yeres, And soe afterwarde vntill they haue receaved their porcions given them by this my last will and testament. And my will and meaninge is and soe I devise, that the said Samuell Baker duringe his mynoritie shall haue a more large allowaunce yerelie then his sisters in regard of his breedinge and bringinge vpp to his Studdy in the Vniversitie or elsewhere at the discrecion of my Executors and Overseers or the more parte of them. But my Will and meaninge is and soe I devise that all my landes and tenementes shall not stand charged with the payment of those severall sommes to the Almes people of Stratford nor to the poore of Henley nor for anie parte thereof but onlie those recited tenementes lyinge and beinge in the said Bridgestreete in Stratford aforesaid. Item I doe further giue and bequeath vnto the two Children of my said sonne Daniell viz^t: Marie and Anne in case they Marry with the consent of my Executors or the more parte of them One hundred markes a peece to be paid to each one of them respectiuelie when as they shall accomplish the full age of one and twentie yeres. And if either of them dye before they accomplish the full age of one and twenty yeres Then I will and ordaine and soe I devise that their parte or porcion soe dyinge shall bee and remaine vnto the Survivour of them, But if they shall both happen to dye before they accomplish the age of one and twentie yeres, Then the said payment of one hundred markes a peece to cease and determyne. Item I doe by this my last Will and Testament revoke annihilate and make voide one deed or Indenture of Feoffment bearinge date the seaven and twentieth daie of March in the seaventh yere of the raigne of our Sovereigne Lord Kinge Charles, betwene mee Daniell Baker of Stratford vpon Avon Draper on the one parte, And Anthony Smith and Richard Castell of the same Towne gentlemen on the other parte, Which feoffment was for the settlinge of somme howses tenementes and other thinges vpon my sonne Abraham Baker nowe deceased and vpon his heires Item I doe giue and bequeath vnto Katherine my welbeloved wife twentie nobles per Annum duringe the time that shee shall remaine sole and vnmarrayed to bee paid [?as] halfe yerelie from and after that tyme that shee is to leave and doth leave my nowe dwellinge howse as is herein lymitted and declared Which twentie nobles per Annum I giue and bequeath vnto her to paie her howserent wheresoever shee shall please to dwell or otherwise to bee disposed of to her best likeinge. And further I ordaine and appoint and soe I Will and devise that the said twentie Nobles shall bee paid her by five markes halfe yerelie out of all my landes tithes and Tenementes formerly given to my grandsonne Samuell Baker notwithstandinge anie graunt guift or porcion formerly given or bequeathed to anie person or persons Whatsoever out of anie of these landes tithes or Tenementes. Item I giue and

bequeath vnto my said wife all those lynnens of what nature or sorte soever which shee brought with her, And alsoe one Downe Bedd and boulster And the bedstedd With the Vallence and Curtaines nowe standinge in the great Chamber, and one paire of the best blanckettes, And two pillowes and two paire of Pillowbeeres, And the best Bedd Ruge and one Coverlett And the best Chequer Coverlett, And a convenient bedstedd, and all furniture fitt for her servaunt maide to lodge or lye vpon. Alsoe I giue and bequeath vnto my said Wife one brasse pann twelue peeces of pewter one great Chest which shee brought with her, and fower trunckes and six stooles to be chosen by her, and one great Chaire, and one little Chaire and two of the lesser brasse pottes, And all and all [sic] manner of her Wearinge apparrell aswell woollen and lynnens silke or stuff. And alsoe the silver Tankerd which I latelie bought And all her Ringes and Iewelles and the golde which I haue formerly given her. And further my will is, that shee shall haue halfe my Beefe and Bacon Which shall bee in my howse for my provision at the time of my decease, And halfe the Beere that shall remaine in the howse when my funerall is accomplished, And one quarter of Mault and fower strikes of Wheate, and fower strikes of good Barley to bee allowed and given her towardes her howsekeepinge. And halfe the firewood and Coale that shall remaine in my howse after my funerall is accomplished. Item I giue and bequeath vnto my said wife two of the least brasse kettles, one little Dabnett and the baking pann. And furthermore I give vnto my said wife duringe that tyme of her Widowehood the vse and occupacion of my Pewter Limbeck and my pewter still and the great brasse pott, And furthermore I giue her for ever six of those silver spoones which shee brought with her. And furthermore my Will is, that my Executors shall at a reasonable rate sell vnto my said wife some other parte of my implementes or howseholde goodes such as shee shall haue iust cause to vse for her owne necessary vse, And shee to haue one Whole yeres libertie after my decease to dwell of her owne right in all my dwellinge howse, The shopp and Warehowse and my owne lodging Chamber over the Shopp onlie Excepted. Provided alwaies that shee shall not lett or sett the said howse or anie parte thereof to anie person or persons other then to the true Owner thereof, nor to make anie spoile or wast thereof or of anie parte thereof But at the end of the said yeare fairelie and quietlie to leave and yelde vpp the said howse altogether vndefaced with the appurtenances vnto the right and true Owner thereof Nevertheless I the said Daniell Baker doe hereby Will ordaine and devise, that it shall remaine and bee at the free Election and choice of Katherine my nowe Welbeloved Wife either to accept of the twentie Nobles per Annum formerly given her to paie her howse rent withall duringe her Widowehood or else to refuse the same And then to contynue and dwell in my said dwellinge howse duringe her Widowe-hood, Exceptinge the shopp warehowse and my nowe lodging Chamber over the same shopp And all the Tables, Benches and bedsteddes and wainescott to rest and contynue in the said howse duringe her Widowehood and Chaires and ioyned stooles and to make noe wast and keepe all repaires as is aforesaid, And then the said twentie Nobles per Annum formerly given her to remaine to the right and true Owner of my said dwellinge howse duringe that terme And my said wife to paie one pepper Corne yerelie at Christmas to the said right Owner duringe her said Widowehood if it shall bee demaunded. And Whereas I haue formerlie leased all my landes and tenementes onlie in Little Wilmcote aforesaid vnto my Brother in Lawe Iohn Waterhowse late of Whitchurch in the Countie of Buckingham Esquire, and to my Brother in Lawe Thomas Spicer nowe of Marston Pillage²⁴ in the Countie of Bedford gentleman for the

²⁴ The only 'Marston' in today's Bedfordshire is 'Marston Moretaine', and *British History Online* lists a parish

terme of two thowsand yeres in Trust for the assuraunce sure and true payment of the full somme of fower hundred poundes vnto Katherine my welbeloved wife if shee happen to survive and overlive mee Which is meant intended and assured vnto her to the end that shee shall not clayme anie right of Dowry or Thirdes in anie of my landes or tenementes Nor anie interest right or propertie in anie of my goodes or Chatteles not given or bequeathed vnto her by this my last will and testament, As by the said Indenture of Lease bearinge date the First daie of December Anno Domini One thowsand sixe hundredth and nyneteene more at large it doth and maie appeare, Which guift of fower hundred poundes vnto my said wife accordingle I doe againe ratifie and confirme by this my last will and Testament, And furthermore I doe ordaine and appoint by this my last will and testament, that the said somme of fower hundred poundes shall bee first paid by my Executors to and for the vse of my said wife out of my personall Estate and Leases for the redempcion of my Landes and tenementes in Little Wilmcote soe leased, thereby to bee inoyed by my said grandchilde Samuell Baker accordinge to this my last will and testament Shee the said Katherine givinge a Release of all her Thirdes and right of Dower into all my landes tenementes and hereditamentes whatsoever. And furthermore, I doe hereby intreat require and authorize Thomas Greene of Stratford gentleman Edmond Rawlins gentleman Richard Castell of Stratford aforesaid gentleman, and Iohn Brookes of Stratford Mercer or the Survivours of them to ioyne together and yelde their best aydes and indeavours for the sellinge and makinge sale to the best benefitt of soe much Cloth Corne or cattell goodes Chatteles and Leases, And for the receivinge and gatheringe in of all my debtes as shall make vpp the full somme of fower hundred poundes meant and intended to my said wife in performance of the said Condicion in the Lease aforesaid And I doe alsoe by this my last will and testament appoint and authorize the said Thomas Greene Edmond Rawlins Richard Castell and Iohn Brookes or anie three of them or the Survivours of them to sell and make sale of anie other goodes Cattell or Chatteles to the best benefitt and to sue for and receive all debtes for to make and raise soe much money more as shall fullie paie and discharge all the guiftes and legacies bequeathed and given or intended to bee given or disposed of by this my last will, and for Which noe landes or tenementes are charged, And to defraye all other Charges incident or apperteyninge to this busines, And to doe and performe all other thinges Else which Executors in trust may lawfullie doe. And I doe further by this my last will and testament fullie authorize the said Thomas Greene Edmond Rawlins Richard Castell and Iohn Brookes to receive and to dispose of all debtes goodes and Chatteles for the best benefitt of the ~~<said>~~ Children of my sonne Richard Baker, and of my sonne Daniell Baker deceased. And I further giue vnto Each one of those Executors in Trust tenn shillings a peece for their loves and paines to bee taken therein, And my Will and meaninge is, That my free landes and tenementes shall not be charged with the payment of the said somme of fower hundred poundes to my said Wife nor With anie parte thereof But onlie my landes shall stand charged with such paymentes and legacies as by this my last will and testament I haue appointed them to bee charged with all. Item I giue and bequeath ioyntlie to the Children of my second sonne Richard Baker deceased all my right title and interest in all those ioint debtes Whatsoever Which were anie waie due vnto mee and to my said sonne Richard Baker by reason of our Partnershipp or by reason of anie agreement formerly or heretofore made betweene mee and my said sonne in Writinge and Which are or Were anie Waie due to mee

of 'Marston Pillinge' as being here: 'Parishes: Marston Moretaine', *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=42436> (accessed 21 August 2013).

by reason of Survivourshipp, And all other debtes due by Billes or Bondes formerly lett out for their vses, And tenn shillings more to my Cozen Iohn Baker thelder of Henley aforesaid to make him a Ringe, And to every one of the rest of the Children of the said Margery Baker five shillings a peece. Item I giue and bequeath vnto my sister Elizabeth Whitehead Widowe fortie shillings to make her a gowne if shee please. Item I giue and bequeath vnto the Children of my Cozen Ellinor Higgins late of Warwick deceased fortie shillings, And to my Cozen Ioice Fisher of Stratford fortie shillings to bee ymployed as shee shall please. Item I giue to every other of my sister Whiteheades Children five shillings a peece in golde. Item I giue and bequeath vnto my Cozen William Baker of Coventree mercer the somme of tenn poundes of currant money of England, And doe hereby release him of all the debtes hee oweth mee. Item I giue and bequeath vnto my Cozen Clement Baker of London Taylor the somme of tenn poundes of currant money, And doe alsoe release him of all the debtes hee oweth mee. Item I giue to his sister Mary Beckam of London twentie shillings. Item I giue and bequeath to every one of my Godchildren two shillings sixe pence a peece in golde. Item I giue and bequeath vnto the two Daughters of my Cozen Robert Bellamy Which hee had by my kinswoman his first Wife twentie shillings a peece in golde to make them Ringes, And further I Will and ordaine, and soe I devise, that all these severall Legacies formerly given to my sister, sister in Lawe, Cozens and Godchildren shall bee all paid Within one yere and a halfe at the furthest after my decease (that is to saie, vnto soe manie of them as shall bee then livinge. Item I giue and bequeath vnto Ellinor Robertes late servaunt to my Daughter in Lawe Elizabeth Baker deceased the somme of twentie shillings in money to be paid her Within one yere after my decease if shee bee then livinge in regard of her love to my Grandchildren Samuell Mary Martha and Elizabeth Baker. Furthermore I will ordaine and appoint and soe I devise, that if any question difference, ambiguitie or doubt shall hereafter happen to arrise concerninge the meaninge and vnderstandinge of this my last will and testament, or of anie Clause, guift or Legacie or other thinge or thinges contained concerninge my goodes and Chattelles and personall Estate That then the Executors and Overseers of this my last Will and Testament or the more parte of them shall haue full power and authoritie by vertue of this my last will and testament to order iudge and determyne all and all manner of such questions doubttes and differences Which iudgmentes of theirs soe agreed vpon and sett downe in Writinge vnder the handes and seales of my said Executors and Overseers or the more parte of them I will devise and ordaine shall bee of full force and power to binde all and every severall person or persons that is to take anie benefitt of or by this, my last will and testament, or by anie thinge therein conteyned, because my earnest desire is that noe sute or lawe shoulde bee prosecuted or attempted by anie person or persons whatsoever for any cause matter thinge or thinges conteyned in this my last Will and testament. Item I giue and bequeath vnto the poore people of the Towne of Henley in Arden the somme of fortie shillings in money, to be given and distributed vnto them Within one moneth after my decease at the discrecion of my Cozen Iohn Baker thelder of Henley and my Cozen Thomas Cooper thelder Tanner Item I giue and bequeath to the poore people of the Towne of Stratford the somme of fower poundes in money to be given and distributed to them Within one moneth after my decease at the discrecion of my Executors And all the rest of my goodes Chattelles Leases debtes and personall Estate not formerly given nor disposed off by this my last will and testament my debtes beinge first paid and my funerall Charges discharged, I giue and bequeath vnto my grandchildren Samuell, Marie, Martha and Elizabeth Baker the Children of my said sonne Richard Baker or to soe manie of them as shalbe livinge

at the time of my decease to bee Equallie devided betweene them at the discrecion and order of my said Executors and Overseers or the more parte of them. Item I doe ordaine and make in Trust my welbeloved friends the said Thomas Greene Edmond Rawlins Richard Castell and the said Iohn Brookes to be my full Executors of this my last Will and testament. And lastly I doe intreate nominate and appoint Thomas Combe of Wellcombe Esquire Henry Smith of Stratford aforesaid gentleman Nathaniell Duppa and Baldwin Brookes of the same to bee my Overseers of this my last will and testament and to see the due Execucion and performance of the same. And I doe giue to each one of the said Overseers for their love and paines to bee taken therein the somme of six shillings and Eight pence a peece. Item I giue and bequeath to my Apprentice William Greene the somme of twentie shillings in money and to Each one of my other howshould servauntes that shall dwell with mee at the time of my decease the somme of sixe shillings and Eight pence a peece And for the full and whole confirmacion of this my last will and testament: I haue herevnto sett my hand and seale the daie and yere first above written Revokinge all former Willes by mee heretofore made. Alwaies Exceptinge one other Will agreeable vnto this bearing date as this nowe doth the tenth daie of March in the yere of our Lord God One thowsand six hundred thirtie and seaven accordinge to the Accompt of the Church of England, And I doe appoint this parte to be kept in my howse, And the other parte to bee kept safe by the Bayliff and Burgesses of Stratford amonge their bookes and Recordes. By mee Daniell Baker. Published in the presence of Richard Castell Iohn Beddome William Greene Baldwin Brook. Knowe all men Whome it maie concerne that I the said Daniell Baker of Stratford vpon Avon Draper haue With my owne hand altered the date of this parte of my Will and made it agreeable in date with the other parte viz^t the tenth daie of March in the yere of our Lord God One thowsand six hundred thirtie and seaven after the accompt of the Church of England. And haue likewise with my owne hand made this addicjon in the three last lynes. And likewise that I haue with my owne hand interlyned this parte of my Will in diverse places, and sealed and published the same in the sight and presence of theis persons vnder Written. And lastlie I order and appoint that Mary Baker and Anne Baker the Children of my sonne Daniell Baker deceased shall have all the goodes and Chattelles received and to bee received Equallie devided betweene them at the discrecion of my Executors over and above their porcions given and bequeathed vnto them by this my last will and testament, that is to saie, All those goodes and Chattelles that were their Fathers and Mothers deceased, onlie deductinge the Charges that I haue disbursed for those Children sithence the death of their said Father and Mother Which doth appeare in a booke kept for that purpose well knowne to my servaunt William Greene. Sealed and published in the sight and presence of Richard Castell Iohn Beddome William Greene Baldwin Brookes.

Bee it knowne &c. That Whereas I Daniell Baker of the Burrough of Stratford Draper made my last Will and testament in writinge bearinge date the tenth daie of March Anno Domini one thowsand six hundredth thirty and seaven, And that by the same Will I haue expressed to giue vnto my grandchildren Marie Baker Daughter of my sonne Daniell Baker deceased And to Martha Baker Daughter of my sonne Richard alsoe deceased seuerall bequestes and Legacies, Nowe for asmuch as I haue changed my mynde touchinge the bequestes and Legacyes to the said Marie and Martha, And that I haue given and paid in marriage With the said Marie vnto Zachariah Taylor of Birmingham in the Countie of Warwick yeoman two hundred poundes of lawfull money of England besides much other charges in apparrell for

the said Mary and other Expence concerninge the said marriage amountinge vnto a good value, And that I haue likewise given and paid in marriage with the said Martha vnto Iohn Vivers of Banbury in the Countie of Oxon mercer fower hundred and twentie poundes of like lawfull money of England, And haue vndertaken to giue the said Martha one hundred poundes more if shee bee livinge at the time of my decease, My will and further meaninge is, and soe I devise, That the said Marie Taylor by vertue of my said Will and Testament shall onlie haue five poundes and noe more as a Remembraunce of my love, And alsoe my further Will and meaninge is and soe I devise that the said Martha Vivers shall not haue nor receive anie benefitt legacie or porcion mencioned in the said will and testament Exceptinge fortie shillinges to buy her a Ringe and her proporcionate parte of land in case it shall happen that Samuell Baker her Brother (whome God graunt longe to live) shall decease without heires of his bodie to bee begotten lawfully. And for all other thinges mencioned in the said Will (Exceptinge the legacies and bequestes to the said Marie and Martha) I doe by this my present Codicill confirme and ratifie, And for witnesses thereof, herevnto haue put my hand and seale the twentieth daie of May Anno Domini One thowsand sixe hundredth and fortie Daniell Baker. Reade and published in the presence of Thomas Billinge Iohn Beddome Scriptor William Greene [Benjamin] Beddome.

Knowe all men by theis presentes That Whereas I Daniell Baker of the Burrough of Stratford vpon Avon in the Countie of Warwick Woollen Draper Have by my last will and Testament bearing date the tenth daie of March Anno Domini One thowsand six hundred thirtie and seaven given and bequeathed forever the somme of fortie and Eight shillinges yerelie vnto the fower and twentie Almes people of the said Towne of Stratford, And alsoe twentie six shillinges and Eight pence to the Towne of Henley in Arden in the said Countie of Warwick Where I was borne, With some Additions and Nomine penae for non payment of those severall sommes of fortie and Eight shillinges And twentie six shillinges and Eight pence at the daies and times appointed and lymitted in my said Will and Testament: Which severall sommes of fortie and Eight shillinges and twenty six shillinges and Eight pence With their Additions and Nomine penas for non payment were ordained and appointed by my said last will and Testament to issue out of seaven Cottages or tenementes of myne sett lyinge and beinge in Stratford aforesaid in Bridgestreete Ward in a place there called the middle Rowe And for that the said seaven Cottages or tenementes are nowe by Godes hand consumed by casualtie of fire, And the rentes of them vtterlie lost, Which rentes amounted vnto Eight poundes and six shillinges per Annum: Therefore nowe my Will, intent and meaninge is And soe I devise That both the said severall paymentes of fortie and Eight shillinges and twentie six shillinges and Eight pence shall vtterlie cease and determyne, And not to bee at all paid neither to the said twentie and fower Almes people of Stratford nor to the Towne of Henley for gownes Except hereafter I shall take other order to confirme and appoint the same paymentes againe. In Witnes Whereof vnto this my present Codicill I haue put my hand and seale the fourth day of May Anno One thowsand six hundredth fortie and one. Daniell Baker. Sealed and subscribed in the presence of William Greene Signum Humfredi Arthur: Benjamin Beddome.

Richard Baker (1622)²⁵

In the name of God Amen. I Richard Baker of Stratford Vppon Avon in the Countie of warrwick draper beinge sick of bodie, yet of perfect memorie thanckes be to god; doe make this my last will & testament in manner & forme followinge In primis I bequeath my soule vnto the handes of Almightye God and my bodie to be buried where it shall please my Executrix Item I give and bequeath vnto Marie my eldest daughter Twentie fyue poundes. Item I giue & bequeath vnto Martha my second daughter twentie fyue poundes. Item I giue and bequeath to Elizabeth my third daughter twentie fyue poundes. Item I giue and bequeath to my sonne Samuell twentie fyue poundes. All which said seuerall sommes my will is that my Executrix shall paie the same to my father Master Daniell Baker within one whole yeare next after my decease, my said father first givinge securitie to my Executrix by obligacion of fyue hundred poundes for payment: of the said seuerall legacies in manner and forme followinge. (that is to say), to my said children vpon the daye of their seuerall Marriages, or on the daye when they shall attayne to their seuerall ages of One and twentie yeares which soeuer of them shall first happen, together with consideracion after the rate of eight poundes in the hundred for a yeare. And if it shall soe please god any of my said children to departe this lyfe before their said legacies shalbe due vnto them ac-cording to the true meaninge of this my testament, Then my will is that his, hir, or their legacy or legacies with the consideracion as aforesaid shall remayne to such of my children as shalbe then in lyfe to be equally devided amongst or betweene them to be paid vnto them in manner & forme aforesaid; And if it shall soe please God that all my said children shall departe this lyfe before their said legacies shalbe due as aforesaid; Then my will is that the said seuerall legacies with the said consideracion shalbe payd to myne Executrix within Sixe monethes next after the decease of the survivor of my said children: All which said seuerall legacies to be paid accordinge to the true meaninge of this my Testament: in or at the chappell porch of Stratford Vpon Avon aforesaid./ Item I giue and bequeath vnto my said sonne Samuell Fyfteene poundes ouer and aboue his said legacye of Twentie fyue poundes to be payd vnto him at his age of one and twentie yeares yf before that tyme their shall not be a good assurance in the lawe made vnto myne Executrix for and duringe hir naturall lyfe, and after hir decease to my /said\ sonne Samuell his heires and assignes for ever, of and in that messuage or tenement in Stratford vpon Avon aforesaid nowe in the occupacion of one Richard Rodes, And scyttuate and beinge there in a streete called the woodstreete./. Item I make, constitute and appoynt Elizabeth my welbeloued wife sole Executrix of this my last will and Testament:./ And doe Nominate for my overseers hereof, Master Thomas Wilson minister of Godes Word, Master Frauncis Smith the elder, my Cosen Master William Chaundler, and my brother Abraham Baker./. And doe giue each of them for their paynes, one payre of gloues of two shillings & six pence price./ Item I giue vnto these persons followinge, these seuerall thinges (that is to saye) To Master Thomas Turner the outsyde of a suyte of apparel of broadcloth of the price of Fortie shillings./ To my Father Master daniell Baker j peece of gould of xxij s to make him a ringe./ To my mother Mistris Katherine Baker j peece of gould of xxij s to make hir a ringe./ To my Brother danyell Baker i peece of gould <te> of xxij s to make him a ringe To my brother Abraham Baker j peece of gould of xxij s to make him a ringe./ To my Brother Richard Edon my best cloake./ To Clement Burman my other Cloake./ To John Cole my horsmans Coate./ To Nicholas Nicolles my russet dublet and hose./ To Richard Castle my

²⁵ SBTRO BRT 3/1/9.

seale tip't with siluer./. To my Cosen William Smithe my best Ruffe band./ To my Cosen
Clement Baker my best dublet and hose./ In wittnesse that this is my last will and Testament:
I haue herevnto put my hand and seale./. sealed xxiiijth daye of Maye./ Annon Domini 1622./
Richard Baker./. Sealed and subscribed in the presence of John Bridges, Abraham Baker,
Richard Eden./.

Richard Baker (1638)²⁶

Testamentum Richardi Baker de Stratford super Avon.

This 4th of Ianuary 1638

Imprimis I beequeath my soule Into the hands of the lorde

2^{ly} I giue to my sonne Robert in money twelue pence

3^{ly} I giue vnto my daughter Alice in monie twelue pence

4^{ly} I giue all the rest of my estate as money goodes shooes bootes: working geare and what soeuer else that is not here in particuler mentioned: both w[i]th in doores and with out doores with all my debts as shall appeare that were and are due to me while I liue: I Fullie and wholly giue to my sonne Richard & my daughter margery: as naturall loue & affections binde me herevnto: as allso I make [?In^o - Ionathan] Brookes and Francis smyth ouerseers of this my will in witnes & in testamonie herevnto I haue put to my hande the day and yeare aboue written

in wittnes herevnto we haue put to our hands

Richard Bakers will²⁷

Francis smyth

Richard lord

Richard <mark> Baker [?<the>] Iunior his marke

²⁶ WRO 008.7 1639/11.

²⁷ The testator may have signed his own name here.

Richard Balis²⁸

In the name of God amen the 17 day of March in the yeare of our Lord God 1605 & in the thyrd yeare of the Rayngne of our Soverayngne Lord James by the grace of God of great Bryttayne, Fraunce, & Ierland kyng defender of the faith &c./ I Rychard Balis of Stratford vpon Avon in the Countye of Warwycke Fuller beyng sycke in body, but of perfect memory I thanke my Lord God ordayne & make this my last wyll & testament in maner & forme following/. Fyrst I bequeth my soul vnto allmightye God (trustynge to be saved by the merytts of Christes passion) & my body to be buryed in the Churchyard of Stratford aforesayd/ Item I geve & bequeth vnto my sonne Abraham balis xx s of lawfull money to be payd vnto hym wythin one half yeare next after my decesse so that he come hym self in good sort lawfully to demaund hit/ Item I geve & bequeth vnto my kynsman Mathewe balis one pere of sheres belongyng to my occupatyon so that Isabell wyf to take ij of the best pere, & then the sayd Mathewe to take his chose of the ij other pere/ & also I geve the same Mathewe xxvij <pere of> handlesses necessary for his occupatyon & also I geve vnto the sayd Mathewe vj s viij d of lawfull money/ accordyng to his byll of covenants /between\ my self & hym as by the same bylls doth & may appere/ Also my wyll is that /if\ hit please god I decesse <that I> before the /sayd\²⁹ bylls of Indentures be exspyred made to me for the byndyng of the sayd Mathewe that he shall be free of his occupatyon as though he had served the full terme of his years further my will is that the said Mathewe shall have that duple /aperrell\ that allredy he hath & also one Jerkyn of Whit fryese that is at my neighbor Roger [?drwryes] at makyng & also one pere of /new\ stockyngs & one pere of newe shewes/ Item I geve & bequeth vnto Margrett dawghter to the late decessed Nycoles balis thre pewter dysshes & one candlestycke of brasse/ This bequest done detts payd & legaces levyed & my body honestly buryed, then I geve & bequeth all the rest of my goodes moveable and vnmmoveable in whose hands soever they be vnto Isabell my Wyf Who I ordayne & make my sole exekatrix of this my last Wyll & testament/ And I desyre my trustye good Frynds Master henry Wylson & my neighbor Robert Luther to be my supervisers of this my last wyll & testament & they to have for theyr paynes therein to be taken vij d a a [sic] peece of them/ detts to be payd

Inprimis to Margery Tayler Wydowe iiij s

Item to Sycilly Collens Wyf to Rychard Collens iiij s the marke of Rychard

Item to Master danyell baker iij s iiij d balis testator

Item to Thomas Runey Master barns man iij s

Item to Robert dawnford ij s iiij d

Wyttnesses asfolloweth

Per Me William Gilbard alias higgs scriptor

Master henry Willson & Robert butler signum Henrici Wilson

²⁸ SBTRO BRT 3/1/7.

²⁹ This looks like a later addition.

Richard Ballamy³⁰

In the name of god Amen I Richard Ballamy smith of Stretford vppon Avon in the Countie of warrwicke beinge sicke & weake in bodye but of perfect mynd and memorye, do make this my last will and [sic] testament in forme and order as foloweth the [?12]th daye of Iune the yeare of the raigne of our most Soueraigne Ladie Elisabeth by the grace of god of England Fraunce and Irelande Queene &c. First I bequeath and betake my soule vnto god my creatour throught Iesus Christ my only redemer and saviour by whom and by whose death and passion I trust to be saued, and by none other: My bodye I bequeath to the earth to be buried in Christian order of buriall, whensoever my soule shall departe from the bodye not doubtinge but by Christ my bodye shall be raised vpp agayne to life euerlastinge. Secondlye I geue vnto my wife Katherin Ballamy the lease of the howse which she now dwelleth in so lonnge as she liueth if she continue and dwell vppon it. but if she either dye, or departe from the saide howse to dwell els where then I will that my Brother Iohn Ballamys wife shall haue the sayde lease imediatlye after her death or not dwelling vppon it. and if my Brother Iohns wife die then I will that my Brother Robert haue the sayde lease, after my wife katherins death or departure from the sayde house. Also I bequeath and freelye giue vnto my Brother Thomas Ballamy accordinge as ~~<pre>~~ premise the parte of the house which he now dwelleth in rentfree and likewise the parte of the garden and the parte of the yearde as they are now deuided he repairinge alwayes the sayde partes of his owne proper costes and chardges so lonnge as he doth enioye them that is for the tyme that the lease of the same howse indureth Item I geue vnto my Brother Robert Ballamy and my wife Katherin the whole ~~<fur>~~ furniture of my shoppe to be equally deuided betwixt them. Item I geue vnto my sister Isabels daughter Ioane Tommes xs³¹ Item I geue vnto my goddaughter margaret Ballamy the best platter and saucer sauinge one. Item I geue vnto my Brother Simson my payre of blake russed hose, and worsser doublet of leather and vnto ~~<my>~~ /his\ sonne Richard my godsonne my blew cote to make him a cote Item I geue vnto my Brother Thomas sonne william beinge my godsonne a platter Item I giue /to\ my Brother Robert Ballamy my best bucskin doublet Item I geue vnto my Brother Thomas Ballamy my new black friste cote. Item I geue vnto my Brother Stephen Tommes my black cut \doublet/ All the rest of my goodes vngiuen nor bestowed I geue vnto my wife Katherin and make her my full executor The ouerseers of this my will and testament I appoint my Brother Iohn Ballamy and my Brother Robert Ballamy to see it fulfilled and ordered

Debtes wich I owe

Inprimis I owe vnto George badger 34d

Item I owe vnto Sponer 5s

Item I owe to my Brother Thomas 20s

Item what debtes be due vnto me from others and who they ~~<th>~~ be that owe it my wife doth knowe by the stores witch she hath of theirs

Richard Ballamie

³⁰ WRO 008.7 1580/62.

³¹ This may be 'xss', however the initial 'x' looks like it has been crossed out.

Witnesses

Balthasar³² Bucke

Hught Errington

Iohanes Ballamie

³² An asterisk appears here, above Balthasar's name. The testator and each witness appears to have signed his own name.

William Baul of Bishopton³³

In the Name of God Am[en] ...³⁴ the xxjth day of december in the ye[ar] ... God <169> 1599. And in the xlijth yere of [?Elizabeth's] ... Raigne that nowe is &ces I William Baul th[e] ... of Bishopton in the parish of Stratford vpon Av[on] ... in the County of Warwick Labourer being sick and wea[k] in body but of whole and sound memory I thank my Lord God Make and ordeyne this my present last will and testament in maner and forme followinge, That is to say first I bequeath my soule to Almighty God, by the merites and passion of whose Sonne Jesus Christ, I hope to be saued and my body to be buried in the parish Churchyard of Stratford aforesaid First I give and bequeath vnto my eldest daughter Margery Baule in money Ten shillings to be paid vnto her at Michaelmas come Tweluemoneth Item I giue and bequeath vnto my daughter Margaret in money Ten shillings to be paid vnto her likewise at Michaelmase come Tweluemoneth Item I giue and bequeath vnto the said Margaret my daughter a Cobbard in my haul howse. Item I giue and bequeath vnto my daughter Anne Baule in money Ten shillings to be paid vnto her at the feast of Saint Michael next coming. Item I giue & [be]queath vnto the said Anne my daughter one Cauldren ... I giue and bequeath vnto my daughter Alice [Y]onge the wife of Raffe yonge in money Ten shillings to be paid vnto her at the feast of Saint Michael next coming, Item I giue and bequeath to Francis Baul my sonne in money Ten shillings if he be living to be paid vnto him at the feast of Saint Michael next coming but if he be departed this Life, then I giue the said Ten shillings vnto my daughter Elizabeth Vassacree. Item I giue & bequeath vnto the said Elizabeth my daughter with the consent of my eldest sonne William Baule her life tyme in the Chamber where I nowe lie and all the furniture that is mine owne in the same Chamber. Item I giue and bequeath vnto the said Elizabeth one sheep and one staule of bees that are in my Garden and doe stand next vnto the Hey howse. Item I giue and bequeath vnto my yongest sonne William Baule in money xxs. to be paid vnto him at the feast of Saint Michael come Twelue-moneth. The rest of my goodes and Cattell as well reall as personall of what nature or propertye soeuer they be of or in whose hands they be my funerall expences and lawfull deb[ts] ... I giue and bequeath vnto my Eldest So[nne William] ... Baul and Elizabeth Vassacre whom [I make] ... & ordeyne my full and whole Executor [and] ... Executrix of this my last will and Tes[tament] ... And I desire my neighbours William Ainge the'lder and John Marshall minister to be the ouerseers to this my last will and Testament and they to haue for their paines takeing herein xijd a peece

Debtes owing vnto the said Testator [?T]³⁵

Thomas Calle doth owe me in money ijs

Item my youngest sonne Willam doth owe me in money £v to be paid in maner and forme following videlicet xxs in and vpon the <feast day of Saint Michael> third day of May next coming, and Fortie shillings in and vpon the feast day of Saint Michael next ensuing the date of these presentes, and the last xls in and vpon the feast day of Saint Michael come Tweluemoneth. These being witness[e]s to the confession of these debtes, and to the

³³ SBTRO BRT 3/1/10.

³⁴ The right hand side of this paper is extensively damaged, meaning that many words and phrases have been obliterated. These instances are represented by ellipses. I have supplied missing words/letters in cases in brackets, [thus], where it has seemed prudent to do so, for example in the instance of "Am[en]" here.

³⁵ It looks as if the scribe has begun writing another 'T' here.

abouewritten Testament Thomas Ainge the Sonne of William Ainge, William Baul the'lder
William Baul the younger Elizabeth Vassacree, Alice young the wife of Raph younge, and
my self John Marshall writer hereof./

William Baulden³⁶

January the 9th Anno domini 1624.

In the name of God Amen <~~January the 9th anno domini 1624~~> I William Baulden of Stretford vpon Avone in the County of Warwicke yeoman beinge sicke in body but in perfect memory I praise my lord god therefore doe ordayne & make this my last will and testament in manner & forme followinge, First I bequeath my soule to almighty god my maker, & Iesus Christ my redeemer, and my body to bee buried in the Church or Churchyard of Stretford aforesaid Inprimis I giue vnto my sonne Anthony £x to bee paid vnto him at xxiiij yeres of age, Item I giue vnto my sonne Thomas and Margaret my daughter all my goods moueable to bee divided betwixt them my debts beinge payed & my funerall discharged, provided alwaies that my Mother shall haue during her naturall life all the profitt that shall bee rayased out of my goods towards her maintenance, and after her decease then that which is then remayninge to bee equally /be\ devided betwixt my sonne Thomas and my daughter Margret whom I doe ordayne my sole executors of this my last will & testament and I doe [...se] my lovinge neighbours Master Iohn Sadler & Richard May to bee my supervisors of this my last will and testament signum William Baulden

³⁶ TNA PROB 11/145/418.

Alice Bell, widow³⁷

In the name of god /amen\ the xiiijth day of november in the yeare of our god 1587 & in the latter end of the xxjxth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eyngland, Fraunce, & Ierland deffe[n]dresse of the Fayth &c. I Alice bell of Stratford vpon Avon in the county of Warwycke Wydow beyng whole in body and of perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng Fyrst I bequeth my soull to Allmighty god (trustyng to be saved by the merytts of Christes passyon) & my body to be buryed in the church or church yard of Stratford aforesayd. Item I geve & bequeth vnto my dawghter Isabell my best fether bed my best boulder a pere of blanketts my best bed healyng, a twylly canves, & my cobbord, my best gown & my best petycote vj pottyngers vj sawcers, ij salts ij candlestycks, iiij brode brymed porrage dysshes ij pewter potts my best chaffyng dysse ij coffers, ij loyned stowlls, my best cheere my best brach & a pere of Cobbords a pere of flaxen sheets, & a pere of hempe sheetts ij bord clothes, a pere of bedsteds, my best hat, my best brasse pott, my best brasse pan A cawdren of ij gallanes, & a lesser cawdren a great skellett one chamber pott, one pere of pott hookes & lynks tooe Fustyan pellowes, & a pewter bason. Item I geve & bequeth vnto my dawghter Fraunces my second gown my second petycote my buffyn Apron a flaxen sheete a dabnett of brasse, a platter, a pottynger & a Wyne quart pott Item I geve & bequeth Vnto Iohn Swapman sonne vnto Walter Swapman my sonne in lawe xs of lawfull money Item I geve & bequeth Vnto margery my dawghter my second brasse pott a chaffyng dissh & a quart pott of pewter a grydyron ij pewter platters, ij pottyngers, a salt of pewter, a candlestycke, my Whome made fetherbed my little there³⁸ my lyttle cawdren, my lyttle spytt a pere of hurden sheets. Item I geve & bequeth vnto my cosen Elizabeth dawghter vnto my sonne inlawe, Edward bramley my great presse my great brasse cawdren, my dryppynge panne a pewter platter, a pottynger, ij sawcers, Whych thyngs I Wyll shall remayne in the hands & custody of my dawghter margery bell vntyll the same Elizabeth come to the age of xviiij yeares for the saff keypyng of the same to the behoof of the same Elizabeth. Item my Will is that xxs shalbe distributed among the poore of Stratford at the day of my buryall at the discretyon of my overseers. This bequest done deb[ts] payd & legaces levyed & my body honestly buryed then I geve & bequeth all the rest of my goods moveable & Vnmoveable in Whose hands soever they be vnto Isabell my dawghter Who I make my sole exekatryx of this my last Wyll & testament And I desyre trusty & Welbeloved sonne Master Wylliam bell & my cosen humfre brace to be my supervysers of this my last Wyll<yam> & testament & they to haue for theyr paynes therin to be taken iijs iiijd a peece of them Wytnesses Wylliam Gilbard alias higgs mynister in stratford Frauncis burnell Thomas Wotton Wjth others

signum alicia

<mark>

bell testatrix

³⁷ WRO 008.7 1588/95.

³⁸ There doesn't appear to be any of the page missing here – perhaps the scribe forgot to write down the 'little' item in question?

Anthony Bell³⁹

In the name of God Amen I Anthony Bell of Stratford vpon Avon in the Countie of Warwicke Inholder weake in bodie but in good and perfect memorie thankes be given to Allmightie God, doe ordaine & make this my last will and testament in maner and forme followinge that is to saie First I commend my soule into the hands of Allmightie God my maker hopeinge by the merittes of Iesus Christ my redeemer to have a sure and ioyfull resurrection And my bodie to the earth from whence it was taken to be buried in the Church of Stratford aforesaid And for the worldlie substance which God of his great mercie hath lent mee I dispose thereof as followeth First I give and bequeath vnto the Church of Stratford aforesaid twentie shillings of lawfull money of England Item I give and bequeath vnto the poore of Stratford aforesaid the somme of forty shillings of like lawfull money of England to be bestowed in bread on the daie of my funerall by my Overseers hereafter mencioned Item I give and bequeath vnto my loveing kinsmen Anthony Bell Brian Bell, and Thomas Bell of London vnto every of them the somme of tenne pounds of like lawfull money of England within sixe moneths next after my decease to be paid vnto them Item I give and bequeath vnto William Fetherston my kinsman twentie shillings of like lawfull money to buy him a ringe Item I give vnto my servant George Iohnson my best cloke and stockins Item I give moreover vnto my said kinsman William Fetherston the somme of fower pounds more of like lawfull money of England And all the rest of my goods moveable and vnmovaeable Cattells and Cattells vnbequeathed my debtes ~~and~~ funerall expences and legacies discharged I give and bequeath vnto Ioyce my welbeloved wife whom I make and ordaine my sole Executrix And I doe request nominate and appoint my welbeloved friends Iohn Beddome of Stratford aforesaid Scrivener and Richard Smith of the same Iron-monger to be the overseers of this my will vnto whom for their paines therein to be taken I doe give twentie shillings apeece to buy them Ringes And I doe hereby revoke & annihilate all wills and testamentes by mee formerly made In witnes whereof I ~~have~~ herevnto have put my hand and seale this eighth daie of March Anno domini One thousand sixe hundred thirtie one Signum predicta Anthony Bell Read sealed and published in the sight and presence of Richard Baker Shomaker Signum Richardi Sharpe of Stratford Collermaker Robert Ingram Harrier

³⁹ TNA PROB 11/164/145.

Katherine Bennett, widow⁴⁰

In the name of God Amen I Katherine Bennett of Stratford vpon Avon in the County of Warwicke widowe being sicke and weake <of> /in\ body but of good vnderstanding doe make and ordayne this my last will and testament in manner & forme followinge that is to say I bequeath my soule into the handes of Almighty God hopeinge through Christ to haue a ioyfull resurreccion, And my bodie to be buried in the Church or Churchyard of Stratford aforesaid. And for the temporall goodes which God hath bestowed vpon mee I geue and bequeath in maner and forme following Imprimis I geue and bequeath vnto Thomas Taylor my grandsonne the some of Twenty poundes Item I geue and bequeath vnto Humanitas Iackson my sonne in lawe the somme of Thirty poundes Item I geue vnto the Children of Michaell Tombes my sonne in lawe the somme of Thirty poundes to be equally devided amongst them Item I geue and bequeath vnto the Children of Simon Trappe my grandsonne in lawe the somme of Tenn poundes Item I geue vnto dorothy Groues my granddaughter the somme of forty shillings Item I geue vnto Frances Iordan the somme of fortie shillings And therefore my will is that they shall haue noe part in <my> /the\ former Legacy geuen to the Children of Michaell Tombes Item I make and ordaine Hugh Taylor my welbeloued sonne and Symon Trappe Clerke sole Executors of this my last will and Testament. This my will and pleasure is that the aforesaid Legacyes being in diuerse mens handes shalbe payed within the space of five yeeres after my decease In witnes whereof I haue herevnto sett my hand and seale the day and yeere aboue written. The marke of Katherine Bennett. Witnesses herevnto Iohn Soch Francis [?Iercox]

⁴⁰ TNA PROB 11/173/408.

Raphe Boote⁴¹

In the name of God amen the xjth day of September in the xvijth yeare of the Rayngne of our Soverayng lady Elizabeth by the grace of god Queene of Eyngland, Fraunce, & Ierland defendresse of the Fayth &c. I Raphe Boote of Stratford Vpon Avon in the county of WarWycke button maker, beyng sycke in body but of perfect memory I thanke my lord god, ordayne & make this my last Will & testament in maner & forme Followynge, Fyrst I bequeth my soull to Almightye God, (trustyng to be saved by the merytes of Christes passyon) and my body to be buryed in the church yard of Stratford aforesayd/. Item my Will is that all such porcyons of goods that are myne moveable & vnmmoveable my detts payd, & my body honestly buryed shalbe equally devydid by my overseers, & the one half of the same to remayne among my children equally to be devydid among them the other half I geve & bequeth to Mary my Wif Who I make my sole executrix to se this my last Will tru[ly] performed/. And I desyre my trusty & lovyng Frynds & neighbors Willyam Wilson, & Rychard hornbee to be supervisers of this my last Will & testament, & they to haue for theyr paynes therin to be taken vj d a pece

Detts to be received

Inprimis mistris RaynFord oveth me £iij

Item Edward Edes oweth me xx d

Item Edmons of Knowll oweth me for a quarter of malt xij s iiij d

Item John Fyssher of Stratford oveth me £v xiiij s

Item Whatcote of dascote oweth me ij quarters of barley

Detts to be payd

Item to Charles Benton xvj s

[...] to John Jones of london xv s

[...] tem to Rychard Queene xjx s vj d

[...] to humfre Brace xxvj s

Item to John Smyth Vyntner for a hogshead iij s

Wytnesses Rychard hornbee & Willyam Gilbard the Wrytter with others

⁴¹ SBTRO BRT 3/1/12.

Francis Boyce⁴²

In the Name of god Amen The xvijth daie of Iuly 1617 I Francis Boyce of Stratforde vppon Avon Taylor sick in bodie but of perfecte mynde and memory mak this my laste will and testament &c. Firste I give and bequeathe my soule to Allmightie god, and my bodie to be buried in the Churchyard of Stratford neer vnto the place whear my Father was buried Inprimis I give and bequeathe vnto Iohn Boyce my eldest Sonne (for ever all that Summe of Six poundes which he had of me in goodes & monej at the first setting vpp of his trade and occupacion Item I will bequeath and devise vnto the said Iohn Boyce my eldest sonne bothe the Shoppe Slawghter howse, wayes, passages, & Commodities belonging vnto them which now he hathe in his occupation duringe the full tearme of my Lease in as full and Ample manner as ever william Aygne Late Maister of my said sonne Iohn had or did formerly occupie hould or enioy the same. Item my will and desier is that Ancrett Boyce now my wieffe whom I purpose to mak my sole Executrix of this my last will & testament, Shall from tyme to tyme (as often as ne[e]d shall requyer Lend vnto my said Sonne Iohn Boice the Summe of Six powndes of Currant Englishe money to furnishe him withall to buy warres for his markettes He repaying the same to her againe in fitt and convenient tyme Item I give & bequeathe vnto my said sonne Iohn Boyce my Cloak Item I give & bequeath vnto my brother Iohn Boyce all the rest of my wearing apparell viz^t all my Ierkins dublettes; breeches, shirts, stockings, hates shooes shirt bandes & all other wearinge apparell (except my gowne which I give and bequeathe vnto my old fellowe Sargeant Gylbert Charnock to mak him a Riding Cote withall and a paire of breeches which I request the over-seeres of this my will to see performed. Item I give and bequeathe to my Cosin Awgustine Boyce and to his wieff and children the Sume of five shillings of Currant monie to be disposed of as he the said Awgustine shall think good Item I give and bequeathe to my Cosin Frances Boice the widow of Arther Boice deceased five shillings in money betweene her and her Children to be devided as she shall thinck best Item I give & bequeath to Iohn Samuell my fellow Sargeant my best girdle Item I give and bequeath vnto all the rest of my children not formerly named twellve penc a peece of Currant money in lewe of their portions. All the rest of my goodes & Chattells moveable and vnmovable nor formerly devised nor bequeathed by this my last will & testament I give devise and bequeathe vnto Ancret Boyce my now wieff whom I doe mak and ordaine my sole and whole Extrix [sic] of this my last will and testament my debttes being first dischargd and my funerall chardges satisfied. Lastely I doe desyer and entreate my kinde Maister Henry Smythe gent now Bayliffe of the Burrowghe of Stratford danyell Baker of the same towne woollen draper and Iulyues Shawe of the same towne gent to be the overseers of this my last will & Testament. In wittnes wheareof I have hearvnto put my hand and Seale the daie & yere first above wrytten

Sealed and deliuered in the presenc of Henry Smythe danyell Baker scriptor Iulyie Shawe.

⁴² WRO 008.7 1617/123.

Richard Boyce⁴³

In the name of god amen, In the first yeare of the Raigine of our Sovereigne lorde kynge James of England Scotland Fraunce and Ireland &c. the nynetenthe daye of July I Rychard Boyce of the borrowe of Stretford Vppon Avon in the county of warrwicke Taylor beinge in good and perfect memorye Thankes be to god therefore; doe make and ordeyne this my last wyll and Testament in manner & forme followinge, that is to saie first I bequeathe my soule to god my maker and redemer and my bodye to the earthe to be buried in the churche yearde of the Churche of Stretford afore said, Item I geve to my eldest sonne Arthur Boyce my cloake my best dublet my best hatt and a payer of blewe stokynges I geve to Frauncis his wyfe in money ten shillinges, Item I geve to Rychard his sonne in money iij s iiij d Item I geve to his sonne Thomas boyce one sylver spoone, Item I geve to my sonne Augustyne Boyce a dublet a Jherkyn of kersye a hatt 2 shirtes a paire of Stockynges and in money xl s and a fether bed w^{ith} the furniture and a coffer, Item I geve to my daughter Martha £vj xij s iiij d to be paid vnto her att the daye of her maryage, and a fether bed w^{ith} the Joyned bedsteed a healyng a blanckett a bolster and towe payer of sheetes to be valued and preysed and the same to be delyvered of the pryce in parte of payment of the aboue named £ vl xij s iiij d Item I geve to marye Boyce a bedsteed and a wooll bed and all that belongeth vnto it and a coffer which was her mothers and a lyttle brasse pott a lyttle dabnet & a lyttle broache Item I geve Cicell wylliams my servant maide half a quarter of mawlte, The rest of all my goodes cattles and Chattells moveable and vnmovable my debtes and leagasyes and funeral expences paid and discharged I geve <v> vnto Margret Boyce my Wief whom I make my whole and sole executrix of this my last wyll and Testament And I doe desire my loving friendes and <sood> good neighbours John Smythe the Iron monger and William wyet to be over seers of this my last wyll and testament to whom I geve in token of my love xij d a pece

Wytnesses Rychard Byfield

mynyster

Thomas Rogers

Abraham Sturley

Phillip Greene

George Perry oweth to me xij d

Anthony wylkes some tyme servant to Sir Thomas lucy oweth me £ xlviij

Thomas Craftes oweth me iij s iiij d

Robert walker oweth me vj s viij d

I ouwe to Master Bayly ij s iiij d

Debtes owinge him

⁴³ SBTRO BRT 3/1/13.

Wylliam harrwood of Bradforton oweth me the some of £ v iij s Master Thomas ward of Barvod oweth me £ xxx vij s ij d

Arthur my sonne oweth me xl s to be payd the xxvth of marche next followinge nycolas James oweth for a stryke of malt ij s iij d also he oweth to me xij d o b Edward Cottrell of Shottrey in consideratyon of a bargaine is to pay to me or my assignes on[e] land of barley the best that I or my assignes can chuse in summer taylor at harvest next ~~<after>~~ viz: in the year of our lord 1604 And in the harvest following viz: Anno 1605 the best land of wheat in bryncklose way the same to be cut & caryed for me or my assignes =⁴⁴ at his charges

⁴⁴ There is a line break in the document here, and the scribe has inserted the “=” sign.

Humfrey Brace⁴⁵

In the name of god amen I Humfrey Brace of Stratforde vppon Avon in the countie of Warwicke mercer beinge weake in bodie but of perfect memory (thancks be giuen to god) Do make and ordeyne this my last will and testament in forme folowinge. First I commende my soule into the handes of Almightye god my heauenlye Father trusting to be saued only by the deathe and passion of Iesus Christe my mericfull Savyoure: and my bodie to be buried in the parishe church of Stratforde at the discrecion of my ouerseers and executrix. And I will that the churchwardens haue for the same towardes the repaire of the church twentie shillings Item I giue to Elizabeth my wife this my house wherein I nowe dwell Duringe her naturall life with all the houshold stuffe therein conteyned. Prouided that she keepe the same house in good repaire at the ouersight of my ouerseers and not Defacinge the same. Item I giue and bequeathe to my brother Frauncis Brace after the decease of my wife the house wherein I nowe Dwell with the tenement adioyninge nowe in the tenure and occupacion of Master Courte to hym and his heires males for euer. But for wante of heires males of his bodie lawfullie begotten I giue and bequeathe the saied house and tenement to my Brother Iohn Brace and to the heires males of his bodie lawfullye begotten But yf neither of my said bretheren shall haue suche heires to inherit the saied house and tenement Then I giue and bequeathe the saied house and tenement to ~~my brother~~ Alice Brace Daughter of the saied Frauncis and to her heires for euer. Item I giue and bequeathe more to my saied wife the Lease of the house wherein Iohn Fletcher nowe Dwellethe with the rent of the tenement aforesaid. But yf she do not suruiue the tearme of yeres to the saied Master Courte graunted then the saied rent and tearme to be and remayne to my brother Frauncis as is aforesaid Item I giue and bequeathe more to my saied wife one hundred and eighte poundes of good and lawfull englishe money Item I giue and bequeathe to my Brother Iohn Brace tenne poundes of like englishe mony Item I giue to the children of my saied brother Iohn Brace three poundes a peece of like englishe money. Item I giue to my sister Alice Starkey tenne poundes of like englishe money. Item I giue to the twoe children of my saied Sister Starkye three poundes a peece of like englishe money Item I giue to my sister Elizabeth Lynche tenne pounce of like englishe money Item I giue vnto Alice Brace and Raphe Brace sonne and Daughter of my brother Frauncis three pounce a peece of like englishe money. Item I giue to my mayde Alice three pounce of like englishe money Item I giue to Master Walden of Coventree fyue pounce of like englishe money. Item I giue to my [?Awnte] Tyler tenne shillings of like englishe money. Item I giue to my godfather Master Plumley a peece of goulde of fyue shillings. Item I do freelie forgiue vnto Thomas Lacy /all\ such debtes as he oweth me by my booke he payinge my executrix fortie shillings. Item I giue to the poore people of Stratforde Fyue pounce to be distributed amongst them according to their seuerall necessities Item I giue to Iohane Holliman and Iohn her sonne twentie shillings a peece of good englishe money. Item I giue to Iohane Hall twentie shillings. Item I giue to Iohn Evans fyue shillings Item I giue to Thomas Hall fyue shillings. All which giftes bequeastes or legacyes my Will ys shalbe paied in manner and forme folowinge, that is to saye First my debtes beinge paied so farre as my man Frauncis bandes whiche come to nyne skore poundes and Master Bartletes his band which commeth to three skore and seauen poundes will extend and the Remayn[?er] of my Debtes discharged by parte of that whiche is duto me in my debte booke, then my legaceys and bequeathes to be Dischardged with the

⁴⁵ TNA PROB 11/79/180.

reste whiche is due to me by the saied debte booke. <Of> which debtes shalbe gathered or recouered by lawe or otherwise by Elizabeth my wife whome I ordeyne and make the sole executrix of this my laste will and testamente. And my will is that as she receyueth them soe once euery quarter of the yere she shall paye and dischargde the saied Legaceys equally and proportionallye to her selfe and the rest and others aforenamed to whome any Legaceys /or giftes ar bequeathed provided allwaies that yf anie of my Dettes cannot be gathered or recovered by law then my saide wife and the rest to whome anie Legacies ar\ afore <ar> bequeathed shall equally and proportionallye beare the losse of suche Debte or debtes by abatinge parte of theire Legaceyes rateablye But yf my debtes can be all receyued and do surmount my Legaceys or bequeastes Then the Surplusage shalbe equallie Deuided amongst them. And lastly I Desire my trustie and loving freindes Master Richard Lane and Master Iohn Combe to be the ouerseers of this my laste will and testament and they to haue a true coppie of suche Debtes as be due vnto my by my booke; that they may the better see the receiptes and paymentes of my Legaceys aforesaied and to haue for theire paynes /eche of them\ a Dozen of the best silke poyntes as a token or remembraunce hereof. In witnesse whereof I haue put my hand to this my last will and testamente the eighteenth daye of Maye Anno Domini a thousand fyue hundred nyntie one [?Annoqr] Regni Regine [?mc] Elizabethhe tricesimo tertio.

The debtes which I owe.

Imprimis I owe to Master [?Hancey] grocer in London fortie seauen poundes or thereabouts. Item I owe to Master Hoskins mercer in London Fortie fower poundes. Item I do owe to Master Alderman Allott of London thirtie twoe poundes [~~?eleuen shillinges tenne pence~~]⁴⁶. Item I do owe to Master Bartholomew Some of London thirtie seauen poundes eleuen shillinges tenne pence. Item I do owe to Master Allin haberdasher in London Sixtene poundes. Item I do owe to william wheite in Couentree twenty poundes or thereabouts. Item I do owe to Thomas Fullforde twentie fower ponde sixe shillinges. Item I do owe to william Dickenson twentie ponde. Item I do owe to Master Iohn Combe fifteen poundes. Item I do owe to my Brother Limbe twentie ponde Item I do owe to Master Nicholas Lane sixteen poundes. Item I do owe to the chaumber of Stratford which I am behinde for in my accompte and for coles sixe ponde ten shillinges. Item I do owe to Master Queenye Fyue poundes or thereabouts. Item I do owe to Ambrose Lacye my cosen Seauen pound.

Debtes due to me besides my debte booke.

Imprimis my man Frauncys oweth me vppon his bandes a hundred and eighte ponde which I will shall goe towards the paymente of my debtes as aforesaied. Item Master Bartlet oweth me vppon his bande which I will allso to goe towards the payment of my debtes as is aforesaied three skore and seuen poundes. By me Humfrey Brace. Witnesses at the readinge and subscribinge hereof in the life and memorye of the saied Humfrey Brace. Richard Lane Iohn Combe Richard woodward. Humfry Plymley.

⁴⁶ It is unclear whether this section has been crossed out or underlined.

Edward Bramley⁴⁷

In the name of God Amen the xvth day of March in the yeare of our lord 1605 & in the third yeare of the Rayngne of our Soverayngne lord James by the grace of God of greate Bryttayne, Fraunce, & Ierland /kyng\ defender of the Fayth &c./ I Edward Bramley of Stratford Vpon Avon in the Countye of Warwycke ye[o]man, beyng sycke in body but of perfect memory (I thanke my lord God) ordayne and make this my last Will & Testament in maner & forme following/. Fyrst I bequeth my sowll vnto Allmightye God (trustyng to be saved by the merytts of Christes passyon) and my body to be buried in the Church yard of Stratford aforesayd/ Item I geve and bequeth vnto my sonne Willyam bramley fyve poundes of lawfull moneye of greate bryttayne to be payd vnto hym Wythin one yeare next after my decesse/ Item I geve and bequeth vnto the same Willyam thre good sheepe/. Also I geve and bequeth vnto the same Willyam my sonne a Flocke bed with the furniture therevnto belongyng/ a brasse pott, a kettle of brasse, and half a dosen of pewter// Item I geve and bequeth vnto my dawghter Elizabeth bramley fyve poundes of lawfull money of greate Bryttayne to be payd to her Wythin one yeare next after my decesse/ Item I geve and bequeth vnto the same Elizabeth my dawghter fowre good sheepe/ Allso I geve and bequeth vnto the same Elizabeth a Flocke bed Wyth two pere of sheetes, a pere of blankets, a bed covering, a boulster, a pyllowe, a pyllowe bure, a brasse pott, a kettle of brasse, a dosen of pewter, one large coffer that standeth at my beds Feete and one other little Coffe/ two beere barreles, one lome, & a payle/. These bequests done detts payd and legaces levied and my bodye honestlye buried then I geve and bequeth all the rest of my goodes moveable and vnmovaeble in Whose hands soever theye be, vnto Jone my wyf who I ordayne and make my sole exekatryx of this my last Will and Testament/ And I desire my trusty brother Thomas Bramley of Coughton /~~& my brother in law Thomas parker~~\ and my loving kynsman Thomas bramley of Welford to be my supervysers of this my last Wyll and Testament And they to have for theyr paynes there in to be taken xij d a peece of them

Sig Edwardus
Bromley

detts to be payd by myne exekatrix

Inprimis. vnto syr Thomas Lucye of Charlcote £ vij x s

Item to mayster John Brown of London xl s

Item to Thomas hornbee of Stratford Vpon Avon Smyth £iiij xj s vj d

Item more to the same Thomas hornbee xviiij s

detts to be received by myne exekatryx

Inprimis my ladye Grevell of Mylcote oweth me fyfty shillings

Item mayster payne syr Edward Grevells man oweth me £iiij vj s viij d

Item master Robert Somerfild the same syr Edwards man xs

Item Robert bullen oweth me x s

⁴⁷ SBTRO BRT 3/1/14.

Wytnesses/
Tho. Parker

Per Me William Gilbard alias higgs scriptor
Thomas Bromley

John Brechgirdle⁴⁸

In the name of God Amen the xxth day of Iune in the yeare of the Incarna[...] [...] lord Iesus Christe 1565 & in the seuenthe yeare of the Raigne of our soferaigne lady Elyzabethe by the grace of God Quene of England Fraunce & Irelande defendor of the faith &c. I Iohn bretchegyrdle Clercke vicare of Stretford Vpon Avon within the Cowntie of warwicke whiche am at this present visited with the hand of God howbehitt of Good & perfyte memorie thanckes be vnto God being desyrowes to [...] [...] in Redinese agaynste the vncerten owre of deathe Make my laste wyll & testament in manor and forme folowynge Fyrste I comend my soule vnto the hands of God to be Receiued of his fatherelye goodnese vnto the [?frucion] of his heauenlye kyngdom throwghe the merittes of our savior Iesus Christe And I bequethe my bodye to Christen buriall in the parishe Church or church yard wher I shall desease And I bequethe to the Church where my bodye shalbe buried vjs viijd for brea-kyng of the grownde for my buriall and to the poore mans Chest of the same parishe vjs viijd I bequethe to my sistar Mawde my beste gowne my Rownde Clooke or the prise therof in Money at hyr election or Choyse my fetharbed my beste Matteris my iij beste Whytte blanckettes my Neweste bedcoueryng of tapestry woorcke a bolster and a pelowe & ij peare of my beste flaxen shettes & my ij beste sylvar spoones And I gyue and bequethe to my sistar Elyzabethe wife of Iohn fynlowe my Gowne of brystowe frysse my Clooke with sleues or the prise of these parcelles in Money my second Matteris one blanckett my old lardge Coverynge of tapestrye woorcke & one peare of sheates & I bequethe to my Cosyn Rychard Gooden my beste Iackett dublett & hosen ij of my beaste shurtes ij of my beste peare of shewes my felte hatte & ij beste nyght Cappes & also my Iron tooles & of Carpentrye or the prise of these parcels in Money And of all the Money he owethe me I forgyue hym the halfe & Chardge hym to bestowe the other halfe vpon Reparyng & hyghe wayes wheare moste nyde is within a myle of his howse And I bequethe iij vjs viijd to be distributed amonge my poore kynsfolckes sustars Chyl dren accordyng to theare nessecitie I bequethe vjs viijd amonge the poorest folcke of the Lordshype of baguley where I was borne & vjs viijd amonge the poorest of wytton parishe & vjs viijd amonge the pooreste of greate budwoorthe parishe And I bequethe xls to be a stocke for almesfolcke of stretford to be Employed by the Chamberleyne from tyme to tyme for [?theye] of the saide almes folcke And xs to be delte amongeste the other pooreste of the said stretford And I bequethe my Clocke & vnio dissidentium to Iohn sauckye Clercke parson of shalston⁴⁹ Also I bequethe vnto Master brownsworde scole Master of stretford volfegangus musculus vpon matthewe & homilee Nansee Item I bequethe to the comon vse of the scolars of the free scole of stretford vpon Avon my Elyottes lybrarie of Coopers Castigacion Item I <beque> bequethe vnto my frende Robart bendbowe vicare of horley⁵⁰ the iij synging books that I bowght of hym & the other iij synging books for service in the Church & to thomas bendbowe his sonne parson of wapnam⁵¹ Margarita theologica bothe in Laten and Englyshe Item I bequethe to the Chyl dren of Master smithes as hearefolowethe to wylliam Apothegmata in Laten and Isope fables to his brother Rychard david [?salmes] & the actes of the aposteles bothe in Englyshe meter And one of my Copies [?vnbound] to Robart smithe my tullies offices in Englyshe & the actes of

⁴⁸ WRO 008.7 1565/48b.

⁴⁹ 'Shalstone', in Buckinghamshire?

⁵⁰ A town in Surrey.

⁵¹ Today's 'Wappenham', in Northamptonshire.

the apostelles in Englyshe meter to thomas smithe an other of my bookes the actes of the apostells in Englysh metar also to Iohn smithe saluste <ess> texte & Iustine to wyllam smithe the youngest sonne & to Alece savage & hyr sustar Elyzabethe to euerye of them xijd Item I gyue to my God sonne Edward wynnyngton my trye lingua lexicon grecum & to his brother Hewe wyanyngton I gyue my Iesephinum de antiquitatibus Indeorum bello & to my godsonne George Masterson my vergyll with comentt & horas with comentt also and I gyue to my godsonne Robart venables my Encheridion in Englyshe and Laten Item I gyue to the poore foundlyng that wylliam stubbes dothe kepe vs Item I gyue vnto Christofer sauckye Tullies offices texte of the Lardgeste volume & also vlettes dictionarie & to his brother wyll[i]am a sharte dictionarie for yonge begynners Also I gyue vnto my Cosyn Iohn Grantam my Coffe with the plate Locke & my wrytting deske & my Cooffers withoute lockes that stand in my loftes & all the Lockes & kayes that be vnoccupied Also I wyll that if Iohn peate well and trewlye kepe his day of paymentt of the dett spec[i]fyed in a byll of his hand that then the halfe of the whole dett shalbe forgeuen hym And I forgyue my tenante Iohn Gray a quartars Rent if he be so muche in my dett at the tyme of my deathe leavyng the howse sufficientlye repared & I wyll that none of all those Legasies be delyuared before my deathe And then my Executor to make delyuerye with convenyent Expedicjon Finallye all thesse Legasyes & my dettes paide & my Corpes honestelye browght home the Reste of [?all]⁵² my gooddes vnbequethed I wyll to be solde & the Money that shall aryse therof to be bestowed Amonge the poore of my kynsolckes And vpon other goodd woorckes Charitie at the discession of my Executor And I wyll that the dettes whiche are owyng me at this present be gathered in and to be bestowed as is said before And I wyll that if anye man wyll redeme my leasses he shall haue them xs vndar I paide I constitute orden & make myne Executor for that greate truste I haue in hym my Cosyn Iohn Grantam of stretford vpon Avon & for the trewe Execucion of this my laste wyll & testament I wyll that he haue for his paynes the xxs that Rodger atkyns owethe vnto me provyded alwayes that all the buldyng I haue bestowed coste vpon Remyne as hit is for the commodities of the vicars of stretford from tyme to tyme In wytnese wherof to these presentes my laste wyll I haue caused to be called to be as witnesses to the premises these persons whose names do folowe wyll[i]am smithe of stretford Mercer Adryan <G> Quynye of stretford mercer Iohn sadler of stretford mylner & Robart sawlsburie of stretford bruar with others

⁵² An ink blot partially obscures some text here.

Roger Burman of Shottery⁵³

In the name of god Amen the xvth day of January in the yeare of our lord god 1590 & in the xxxiiijth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eynghland Fraunce and Ierland defender of the Fayth &c. I Roger burman of Shottre in the parish of Stratford Vpon Avon in the county of Warwycke husbandman beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng/ fyrst I bequeth my soull to almighty God (trustyng to be saved by the merits of Christes passyon and my bodye to be buried in the Church yard of Stratford aforesayd/ Item I geve & bequeth vnto my sonne inlaw John Smart £ vj xiiij s iiij d eyther in money or cattell at the discretyon of my overseers/ Item my Wyll is that my Whole teeme shall remayne equally betwene Alice my wif & Thomas my sonne/ Item I geve and bequeth vnto my dawghter Phillip Carver in money xx s/ Item I geve & bequeth vnto my sonne Thomas Children to every of them a sheepe a peece Item I geve & bequeth vnto Thomas Smart ij sheepe/ Item I geve vnto my <sonne in laws> dawghter Phillips Carvers children a quarter of barley to be payd to them at the next harvest after my decesse/ Item I geve vnto the same Phillip my dawghter a land of Wheat at the next harvest/ Item I geve vnto my dawghter Annes pace wydow an yearlyng calf /Item my Wyll is that my sonne Thomas shall haue one of my yron bound /Carts\ This bequest done detts payd & legaces levyed & my body honestly buried then I geve & bequeth all the rest of my goods moveable & vnmmoveable <vnmmoveable> vnto Alice my wyf who I make my sole executrix of this my last wyll & testament & I desyre my trusty frynds Rychard burman & John pace to be my supervisors of this my last wyll & testament & they to haue for theyr paynes xij d a peece

Wyttnesses Willyam Gilbard alias higgs mynister in Stratford Steven burman with others

~~/Item my Wyll is that my sonne Thomas shall haue one of my [yron bound
Carts\~~

detts to be payd

Item I owe vnto Wyllyam Cawdry viij s

Item I owe vnto Elizabeth Rogers viij s

Item I owe vnto Thomas my sonne xl s

Item I owe vnto Agnes my dawghter v s iiij d

Item I owe more vnto my sonne Thomas x s

the sign of Roger

Burman testator

⁵³ SBTRO BRT 3/1/15.

Edmund Cale of Shottrey⁵⁴

In the name of god Amen the viijth day of Iuly Anno domini 1569 and the xjth <day> yeare of the Raingne of oure soueraigne lady Elizabeth by the grace of god Quene of England fraunce & Irelande defendor of the faith &c. I Edmonde Cale batcheler of Shottrey in the countie of warwicke beinge sicke in body but of perfecte memory I thancke my lord god ordayne & make this my laste will & testament in maner and forme folowinge, fyrste I bequeth my sowle to almighty god and my body to be buried in the churche yearde of Stretford aforesaid. Item I bequeth Amongeste the children of Thomas burman ij of my shippe of the mydle sorte Item I bequethe to Ioan burman doughter of Roger burman a ewe with a blacke face and a blacke flysse of wolfe, Item I bequeth to Thomas Inshawe a lytle white hogrell Item I geue vnto Elizabeth ball a lytle lambe, Item I bequeth to Agnes pace wiffe of Thomas pace a blacke flysse of woole, Item I bequeth to Iohn Robins ijs in money, and one of my shurtes Item I geue and bequeth vnto my maister Roger burman viijs which was betwene me and hym Item I geue vnto the almes folkes of stretford ijs in money The Reste of all my goodes Moueable & vnmoueable & debtes in whose handes soeuer it be I geue and bequeth them vnto Thomas <[?::e]> Cale my brother who I make my sole executor & I will that my mother katherine Nycols shall haue halfe my woll as yet vnbequethed, And I desire my master Roger burman and my godfather Richard hathwey to be my supervisers of this my laste will and testament & for their paynes to haue ijs viijd a peace witnesses Richard burman & william Gilbarte alias higgis with moe

Item I forgeue to alis Smarte that ijs iiijd which she owghte me

debtes to be reseauyd

Item my father in lawe Iohn <nyeh> nycols doth owe me xlxiij*s* iiijd [sic] which he Receaved of Richard hobbins

Item Steven burman oweth me xs

⁵⁴ WRO 008.7 1570/18.

Rychard Carleton⁵⁵

In the name of God Amen the second day of decembris in the xxvjth yeare of the Rayngne of our soverayngne lady Elizabeth by the grace of god Queene of Eyngland Fraunce, & Ierland defendresse of the faith &c I Rychard Carleton of Stratford Vpon Avon in the county of Warwycke Almes man beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last will & testament in maner & forme followyng fyrst I bequeth my soull to almighty god trustyng to be saued by the meryts of Christes passyon & my body to be buryed in the Church yeard of Stratford aforesayd / Item I geve & bequeth to my bretheryn & sisters of the sayd Almes howses all ~~the~~ /my\ wod & Coles that shall fortune to remayne in my howse at my decesse to be devydyd Equally amonge them also I geve & bequeth to my sayd bretheryn & sisters xijd in money / Item I geve vnto Phillyp starky sonne to peter starkye xijd in money / Item I geve & bequeth toward the repare of the lyttle chappell on the backesyde of the same Almes howses iiijd Item I geve vnto poore Symson iiijd / Item I geve vnto margery Foster iiijd / Item I geve vnto the tenaunts above the Almes howses viijd among them / Item I geve vnto Elizabeth Reve my Fellow my second coffer & in money viijd / Item I geve vnto the Wif of Willyam byddell one pewter platter / Item I geve vnto Edward Grene xijd & to the Children of phillipe Grene ijs equally amonge them Item I will that xiijs iiijd shalbe bestowed in the day of my buryall in bryngyng my corps to the grownd & among the pore The rest of all my goods moveable & vnmmoveable in whose hands soever they be I geve them to my specyall frynd Phillip Grene who I make my sole executor of this my last will & testament to se[e] the same Justly performed

Wyttnesses Willyam Gilbard alias higgs Curate ther Thomas Patricke henry Fassycarle & henry Wrytt with others⁵⁶

⁵⁵ SBTRO BRT 3/1/17. Proved 17/03/1585.

⁵⁶ Gilbard has written the names of all of the witnesses too.

Avery Clarke, spinster⁵⁷

In the name of god Amen the xvijth day of June Anno Domini. 1624. I Avery Clarke of Stratford upon Auon in the County of Warrwick spinster being weake & sicke in body but in good & perfect mind & memory (thanckes be to god) therefore doe ordaine & make this my last will & testament in manner & forme following, first I bequeath my soule into the hands of Almighty god my maker hoping by the merits of Jesus Christ my Redeemer to haue A sure and ioyfull resurreccion & my body to the earth from whence it was taken to be buried in the Churchyard of Stratford abouesaid for my worldly goods I dispose them as followeth First I giue & bequeath vnto Dorothy Crofts of Stratford abouesaid widowe the summe of tenne shillings of currant money of England, Item I giue & bequeath vnto Anne the wife of Robert Johnson of Stratford abouesaid Furrier the summe of Five shillings of like currant money, Item I giue & bequeath vnto one Peeter Woodhouse (a Chapman of small wares) /a bande a handkercher & a paire of garters the best I haue in my box\ & the like summe of fiue shillings of currant money of England. Item I giue & bequeath vnto Mary Beddson my seruant the like summe of five shillings of currant money of England & also all my wearing Apparell of what nature or quallity soever, Item I giue & bequeath vnto margaret James of old Stratford the summe of two shillings, And all the rest of my goods <leg> & Chattells whatsoever, (my debtes legacies & funeral expences dischardged I giue & bequeath vnto Robert Johnson of Stratford abouesaid Furrier, whom I make & ordaine my sole executor in this behalf & to performe this my said last will In witness wherof I haue heervnto put my hand & seale the day & yeare aboue written

Read /sealed\ and published

Memorandum the words viz: & a band a handkercher &

In the sight & presence of

a paire of garters the I haue in my box were enterlined

John Beddome

before the ensealing

Scr

Signum

Jone Raynolds

Signum

Signum

Avery

Elizabeth Royce

Clark

⁵⁷ SBTRO BRT 3/1/19.

George Colchester⁵⁸

In the name of God Amen the xxvijth daie of Iulie anno domini 1636 I George Colchester of the Burroughe of Stratforde vpon Avon in the Countie of Warwicke Sadler beinge weake in body but of perfecte remembrance praised be God, doe ordaine & make this my last will & testament in manner & forme followinge viz^t First I commend my Soule into the hands of Almighty God my maker assuredly trustinge in & by the mercy & merites of Iesus Christ my Saviour & redeemer that my Soule shalbe euerlastinglie Saved, And I give My bodie to the earthe from whence it was taken to be buried in the Churchyard of Stratford aforesaid neere to the place where Martha my first wife was buried. And for the worldly substance which God of his great mercie hath lent mee I dispose therof as followeth viz^t Imprimis I give devise & bequeathe vnto Margaret my daughter and to her heires & assignes for ever, All that Tenement with thappurtenances in Bridgstreete within the said Burroughe of Stratford wherin Nicholas Ingram doth nowe inhabite & dwell But my will & meaning is that my said daughter Margaret in consideracion of this my bequest, shall paie or cause to be paid vnto Ioane my youngest daughter Fiftie shillings of lawfull money of England within two yeares next after my decease

Item I give devise will & bequeath vnto Alice my daughter & to her heires & assignes for euermore, all that other Tenement with thappurtenances adioyninge vnto the former within Bridgstreete & Burroughe aforesaid wherin Robert Bellame Skinner doth inhabite & dwell, But withall provided & soe my will & meaninge is that my said daughter Alice in consideracion of this my gifte shall likewise paie or cause to be paid vnto my said daughter Ioane Fiftie shillings of like Lawfull money of England within two yeares next after my decease, Item I give devise & bequeathe vnto Anne Colchester another of my daughters the lease of my house or Tenement in the highstreete within the said Burroughe wherin Gabriell Holland Shoemaker doth nowe inhabite & dwell, But provided alwaies and soe my will & meaninge is, that my said daughter Anne in lieu of this my gifte shall paie or cause to be paid vnto my said daughter Ioane twentie shillings of like lawfull money of England within two yeares next after my decease. And my will & further meaninge is and soe I devise, that the aforesaid sixe pounds by mee given to my said daughter Ioane, shalbe paid into the hands of Isaach Hitchcoxe my fatherlawe & friend for the vse of the saide Ioane, And by him to be employed vnto some benefit for her behalf, and paid vnto her when shee accomplisheth the age of one & twentie yeares, or day of mariage which of them first shall happen. Item I give & bequeathe vnto Thomas Seamey my servant half of all my wares ready for Sale & all my Shoppe tooles whatsoever. Item I give & bequeath vnto my Cousin & Goddaughter Marie Noble five shillings of lawfull money of England. Item I give & bequeathe vnto Alice dale widdow who hath taken paines with mee in my sicknes the like Summe of five shillings. Item I give & bequeath vnto Anne my servant two shillings. Item my will & meaninge is and soe I devise that if my goods wares & housholdes vnbequeathed, shall arise & amount vnto five pounds ouer & above discharginge my funerall expences & payinge of my debtes, then I doe give & bequeath vnto Francis Crofte that hath taken much paines with mee five pounds of Lawfull money of England, But if the said goods wares & housholde shall not amount vnto soe much money as five pounds ouer & above discharginge my funerall expences and payinge of my debtes, Then I doe onlie give & bequeathe vnto her the said Francis, the

⁵⁸ WRO 008.7 1636/50.

remainder & ouerplus of the said goods wares & housholdes, that shalbe in arreare & lefte after my said funerall expences is discharged & my debtes paid And all the rest of my goodes mooveable & vnmooveable Cattells & Chattels vnbequeathed, my funerall expences discharged my debtes & legacies paid I give & bequeathe vnto my said two daughters Margaret & Alice Colchester whom I ordaine & make my executrixes to the intent they shall honestlie & faithfully performe this my will, And I doe nominate & request my said lovinge fatherlawe Isaach Hitchcoxe, to take the said Sixe pounds of Iones into his hands and imploy it to the best profit, and him & my Lovinge friend Iohn Wolmer the younger of Stratford aforesaid to be the ouerseers of this my will. In wittnes wherof I heervnto have putt my hand & Seale the day & yeare first within written

Read Sealed & published in the Sight & presence of

Iohannes Beddome Scriptor

William Walker

Iohannes Wolmer iunior⁵⁹

⁵⁹ Each of these appended names looks to be in the same handwriting as the scribe's. There is also no mark or signature of the testator's, which means that this is probably a court copy of the original.

John Combe⁶⁰

[Extracts from the Registry of the Prerogative Court of Canterbury. By a strange neglect the Registrars have omitted to give the date of John Combe's will which is prefixed to it. It was made Jan^y 28, 1612-13 EM. H. ob. 10 Iuly 1614]⁶¹

In the Name of God Amen I John Combe of Old Stretford in the County of Warrwick Gentleman being both in perfect Health and memory God be thanked do make and ordain and declare my last will and Testament in manner and form form [sic] following (that is to say) first I commend my Soul to God my maker hoping and stedfastly believing that through the only Merits of Iesus Christ my alone Saviour and Redeemer I shall after this life ended be partaker of the life everlasting and my Body to be buried in the Parish Church of Stretford upon Avon in the said County of Warrwick near to the Place where my mother was buried and my Will is that a convenient Tombe of the value of threescore pounds shall be by my Executors hereafter named out of my Goods and Chattels first raised within one year after my decease be sett over me Item I giue and bequeath to my Cousin Sir Henry Clare Knight two hundred pounds of lawful English money to be paid unto him within six months after my decease and if he die before then I will and bequeath the said two hundred pounds to Frances Clare his Daughter to be paid to her within the said six months Item I give and bequeath to my brother John Combe all that my Messuage or Tenement with the appurtenances wherein William Cawdery alias Cooke now dwelleth situate lying and being in Warrwick in the said County of Warwick near and adjoining to the Gable there to have and to hold the same unto the said John Combe my Brother for and during the term of his life and after his decease the Reversion and remainder thereof to be to the use and behoof of the Heirs males of the Body of the said John Combe lawfully begotten and to be begotten and for want of such Heirs to the Heirs males of the Body of my Nephew William Combe Esquire and the Heirs Males of his body lawfully begotten and to be begotten and for Default of such Heirs to the use and behoof of my Nephew Thomas Combe Gentleman and of the Heirs males of his Body lawfully begotten and to be begotten and for default of such Heirs to my Brother George Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the Right Heirs of me the said John Combe for ever Item I give and bequeath to the Children of my Brother John Combe the sum of three hundred pounds of lawful English Money to be paid unto them within six Months after their fathers decease and to be equally divided amongst them I mean those of his Children as shall be living at his decease and in the mean time my Will is and so I bequeath and devise the said three hundred pounds shall within one year after my decease be raised out of my Goods and Chattels and be sett fourth or otherwise employed to the best use it may be and the use and Profitt coming thereof to be paid yearly to my said Brother John Combe during his life to his own use and towards the bringing up of his Children Item I give will devise and bequeath unto the said William Combe one Close or Ground with the appurtenances called Pole Close, /one Close\ or Ground called Wallnuttrye Close and /one\ other Close or Ground with the Appurtenances lately divided into two grounds called Ingon Grove, all of them situate lying and being within the parish of Bishops Hampton alias Hampton Lucie in the said County of Warrwick. To have and to hold the same to the said William Combe and the Heirs Males of his Body lawfully

⁶⁰ TNA PROB 11/126/415.

⁶¹ This is written at the top and in the margin towards the beginning of the will.

begotten and to be begotten and for default of such Heirs the Reversion and Remainder thereof to be and remain to my said Nephew Thomas Combe and the Heirs males of his Bodie lawfully begotten and to be begotten and for default of such Heirs to my Brother George Combe for and during his /natural\ life and after his decease to my Nephew John Combe son of the said George and to the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the use and behoofe of my Brother John Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the Right Heirs of me the said John Combe for ever Item I give will bequeath and devise to my said Nephew Thomas Combe all those Grounds or Closes of Land Meadow and pasture lying and being in Hampton aforesaid with their and every of their appurtenances called or known by the several Names of Syndrye Meadow Rynell alias Rynhill and Priest Croft to have and to hold the same to my said nephew Thomas Combe and to the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs the said last mentioned premises to be and remain to the use and behoof of the said William Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to my said Brother George for and during his natural life and after his decease to my said Nephew John his son and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such heirs to my Brother John and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the Right Heirs of me the said John for ever Item I give will bequeath and devise unto my said Brother George Combe all those Closes or Grounds with the appurtenances called or known by the name of Parsons Close alias Shakesperes Close lying and being in Hampton aforesaid to have and to hold the same to the said George Combe for and during the term of his natural life and after his decease the said last mentioned premises with their appurtenances and the Reversion and Reversions thereof to be and remain to my said Nephew John Combe and the Heirs males of his body lawfully begotten and to be begotten and for default of such Heirs to my Nephew William Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to my Nephew Thomas Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to my said Brother John Combe and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the Right Heirs of me the said John Combe forever Item I give and bequeath unto Thomas Raynoldes Son of Thomas Raynoldes of Old Stratford aforesaid Gentleman one hundred pounds of lawful English Money to my Cozen Margaret Raynoldes Wife of the said Thomas Raynoldes the Elder one hundred pounds of lawful English Money to the Children of Jane Featherston Daughter of the said Thomas Raynoldes the Elder one hundred pounds of lawful English money equally to be divided amongst them and to be paid unto the said Children at the decease of the said Jane and my Will and meaning is and so I devise and will that the said one hundred pounds shall within one Year after my decease be sett forth by my Executor and Overseers to the best use and Commodity that may be and the use thereof coming shall be paid and Yearly to the said Jane during her life for her maintenance Item I give and bequeath to Margarett Raynoldes Daughter of the said Thomas twenty pounds to every one of the rest of my Cousin Thomas Raynoldes his Children ten pounds apiece to be paid within one Year after my decease and my Will is and so I devise that if any of the Children of the said Thomas Raynoldes happen to die then his her and their Legacy so dying shall be and remain amongst the rest of his now Children as shall be then living equally to be divided amongst them Item I give and bequeath to my Brother George Combe my best Suit of

Apparel and my second Gown and if he be not living at my decease my Will is that his Son shall have the said Apparel and Gown Item I giue and bequeath to my Sister Hvett and her Children one hundred Marks of lawful English money to be paid within six Months after my decease and to be equally divided amongst them Item I give and bequeath unto my Nieces Mary Combe and Joyce Combe daughters of my Brother Thomas Combe deceased one hundred pounds apiece of lawful English money to be paid within one Year after my decease and if either of them die before her Legacy be due to them my Will is and so I devise that her Legacy so dying shall be paid and remain to the Survivor of them and if both of them so dye then my Will is and so I devise that both their Legacies shall remain and be paid unto my Brother George his two Daughters equally to be divided between them Item I give and bequeath to my said Brother George his two Daughters one hundred marks apiece of lawful English money to be paid unto them within one year after my decease and if either of them die before that time her legacy so dying shall remain and be paid to the Survivor of them and if they both die before their Legacies be due my Will is and so I do devise that both their legacies shall remain and be paid unto the said Mary and Joyce Combe equally to be divided between them Item I do give will and devise unto my Cousin Margaret Reynoldes Wife of the said Thomas Raynoldes the Elder all my Right and Title I have to those Grounds called Samon Tayle lying and being within the Parish of Stretford apon Avon in the said County of Warrwick to have and to hold the same for and during the term of her natural life and after her decease the said last mentioned premises and the Reversion thereof to be and remain to william Reynolds her Son and the Heirs Males of her Body lawfully begotten and to be begotten and for default of such Heirs to Thomas Reynoldes her Son and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to Walter Reynoldes her Son and the Heirs Males of his Body lawfully begotten and to be begotten and for default of such Heirs to the Right Heirs of the said Margaret Reynolds for ever Item I give bequeath and release unto my said Cozen Thomas Reynolds the Elder all such Sums of money and debts which he oweth unto me and thereof and of all Reckonings Accompts and Demands whatsoever I do by this my Will release acquit and discharge him the said Thomas Reynoldes the Elder his Heirs Executors and Administrators for ever Item I give and bequeath unto my said Cousin Margarett Raynoldes all my plate my best Gown and all my Household stuff except my Apparel Item I give and bequeath unto my Servant Richard Mason if he be my Servant at my Death Fifty pounds of lawful English money to Andrian Holden if he by [sic] Servant at my Decease thirty pounds of lawful English money To John Featherston ten pounds to Robert Davies if he be my Servant at my Death twenty pounds to Richard Burnett if he be my Servant at my decease twenty shillings and to Panckeridge if he be my Servant at my decease Forty shillings and to my Cousin Thomas Reynoldes the Elder his Servants such as shall be his servants at my decease five shillings apiece All these Legacies to be paid within one year after my decease Item I give and bequeath to my Uncle John Blunt if he be living at my decease forty shillings to buy him a Ring To my Cozen Anne Dickins five pounds to buy her a Ring To my God Daughter Garden twenty pounds and to her sister ten pounds to be paid within one year after my decease Item I give will and bequeath one hundred pounds of lawful English Money to be used and imployed for ever according to my Intent and meaning hereafter expressed in this my will that is to say and my Will is that my Executors and Overseers hereafter /herein\ named shall within one year after my decease upon good and reasonable Security lend the said hundred pounds unto fifteen Poor or Young Tradesmen occupiers or Handicraftsmen dwelling within the Borough of

Stratford upon Avon aforesaid viz^l to every one of them twenty Nobles apiece for the term of three years every one of them paying Yearly during the said three Years the Sum of three shillings and four pence at the Feasts of Saint Michael the Archangel and the annunciation of blessed Mary the Virgin by equal Portions and at the end of the said three Years to fifteen others for three Years every one paying yearly 3s 4d in manner aforesaid so from three Years to three Years for ever paying as aforesaid according to my true meaning which paid yearly several Sums of three shillings and four pence before mentioned to be paid as aforesaid for the said one hundred pounds shall be and for ever remain to the use of the almesfolks of Stretford aforesaid and my Will is and so I do desire that my Executors and Overseers or the Survivor of them will take such order either with the Bailiff or Burgesses of the Borough of Stratford aforesaid for the time being or by some other way or mean that the said hundred pounds and the benefit thereof coming may continue for ever according to my Meaning before expressed Item I give and bequeath to the Poor of Stretford twenty pounds to the Poor of Warrwick five pounds and to the Poor of Alcester five pounds Item I give unto William White forty shillings which he oweth me by Bond if he be living at my decease and the same Bond to be cancelled to Master William Shackspere five pounds and to my Landlord John Davies ~~<x>~~/40's Item I give and bequeath unto Francis Collines the Elder of the borough of Warrwick ten pounds of lawful English money and to my Godson John Collens his Son other ten pounds of like lawful English money to be paid unto them within one Year after my decease and if either of them die before receipt of his said Legacy then my Will is and so I devise and bequeath that the Survivors of them shall have his legacy that shall so happen to die and if the said Francis and John Collens happen to die before the time appointed for the payment of their Legacies then my Will is and so I devise and bequeath both their Legacies of ten pounds apiece to Suzanna Collens Wife of the said Francis and to the Eldest Son of the said Francis equally betwixt them Item I give and bequeath to the said Susanna Collens six pounds thirteen shillings four pence of lawful English Money and to Master Henry Walker twenty shillings Item I give and bequeath unto my Servants Richard Mason and Adrian Holden if they be my Servants at the time of my decease all my Wearing Apparel not before given except that Apparel that was my Uncle /William\ Combes and if they be not my Servants then to such persons my Executors shall appoint Item I give and bequeath to my Cousin Thomas Reynoldes the Elder and Margaret his Wife my Team of Oxen which I shall have at my decease and /if\ I then shall have no Team then I give and bequeath forty marks of lawful English Money and also I give unto them the said Thomas and Margaret my Waynes Tumbrells Ploughs and other things belonging to a team Item I give and bequeath unto sir Francis Smith Knight five pounds to buy him a Hawke and to the Lady Anne his wife Forty pounds of lawful English money to buy her a Bason and Ewer and unto Mistress Palmer the Wife of John Palmer Esquire ~~<x>~~ /40's to buy her a Ring Item I give and bequeath to every one of my God Children before not named five shillings apiece Item I ~~<will>~~ give /will\ bequeath and devise to my Cozen Thomas Combe his Heirs and assignes for ever All my Meadow Ground with the Appurtenances in Shottery Meadow to the uses intents and purposes hereafter herein mentioned that is to say that he the said Thomas Combe his Heirs and assignes shall Yearly and every year for ever pay to a learned Preacher twenty shillings to make a Sermon twice a Year at Stretford Church aforesaid and also shall and do Yearly and every Year for ever one week before the Feast of the nativity of our Lord God give and deliver to such ten poor people within the Borough of Stretford upon avon aforesaid as shall be Yearly appointed and elected by the Bailiffe and Chief Alderman for the time being of the

said Borough and two of the Antientest Aldermen their ten black Gowns every one of them worth thirteen shillings and four pence apiece and if my said Nephew Thomas Combe his Heirs or Assigns shall or do not pay the said twenty shillings yearly to a Preacher and give and deliver the said Gowns then my Will is and so I will and devise that it shall be lawful to and for the Bailiffe and Burgesses of the Borough of Stretford aforesaid and their Successors for the time being from time to time and at all times hereafter so often as the said twenty shillings shall not be Yearly paid to a Preacher or the said Gowns or any of them delivered and given as aforesaid according to my Will and meaning herein mentioned to enter into the said Meadow Ground and every part and parcel thereof and the Issues and Profits thereof to take and out of the said Issues and Profits thereof to pay give and satisfy the Yearly Sum of twenty shillings so behind unpaid and the arrerages thereof if anie be together with the said Gowns as shall be behind undelivered according to this my Will and after the said Meadow Ground to be to the said Thomas Combe his Heirs and assigns Charged as aforesaid Item I give and bequeath to every one of my good and just debtors for every twentie pound that any Man oweth me twenty shillings and so after this rate for a greater or lesser debt to be delivered back unto them my Executors when they pay in their Debts. All the rest of my Goods Chattels Leases Credits and Rights whatsoever after my Debts and Legacies paid and my Funerals [sic] discharged according to my degree and my Will performed which I will and charge my Executors to do within one Year and an half after my decease upon pain of Forfeiture of such Legacies as well of Lands as money or goods I have or do herein give and devise unto them I give and bequeath unto my said Nephew Thomas Combe and I do make and ~~appoint~~ /ordain\ the said Thomas Combe Sir Richard Verney Knight and Bartholomew Hales Esquire Executors of this my last Will and Testament and I do give and bequeath to the said Sir Richard Verney and Bartholomew Hales twenty pounds apiece of lawful English money and also I do nominate and appoint Sir Edward Blunt Knight Sir Henry Rainsford Knight Sir Francis Smith Knight and John Palmer of Compton Esquire to be Overseers of this my Will unto whom I give five pounds apiece or unto every one of them a Silver Salt worth five pounds Item I give to Mistress Barnes Forty shillings to buy her a Ring and to the Lady Rainsford Forty shillings to buy her a Ring and my Will is and so I do devise that if any person whatsoever before named shall dislike of such Legacies as I have herein devised or bequeathed unto them and not hold themselves therewith contented shall lose the same and all the benefit that they can any way claim by this my Will and I do hereby revoke all former Wills by me heretofore made and do declare and publish this to be my last Will and Testament and have unto every sheet hereof written my name John Combe.

Thomas Combe of Old Stratford⁶²

The will of Thomas Combe the elder of Old Stratford Esquire made in the presence of Henry Raynsford knighte William Barnes Esquire Iohn Combe gentleman Frauncys Collyns gentleman and others the xxijth Day of December 1608 Annoqr regni Regis Iacobj: Sexto et quadragesimo

My will and meaning is and my desire at the handes of my vncler william Combe and my brother Iohn Combe of Stratford ys: That whereas I with them twoe stand ioyntly seised vnto vs for the lives of my twoe sonnes William and Thomas and for the life of my Brother Iohn Combe the younger of and in the Rectorye or parsonage of Sowthe Cerney in the Countie of Gloucester with all howses glebe landes tythes oblacions and other appurtenances to the saied Rectorye or parsonage belonging but in true Intent and meaning to myne owne vse, and intruste, and to be disposed at my will and pleasure. That my sayed Sonne Thomas is to haue and may and oughte to haue by the intent of this my Will to be assured vnto hym forthe of the same premisses One Annuitye or yerelie Rente of thirtie poundes per Annum to be paied by halfe yerelie paymentes viz^t At the Feastes of Thannunciacion of the blessed virgin Marye and Saint Michaell tharchangell or within fourteene Dayes after by equall portions The first payment thereof to begynne at suche of those twoe Feastes which shall happen next after my Decease or within fourteene Dayes next after suche Feastes. The same rent to endure onlie so longe as vntill one Custumary mesuage and tenement with thappur-tenances parcell of the Mannor of Alvechurche in the Countie of Wigorn knowen by the name of Byttell alias Bythell Coppiehould shall by and accordinge to the custome of the sayed Mannor of Alvechurche and by vertue of one graunte thereof heretofore made in Reversion by coppie of Courte Roll to Thomas Warren esquire and the saied Thomas Combe and william Combe my Sonnes, successiuelie, and of one deede made by my saied vncler William Combe bearinge Date the Tenth daye of Maye, or of any of them or of any Surrender or other Acte of the saied Thomas Warren shall or ought to come in actuall possession of my sayed Sonne Thomas And my meaninge ys that the sayed thirtie poundes yerelie Rente shall vpon the Deathe of the saied Thomas my sonne cease whether the sayed Coppiehould euer come to his handes or noe And my meaninge entente and further desire ys that out of the Rentes and the Residue of the profittes to be made of the sayed Rectorye or parsonage and other the premisses belonging to the same ouer and aboue the saied thirtie poundes yerelie Rent and ouer and aboue the <yerelie> Rent of Fourteene poundes a yere to be paied for the same and other reasonable chardges, shalbe for the further levyinge making and raysinge of so muche of the seuerall portions hereafter in this my Will seuerallie willed and intended vnto my seuerall daughters Mary Combe and Ioyce Combe as may not be made of my goodes and Chattells according to my meaninge hereafter in this my Will expressed. And my meaninge Ys that vntill my sayed daughters seuerall dayes of their marriages, there shall fourthe of the sayed profittes be yerelie payed to either of them at the Feastes aforesayed Fifteene poundes a peece for their mayntenance And to my daughter in lawe Brigitt younge the yerelie rente of sixe poundes thirteene shillings fower pence to be payed to her Yerelie for her mayntenance vntill the porcion to her hereafter in this my will /to her\ bequeathed shalbe payed her or oughte by my meaninge hereafter expressed to be paied her yf the estate in the saied Rectorye or parsonage shall so longe continewe vndetermined. Item I deuise giue and bequeathe vnto

⁶² TNA PROB 11/113/130.

my saied sonne Thomas my Lease Landes in Alvechurche aforesaid heretofore assigned vnto me by my sayed vncler William Combe To haue to my saied sonne his executors and assignes for fower score and nyneteene yeres to be accompted from the daye of the making of this my Will yf my sayed Sonne Thomas do not in the meane tyme dye vnmarrayed. And after the same estate so to hym by me devised /ended\ and determyned I do deuise will and bequeathe the same to my sayed sonne William Combe To haue for fowerscore and nyneteene yeres to be accompted from the first daye of February next yf my saied sonne William do not in the meane tyme dye vnmarrayed: And after the same estate so to my sayed sonne William Devised ended and Determyned my meaning ys and I do deuise will and bequeathe the same to my sayed daughters mary and Ioyce To haue to them by equall moyties and in common for fower score and nyneteene yeres to be accompted from the twelueth daye of Marche nowe next comming. And my Will purpose meaninge and desire ys that the estate of and in the sayed Rectorye or parsonage and other the premisses ther/vn\to belonging shalbe assured vnto my sayed sonne William Chardged neuertheless with the sayed Rent of thirtie poundes to my sayed Sonne Thomas and other the sayed maytenances vnto my sayed daughters and to and for the helpinge to make vp their portions (yf my goodes according to my meaning herein shall not amounte to the Doynge therof and performing my other <[?prouises]> /purposes\ in this my Will declared. Item I Will deuise and bequeathe vnto my saied daughter Marye for her portion and preferment in marriage the somme of fower hundred poundes of lawfull money of England, the same or so muche thereof as by that tyme may be made of the profittes of Rentes of the saied premisses and my Leases and goodes according to my meaning to be payed vnto her within one Yere next after the Daye of her marriage. And I do also will Deuise and bequeathe vnto my sayed daughter Ioyce for her portion and preferment in marriage the somme of Fower hundred poundes of like lawfull money of England, the same or so muche thereof as by that tyme may be made of the profittes and rentes of the saied premisses and my Leases and goodes according to my meaning to be payed vnto her within one Yere next after the Daye of her marriage. And my will entent and meaninge ys that yf the saied portions be according to my meaning hereafter expressed made before the /saide\ seuerall Dayes of their marriages: That then from the tyme of the<ire> /saide\ seuerall portions made the same shalbe put out to reasonable encrease for the betteringe and augmentacions of their /said\ seuerall portions. And yf either of my sayed daughters Mary or Ioyce shall departe this life before she be marryed Then my Will entent and meaninge Ys that the portion of suche daughter so departing this life shalbe payed and goe to the other of my saied twoe daughters within one Yere after the marriage of suche ouerlyving Daughter yf the same may be so soone made and levyed as herein is intended And withall my further will entent and meaninge ys that yf bothe my sayed twoe daughters Mary and Ioyce shall happen to departe this life before marriage Then my Will entente and meaninge Ys that one fower hundred poundes of the saied twoe fower hundred poundes shalbe paied vnto my sayed sonne Thomas within one yere after the Deathe of the ouerleiving daughter of my sayed twoe daughters And that the other Fower hundred poundes of the saied twoe Fower hundred poundes shalbe paied vnto my sayed sonne William within one yere next after the Decease of the ouerlyving Daughter of my sayed twoe daughters Item I will giue and bequeathe vnto my sayed Daughter in lawe Briget Younge in satisfaction of all Demaundes to be made by her or any other for her /or\ to her vse for or by reason of any bonde heretofore made by me or otherwise howsoeuer, and of my bountye to her for her well deserving at my handes the somme of twoe hundred and fiftie poundes to be payed vnto her

in manner folowing and vppon the condition hereafter expressed namely one hundred poundes thereof to be payed within one Yere after my Deceasse and the other hundred and Fiftie poundes residue within one Yere after the marriage of the sayed Brigett and in the meane While the same hundred and Fiftie poundes to be lett fourthe for the better mayntenance of the sayed Brigett. And my further meaninge Ys that yf my sayed daughter in lawe shall happen to departe this life before marriage: Then I will the same Legacy as touching the saied hundred and fiftie poundes shall cease Determyne and be voyde as to her, and shalbe and go vnto my sayed twoe daughters mary and Ioyce to be equallie Devided betweene them. Item I do will giue and bequeathe vnto Mary my Welbeloued wife the howse I dwell in called the Colledge house and the ortyarde gardens and other Appurtenances therWith to me by our late soueraigne Ladye Quene Elizabeth demised. To haue and to hould vnto her for and during the terme of Thirtie yeres, to be accompted from the daye of the date of this my last will and testament yf she shall so longe lyve sole and vmarryed committing no Willfull Waste: And my meaning will and entente ys that my saied wife shall haue the vse and occupation of all Tables bedsteades and other standerdes nowe remaying in and abowte the sayed house during her Widdowhood (except the best Bedsteade which I will giue and bequeathe vnto my sayed sonne William with the best Bedd and best furniture therunto belonging to haue to his owne vse. Item I giue and bequeathe vnto my saied sonne Thomas, a good Featherbed and Furniture therunto belonging my siluer Iugg with twoe Eares and my siluer Tankard with the Cover thereof. Item I giue and bequeathe vnto my saied wife one siluer Cuppe, one siluer boll and a guilte casting Bottle. The Residue of my plate and siluer spoones I giue and bequeathe vnto my saied sonne William. Item I giue and bequeathe vnto my godsonne Henry Raynesford a gould Rynge worthe Fortie shillings With the Armes of the Rainsfordes therein to be engraven. And after the saied estate to her devised determined and ended the same house gardens ortyarde and appurtenances and vse of the sayed Tables Bedsteades and Standerdes shalbe to my saied sonne William. To haue the same and vse of the sayed Tables bedstedes and Standerdes for and during the terme of sixe and thirtie yeres to be accompted from the twentieth daye of September nowe last paste yf my saied sonne do not in the meane tyme dye vnmaryed And after the same estate and tyme of occupation of the saied tables Bedsteades and Standerdes ended I will Devise and bequeathe the same and the occupation of the saied Tables Bedsteades and Standerdes vnto my saied sonne Thomas To haue the same and vse the saied tables bedsteades and Standerdes for and during the terme of Sixe and thirtie yeres to be accompted from the Sixe and twentieth daye of September nowe last paste yf my saied sonne Thomas do not in the meane tyme dye vnmaryed. And after the same estate and tyme of occupation of the sayd Tables Bedsteades and Standarddes ended I will devise and bequeathe the same and the occupacion of the saied Tables Bedsteades and Standarddes to my saied twoe Daughters mary and Ioyce To haue the same and vse the sayed Tables Bedsteades and Standarddes equally and in Common for and during the terme of Sixe and thirtie yeres to be accompted from the Feaste of Saincte Michaell Tharchaungell nowe last paste: All and euery other Landes Tenementes tithes and other hereditamentes of what nature kynde or qualitie so euer the same ar or to be wherein I haue any estate righte title or Interest for yeres I do severally giue will Devise and bequeathe vnto my saied sonne William: To haue and to hould euery of the same vnto my saied sonne and his executors and assignes for and During so many Yeres and so longe tyme within one monethe as ar seuerally and respectiuelie to come in the seuerall respectiue Leasses thereof yf my saied sonne William Do not in the meane tyme dye vnmaryed. And after the same seuerall estates so devised vnto my

sayed sonne william ended and determined my meaninge Ys and I do devise will giue and bequeathe vnto my sayed Sonne Thomas all and euery the sayed Landes Tenementes Tythes and other hereditamentes wherein I haue any suche estate Righte title or Interest for yeres To haue vnto hym my sayed Sonne Thomas and his Executors and assignes for and duringe so many Yeres and so longe tyme within Tenne dayes as ar seuerallie and respectiue to come in the sayed seuerall respectiue Leasses thereof yf my saied sonne Thomas do not in the meane tyme dye vnmarried And after the same seuerall estates so devised vnto my sayed Sonne Thomas ended and deternyned my meaninge Ys, and I do devise will giue and bequeathe vnto my saied daughters mary and Ioyce all and euery the same Landes tenementes tythes and other the sayed hereditamentes wherein I haue any suche estate righte title or interest for yeres. To haue vnto them and to their executors and assignes equallie and in Common for and during all the seuerall residues of the seuerall yeres therein respectiue to come and vnexpired. Item I giue and bequeathe vnto my saied vncl William Combe a peece of plate of Fyve poundes valewe: And to my sayd Brother Iohn Combe a peece of plate of Fyve poundes valewe. And I giue vnto my sayed wife one hundred poundes to be paid vnto her within one Yere after my Decease yf it may conveyently so soone raysed. Item I do will require and chardge my sayed Sonne William to assure vnto my Brother George Combe for and during the naturall life of my sayed brother one Annuitie or yerelie Rent of three poundes thirteene shillinges and fower pence of lawfull money to be payed by vsuall halfe yerelie paymentes. The first payment thereof to begynne at suche of the Feastes of Saincte Michaell and Thannunciacion &c. as shall first happen after my decease My household stuffe and ymplementes of household whereof there is no disposicion before herein made I will giue and bequeathe vnto my saied wife: My Cattell of all sortes and all corne and grayne and wooll and all goodes and Chattells not reckoned [sic] nor accompted household stuffe nor ymplementes of household my debtes payed Legaceys performed and funeralls dischargd I giue and bequeathe vnto my /said\ sonne william: And my meaninge Ys that out of the same and fourthe of the yerelie Rentes yssues and profittes of the premisses wherein I haue any estate /or interest\ for yeres, and the saied Rectorye of Sowthe Cerney the Legaceys by me bequeathed maye according to my true meaning aforesayed be made and raysed Item I giue vnto my Servaunte Iames Fortie shillinges of lawfull money And I will that the debt I owe vnto hym beyng Fifteene poundes thirteene shillinges and fower pence /or thereaboutes\ be paid with conveyent speed. Item I giue to the poore of Stratford fyve poundes. Item I giue to the repayer of the churche Sixe shillinges eighte pence. Prouided and vppon condition bee the aforesaid Legaceys and bequestes my sayed wife and my saied daughter Brigett That yf all the bondes by me at any tyme heretofore made to or for the benefitt vse or behoofe of them or either of them be not deliuered vp to my executors to be Cancelled within one monethe after my decease that then the seuerall Legaceys by me to them before bequeathed and my bequeastes to them hereby made shalbe vtterlie frustrate and voyde to all intentes and purposes (any thinge in this my Will conteyned to the contrary notwithstandinge) I ordayne and make executors of this my last will and testament my sayed good vncl William Combe and my sayed welbeloued Brother Iohn Combe Ouerseers of this my Will. [sic] I make my good Freindes Sir Henry Rainesford knighte and william Barnes esquire reposing a speciall truste and confidence in them. And I giue to them for their paynes twentie shillinges a peece. In witesse that this is my last will and that I would haue yt putt into further forme of Lawe yf neede be I haue vnto euery sheete hereof beyng fyve in all put to my marke these beyng Witnesses Henry Rainesford william Barnes Thomas Greene Francis Collyns

Whereas by my last will and testament bearinge date the twoe and twentieth daye of December in this Sixte yere of the Raigne of our Lord kynge Iames of England Fraunce and Ireland I named my good vncler william Combe Esquire and my beloued Brother Iohn Combe of Old stratforde gentleman my Executors thereof. My minde and will ys and I doe hereby Declare for considerations me sythence movinge that my beloued sonne William Combe shalbe sole and only Executor of ~~this~~ my sayed will and testament. And I do appoynte and entreate my sayed good vncler and my saied welbeloued brother to be ouerseers of my saied will and testament together with other the ouerseers in my sayed Will named. Witnesses hereunto Thomas Greene Iohn Combe Francis Collyns Iohn Ley

Willyam Cootes⁶³

In the name of God Amen the xth day of September in the yeare of our Lord God 1597. And in the xxxjxth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eyngland Fraunce & Ierland defender of the Fayth &c. I Willyam Cootes of Stratford Vpon Avon in the countie of Warwycke Skynner, beyng sycke in body but of Whole & perfect memory, I thanke my lord god, ordayne & make this my last Wyll & testament in maner & forme following/. Fyrst I bequeth my soull vnto Almightye god (trustyng to be saved by the merits of Christes passyon) & my body to be buried in the Church yard of Stratford aforesayd/. Item I geve & bequeth vnto my dawghter Margret Cootes fyve pounds of lawfull money of Eyngland to be payd to her at the age of xviiij years/
Item I geve and bequeth vnto Joyce my dawghter fyve pounds of lawfull money of Eyngland to be payd vnto her at the age of xviiij years/. Item I geve & bequeth Anne my dawghter fyve pounds of lawfull money of Eyngland to be payd vnto her at the age of xviiij years/. And if it fortune any of my sayd dawghters to decesse before they come to the sayd age of xviiij yeares for the recat of the sayd legaces then my Will is that the porcyon or porcyons that Was due to the decessed by this my last shall shall [sic] remayne to Margret my Wyf, except she vpon free will, be content to bestowe the same vpon the longest lyver of them/ Item/. I geve & bequeth vnto my brother John Cootes my weryng apperrell/. This bequest done detts payd & legaces levyed, & my body honestly buried, then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in whose hands soever they be vnto Margret⁶⁴ my wyf who I ordayne & make my sole exkatrix/ And I desyre my trustye frends Willyam Gilbard alias higgs mynister in Stratford & Rychard Gybbes to be my supervysers of this my last Will & testament & they to haue for theyr paynes therin to be taken xij d a peece of them/. Witnesses these vnder wrytten

Per Me Guliljelmus Gilbard

alias higgs minister

detts due to me the sayd testator

Inprimis. my brother in lawe George Rose oweth me £ iij xv s

Item Willyam davis of Luddyngton Lodge oweth me xliiij cople of blacke Conyes

Item Master Thomas barber oweth me liiij s ij d

humfre hynd oweth me xviiij s to be payd vj d a wycke

Richard Gatlyf oweth me ij s iiij d

Item Richard Tyrbet oweth me vj s

Master Richard byfield vicar of Stratford oweth me viij s

Item Edward kyngs of Wooseley parke oweth me ten cople of blacke Conyes

⁶³ SBTRO BRT 3/1/23.

⁶⁴ Here it looks like there was a blank space left, for the purposes of filling in the name. The name is written in a larger hand.

Item Wyllyam kyngs wyf of Wooseley parke xiiij d

Master John lane of Todnam oweth me xx s

Willyam balis the yonger of the brigtown oweth me xij d

Willyam Raynolds of Shottre oweth me xxx s

Willyam hobday oweth me xvij s

Barbara Cotton, widow⁶⁵

In the name of God Amen I Barbara Cotten widdowe of the towne and Burrowe of stratford in the county of wariwicke and in the Diosise of worsister Dowe Institute make and ordayne this my Last will and testament in manner and forme folowing: : Imprimis I give and bequeve my sole to Allmity god my creator and maker and to Jesvs crist my saviovr and Redeemor and my body to be buried in the parish Chirch yard of stratford hoping at the last day to be Raised to eternall life Item I give and bequeve <f> vnto hve cotten my sunne five poundes nowe in the handes of Nicolas Baker and Alsoe other five povnd now in the handes of Thomas Godwine and allso I give the sayd hve on[e] wollbed two payer of sheetes on[e] bolster on[e] pillow and on[e] pilosbeare and tow platters tow candellstikes tow sawsers and on[e] salt and on[e] pot and the biggest cettell three sheepe on[e] litell kiver on[e] litell lome the wood that is be-lowe and all that is at Bridgtowne and three blankits and on[e] hillinge and on[e] barrel Item I give and bequeve vnto Alis Cotten eaght povndes now in the handes of John Edwardes with the considderationes there vnto belonginge and allso that mony that Is in the handes of Thomas Higin to the somme of fifty shilings and allsoe twenty shillings now in the handes of william Cotten of dwelling in worsester and allsoe six sheep and allso I give vnto the sayd Alis All the Rest of my goodes catells and and [sic] chattelles moveabell and vnmoveabell whom I make <h> my wholl and sole exequitore vnto thise my last will and testamente. In witness where of I the said Barbara Cotten have put my hand

the

marke of Barbara Cotten

Witnes Richard Lord

Thomas Hopkins

the marke

william Higin

of

⁶⁵ SBTRO BRT 3/1/24.

John Courte⁶⁶

In the name of god Amen the fiefteenth day of Ianuary anno domini one thousand six hundred thirtie eight I Iohn Courte of Stratford vpon Avon in the Countie of Warwick apothecary sick of bodie but of good and perfecte memory God bee praised, doe make and ordaine this my last will and testament in manner and forme followinge First I comend my soule into the handes of god my maker hopinge assuredly through the only mercies of Iesus Christ my Sauour to be made partaker of life euerlastinge and I commend my body to the earth whereof it is made, Item I give and bequeath vnto my eldest sonne Iohn Courte and his heires the howse wherein I nowe dwell after the decease or marriage of my said wife which shall first happen, and my mynde and will is that my sonne Iohn when he shall accomplishe the age of one and twenty yeares shall have and enioy the twoe upper roomes over the shopp nexte to the streete though my wife remaine sole and vnmarried And I doe give /and bequeath\ vnto my said Sonne Iohn all that bedd and bedsteede in the vpper roome over the Shopp together with the rugges blankettes and curtyns as it is nowe furnished and alsoe the drawinge table Court table and stooles with the wainscott and Other furniture in the said roome, Alsoe I give and bequeath vnto my said Sonne Iohn the some of forty poundes and my will and mynd is that the Same shalbe putt forth presently after my decease for the raising a porcion for him and the said Some of forty poundes with the increase thereof to be paied to my said Sonne when he shall accomplish the age of one and twentie yeares And whereas the Pattent for ~~the~~ sellinge of Tobacoe in Stratford aforesaid is graunted to Grace my wife and my Sonne Iohn for their lives, my will and mynde is that the proffitt that my wife shall make by sellinge of Tobacco shalbe equally deuided betweene them and that my wife shall one euery yeare make accompte to my Ouerseers or the greater number of them what proffitt shee doth make of the same and that the halfe proffitt thereof that shalbe made shalbe putt forth for the increasinge of my Sonnes porcion till he shall accomplish the age of Fieftene yeares, and /then\ the proffitt thereof shall goe to the maynteyninge of my Sonne at Oxford and when my sonne shall accomplishe his age of one and twentie yeares, I shall desire my wife to accompte to him euerie yeare for halfe the proffitt that shee shall make of sellinge tobacco, I doe alsoe give and bequeath vnto my said sonne Iohn the silver Beaker double guilte salte and twoe Silver spoones Item I give and bequeath vnto my eldest daughter Susanna Courte the some of ahundred and twentie poundes and my mynde and will is that the same shalbe putt forth presently after my decease for her porcion, and the Said some of a hundred and twentie poundes with the increase thereof to be paied to my said daughter when shee shall accomplish the age of one and twentie yeares or els be married Alsoe I give vnto my said daughter Susanna a silver bowle weron her name is ingraved and twoe silver spoones Item I give and bequeath vnto my daughter Elizabeth Courte the some of sixtie poundes and my mynde and will is that the some shalbe presently after my decease putt forth for her porcion and the said some of threescore poundes together with the increase thereof to be paied to my said daughter Elizabeth when shee shall accomplishe the age of one and twentie yeares, or be married Alsoe I give vnto my said daughter Elizabeth a little guilte flagon with twoe silver spoones Item I give and bequeath vnto my daughter Grace Courte the Some of fieftie poundes And my mynde and will is that the Some shalbe presently after my decease putt forth for her porcion and the said some of fieftie poundes together with the increase thereof be paied to my said daughter Grace when shee shall accomplishe the age of one and twentie

⁶⁶ TNA PROB 11/179/313.

yeares or be married, Alsoe I give vnto my said Daughter a little guilte bowle with twoe silver spoones, Item I give and bequeth to my sonne Richard Courte the some of fortie poundes, and my mynde and will is that the said somme of forty poundes shalbe presently after my decease putt forth for his porcion and the said forty poundes together with the increase thereof to be paied to my said sonne Richard when he shall accomplish the age of one and twentie yeares, Alsoe I give vnto my said sonne Richard a little guilte bowle, and three silver spoones, and if it fortune anie of my said children to decease before they accomlishe their said ages, and before that time be not married then I bequeath her parte or his parte of them soe deceasinge to the other of them then Survivinge to be deliuered vnto them when they shall accomlishe their said ages of one and twentie yeares or els be married Item I give and bequeath vnto euerie of my brothers and Sisters children the some of five shillings apeece to be paied /to\ them within one moneth nexte after my decease. Item I give vnto the Poore of Stratford twentie shillings Item I give and bequeath to my lovinge and deere wife the howse wherein I live soe longe as shee shall keepe herselfe sole and vnmarried my sonne Iohn enioyinge the twoe vpper roomes over the shopp accordinge as I have formerly bequeathed vnto him and I doe make Grace my said wife sole executrix of this my last will and testament Opon condicjon that if shee marry then shee forthwith pay vnto my children or to my Ouerseers for their vse the some of twoe hundred poundes over and above what I have formerly in this my will bequeathed vnto them which said mony is to be equally deuided amongst my children and that my wife doe likewise vpon her marriage secure the payment of the legacies herein by me bequeathed But if shee shall refuse to pay the said twoe hundred poundes or to secure the said legacies (which I assure my selfe shee will not) then I make my Sonne Iohn executor of this my last will and testament inioyninge him to doe and performe whatsoever I have desired my wife to doe by this my last will and then my wife to accompte to my sonne for my goodes, Cattel^{es} and chattel^{es} if shee refuse to pay the said twoe hundred poundes and to secure the foresaid legacies formerly bequeathed, And I doe make Ouerseers and supervisors of this my last will my lovinge freinds Master Edward Wagstaffe, Master Iohn Trapp Master Thomas Dighton and Iohn Brookes mercer and doe give to euerie one of them twenty shillings apeece to buy them ringes, and doe desire them to lett my wife and Children to have their best furtherance, And I doe alsoe revoke all former willes witnes, my hand and seale the day and yeare first above written Iohn Courte, Sealed read published and pronounced in the presence of Thomas Dighton, Iohn Brookes, Michael Oliver

Anne Dawkes, widow⁶⁷

In the name of god amen

I Anne Dawkes of stratford in the Countye of warwicke widdow doe make my last will and testament In manner and forme followinge first I bequeath my soule into the handes of allmightye god my maker and Iesus Christe my redemer and my bodye to be buried in the Churchard of stratford.

Item I give and bequeth vnto my sonne Richard Dawkes xs

I give vnto my sonne George Dawkes in stufte or mony xxs

I give vnto my sonne Alexander Dawkes in stufte or mony xxs

I give vnto my sonne Thomas Dawkes on blewe Towell.

I give vnto my Dawghter Ioane Dawkes my bed in the parlour with all thinges belonginge vnto it my box my Christeninge sheete my /best\ blewe Towell j payre of sheetes /my best\ j Payre of Pillowes beares my best j quarte Pewter Pot j Pewter bole and all my Wearinge Clothes vnto my sister elizabeth and my Dawghter Ioane

I give vnto my sister Bridget j square blew Towell

I give vnto my sonne Richard Dawkes my best brason \bason/

I give vnto my sister Elizabeth my green Rug

I doe apointe my trustye frend master Richard Munford overseer of this my last will and testament and give him js

Item I give and bequeth all the rest of my goods what soever vnto my sonne william Dawkes whom I doe appointe my executor of this my last will and testament my Debtes paid these my gyftes and funerall Rites performed

In witnes hearof I haue hear vnto put my hand and seale beinge in my perfect memorye, thanks be to god the eight day of Ianuarye 1639

Witnes Richard Nicholes sriptor

Item my will and meaninge is that my sonne William Dawks whom I make my executor shall take a lease of the howse wherein Richard Edon now dwelleth for xxj yeares for my dawghter Ioane and to her vse /in Consideration wheof I give him the rent that Richard Edon oweth me xxs ij⁶⁸

the ma/r\ke <mark> of Anne Dawkes

the marke <mark> of Anne Edon

<seal>

Al[i]ce <A H> Hare her marke⁶⁹

⁶⁷ WRO 008.7 1640/65.

⁶⁸ This addition has been inserted vertically into the left hand margin of the page. The sum could either be xxs ijd or xxijs – how it has been written makes it unclear.

⁶⁹ Each of the signatories has signed her mark. So too has Anne Dawkes, and her seal is also attached.

Averye Edwardes⁷⁰

Sexto die Octobris Anno Regni domini nostri Caroli dei gratia Magne Britanie nunc Regis etc quarto 1628:

In the name of god Amen I Averye Edwardes of Stratford vpon Avon in the Countye of warrwick yoman beinge weeke in boadye but of perfecte Memorye praise be to god do make this my last will and Testament in manner and forme followinge viz: first I Comend my soule into the hands of god my maker hopinge assuredlye throughe the onlye Meritts of Jesus Christ my Saviour to be made partaker of life everlastinge; and I Comend my boadye to the earthe from whence yt cam, And as touching my worldlye substance I dispose therof in manner ensuinge Inprimis I giue and bequeathe vnto my sonne John Edwardes Five shillinges vnto my sonne Richard Edwardes Five shillinges vnto my daughter vrsula Edkins Five shillinges vnto my daughter Margaret Ainge Five shillinges, vnto my daughter Anne Fraunces Five shillinges, & vnto my daughter Elizabethe Hatheway Five shillinges, Item all the rest of my goodes and Chattelles Househould stuffe, ready money debtes and Creditts I giue and bequeathe vnto my loving wife Marye Edwardes my debtes & legacies paid and my funerall expences dischargd And I doe by theis presentes constitute and ordaine ~~the~~ my said wife executrix of this my last will and Testament Item I request my Sonnes John Edwardes and Richard Edwardes /to be\ Ouerseers of this my Will

Signum

Sealed published &

Avery

deliuered in the presence of

Edwardes

Anne warde

Rich. Tyler

william Greene

⁷⁰ SBTRO BRT 3/1/28.

Mary Edwards, widow⁷¹

In the name of God Amen The Twentieth day of Ianuary 1638. I Mary Edwardes of Stratford vpon Avon, in the diocese of worcester widowe sicke in Body But in perfectt memorye, thankes be given vnto God, doe ordayne & make this my last will and Testament in Forme Followinge &c. viz: First I give and bequeath my Soule into the Handes of Almighty God my Creator and Maker, And to his Blessed Sonne Iesus Christ my alone Savior and <Ree> Redeemer, By whose Merittes and Righteousnesse, I trust assuredly to be saved; And my Body to Christian buriall; Att the discretion and appointment of my Executor; And concerning my temporall goodes the lord hath lent me, I give and bequeath To my GrandChilde Anne Allin da[u]ghter of Iohn Allin of warwick Three Poundes more I give and bequeath vnto her the said Anne Allin A woolbead, a feather boulster Two payre of sheetes, A Feather Pillow and a pillow-beare, A Table Cloth, half a duzen of Napkins A Blankett, Fowre Pewter Platters, A Brasen Candlestick and one Coffe. Item I give & bequeath vnto Mary Allin her Sister another of my GrandChildren Three Poundes more I give vnto her A Feether Bedd A Feether Boulster, a feether Pillow, a pillowbeare, Two payre of Sheetes, A Table Cloath, half a duzen of Napkins, A Hilling, A Blankett, Fowre Pewter platters, A pewter Candlestick, a little Brasse pott. A Barrell, and a Coffe. Item I give and bequeath vnto Iohn Allin vnto Samuell Allin and vnto Thomas Allin my GrandChildren Brothers to they [sic] aforesaid Anne & Mary Allin Twentye shillinges A peece, and To each of the said Three Brethren a Pewter Platter. Item I give and bequeath vnto my daughter Anne Allin wyffe of Iohn Allin Twenty Shillinges, more I give vnto her the said Anne my daughter A dripping pan, A Hilling rewed with greene and Red and all the rest of my Sheetes vnbequeathed; and also to her more one Boulster. Item I give and bequeath vnto Iohn Allin my Sonne in law; Tenne Shillinges. Item I give vnto Iohn Edwardes of Tyddington Two Shillinges; And to Richard Edwardes of dreyton Two Shillinges. Item I give vnto Humfrey whood my Sonne Tenne shillinges Item I give vnto the Childe which my said sonne Humfreys wife is now great in Childe with all, whether it be sonne or daughter xxs. moreover my will is That my said sonne Humfrey whoodes shall pay out of my Brasse xxs, and more in lewe of a Ioynd Bedsted vjs viijd towardes the payment of theis legacies. All the rest of my goodes vnbequeathed my funerall expences discharged & legacies payd I give & bequeath vnto Humfrey whoodes my Sonne whom I make Executor of this my last will & Testament And I appoint my loving Brother Thomas Hopkins for my overseer to see every thinge in this my present will truly performed according to my intent & playne meaning, herein expressed: In witnes whereof I the said Mary Edwardes have herevnto put my hand & seale the day & yeere above written

Reade sealed & <s> published

Mary Edwards

in the presence of:

her <mark> marke <seal>

Edward Carter

John Wetherell⁷²

⁷¹ WRO 008.7 1639/71.

⁷² Each signatory has signed his own name and Mary has made her mark.

/Item my minde is & before the sealing hereof, And I doe give & bequeath vnto my daughter Allyn & her Children all the overplus whatever it be, of the Fourteene Quarters & a half of Mault which I the said Mary Edwardes now have in my sonne Humfreys handes or Custody: after the severall legacies, or summes of Money to payed [sic] & discharged which are mencioned in this my last will & Testament wth my funeral expences.\

Averie Fullwood⁷³

In the name of god Amen the 21 of februarie Anno domini 1630: I Averie <f> Fullwood of Stratford vppon Avon in the Countie of Warwicke gentleman beeinge Sicke in bodie But of good & perfect memorie laud & praise bee given vnto good [sic] doe vtterlie revoake all former wills & Testaments & doe constitute ordaine & make this to bee my laste Will & Testament in manner & forme followinge Firste I give & bequeathe my soule vnto Almightye god my maker & Creator Who hath elected me to salvation by his sonne redeemed mee & by his holie spiritt sanctified & prepared me fitt for <his> his heavenlie kingdome trustinge to bee saved by the death & merrittes of my saviour Iesus Christe & my bodie to the earthe from Whence itt came in sure & certayne hope of Resurrection to eternall life & my bodie to bee buried in the parishe Churchyard /& in the Christian buriall\ of Stratford aforesaid as for my Worldlie goodes I dispose of them as followethe. Imprimis I giue vnto the poore of Stratford aforesaid tenne shillings Item I giue to the poore of the parishe of Aston Cantlowe tenne shillings Item I doe giue & bequeathe vnto my sonne Averie Fullwood that parte of howsehold stuffe which Was putt into his possession att the tyme thatt I did sett & lett my livinge in Wilmecoate in the Countie of Warrwick Butt as for any other household stuffe or towles of Husbandrie which hee hath in his possession & not given my will is that they shall remayne & bee att the discretion of my executors & ouerseers. Item I doe give to my said sonne Averie /my\ Greene coate my Canvas dubblett my Worser Ierkin & Worser Bretches my Worser hatt one of my best shirtes my Worser paire of stockins & one paire of shewes.

Item I doe giue & bequeathe to my sonne Iohn Fullwood thirtie shillings in consideration of certain howsehold stuffe which he formerlie had to his vse my beste Ierkin & beste Bretches my beste hatt twoe of my Worser shirtes & one paire of shewes.

Item all <my> the reste of my goodes moueable & unmoueable my legacies & funerall expences discharged I giue & bequeathe to my Eldeste sonne Robert Fullwood Whom I make sole executor of this my laste Will & testament & I doe appoint my Brother Iohn Fullwood of Aston Cantlowe & my Cozen Thomas Fullwood of Little Alne my ouerseers in Witnes Whereof I haue herevnto sett my hand & seale the day & yeare firste aboute Written

Item I doe giue to Iohn Fullwood my sonne Averie Fullwoodes sonne twentie shillings

Witnesses to this

Signum

Signum

Averij <mark> Fullwood⁷⁴

Isabelle <mark> Robbins

Signum

William <mark> Hickcockes

my sonne Averie Fullwood oweth mee fowre poundes

⁷³ SBTRO BRT 3/1/29.

⁷⁴ The will has also been sealed.

Henry Gatlyf⁷⁵

In the name of god amen xxxth day of Apriell 1604 I henry Gatlyf of Stratford Vpon Avon in the county of Warwycke Carpenter beyng sycke in body but of perfect memory I thanke my lord god ordeyne & make this my Wyll & testament &c. Item I geve vnto my kynswoman mary Cartwright vs of lawfull money towards the making of her gown & the ijs that her father send her. Item I geve vnto margret Gatlyf my brother Thomas dawghter vjs viijd Item I geve to humfre balis my godson ijs Item I geve vnto henry Turner my kynsman & godson ijs Item I geve vnto Iohn Attwod son to Edward Attwod ijs Item I geve to henry Hobbs sonne to Robert hobbs of longborowe⁷⁶ ijs This bequest done detts payd & legaces levyed & my body honestly buryed then I geve & bequeth althe rest of my goods vnto Margret my Wyf Who I make my sole executrix of this my last Will & testament & I desyre my brother in lawe Iohn Gre [sic] to be my supervisor of this my last Wyll & testament

detts to be payd by my exekatrix

Inprimis to my brother in lawe Robert hobbs of longborowe xls

Item to [~~John~~ Ielfres of the parish of blockley⁷⁷ £iij

detts due to me the sayd testator

Inprimis Robert Watton owethe me viijs ix[d]

Lawrence Egleton oweth me ijs

Rychard Stanney alias Stannell ijs iiijd

old Stannells Wyf xvd ob

Iohn Palmer of lapworth oweth me iijs iiijd

Thomas Whittyng oweth me xvjd

dunstons Wyf oweth me xijd

Item my brother Thomas Gatlif oweth me xs ijd

Robert hall mason oweth xviijd

My brother Rychard oweth me viijs ijd

Wytresses Wyllyam Gilbard alias higgs scriptor

Iohn Gree

signum <mark> Iohn Gree

⁷⁵ WRO 008.7 1604/111.

⁷⁶ This could be today's 'Longborough', which is approximately 20 miles south of Stratford in Gloucestershire.

⁷⁷ Blockley is also in Gloucestershire today, although it was an exclave of Worcestershire until 1931, and is approximately 17 miles south of Stratford.

Will of John Gefferyes⁷⁸

[... ..] the xxvij daye of Iulye Anno domini M CCCCC lxxj I Iohn Gefferyes of Startforde [sic] vpon⁷⁹ Aven [... ..] [?ye]oman being sycke in Bodye but of good & perfecte remembraunce thanks be geven vnto god, make [... ..] Testament contayninge herein my laste will in maner & forme folowyng First I geve [... ..] [?almig]htye god to be [?in ioye] wth our blessed ladye & with all the holye companye of Heaven, thoroughe the [... ..] Iesus Christe, & my bodye to be buryed in the parishe Church of Stratforde aforsayde in [... ..] [?T]hat to be donne I bequethe vnto Margaret my wyfe, all my howse [... ..] in, [...] [t]yme of her wydowhed Shee to paye all maner of Rentes goinge out of the [... ..] kepe [...] [?re]parations [?nee]defull to the same howse at all tymes duryng the sayde tyme Item I bequeth [Willia]m Gefferyes my sonne my Leace of Master welshes grownde and he to haue the vse therof all the termes [... ..] nowe to come Excepte all wages & [?...ed] in maner & forme folowinge That ys to saye I bequethe [... ..] my sayde wyfe for terme of her lyfe, [?&] one Close lyinge at the [?Hauune]⁸⁰ next the Thystlye Closse [... ..] Master [?Wels]hes grownde (yf the Leace so long endure, so that shee paye the rente due vnto Master [... ..] [acc]ording to the rate for the same Closse, & doe nothinge wh^{ic}h shalbe preiudycyall vnto the aforsayde Leace [... ..] [be]quethe vnto Iohn Gefferyes my sonne my greate Cheste bownde wth yron and to Katheryne his daughter [... ..] [fea]ther bed wth necessaryes appur^tayninge there vnto Item I will that my sayde wyfe shall have the Thystlye [?Closse] [... ..] welshes grownde for the terme of Three yeres, next after my deceasse payinge yerelye the rentes due [... ..] the same Closse at the feastes & dayes of payment in the Leaces therof appoynted and shee [... ..] paye for the same Closse vnto Iohn Tayler my neighbour the some of Fourtye Shillynges yerelye duringe [... ..] of Three yeres to dyscharge the Legacye of Syxe poundes due vnto Iulyan Hannys at the tyme appoynted [... ..] Item I will that my sayde wyfe shall haue [?Bylls] Closse for Three yeres after my deceasse payinge [... ..] of rentes goinge out of the sayde Closse at the feastes & dayes of payment in wh^{ic}h yt ought to be payde [... ..] to paye my funeralls, & bryng me honestlye vnto my grave Item I bequethe vnto William my sayde sonne [... .. ces] & the yeres therin to come That ys to saye the Leaces of Master Halls grownde, the Leace of Master Phylippes [... .. nd] the Leace of the Guylde grownde He to suffre his mother in Lawe & her assignes to enioye the yeres [... ..] tymes aboue wryten Item I bequethe vnto william my sayde sonne the newe Barne by the waters syde Item I bequeth vnto my kynsman Rycharde Stevens xs a Flockebed, a Bolster, a payer of Sheetes, a Blanket, & a Coverlet Item I geve & bequethe vnto william my sayde sonne my gowne furred wth Foynes, Syxe payer of my beste Sheetes Two [?Che]stes, one of Spewce & an other of Oliue. The greate presse in the par^ler. The Foldinge table wth the benche & forme [...] to belonginge. The Cowbarde in the Hall, one Cheyer, Two of the Beste broches A payre of greate yron Rakes My beste greate Pott Syxe Newe Platers my Bason & Ewer Twoo greate Chardgers Twoo pottengers [...] Two Candlestyckes & Twoo Sawcers Item I bequethe moore vnto the sayde william my sonne Three of my beste Bedstedes Twoo of my beste Fetherbeades. Two of my beaste Coverletes Two of my best blanketes. Three Flockebeades with Bolsters & Pillowes to the same belonginge Item I bequethe vnto euery one of my godchildren iiijd, & to [a]ny poor

⁷⁸ WRO 008.7 1567/20. The left hand side of this document has been damaged: extensively in some places.

⁷⁹ This word is just discernible through the water damage.

⁸⁰ Is this a variant spelling of 'Avon'? I.e. 'Haven', as found in other wills?

howse in this warde iijjd Wiche donne I make & ordeigne Margaret my sayde wyfe my [...
e]xecutryx vnto whom I geve the resydue of all my goodes vnbequethed, my debtes payde, &
the Legacyes of thys [... ...] will fulfilled And to be my Supervisors, I make & ordeigne
Iohn Tayler, & william Tyler & they to [have for t]heir paynes xs In witnes wherof I haue
caused this my present Testament to be read [in] the presens of william Smyth Nicholas
Bannester, Iohn Tayler, william Tyler, & Iames Hylman this wryter and haue desyred them
as witnesses

Probatum &c. apud stretford coram magisterio [?Richardo] Grene &c. [?Rdi] &c. domini
domini [?Cdeini] promissione [?dia] wigorn [?Cpi] &c. vicarie generali &c. xvj^o die mensis
Aprilis Anno domini 1567

Thomas Goolston⁸¹

In the name of god amen. The xx^{ti} day of Iune yn the yere of owr lord god a m ccccc xliij. I Thomas Goolston goldesmyth in the towne of stratforde vpon Aven In the Cownttye of Warwycke beyng sycke of body: Notwithstandyng hol[e]⁸² of mynd & perfect of memorye thankes be to Ihesu my lord & savyowr: Do ordayne this my last Wyll & Testament in manner & forme Folowyng. That is to sey First I geve & bequeyth my Soule to Almyghtye god to owr blessed lady Sent mary and to al[I] the holye company In hevyn and my body to be buryed in the cherche yarde of stratford above named Item at the day of my buryall I wyll & bequeth my body to be brought to the church With the hole quere of the churche & the priestes of th[e] Chappell And they to syng dyrege & mase for my Soule & all christens The priestes of the quere & clerkes to haue iiij[s] vjd The priestes of the chappell xxd Item my bodye beyng buryed I wyll my monethes mynd to be kepte Thorowe out the hole yere With dyrege & masse to be said Wyth the parysh priest & clerke only accordyng to the [?coston]⁸³ for my Soule & all christen & theye to haue at euerye moneth vjd Item I Wyll at the day of my buryall xxd to dystributed to poore people where as most ned ys by the dyscretyon of myn Executrexe Item I bequeth Vnto Agnes goolston my daught[er] my seconde Fetherbed With a bolstere a pylowe a coverlett one of the beste ij payere of shettes one payer of blanckettes my great Cheste a coffer ij pottes & a pane a bed sted half a dosyne of pewter vessell too of euery sorte ij bell candelstyk[s] of the second sorte ij stalles /of\ bees Which bees god gevyng Encrease therof I Wyll bye thys my last Wyll that the Encrease that god doth send shall retorne for a stocke of money to be made & kept to the vse of Agnes goolston my doughter Agaynst the day of her maryage and yf god send her lyffe Vntyll she cumm to the age of xvj yeres Then I wyll that the hole stocke beyng Encreased of the bees aboue bequethed shall be delyuered ynto the han[ds] of Agnes my doughter or ynto the handes of her assynges Wher she or they can fynd forther meanes to Encrease y[?t] for hir profett And as consernyng the Resydewe of the legacese a boue specyfied With the Resydewe that hereaft[er] ys Nomynated That is to sey one table cloth ij towelles a payer of Curroll bedes With syluer gandyes & xx^{ti}s of money to be bestowyd toward hir Apparell a geyft the day of her maryage I wyll to remayne in the handes of my wyffe so long as she remayneth a Weddowe, But when so euer she dothe marrye a gayne before the day of her maryag[e] be yt provided by this my last wyll That all suche legacese as I haue bequethed vnto my dowghter shalbe dely-veryd frome the custody or kepyng of my wyffe Into the handes of myn ouerseers or one of them at the lest and they to kepe the seid legacese themselffes or to appoynt them to be kept yn sum honest mannes handes as theyr dys[?crecion] shall thyncke most best Except the person that shall marye her to Wyfe wyll be bownd yn an oblygatyon bond vnto my supervysers as they or one of them shall thynke reasonable for the performans of this m[?atter] to be accomplshed Then I am content by thys my Wyll that bothe they shall kept the legacese With all [?gh] yn my Wyll comprehendyd Vntyll the day doo cumm for this my wyll to be performed accordyng to the ordenans [?of] The Resydew of my goodes movables & vnmovables my dettes beyng Payd & legacese fullfyled I gev[e &] bequeth Vnto Elizabeth my wyffe Whome I make sole Executrix to bestow ouer this my wyll for the welth [of my] soule as yt shall please god & her and for the ouersyght of thys my wyll to se that yt be

⁸¹ WRO 008.7 1543/56.

⁸² Parts of the right hand edge of the manuscript are damaged.

⁸³ 'Custom'?

performed I orde[yme &] make my supervysors Sir Iohn bartlet curat & Iohn hewyse Item I
geve to euery god chyld that I haue ijd [&] to Rychard Tomsone my Russet cote Item yf /my\
wyffe be dysposed I wyll that before she be maryed she shall [?geve] vnto my doughter or to
h[i]r vse a boue this my wyll xx^{ti}s of her owne goodnese In Wytenese Wherof wylliam
chawndos Whele Wryght Thomas bell shewmaker & Iohn Ward shewmaker with other

Grace Gregory alias Amsden, widow⁸⁴

Feb: 4. 1627

In the Name of God. Amen/

I Grace Gregory alias Amsden of the parish of stratford vpon Avon in the County of Warwick, Widow. being sick in body but of perfect knowledge and vnderstanding doe make my Last Will and Testament in manner & forme following.

Inprimis I bequeath my soule into the Hands of Almighty God who gaue it and my body to the earth to bee buried.

Item I giue to my son Lawrence Amsden fiue pounds <which summe of money is in the
Item I giue to my daughter Anne Amsden fiue pounds Hands of William [?Prior] of
[?Cherington]>

Item I giue 7 Quarters of Malt wh~~ic~~h is in the Handes of Nicholas Tibbotts of stratford to my daughter Grace Amsden

Item I giue one Quarter of Malt to my daughter christian Tibbotts on this condition that shee see mee decently buried & discharge all dues that belong thervnto./

Item I giue my great coffer to my son Lawrence wh~~ic~~h hee shall haue after his Apprentishippe bee out

Item I giue <him> one silver spoone to my son Lawrence

Item I giue one silver spoone to my son in Law Abraham Tibbotts

Item I giue vnto my daughter Anne my Trunck & 3 payre of sheetes & 4 Napkins

Item I giue vnto my daughter Anne my /high\ Bed steed

Item I giue vnto my daughter Grace my Table & my presse & 3 payre of sheetes & 3 Napkins & 2 Towells wherof one is Dioper. 2 Aprons wh~~ic~~h are coloured the best & /worst\

Item I giue vnto my daughter Anne one Towell my <feather> Bed one feather bolster one feather pillow w~~it~~h one pillow beare. 1 one [sic] Forme 1 coloured Apron. my best Ruffe

Item I giue vnto my daughter Grace one feather bolster & 3 pillowes wherof one is a feather pillow & 2 pillowbeares. 1 dough cover.

Item I giue vnto my daughter christian my fustian pillow. my spitt & Cobirons. 1 smocke

Item I giue vnto my daughter Grace my Coverlett & all my blankets

Item I giue vnto my daughters Grace & Anne all my pewter to bee equally divided betwixt them wh~~ic~~h <1-platt> is 4 platters 1 one [sic] pewter cup one cullender one double salt & one single salt. 4 dishes 5 sawcers 2 fruit dishes one dozen of spoones

Item I giue vnto my daughter Grace my low bedsteed & a painted cloth & my best Kettle & my best pott & my 2 least kettles. 1 chaire. 1 wheele

⁸⁴ SBTRO BRT 3/1/32.

Item I giue vnto my daughter Anne my biggest kettle saue one my little pott and a gallon Kettle, a dabnet. 1 chaire one wheele being the lesser. 1 frying pan.

Item I giue vnto my son Lawrence my pott posenett

Item I giue vnto my daughter Grace a powrding Tubbe a Barrell a payle a Tubb 2 Formes a salt Tubb & a Cutling Tubbe 3 stooles all my dishes & Trenchers & all other such Implements which are not ~~<before>~~ specified, with this condition that shee giue vnto her sister Anne 5 shillings

Item I giue vnto my God=daughter Grace Gregory my old gowne 1 smocke

Item I giue vnto my daughter Grace my best gowne ~~<1 petti>~~ my best petticoat which is the blacke one 1 Table Cloth which is the better. 2 smockes. 1 white Apron the best.

Item I giue vnto my daughter Anne my old Gowne that is puld to peices my best red petticoat my best Hatt. 1 Table cloth. 2 smockes. 1 white Apron

Item I giue vnto my daughter Christian Tibbotts all my fewell for fire

Item I appoint that if either of /my\ children die before the other that then that portion shall bee equally divided & distributed betwixt the ~~<rest>~~ others that remaine aliue./

Item I appoint that my daughter Anne shall receive her money & the other things that I haue bequeathed vnto her when the executrix & overseer shall see a convenient Time

Item I giue vnto my daughters Anne & Grace my 2 Wastcoates & all my petticoates not before mentioned to bee equally divided betwixt them

Item I giue vnto my daughter Anne 2 short Hand=Towells.

Item I appoint my daughter Grace to bee my sole Executrix of my will.

Item I make Master Simon Trappe overseer of this my will.

Item I appoint that my son Lawrence shall haue his money & other things I haue given vnto him, when the time of his Apprentishippe is expired.

Sealed and delivered in the presence of vs

Simon Trappe minister

Richard

Morrell

Grace Gregory

alias Amsden her

marke

Jone Griffyn, widow⁸⁵

In the name of God Amen the thyrd day of January in the yeare of our lord god 1598 & in the forteth & one yeare of the Rayngne of our Soverayngne Ladye Elyzabeth by the grace of God Queene of Eyngland, Fraunce, and Ierland defender of the Fayth &c. I Jone Griffyn of Stratford Vpon Avon in the Countye of WarWycke Wydowe beyng sycke in bodye but of Whole and perfect memorye I thanke my lord God ordayne and make this my last Wyll and Testament in maner and forme followyng/. Fyrst I bequeth my soull vnto Almightye God (trustyng to be saved by the merits of Christs passyon) and my bodye to be ~~saved~~ buried in the Church yard of Stratford aforesaid Item I geve and bequeth vnto Agnes Bucke my dawghter and wyf vnto Thomas Bucke xij d of lawfull Eynglysh moneye/. Item I geve and bequeth vnto mye dawghter Bennet Wyf vnto Rychard Sheward of ynkebarrowe xij d of lawfull Eynglysh moneye/. This bequest done detts payd and legaces levyed and my bodye honestlye buried/. then I geve and bequeth all the rest of my goodes moveable and vnmmoveable in whose hands soever theye bee vnto Joyce Smyth my kynswoman whoe I ordayne and make my whole and sole executrix of this my last Wyll & testament And I desyre my trustye frynd and good neighbor John Rogers to be my supervyser of this my last Wyll and Testament, And he to haue for his paynes therin to be taken vj d of lawfull moneye/.

Item my sonne in lawe Rychard Sheward of ynkebarrowe oweth me xx s

Wyttnesses as followeth

Per Me William Gilbard alias

higgs scriptor John Rogers Wyth others

⁸⁵ SBTRO BRT 3/1/33.

Elnor Gylbart, widow⁸⁶

In the name of god amen the xxiiij^{ti} day of Iunij in the yere of our lord god a thousand fyve hundred lvij^{ti} I elnor gylbart of stretford apon aven in the countye of Warwicke & in the diocese of worcester wyddo thankes be geuen to god beinge somewhat sycke in bodye whol in mynd & of perfet remembraunce make orden & dysposee [sic] This my last wyll & testament in maner & form folowinge fyrst I bequethe my soull to almighty god and my bodye to be buried in the parishe churche of stretford apon aven Item I bequethe [?to the high] [a]lter⁸⁷ in the paryshe churche of stretford for recompence and satysfaction to god for my forgotten thythings viij^d⁸⁸ Item I bequethe to the mother churche of worcester xijd. Item I wyll that my executors with the counsell of my supervyser[s] shall see that the last will of my late husband thomas gylbart in all ryghtfull poyntes & accordinge to the trew tenor meaninge purport & effecte therof be well & tr[e]wly performed and done Item I bequeth to Rychard my sone xxs a yere to be payed vnto hym out and of the rentes of my landes vntill he com & be of of [sic] the age of xxj yeres that he enter in & apon his landes ij peyr of shetes the tabull bord in the parloure ij platters ij potingers ij sawsers i canstyke a silluer spone my curtall horse⁸⁹ Item I bequethe to Gorge my sone my other horse the leades with all other stuf in my workinge house the great fat in the great house ij burdes ij peyr of shetes on peyr hurden thother flaxen a silluer spone ij platters ij potingers ij sawcers & a canstyke all the standardes in the hale that is to say the tabull bordes formes paynted clothes & the fat in the well house & the gret amery in hall Item I will that Rychard my sone shall haue & enter in & apon his landes at bynton⁹⁰ when he when he [sic] commithe to [?and be...] of the age of xxj yeres, Item I will that gorge my sone to haue my landes in stretford and to enter in and apon the same when he shall come to & be of The age of xxj yeres I[tem] I bequethe to Thomas my sonne ij peyr of shetes ij platters ij potingers ij saucers a siluer spone & a canstyke Item I bequethe to Iohn my sonne ij peyre of shetes ij <per> platters ij potingers ij sawcers a syluer spone and a canstyke Item I bequethe to adrian my sone ij platters ij peyr of shetes ij potingers a cow ij sawsers a siluer spone & a canstyke Item I bequethe to wylliam my sone ij peyr of shetes ij platters ij potingers ij sawcers a canstyke & a silluer spone Item I will that fraunces my sonn in lawe shall haue all that was promysed hym to the mariage of margaret my daughter he doinge and fulfillinge his promi-ses vnto her her chamber the second bed with thappurtenaunces ij siluer spones the second pot and on[e] other brase pot ij london platters ij other platters ij potingers of the best and ij other potingers ij sawcers ij lomes the second and thyrd toweles & on[e] other towell a hempen shet a flaxen shet of the best a peyr of hurden shetes a payr of hempon shetes my frok gouna a pewter pot my best & second kerchef ij quyshens my second cow the the quoffer standing at my bedes fet Item I bequethe to katherin my daughter my best bed & the hanges with thappurte-naunces the other coffer in my chamber and I will that katherin my daughter Iohanna my daughter and alyc my daughter amonge them thre shal haue the resydw of all my apery ware and howshold stuf indeferently and equally to be deuyded amonge them & alyc <a> my daughter to be the fyrst chusar and eche of them to haue a porcyon of all other howshold stufe Item I will that alyce my daughter [?shall ha]ue⁹¹ a cowe

⁸⁶ SBTRO BRT 3/1/31.

⁸⁷ The MS is damaged at this point.

⁸⁸ The MS is damaged here – this could also feasibly be an ‘s’ for ‘shillings’.

⁸⁹ A curtall is a horse with a docked tail.

⁹⁰ Binton is approximately 5 miles to the west of Stratford.

⁹¹ A large portion of the MS is missing here.

and yf any of my sayd doughters happen to dysess befor they be [... ...] [?for]ten to com and to be of the age of xvj yeres that her of ther part or partes of the [... ...] [rem]ayne to thother lyuinge I[tem] I wyll that & yf any of my sayd sonnes happ[en] [... ...] shall fortene to com and be of the age of xxj yeres then I will that his or [... ...] [o]f his or ther legaces soe diseased to remayn among thother lyuinge Item I w[ill] that my overse]ers and supervysors shall haue the ruell Setting forthe and gouernnaunce of al my sayd chylde [sic] vntill they com to the age aboue spe/ci\fyed with the gouernaunce of theyr stock goodes and legaces Item I will and bequethe to Iohn my sonn ouer and aboue his fathers bequest & myne ij lodes of hey yerly out of the medow in binton medow to help to encrease him a stock Item I bequethe to my mother my best wolsted kertill Item I bequethe to elsabethe my seruaunte my other wolsted kertill my second peticote ouer and aboue her wags Item I will that wher Iohn gilbart of reddyche did pay to my husbond thomas gilbart and me xx^{ti} markes for a house with thappurtenaunces in reddyche which we hold by copy holt that my sonn and heyr shall not meddell nor enter apon the same house after the diseas of elsabethe gilbart mother vnto the sayd Iohn gilbard vntill the tyme that my sone and heyr shall fortene to com and be of the age of xxj yeres but that the sayd Iohn <D> gilbard vntill that tym shall enioye the same payinge the lord rent accustomed and what tyme that my heyr shal fortene to com and be of the sayd age and then they to mak a surrender of the same howse with thappurtenaunces vnto the sayd Iohn gilbart & his heyres in the lordes court ther accordinge to the custom of the maner ther or els my heyre to repay ageyn vnto the sayd Iohn gilbart his heyres or assignes the sayd som of xx^{ti} markes within on quarter of a yere then next folowinge, And alsoe I will that my executors with the counsell of my supervysers shall with all the sped that can be immediatly after my dyssease with theyr learned counsell put into feofment all my landes tenementes tythes parsonages vicarages gleb londes with ther appurtenaunces as well in binton stretford and snyterfyld soe that all the same landes aull other the premisses with the appurtenances may be to the vse and most profyt of my sayd chylder & theyr heys as they shall think most convenient to the profetes of my heys and also I will that my executors and overseers shall destrubute vnto the pore peopl in stretford or at the day of my buryall the som of £iij in money and alsoe I will that at the day of my buryall to haue the wholl quyre pristes and clarkes and they to haue for theyr paynes accordinge to the custom, And furthermore I will that the rentes of my landes & tythes vntill my sonnes com to the age aboue apoynted and other my goodes not bequethed shall pay my detes & legaces and fynd my chylde[n] at the syghte of my executors & supervisors immediatly after my disease with that convenient sped that may be Item I bequethe to margaret [... ...] the vting fat in the tavern & ij burds Item I will that my brother thomas hunt dany[ell] phillipes & willyam perker to be my executors & yf it pleas god to cal for Thomas hunt Then I will that thomas badger shall be on[e] of my executors in his sted and they to haue for theyr paynes euery on[e] of them vjs viijd a pece Item I will & desyre my trusti & welbeloued clement throkorton esquyr Thomas badger of bedfort graunge to be my supervisors of this my present last will & testament & they to haue for theyr paynes soe to be taken in the premisses euery of them /vjs viijd a peys\ Item I will that the sayd Thomas badger Iohn gefferes thomas hunt Danyell phyllippes william parkar & other to be feoffers of al my sayd landes tythes parsonages &c. Item I will that my dettes owinge vnto me shall be gathered vp by my executors & supervisors towardes the findinge of my chylde[n] & discharginge of my detes

that I do owe Thes beringe record Robart parkar⁹²
parker and Rychard symons with other moe

Iohn gilbard Rychard

⁹² A space has been left here, as if for insertion of someone's name at a later date.

Elizabeth Hancockes, spinster⁹³

Memorandum That Elizabeth Hancockes of Stratford vpon Avon in the Countie of warrwick Spinster being of perfect mind and memorie did in the presence of Elizabeth Johnson and Henry Johnson sonne of the said Elizabeth and other Credible witnesses the Second daie of december last past or thereabouts make hir last will and Testament nuncapative in manner and forme following or to the same effect viz: the said Elizabeth Hancockes Being sickly weake and ympotent called to one Thomas Bendford her nephew saying Coozen I doe intend to liue and end my dais with yow And to that end I doe absolutely giue vnto yow Coozen All my goodes I haue moueable and vn moueable (except Foure mill sixpences I haue which I giue to fowre poore men to carry my bodie to buriall) and do make yow my Executor to dispose thereof and execute as yow shall thinke fit and to that end gaue vnto the said Thomas Bendford eight Poundes in ready money

This is a true will made and

published by the said Elizabeth

Hancockes in the presents of vs

Elizabeth Json Hir marke

Henry Jsone

Thomas Lea

⁹³ SBTRO BRT 3/1/34.

Robert Harvy⁹⁴

In the name of God Amen the xth day of July in the yeare of our lord god 1584 & in the xxvjth yeare of the Rayngne of our soverayng lady Elizabeth the grace of god Queene of Eyngland, Fraunce & Ierland defendresse of the Fayth &c. I Robert harvy of Stratford Vpon Avon in the county of WarWycke beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last Will & testament in maner & forme followyng Fyrst I bequeth my soull to almighty god (trustyng to be saved by the meryts of Christes passyon) & my body to be buryed in the Church yard of /Stratford\⁹⁵ aforesayd / Item I geve & bequeth vnto my kynswomen phillyp hyckes & Anne hickes xx s Which is in the hands of theyr father Allyxsander hycks & is due dett vnto me / Item I geve & bequeth Vnto Elnor Gibbs my hostes & Wyf vnto Rychard Gibbs in consyderatyon of her paynes that she hath taken with me xl s this bequest done detts payd & legaces levyed & my body honestly buryed then I geve & bequeth all the Rest of my goods moveable & vnmmoveable in Whose hands soever they be vnto my host Rychard Gibbs in parte of recompence for his charges & paynes with me at all tymes & I make hym my full executor of this my last will & testament /

Item I geve vnto John Carles sonne inlaw vnto the same Rychard x s

Item I geve vnto Margret Carles dawghter inlaw vnto the sayd Rychard x s to be payd bj my executor

Wytnesses Willyam Gi/l\bard Curate there

humfre wheler peter wood wythe others⁹⁶

detts to be received

Inprimis Thomas degge oweth me x s⁹⁷

Item Rychard duckett oweth me v s

Item Willyam Edkyns of Aston Cawntley⁹⁸ oweth me xx s

Item Thomas mercer of Aston Cawntley oweth me xx s

Item Rychard hollens alias wever of Aldermaston⁹⁹ owethe me vj s¹⁰⁰

Item Willyam hollyns alias wever oweth me x s

Item nicoles Fenton of Aldermaston oweth me xx s

⁹⁴ SBTRO BRT 3/1/36.

⁹⁵ It looks as if this word was added at a later date: the ink is of a different colour.

⁹⁶ The words 'peter wood wythe others' are in a different handwriting to that of the curate, which suggests that the said Peter Wood wrote this part himself.

⁹⁷ At the beginning of this line a cross has been inserted (+), possibly indicating that the debt was paid after the will was drawn up.

⁹⁸ Today's 'Aston Cantlow'?

⁹⁹ There is an Aldermaston in Reading, Berkshire. Alternatively the testator could be referring to Alderminster in Warwickshire.

¹⁰⁰ Again, as in the case of Thomas Degge above, a cross has been inserted at the start of this line, possibly indicating that the debt had been paid after the will was drawn up.

Item henry Wilson oweth me x s

Signum Roberti harvi Testator

Bartholomew Hathaway¹⁰¹

¹⁰²[In the na]me of god amen the sixteenth day of September Anno d[omini ... Hatha]way of Shottery in the parish of Olde Stratford in the Cownty of warwick yeoman being in my good & prosperous health & of soun[d] & perfect [?memory th]anks be given To almighty god doe ordaine & make this my Last Will And Testamente in manner & forme Followeing That is to say First I bequeath my [soul t]o the handes of Almighty god my maker And by [?faith in] the merittes /& passion\ of his sone Iesus Christ I believe & hope to be saved, And my body to therth From [wh]ence yt came to be buried in the Christian [?Buriall of the Parish]Church of Olde Stratford Aforesaid Hopeing to arise at the Latter day & to Receive the reward of his Ellect And for my wor[l]dly goodes I bequeath them as followeth that is to say

Imprimis I give /& bequeath\ to Richard Hathaway my sone the some of Twenty shillings of Lawfull English money to be paide vnto him within one yerie [sic] next after my decease Item I give And bequeath vnto Issabell Hathaway my grandchilde daughter of the saide Richard One Chilver shipp Item I give & bequeath vnto my sone Edmonde Hathaway my third sone The Whole some of One Hundred & Twenty powndes of Lawfull English monye To be paide vnto him the said Edmond within seaven yeries next after my decease that is to say The some of Twenty powndes a yeire For the first five yeires next after my decease And the other Twenty powndes to be paide Tenne powndes a yerie the next Two yeires followeing after the saide /terme of\ five yeries in Full satisfaccion of the saide summe of One Hundred & Twenty powndes Item I Further I give vnto my same sone Edmonde my yongest grey mare And my best Cowe soe Two & my Elme Cart And the Wheelles belonging To yt which Mare Cart & wheelles he hath alredy In possession Together alsoe with my best fether bedd my best Heiling Two paire of sheetes and one payre of my best Blankettes & my best Bowlster & one of my best pillowes my second Brass pott and one of the Bedstedes in the over Chamber Item I give And bequeath vnto /my daughter\ Anne Edwardes The nowe Wyfe of Richard Edwardes the summe of thirty shillings /to buy her a gowne\ And to her seven Children Avery Bartholomew Alice Thomas Richard & Vrsula Edward¹⁰³ I give vnto each of them severally the seuerall sums of Six shillings eighte pence apeece to be paide vnto them within One yeire next after my decease Item I give & bequeath vnto my sone Iohn Hathaway his Children Alice Hathaway Richard Anne & Vrsula Hathaway And to each [?of them] one of my best Ewes a peece Item I give & bequeath vnto my said sone Iohn Hathaway And to the heires males of his body Lawfully begotten or To be begotten [?] that my Messuage or Tenement Orchard garden & backside with thappurtenances scituate Lyeing & being in Shottery Aforesaid Together alsoe with the Two yard Land & a half Earable meddow Comon & pasture With Two Closses thervnto belonging scituate Lyeinge & beinge within the Towne Hamlett [?&] feildes of Shottery & olde stratford with [?theire] & every of their Appurtenances And for Want of such Issue of the said Iohn Hathaway I give And bequeath the said messuage & Tenement Two yard land & a half with thappurtenances vnto the said Edmond Hathaway my s[ai]d [?son and to the heirs males of his body]¹⁰⁴ Lawfully to [be]

¹⁰¹ SBTRO BRU 15/3/44.

¹⁰² Parts of this document, particularly around the edges and a block in the centre, are missing.

¹⁰³ Either he's missed out a child here, or 'Edward' is actually the seventh one, and is not a mistake for 'Edwardes' as it first appears.

¹⁰⁴ This large section of the page is missing, but it is possible to deduce the content from the phrasing of the previous bequest to John Hathaway.

begotten And For want of such Issue of the saide Edmonde Hathaway I give & bequeath the saide messuage or Ten[ement two yard land and a half with thappurte]nances vnto [my] sone Richard Hathaway And To the heires males of his Body Lawfully begotten or To be Begotten And for Want of such Issue of the said Richard Then to Remaine to the right heires of me the said Bartholomew Hathaway For ever Ittem I give & bequeath Towards the Repaire of the parish Church of olde Stratford the some of Tenn shillinges Ittem I give & bequeath vnto the poore of the said Parrish the some of thirteen shillinges foure pence to be distributed amongst them at my Funerall All the Rest of my goodes [?Cattells &] Chattells whatsoever vnbequeathed my depts & legacyes being paide & Funerall Exspences discharged I wholly give vnto my said sone Iohn Hathaway Whome [?I doe] make my Whole and Executor [sic] of this my Last Will & testament Overseers of this mi Last Will & Testament I doe make Choise of Iohn Hall of Stratford aforesaid [?gent] and Stephen Burman of Shottery aforesaide yeoman And for their paines therein To be taken I do give vnto Eache of them Two shillinges six pence apeece In Whitnes wherof To this my Last Will & Testament I have heervnto sett my hand & seale in the presence of these witnesses heervnto written

Witnesses heervnto

William Court [?thna]

Clement Burman

Stephen Burman

William Richardson

Alice Hiccox of Welcombe, widow¹⁰⁵

In the name of God Amen, I Alice hiccox of welcombe in the parish of old Stratford in the Countie of warwick widowe sicke in bodie but whole in mind thanks be to the Almightye god therfore, And not knowing when it shall please god to call me doe make this my last will and Testament in manner and forme following First I bequeath my Soule to my lord and saviour Iesus Christ the onlie maker and redeemer thereof, and my bodie to such buriall as it shall please my best frendes then neerest about me Item I will and bequeath vnto my sonne william hiccox xijd, Item I will and bequeath vnto my sonne Thomas hiccox xijd, Item I will and bequeath vnto my sonne Lewes hiccox xijd, All the rest of my goodes I give vnto my daughters Annes Nibbe alias Barton and Issabell hiccox whom I doe make my Executrices of this my Last will and Testament In witnes wherof to this my last will and Testament I haue sett my hand and seale the sixt day of Iulie 1607

Witnesses to the sealing

Alice <mark> hiccox

and deliverie hereof

marke

Peter Roswell

Iohn Raynolds

¹⁰⁵ SBTRO BRU 15/7/143.

Henry Hiccox¹⁰⁶

In the name of God Amen. The Fourtenthe daie of December Anne domini 1638. I Henrie Hiccoxe of Stratford vpon Avon in the Countie of Warwicke Inholder, beinge sicke in bodie, but of good and perfect remembrance, I humblie thanke my Lord God for the same, doe make this my last Will & testament in manner & forme followinge, (that is to saie) Inprimis I Commend my Soule into the hands of Almighty God my maker, Confidentialie hopinge and trustinge, that by the death & merites of my Lord & Saviour Iesus Christ his sonne, I shall obtaine and enioy the felicitie of his everlastinge kingdome of Heaven Item I will and desire my welbeloved wife, that shee will see mee decentlie buried amongst my Ancestors accordinge to my degree. Item I give vnto the poore of Stratford aforesaid Twentie shillings to be dealt & distributed vpon the daie of my Funerall by the discretion of the Ouerseers of this my last Will. Item I give towards the repaire of old Stratford Church tene shillings. Item I give and bequeath vnto Elizabeth Wheeler my lovinge Mother for the terme of her naturall life, all that my howse w^{ith} thappurtenances wherin shee dwelleth scituate lyeinge and being in Henly Streete within Stratford aforesaid Soe as shee keepe the same in sufficient repaire, And doe yearlie duringe the said terme paie vnto my executrix heerafter named (soe longe livinge & in Case shee decease then to my Ouerseer~~seers~~ heerafter mencjoned for the vse & behoof of my sonne Thomas Hiccoxe) the yearlie rennt of Twentie Shillings, at the Feaste daies of thannunciacion of Sainct Marie the virgin And Sainct Michaell tharchangell by even and equall porcjons, And from and after the decease of my said Mother, Then I give & bequeathe the said howse w^{ith} thappurtenances and hereditamentes vnto the said Thomas Hiccoxe my sonne, for the terme of one Hundred yeares then nexte followinge, if the said Thomas soe longe shall live, And from and after the decease of the said Thomas Hiccoxe vnto the vse & behoof of the heires Males of the said Thomas by him lawfullie begotten or to be begotten for evermore.

Item I give & bequeathe vnto my said sonne Thomas Hiccoxe, the summe of Fiftie pounds of lawfull money of England to be imediatlie sett forth for the best benefit by my said Executrix & ouerseers of this my laste Will whom I heartily desire to manage the same, Which money & the increase therof my Will is shalbe paid vnto my said sonne Thomas when hee shall Accomplishe the age of one & twentie yeares. Item I give & bequeath vnto my daughter Amye Hiccoxe the like summe of Fiftie pounds, which my Will & desire /is\ shalbe imediatly paid w^{ith} the other Fiftie poundes by my said Executrix, And by her & my said Ouerseers imployed for the best benefit to the vse & behoof of the said Amye, And paid vnto her w^{ith} the increase therof when shee accomplisheth the age of one & Twentie yeares or sooner at her daie of mariage if shee matche her self w^{ith} the consente of my executrix & Overseers or the more parte of them before the said age of one & twentie yeares. And my Will & further meaninge is, and soe I devise, that if either of my said children shall happen to die before the accomplishment of their said severall ages, and the said Amye not married, That then the Survivour of them shall have such legacie & thincrease therof as before in this my will is given vnto him or her which shall soe die or decease, And my Will & meaninge is And soe I further devise, if in case that both my said Children shall decease before the said age of one & twentie yeares & the said Amye vnmarried (for whose longe life & happines I praie) that then I give & bequeath out of their said porcjons the summe of twentie pounds equallie

¹⁰⁶ WRO 008.7 1639/98.

to be distributed amongst such of the children of my late brethren Thomas Hiccoxe & Iohn Hiccoxe as shall then be living, And the residue of my said Childrens porcions & increase therof I then give & bequeath vnto Iane my welbeloved wife. All the residue of my goods mooveable & vnmooveable Chattles & Cattells vnbequeathed over & above my funerall expences & debtes which my Will is shalbe paid I give & bequeath vnto my said Welbeloved wife Iane Hiccoxe¹⁰⁷ whom I make & ordaine my full & Sole executrix of this my last Will & Testamente, And further I doe heerby request constitute nominate & appointe my lovinge friends Master Richard Mountfort Iohn Smithe Gloover and Thomas Horne of Stratford aforesaid to be the ouerseers of this my last Will & Testament whom I heartily desire to be aydinge helpinge & assistinge vnto my said wife in & about the performance & execucion of this my will, & especially for the managinge & placinge forthe from time to time & at all times of my said Childrens legacies, And I doe give them Sixe shillings /& eight pence\ a peece for their paines to be taken therin to be paid vnto them by my said executrix within one moneth nexte after my decease, And I the said Henrie Hiccoxe doe heerby Annihilate & make void all Wills & Testamentes by mee formerly made. In witnes wherof to this my last Will & Testament I have putt my hand & Seale the daie & yeare first within written

Witnesses to the sealinge subscribinge &

publishinge of this office Iohn Beddome Scriptor

Thomas Greene

Willyam Thorne

Thomas Abbotts

Richardi /<mark> signum\ Iohnson¹⁰⁸

¹⁰⁷ The words 'Jane Hiccoxe' appear to have been inserted in a different hand, in a space left for the purpose.

¹⁰⁸ Each of the witnesses has signed or marked his own name.

Lewis Hiccox¹⁰⁹

In nomine dei Amen the xxvijth daye of Iune Anno domini 1627 I Lewis Hickockes of Stretford vpon Auon in the Countye of warrwick yoman beinge sicke in bodie but of perfect minde & memorie praised be God doe make this my last will & Testament in manner & forme followinge, first as cheifest I giue & bequeath my soule to Almighty God my Creator hopinge to be saued by the ownlye merittes & passion of christ Ihesus my blessed Sauour & Redeemer my bodie I giue to the earth from whence it was taken to be buried at the will of my Executors in the Churchyard of stretford aforesayd of all my worldlye goods I thus dispose, first I giue towards the repare of the sayd Church the some of tenne shillings Item to the poore of the sayd Parish what my Executors thinke meete to deale at my buriall. Item I giue & bequeath vnto Alice my wife twoe partes of all my goodes & Cattells mouable & vnmouable with the vse profet & benifit of them for & duringe the terme of her natur-rall life & the free disposition of one halfe of the sayd twoe partes at her decease, the other halfe of the sayd twoe partes my /will\ is shall issue & come to the handes of my suruiuinge Executor heareafter to be named to be imployed to & for the benifit & mainte-nance of my Sonne houmfry Hickocks (if he shall be then liuinge) otherwise <F> the sayd halfe to be disposed of at the will /& discretion\ of my sayd Executor amongst my poore kindred. And as concerninge the other therde parte of my sayd goods & Cattell I giue & bequeath them to my trustie frende & Landlord Richard wright Parson of Exall¹¹⁰ in trust & confidence & for this vse followinge, namelye that the profet benifit & aduantage of the sayd thirde parte bee half yearly alowed to houmfry hickocks my Sonne & Ioane his wife for their maintenance & liuelihood & after the decease of my sayd Sonne soe to come & acrew to his sayd wife Ione & her assignes Item I giue to Iohn Hickocks my nephew when he shall accomlishe the age of xxj yeares fiue powndes, Item to his Brother henry xs. Item to his Brother Lewis¹¹¹ my goodsone xxs payable to him within two yere[s] after my decease Item I giue to foure of my poorest godchildren ijs vj[d] a peece, & to henry Hickockes my seruant the some of xxs. Lastly I do constitute & make Richard Wright Clericus aforesayd & Alice my sayd beloued wife Executors of this my last will & desire my good frend[s] master Thomas Greene & Thomas Horne yoman to be the ouerseers of this my sayd will giuinge them for their paines therein iijs iiijd apee[ce] and soe (with a reuocac[i]on of all former wills) I publish & declare this to be my last will the daye & yeare aboue written.

Sealed & published in the presence of vs

Henry walker

William Barnes¹¹²

¹⁰⁹ WRO 008.7 1627/104.

¹¹⁰ Exhall, about 23 miles north of Stratford.

¹¹¹ Likely to have been the sons of Lewis's brother, Thomas Jr.

¹¹² Henry and William seem to have signed their own names. Barnes could, plausibly, have been the scribe.

Thomas Hiccocks of Welcombe¹¹³

In the name of God amen. The <one> /nine\ and twentie of october in the yeare of our Lord God one thowsande ... [six hundred and] six and in the fourth year of the raigne of our souraigne Lord James by the grace of God of greate Brita[in] ... kinge defender of the faith &c. I Thomas Hiccox alias Hiccocks of Wellcombe in the parishe [of Streatforde] ... Vppon Auon in the county of Warwike husbandman, beinge sicke of bodie but of perfect [memory I thank] ... mj Lord God, do ordaine & make this mj laste will & testamente in maner & forme folowing [first I bequeath] ... mj soule unto Allmightj God: trustinge to be saued bj the merites of Christes passion & mj bodie to [be buried in the] ... church or churchyarde of Streatforde aforesaide. Item mj will is that mj sonne Richard Hicco[cks] ... and inioj mj whole livinge with all that belongth thereunto which I holde bj copi holde belonginge to ... tenemente wherein I nowe dwell in Wellcombe aforesaid, and in the feilds of the same. Item I geu[e] ... unto mj said sonne Richard, foure hors[e]s an ironbounde Carte, a plowe withall & singuler geares a ... belonginge unto the same hors cart /and\ plowe, to enter upon the same livinge & lande with hors cart ... yeares at after the deceasse of Alice <of> mj wife paijnge unto mj executors tenne poundes of law[full] ...

Item I geue and bequeathe unto mj daughter Isabell twentj poundes of lawfull monej to be paied unto hir within ... nexte after mj decease. Item I geue and bequeath unto mj sonne William Hiccoxe foure poundes of lawfull [money to be] ... paied within one yere nexte after mj decese. Item I geue unto dorithj Hiccoxe daughter to mj said sonne Wi[lliam] ... shillinges of lawfull monej to be paied hir within one yere nexte after mj decease. Item I geue and bequeth mi ... wife twoe kine withall mj housholde goodes duringe hir naturall life, & after hir naturall life, then mj will is ... householde to remaine to mj dawghter Isabell. These bequestes done debtes paied and legacies leuied & mj b[ody ho-] ... nestlj buried. Then I geue & bequeath all the reste of mj goods mouehable and vnmouehable in whose hands [soever] ... theie be unto mj <f> Twoe sonnes Thomas & Lewes who I make & ordaine mj executors. ioinctlj togeather of [this my] ... laste will & testamente. And I desire mj trustj frende master Peter Rosewell to be mj supervisor of this mj last [will] ... and testamente and he to haue for his paines therein to be taken twoe shillinges. [?Per me]

Witness Peter Roswell

William Gilberte alias Higgs scriptor

debtes to be paied

Inprimis to William Walker £iiij

Item to Thomas Bucke £iij xs

Item to William Cawdrj £iij

Item to George Nib xviijs vjd

Item to mj dawghter Anne Barton £v xxd

Item to william sonne to mj sonne william Hiccoxe xxs

¹¹³ SBTRO BRT 3/1/37.

Thomas Hiccox¹¹⁴

[... ...] [?Sepagesimo] vndecimo [... ...] [?doni] nostri Iacobi, dei gratium Anglia
[...] regis [?nonum] et Sco[cie] 44

In the [na]me of God Amen I Thomas Hiccokes of the Burrowe of Stratforde vpon Avon [in] the [county] of Warwike yeoman, sicke in bodie but of good & perfecte remembrance I praise my God do make [my] laste will & Testamente in manner & forme folowinge. Firste I bequeath my soule vnto Allmightie God /& through the merittes of my Lorde & onlie Saviour Christe Ihesus I stedfastlie beleue I shall be partaker of his mercies in the resurrection of those that are and shalbe saued /and my bodie to be buried at the discretion of mie executor. Firste for the kinde affection which I beare vnto my beloued wife Elisabethe and vpon confidence which I repose in hir faithfull and carefull loue whiche she will shewe vnto me in the virtuous and well breeding of those children whiche are or shalbe betwene vs I do testifie hearebie and mj will is That she shall haue and enioie all and euerie the houses barnes stables yardes gardens and all and singuler edifices and buildinges bothe free Lande and chamber lande set lijnge and beinge in Henlej streate in Stratford aforesaid withall and singuler their appurtenances from the daie of mj decease vntill mj sonnes heerafter named shall accomplish their seuerall ages of Six and Twentie yeares: She paijnge and doinge yearelie for the same as I my selfe shoulde or oughte to do and paie Item I geaue vnto Henrie Hiccokes my <el~~son~~> eldeste sonne All That mie dwellinge house wherein I dwell withall <and> yardes barnes stables edifices and buildinges and the Yarde gardens profittes comodities and ad-vantages to the same belonginge withall and singuler their appurtenances beinge mj free holde (excepte and allwaies reserved one baie of houesinge where nowe mj bed chamber is nexte and adioininge vnto the land of the Bailife and Burgess[e]s of Stratford aforesaid on the streate side and one baie of barninge one the backside and the Yarde lijnge be-twene) To haue and to holde all the saied frelande w~~ith~~all and singuler the appertenances (excepte before excepted) vnto the saied Henrie Hiccokes from and imeadiatlie after he shall accomplishe the age of Twentie and Sixe yeares and to the heires /male\ of his bodie /lawfully begotten\ for euer after; if the saied Henrie solonge shall liue and haue such heires /males\ of his bodie lawfully begotten. Item I do geaue vnto [?Thomas mj sonne the]¹¹⁵ saied <baies> twoe Baies /formerlie excepted\ viz^t one on the Streate side and one the feild side and all the yarde grounde lijnge betwene the saied twoe baies accordinge to the brea/d\th and lengthe of the saied baies: which grounde and baies of buildinge are set lijnge & beinge betwene the saied lande of the saied Bailife and Burgesses on the easte parte and the rest of mj free lande on the weste parte: and was formerlie excepted from the reste of mj freland To haue and to hold /vnto the saied Thomas mj sonne\ the saied Twoe baies and yarde as aforesaid withall and singuler the appurtenances profittes and advantages vnto the saied twoe baies and yarde onlie belonging From and after the time That the saied Thomas shall accomplishe the full age of Twentie & sixe yeares and to the heires /males\ of his bodie lawfullj begotten or to be be-gotten for euer if the saied Thomas shall so longe liue and haue suche heires paijnge therefore yearlj at the feaste of Saint Michaell the Forth parte of the cheife rente of the rest which is for his parte one penie and makinge a lawfull and sufficiente

¹¹⁴ WRO 008.7 1611/61. Much of the top of this document has been damaged.

¹¹⁵ The rest of this line occurs on a crease of the paper, which was not flattened out properly when the microfilm image was taken, and thus obscured. However, we can deduce from the rest of the bequest that this is meant to go to his son, Thomas.

mound betwene the [?third] parte of the frelande and him. Item I geaue vnto ~~and w~~ Iohn and william my sonnes all the housinge on the streate side and on the feilde side whiche I hold bie Indenture of the saied Bailife and Burgesses with all the yarde and garden groundes belonging vnto the same to be equallie diuided betwene them, and to be seuered set out and mounded accordinge to the course of moundinge in the same range To haue and to holde vnto the saied Iohn & William all the saied /laste rentes\ premisses with their appurtenances from and after the time that /the saied lease shalbe expired within one and Twentie yeares\ ~~theie shall accomplishe their seuerall ages of Twentiesix~~ xxxx <yeares> due-ringe and for all the residue of the terme then to come in the same thej yeldinge & paijng therefore /the rentes\ due and /due\ accustomed. Nowe further if it happen the saied Henrie and Thomas or either of them to departe this life and die before thej accomplishe the saied age of twentie and sixe yeares, or afterwarde /die\ without /such\ Issue /male\ of their bodies lawfullj begotten, Then mj will is and I do geaue the parte of him so dijnge withoute heires /males\ of his bodie lawfullie be-gotten, vnto the survivor<s> of them twoe and to the heires /males\ of his bodie /so [?suruiunge]\ lawfullj begotten for euer in manner and forme folowinge, That is to saie. If the saied Henrie die firste withoute suche heires of his bodie lawfullj begotten Then mj will is and I do geaue vnto mj saied /sonne\ Thomas and to his heires /males\ of his bodie lawfullj begotten ~~and to his heires~~ for euer all the saied parte and portion of mj free lande after the decease of mj saied sonne Henrie /(from and imeadietlj after the saied Sixe and Twentj [?years]\ whiche formerlie I gaue vnto /the saied)\ Henrie. And if it should so come to passe then my will is That the saied Thomas /mie sonne should\ inioj<inge> the saied parte which Henrie<s> and suche heires should haue had, That then and imeadiatlie after, ~~the other of mie sonne Iohn and william~~ /mie will is and I doe geaue to mie sonne Iohn and to the heires males of his bodie lawfullie begotten all the saied parte and portion geaue to Thomas and his heires /from and after the time he shall accomplishe the age of Sixe and twentj yeares\ as aforesaid if he be then livinge or haue suche heires males of his bodie lawfullj begotten / [... ..] \ And for breuities sake I do hearebie declare and make knowen That mie will and trewe meaninge is That which soeuer of mie sonnes from the eldeste to the yongeste <is this> shall die seised of anie of those partes of mj free lande in former manner apported withoute suche heires males of his bodie lawfullie begotten then the nexte yonger havinge suche heires shall haue the parte and portion of the saied Frelande of him ~~and his~~ /or them\ so dijnge, withoute such heires males to him ~~to~~ and to the heires males of his bodie lawfullj begotten for euer /So that he or thej so suruiunge haue accomplished the age of Sixe & Twentj yeares\ And for wante of suche heires of mie saied sonnes Then mj will is and I do geaue the saied parte or partes of him or them so dijnge withoute suche heires males as aforesaid to the righte heires of me the saied Thomas Hiccokes for euer. Item I do geaue vnto Elisabethe mie dawghter the somme of Twentie poundes of good and lawfull englishe monej to be paid vnto hir when she shall accomplishe the full age of Twentie yeares. Item I do geaue vnto mie three yonger sonnes Thomas, Iohn and William Twentie poundes of lawfull englishe monej to be equallie diuided betwene them three when they shall accomplishe their seuerall ages of one and Twentie <[?and sixe]> yeares, Item I bequeathe and geaue vnto doritie Hiccokes mj brother<s> /willyams\ dawghter in somme parte and token of mj good Will for hir longe service Five poundes of good and lawfull mon[ej] of Englande to be paid vnto hir at the natiuitie of Christe one Thouesande sixe hundre[d] and thirtene. And mie will is That if anie of mie three yonger<s> sonnes do departe this life and die before they accomplishe their saied seuerall ages for the receauinge of the saied seuerall

portions, then mj will is that the parte and portion of him or them so dij[ng] shalbe paied vnto the suruiuor or suruiuors of them when they shall haue accom-plished their saied seuerall ages. Item I geaue and bequeath vnto mie brother William xxs of like lawfull monej within one Quarter of a Yeare nexte after the provinge of mj laste will. Item I geaue vnto the pore of this burrowe xs at the daie of mj funeralles, to be bestowed at the discretion of mj executor & overseers and especially /to\ those of Henlej streate warde. Item I geaue xs of like lawfull monej vnto the parishe church of Stratford to be bestowed vpon the same Church at the discretion of mie executor and Overseers hereafter named Item mie will is and I doe herebie declare and make (mj bodie honestlie buried in the Churchyarde of Stratforde aforesaied neare vnto the place wheare mj Father is buried, mj dettes paied and mie funeralles discharged) Elisabethe mie Wife mj full and sole Executrix of this mj laste will and Testamente and geaue vnto hir all the reste of mie goodes cattells and chattells not formerlj geaue and bequeathed. And lastlie I intreate mj lovinge brother Lewes Hiccokes: and mie verie lovinge and kind neighbour and frende Iohn Smythe to be Overseers of this mie laste will & Testamente: and for their paines I do appointe vnto them /Twoe shillinges Sixe pence a peece\. In witnes wheareof I haue here to put mie hande and seale the daie and Yeare firste before

Sealed and signed in the presence of

John Smithe signum <mark> [?Ludowici] Hiccokes

Will[i]am [?mahoo]

Richard hicc

Richard Hiccokes

Thomas Hornebj

& others

John Hickox¹¹⁶

In the Name of God Amen the eight and twentieth day of march in the ninth yeare of the raigne of our Soueraigne Lord Charles &c. Anno domini 1633 I Iohn hickox of Stratford vpon Avon in the Countie of Warwicke Blacksmyth beinge sicke in body but of good and perfecte remembrance thanks be to god therefore doe make and ordaine this my last will and testament in manner & forme followinge First I bequeath my soule to Allmightie god trustinge throughe the merittes of Christ Ihesus to haue pardon of all my sins and to be Saued at the last day and my body to the earth And for the goodes and chattells which it hath pleased god to blesse me withall I dispose of them in manner & forme followeinge Inprimis that the remainder of the Terme yet to come and vnexpired of the twoe Cottages or Tenementes, which I lately tooke and haue graunted vnto me from the Bayliffe & Burgesses of Stratford aforesaid I will shall be to my wief yf shee keepe herself Widdowe & vnmarried vntill my daughter Elizabeth shall accomplishe the age of one & Twentie yeares for and towardes the maintenaunce of her & the bringing vp of my said daughter Elizabeth and the Child or children <[?..h]> /that she nowe goeth withall, But yf in Case she shalbe married againe then one of the said Cottages or Tenementes to bee at the disposeinge of henry hickox my Brother and Thomas horne for the vse of m[y] said daughter Elizabeth, and the other Cottage or Tenement [...] my said Wief for and duringe the remainder of the Tearme [...] to Come yf shee shall live soe longe, and after the decease of m[y] said Wief then to the Child or children that my said wief goe[th] Withall And in Case either of my said Children shall dye leave[ing] noe yssue, Then my will is, That both the said Cottages or Tenementes shalbee and remaine vnto my surviueinge Child or Children and to his hir or their assignes, And yf both or all m[y] said Children shall decease leaving noe yssue, Then my w[ill] is the said twoe Cottages <or Tenementes> shalbe and Come to Lew[is] hickcox one of my brothers and to his assignes and to such yssu[e] of his body lawfully begotten or to be begotten as hee shall dispose it vnto for and dureinge the remainder of the s[aid] Tearme, And for want of such yssue Then to my said [...] henry Hickcoxe and his assignes and to such yssue of his [...] lawfully be<gog>gotten or to be begotten for and duringe the remainder of the said terme which <sha> then shalbee to come vnexpired, and for wante of such yssue, Then my will is tha[t] [...] shalbe and remaine vnto Thomas Hickcox one other of my sa[id] Brothers and to his assignes to be disposed of by him in man[ner] and forme as by this my said Will my other said Brothers are limited and appoynted And for want of such yssue and disposicjon, Then my will is that the said twoe Cottages shalbee and Come vnto the next of my kinred male or female for and dureing the remainder of the said tearme yf any be then to Come and vnexpired, Item my Will is that my brother Henry Hickcox aboue named shall haue the vse & occupacjon of my barne vntill such tyme that my said daughter Elizabeth shall Accomplishe the age of one and twenty yeares, hee keepinge the said Barne in good repayre duringe the said tyme And likewise payinge to my said Wief euery yeare yearly the sume of thirteen shillinges & fower pence yf she shall keepe herself sole & vnmarried; but in Case she shallbee married then from the tyme of such Intermariage the said Rente of thirteen shillinges & fower pence to bee and Come to the vse & benefitt of my said Child or <Children[?..]> Children, And after my said daughter Elizabeth hath accomplished the age of one and twentie yeares then my will is that the said Barne shalbe and remaine to the vse and benefitt of my said Child or Children equally to be devided betweene

¹¹⁶ WRO 008.7 1633/82.

duringe their naturall lives, And in case either shall decease then to the Survivor<s> or Survivors of them And yf in case they shall all departe this lief leaueinge noe yssue then my Will is it shall bee devised as formerly I haue by this my last Will devised the said twoe Cottages or tenementes, Item I bequeath <vnto> my said Brother Henry Hickcox Five poundes which was giuen mee for my legacy by my vnckle Lewes Hickcox his last will for and in consideracion of such debtes hee hath payd and standeth engaged for me which said five poundes one Ralph Townesend is to pay Item all the rest of my goodes and Chattells whatsoever I giue vnto my welbeloued Wief whom I make and Ordaine my sole Executrix of this my last will and Testament, Whereof I desire my sayd brother Henry Hickcoxe and the said Thomas horne to be my Overseers In Wittnes Whereof I haue herevnto sett my hand and seale the day & yeare first aboue Written

Wittnesses herevnto

henry watkis

George Whittney

Francis Collyans

The marke of

Iohn Hickoxe

Richard Hicks¹¹⁷

In the name of god Amen I Richard Hicks of <w> Clapton dooe Bequeath my Sowle in the handes of my maker and my Redeemer and my bodie to bee laid in Church yeard of /stretford\

Item I <beq> giue to my Brother william Hickers <tenn> /leven\ sheepe wich bee in Clopton

Item I make my wife sole Exsecketer of my /all\ goodes vnbequethed provided that shee bee with Child I giue to that Child £x of my goodes to bee paid to william Hickers my Brother with in a yeare after the Childe is Borne for the vse of that Child provided will hickers shall pay to that Child the vse soe longe as shee keapes heare selfe widdo/w\ if shee Marri /the\ Vse to goe to the Child provided if shee bee not with C Child [sic] then I bequeath this tenn poundes fiue poundes to will[i]am hickers my Brother and three poundes to my Brother Falintin hickers <and> and my best wearing Cloese and my grene Cote and to my god sonn Richard Meericke of Snitterfild I bequeath vnto him forti shillinges /and\ to bee paid to /<him>\ these partise these monies and goodes within A twelmonth and A daie after my desese soe this is my last will and testament

witnessese

signum

Richard Robins¹¹⁸

Richard <mark> hickers

Thomas Horne¹¹⁹

I doe make william hickers my Brother and will Ainge of Bishipton my overseers of this my will and doe giue to them twele pence a pease

Probatum &c. apud Wigorn 5 die Maij 1638 coram doctore Littleton [?Cane] &c. [?niramto relce] Executris &c. coram ministero Wright surrogate &c. iurat

All my debtes Owinge

Richard Robins seven poundes

Samuell Merrick twenty shillings

Io~~hn~~ leaper <twentie shillings> six poundes thirtin \shillings 4d/

Thomas Tomes sixtene shillinges eigt pence

Thomas leper three poundes

Thomas doone xxs

Io~~hn~~ Smart of Shotteree xxs

Francis Hopper of Stratford xxiijs

Francis Hopper fifti shillings

¹¹⁷ WRO 008.7 1638/88.

¹¹⁸ Richard Robins may have been the scribe.

¹¹⁹ Horne appears to have signed his own name.

Arter Bragden and william Frewen xxiijs

(On the reverse of the will)

/Most\ Loueing & kind Ant my vmbles loue remembred vnto you & to my brothers & sisters hoping in god that you are all in health, Aunt this is to lett you vnderstand that I haue sent you the Cloake according to my promise & your expectation, I pray you send the Cloth that it is wrapte in to Richard Whithead att Warrwicke, my brother Samwell remembers his loue to you & his wife & the rest of his frends. the Cause of his not coming downe is because that he hath a brother to be married verry shortly & hee is a making the wedding Cloths but god willing hee will bee downe the latter end of the next weeke my sister Margerett sent to me to haue me to buy her a truncke; but shee were better lett it alone tel the spring because the ways are soe foule that they will quite spoyle it but if shee will haue one let her sende me word the next retourne & shee shall haue one, & soe being in hast I rest;

Your Loueing Kinsman

Thomas Leaper

London the second of November 1631

Sister Margerett I should be glad to heere from you & to receiue some [?of] good thing or other for the world is verry hard w^{ith} vs heere att London

Richard Hill¹²⁰

In the name of God: Amen the sixteenth daye of the monethe of Maye in the yere of the Raigne of our soueraigne Ladie Elizabeth by the grace of god of England France and Ireland Quene defender of the faithe &c. /xxxij\ I Richard Hill of Stratford vppon Avon in the Countie of warwicke wollen draper beyng in bodye diseased but of perfect re-membraunce (all praise to the Lord therefore) Do ordayne and make this my last will and testament in manner and forme folowinge. First and cheifely I yeald and Committ my soule vnto <the> Almightye god my maker and most mercyfull father in oure Lord and savyoure Iesus Christe my most gracy-ous redeemer, trusting by his meanes and merittes only to obteyne euerlastinge saluacion thorough the eternall comforte of the holie ghoste and next my bodye is to be buryed in the parishe churche of Stretford at the discrecion of my executor hereafter named. Item I giue to Master Broomehill for a Sermon at my buriall tenne shillings. Item I giue to the poore people of Streatford fyve pounce to be Distributed at the daye of my buriall. Item I do giue and bequeathe to Katherine my wife one hundred and twentie poundes of currant english money my best siluer salt, my best siluer Cuppe and my best dozen of siluer spoones. And further my will is that she shall haue hould and enioye the mesuage or tenement wherein I nowe do dwell with all manner of buildinges casementes yarde backyard and garden therunto belonging together with a Close in [?Winsor]¹²¹ nowe in the tenure of Master Iohn Wheeler or his assignes for and during the full and whole tearme of tenne yeres next and ymmediatly ensewinge the date hereof (yf she so longe /shall\ liue) yelding paying and performinge therefore all suche rentes and covenantes as by vertue of a Lease to me and my assignes thereof made ar to be paied and performed during her aboad in the same. And vnto my assignes hereafter named one red rose at the Feaste of Sainct Iohn Baptist yerelie during the saied terme (yf it be demaunded) Provided allwayes and neuertheles my will is that yf Katherine my wife in the meane tyme shall marry awaye or otherwise be willing to departe from and leaue the mesuage or tenement and close aforesaied that she shall yealde vp and leaue the same to my assignee or assignes hereafter named and to none other for suche a reasonable somme of money as shalbe agreed vppon betwixt them so that yt exceed not the somme of twentie markes. Item I do assigne giue and bequeathe vnto Henry Sturley my daughters eldest sonne the lease of the saied mesuage or tenement and close with all and singuler their appur-tenances with all my Righte title interest and terme of yeres yet to come in the same from and after the ten yeres vnto my wife appoynted or her relinquishing the same as is before limited. Moreouer I do giue and bequeathe vnto the saied Henry all the waynscottes or seelings and porthalls the presse of waincott in my bedchamber and all the Cubberdes and tables and all the glasse in the wyndowes nowe being in and aboute the same mesuage or tenement or in or aboute any parte therof togeather With the saied mesuage or tenement so that he liue to possesse and enioye the same in manner and forme aforesaid And yf the sayed Henry shall departe this life and dye before he possesse and enioye the sayed mesuage or tenement Close Lease waynscottes or seelings and all other the premises with all and singuler their appurtenances in manner and forme aforesayed Then my will is and I do giue and bequeathe assigne and set ouer the saied Lease mesuage or tenement waynskottes or seelings and all the aboue recited premises with all and singuler their appurtenances vnto Richard Sturley the second sonne of my sayed daughter in the same manner and forme and in

¹²⁰ TNA PROB 11/83/127.

¹²¹ The word is actually written 'Wnisor' or 'Wuisor'.

as large and ample sorte as Henry Sturley aforesayed shold haue had and enjoyed the same by vertue hereof. And yf the sayed Richard Sturley shall departe this life and dye before he shall possesse and enioye the sayed Lease mesuage or tenement and all the recited premises with all and singuler their appurtenances Then my Will is and I do giue assigne and set ouer the saied Lease mesuage or tenement Close waynscottes or seelinges and all and singuler the recited premises with their appurtenances vnto Anne Sturley my daughter and to her assignes in the same manner and forme and in as lardge and ample sorte as the foresaied Henry or Richard Sturley should or mighte haue enjoyed and had the same by vertue of this my last will and testament Prouided moreouer and neuerthelesse my Will is that Katherine my wife shall vse and occupie the saide waynscottes Cubbardes tables porthalls presse and glasse together with the sayed mesuage or Tenement for the tyme of her aboade therein as is first limited and appoynted without any manner of Defacinge diminishing or ympayinge the same or any parte or parcell therof. Item I do giue and bequeathe vnto the foresaied Henry Sturley and to the heires of his body lawfullie begotten for euer all that my close at the netherend of Church streete and the moytie or one halfe of the barne and orchyard in Rothermarket streete with all and singuler their appurtenances. Yealding payinge and performinge such rentes and services as ar therfore due and accustomed and fortie shillinges of lawfull money of England vnto Katherine my wife in name of her Dower or Thirdes yerelie to be payed during her naturall life And for want of suche heires then my Will ys and I do giue and bequeathe the same Close halfe barne and or[c]hyard vnto Richard Sturley second sonne vnto my saied daughter and to the heires of his bodye lawfullie begotten yealding paying and performing therfore all suche thinges as Henry should haue done and payed. And for want of suche heires then my will is and I do giue and bequeathe the same Close halfe barne and orchyard vnto william Sturley her third sonne and to the heires of his bodie lawfullie begotten for euer. yealding paying and doying all such thinges as Henry or Richard or their heires should haue done and payed. And for want of suche heires then my will ys and I do giue and bequeathe the same close halfe barne and orchyard vnto Thomas Sturley her fourthe sonne and to the heires of his bodye lawfullie begotten. And for want of suche heires then my will ys and I do giue and bequeathe the same close halfe barne and or[c]hyard vnto my saied Daughter Anne and to her righte heires for euer. Yealding paying and performinge as ys afore-sayed. Item I giue and bequeathe to Richard Sturley twentie poundes of good and lawfull englishe money. Item I giue and bequeathe vnto william Sturley twentie poundes of good and lawfull englishe money. Item I giue and bequeathe vnto Thomas Sturley twentie poundes of good and lawfull englishe money. Item I giue and bequeathe vnto Elizabeth Sturley twentie poundes of lawfull englishe money. Item I giue and bequeathe vnto Katherine Sturley twentie poundes of good and lawfull englishe money Item I giue and bequeathe vnto Frauncys Sturley twentie poundes of good and lawfull englishe money to be paid them and euery of them when they shall accomlishe the age of eighteen yeres. But yf any of them shall die before they shall come vnto the age of eighteene yeres then my will ys and I do giue and bequeathe the porcion or porcions of them or any of them so dyinge to be equallie deuided amongst the rest which shalbe livinge. Item I giue and bequeathe to my sister Richardsonne of Loxley twentie shillinges and to euery childe of hers livinge at my decease twentie shillinges. Item I do giue and bequeathe vnto my cosen Epiphanius Hill fyve poundes of the tenne poundes which he oweth me. Item I do giue and bequeathe vnto my Cosin Richard Tiler fortie shillinges. Item I giue vnto my cosen Margaret Arnold twentie shillinges. Item I giue and bequeathe vnto Iohane Heaming my servaunte twentie shillinges.

Item I giue and bequeath vnto euery maydservaunte nowe dwelling with me three shillinges fower pence. Item I giue and bequeathe vnto my daughter Anne Sturley one siluer Cuppe one siluer salte one dozen of siluer spoones with the mayden head. Item I giue and bequeathe vnto Katherine my Wife the moytie or one halfe of my houshold stuffe vnbequeathed and the halfe of my wood (my tymber and bourdes allreadie squared and sawed (excepted) Item I giue and bequeath vnto euery godchild which I /nowe\ have twelue pence. Item I giue and bequeathe vnto my sonne in lawe Abraham Sturley all the rest of my goodes and debtes in whose handes soeuer vnbequeathed (my debtes Funeralls and legaceys payed performed and dischar-ged whome I ordeyne constitute and make my full and sole executor of this my last will and Testament. Lastlie I desire my Welbeloued freindes and neighboures Master Richard woodward Master william Willson and Master William Parsons to take some paynes and care to see the same faithfullie and dylie executed and performed according to the true intent purport and meaninge hereof: And for their paynes taking and ouersight here: I giue vnto euery of them sixe shillinges eight pence. In wisse wherof I haue to this my last will and testament puttomy hand in the presence of Iohn Bramhall vicar and Abraham Sturley.

Richard Hill.¹²²

¹²² Perhaps the court scribe left this gap to indicate that the testator signed his own name at this point.

Joyce Hobday¹²³

[In the name of God Amen]. the xxviith day of March. 1602 and in the xliiith yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of God Queene of Eyngland, Fraunce, & Ierland, defender of the Fayth &c/. I Joyce hobday of Stratford Vpon Avon in the Countye of Warwycke Wydowe, beyng sycke in body but of whole & perfect memory I thanke my lord God, ordayne & make this my last Wyll & testament in maner & forme followyng/. Fyrst I bequeth my sowll vnto Allmighty God (trustyng to be saved by the meryts of Christes passyon) and my body to be buryed in the Church, or Church yard of Stratford aforesayd/. Item I geve & bequeth to my brother Rychard Ward of Warwycke my best fetherbed, one boulster a pillowe, & my best coveryng for a bed/. Item I geve & bequeth vnto Anne hobday my kynswoman and Wyf to Thomas hobday my lease & Indenture of my howse wherin I dwell duryng the tyme & yeares therin contayned to be to the best vse & commodytye of the same Anne if she so long lyve/. And my wyll is that the sayd lease & Indenture shall remayne in the hands of my frynds, Frauncis Smyth & Robert butler to be put to the only vse, & behoof of the sayd Anne duryng the tyme & yeares therof yf she so long lyve/. Item I geve & bequeth to the sayd Anne hobday a fether bed & a flockebed that lyeth nowe on my truclebed, & my great chest in the hall wyth the Rayment that is ~~my~~ in the same chest wyth my sylver hookes, my best brasse pan, a brandyron & two smale brasse pannes, & a lyttle boxe wyth the lynnens that are therin/. Item I geve & bequeth to my sayd brother Rychard Ward my velvett quysshyn/. Item I geve & bequeth vnto Anne Fytter Wyf to Wyllyam Fytter my gown [o]f¹²⁴ burnet cowlor, & an old petycoote/. Item I geve to my mayd luce a woll bed that she lyeth on [o]ne hillyng a blanket a sheete & the boulster/. Item I geve vnto John Felps alias Sutton one of [m]y flatt posnets of brasse/. Item I geve vnto Joyce Cootes my god dawghter & dawghter in lawe [...] Master Rychard byfyld my lyttle brasse pott/. Item I geve & bequeth vnto Willyam Gilbard alias higgs mynister my second brasse Cawdren./ Item my wyll is that Joyce Strayn dawghter /to\ Robert Strayne of kynverton shall haue a chest that is in her fathers howse wyth that is therin. & one other chest that is in the howse wherin her grannmother dwelled/. Item I geve to the poore of Stratford that haue most neede xl s to be distrybuted at the discretyon of my executors, & overseers, /. Item I geve vnto George Pyrry my godson & sonne to George Pyrrye a sylver sponer/. And to the rest of my god children not before named vj d a peece of them/. Item I geve & bequeth vnto Frauncis Smyth afore named a Fetherbed wyth the furnytüre therof/. Item I geve vnto Robert butler one Fetherbed wyth the furnytüre therof/. Item I geve & bequeth to Vrsula Wyf to the sayd Frauncis Smyth a Flockbed that lyeth vnder the Fether bed geven before to my brother Rychard Ward/. Provydid Allway that yf my sayd kynswoman Anne hobdaye decesse before the end of the sayd lease of my howse (Wherin I nowe dwell,) that then those yeares that are therin contayned & vnexspired to remayne vnto the sayd Frauncis Smyth & Robert butler equally/. Item I geve & bequeth vnto the sayd Frauncis Smyth the lease of my grownd in the Chappell streat/. Item I geve & beque[th] to my brother Antony Ward xx s of lawfull money/. Item I geve vnto Vrsula Smyth aforesayd my best Cawdren of brasse/. Item my will is that all my lynnens as sheetes, table clothes, towels, hand towels, table napkyns, or other lynnens (except my Weryng lynnens) geven before to my kynswoman Anne hobday) shalbe equally devydid betwene Vrsula Smyth Wyf to the sayd Frauncis Smyth & my sayd kynswoman

¹²³ SBTRO BRT 3/1/38.

¹²⁴ Parts of the page are missing here and elsewhere throughout the document.

Anne hobdaye/. Item I geve vnto my sayd kynswoman my best brasse pott/. Item I geve vnto henry butler sonne to the fore named Robert my best Chafferne/. Item I geve vnto Jone Ward wyf to my sayd brother Rychard tenne shillyngs of lawfull moneye/. Item I geve vnto my sayd kynswoman Anne hobday my best Cubbord in the hall & the Joyned Chere/ Item I geve vnto my sayd brother Rychard a pere of Curtayne Rodds And to my sayd kynswoman Anne my pillyan Wyth the cloth/. Item I geve to Elizabeth Wright a pewter platter/. Item I geve vnto Anne Gilbard dawghter to the sayd Willyam a Candlestycke/. Further my Wyll is that all the rest of my goodes & detts Whatsoever that are heartofore vnbequethed shalbe equally devydid in three parts, that is one part to Frauncis Smyth aforesayd/. an other to Robert Butler aforesayd/. And an other to my sayd kynswoman Anne hobday equally among them porcyon & porcyon lyke/. These bequests done detts payd & legaces levyed and my body honestly buried. then I do ordayne constytute & make my lawfull & whole executors of this my last Wyll and Testament my sayd brother Rychard Ward, the sayd Frauncis Smyth & the sayd Robert butler Joyntlye together/. And I desyre my trustye frynds Mayster henry Wylson, & John Felps alias Sutton to be my supervisors of this my last Wyll and Testament/. and they to hae for theyr paynes therin to be taken ij s vj d a peece of them./

Detts due to me the sayd Joyce hobday testatrix

Inprimis George Shacleton oweth me for Woll xxiiij s

Item Master Guttredge oweth me for Calves lether iiij s viij d

Item Master Busshell oweth me iiij s vj d

Item /John\ haws of Warwycke oweth me for one hundred of lether xxv s

Wyllyam Grene of Stratford oweth me iiij s

Rychard balis the elder oweth me xx s

John Felps alias Sutton oweth me xl s

John Frost of Alcetur oweth me £ iij xij s viij d

More the same Frost oweth me ij s vj d

Thomas Baker of Tyddyngton oweth me xxij d

John Edwards of Allveston alias allston oweth me for two pere of gloves viij d

John yeate of Stratford Sadler oweth me xiiij s iiij d

Wyttnesses

Per Me William Gilbard

alias higgs scriptor

Probatum¹²⁵

¹²⁵ It looks like somebody began to write the probate here and then left off, possibly because of Richard Ward's refusal of the executorship.

Be it knowen that the aboue named Richard ward being mad one of the executors, doeth & hathe refused before the ordinance of this Jurisdiction: the executorshipe

Per me Richardi Bifield ordinari¹²⁶

¹²⁶ This text is written in a different hand, and seems to be a later addition.

William Hobday¹²⁷

In the name of god amen the xvth day of december 1601 & in the xliiith yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eyngland Fraunce, & Ierland defender of the Fayth &c. I Wyllyam hobday of Stratford Vpon Avon in the countye of Warwycke Glover sycke in body but of whole & perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng/ Fyrst I bequeth my soull vnto Allmightye god (trustyng to be saved by the myryts of Christes passyon) and my body to be buryed in the Church or Church yard of Stratford aforesayd/. Item I geve & bequeth to my brother Rychard hobday my best Cloke my best cote & my best dublet, Item I geve & bequeth vnto the same Rychards Children to everye of them iij s iiij d a peece <of them>/ also I geve to the same Rychard my brother a pere of bowlls Item I geve & bequeth vnto /every of\ the children of my brother in lawe Thomas hanncocks iij s iiij d/ Item I geve vnto Anne badger iij s iiij d/ Item I geve vnto the Children of Robert Strayne to every of them iij s iiij d a peece/ Item I geve vnto bartholomewe Parsons my Rapyre & my dagger/ Item I geve vnto my sayd brother Rychard my booke of the newe testament/ Item I geve vnto every of my god Chyldren iiij d a peece/ Item I geve vnto Rychard Nycolls ij s Item I geve & bequeth vnto Wyllyam Gilbard alias higgs mynister in Stratford ij s vj d/ This bequest done detts payd & legaces levyed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in Whose hands soever they be Vnto Joyce my Wyf Who I ordayne & make my sole exekatrix of this my last Wyll & testament/. And I desyre my trusty frynds Rychard balis the elder of Stratford aforesayd & John Wheler of the same town to be my supervysers of this my last Wyll & testament And they to haue for theyr paynes therein to be taken ij s vj d a peece of them/

Wytnesses/ Per me William Gilbard alias higgs scriptor

Per Me Johanem Welerr

Rycharde balys¹²⁸

Sign William <mark> hobdaye

testator

dett owyng vnto me the sayd testator

Item George Shacleton oweth me xxiiij s

Item Antony Wolston oweth me v s

Item Master Guttredge oweth me for calves lether iij s <viiij d> viij d

Item Master busshell oweth me for gloves iiij s vj d

¹²⁷ WRO 008.7 1601/140.

¹²⁸ John and Richard have signed their own names.

Robert Hollis¹²⁹

In the name of god Amen The Fifte daie of September in the First yeare of the Raigne of our Soueraigne Lord Charles by the grace of god kinge of England Scotland Fraunce and Ireland defendor of the Faith &c. And in the yeare of our lord god one thousand Six hundred Twenty and Fyve, I Robert hollis of Stratford vppon Avon in the Countie of warwicke husbandman beinge sicke of bodie but of good and perfecte memorie god be praised, doe make and ordayne this my last will and testament in manner and forme followinge That is to saie First I Comend my Soule unto the handes of god my maker hopeinge assuredly through the onely merites of Jesus Christ my Saviour to be made partaker of lief everlastinge, And I Comend my bodie to the earth whereof yt is made, And as touchinge and Concerninge my worldlie estate and goodes I doe dispose bequeath and give as followeth And First I give and bequeath vnto my wief with whome I Copled my selfe in the feare of god refusinge all other Women the Summe of Twelve pence of lawfull money of England in full of her part of all my goodes whatsoever Item I give and bequeath vnto my kindsman humfrey hollis Sonne to my brother George hollis my greatest and best Coffe, Item I give and bequeath vnto Arthur Stevens whoo married the daughter of my said brother George my Iron Croo,¹³⁰ Item I give and bequeath vnto Susanna Stevens wief of the said Arthur Stevens one of my Two kyvers / And of this my present last will and Testament I doe make my brother George sole and whole Executor to whome I doe give and bequeath All other my goodes Chattles and debtes whatsoever And I doe hereby revoke and renounce all former and other wills / & bequeathes\ whatsoever In witnes to this my present last will I haue hereto sett my hand and Seale the daie and yeare first aboue written

In the presence of

John Beddome

Richard Walford¹³¹

Edward Rawlins¹³²

Signum Arthur¹³³ Stevens

¹²⁹ SBTRO BRT 3/1/39.

¹³⁰ Crowbar.

¹³¹ The handwriting of the signatures of John Beddome and Richard Walford differ to that of the scribe, so it appears that they signed their own names.

¹³² The handwriting of this signature is different to that of the scribe, so it would be safe to assume that Edward Rawlins has signed his name himself.

¹³³ Arthur Stevens has inserted his mark here.

Richard Homes¹³⁴

In the name of God Amen the xxxth day of Iune in the yeare of our lord God 1593 & in the xxxvth yeare of the Raynge of our Soveraygne lady Elisabeth by the grace of god Queene of England Fraunce & Ireland defender of the faythe &c. I Richard Homes of Stretford vpon Avon in the County of Warwicke Mercer being sicke in body but of perfect memory I thanke my lord god ordayne & make this my last Will & Testament in maner & forme followinge, First I bequeath my soule vnto A[l]mightie god trustinge to be saved by the merites of Christes passion & my body to be buried in the Churchyard of Stretford aforesayd Item I doe acknowledge that I have discharged all legaces detts dues & demaundes as Well vnto Richard Homes sonne, vnto my late sonne William Homes deceased and vnto all others accordinge to the last Will & Testament of the sayd William, Item I give & bequeathe vnto my sonne Richard Homes, a wevinge lome, a Warpinge troughe a warping barre, vij peere of geers, a Woll bede one boulster, a hillinge a thrum clothe a peere of sheets a peere of bedsteeds my beste coote and a newe hose clothe, Item I give vnto mary Homes, daughter vnto the same Richard a brasse pott withe a hanglesse, one pewter dysshe a sawcer & a salt seller, Item I give & bequeathe vnto ~~my sonne Richard~~ Ione my dawghter nowe Wife vnto Iohn Aylson of drayton one Christeninge sheete that she hathe already & one other sheete & a pewter platter Item I give & bequeathe vnto my sonne Thomas Homes vs of lawfull mony, Item I give & bequeathe vnto the sonne of Iohn Smythe of Shepestone vpon stowre my sonne in lawe ijs & to his two dawghters every of them a pewter platter Item I give & bequeathe vnto Richard Homes sonne vnto my late deceased sonne william Homes my greate brasse pott my little brasse potte a brasse panne & ij Cawtherns a dabnette v peces of pewter, three sawcers one salte, ij Candlestikes, ij Wole beds, ij Hillinges, ij peere of sheetes a duple canvas ij boulsters one pillowe & a pillow bere, ij bord clothes, one towell, a square clothe a brach & a pere of Cobbarde a drippingge panne, a chafinge dishe & a pewter potte, Item I give vnto my godsonne Thomas Hycks vjd Item I give & bequeathe vnto william Homes sonne to the aforesayd Richard Homes my sonne a pewter platter, Item I give & bequeathe vnto william Homes sonne to the foresayd William Homes my sonne deceased xvijjs of lawfull mony Item my Will is that the things in my shoppe as yet vnbequethed shalbe sould & the mony equally devided betwene Ananias Nasone Richard Homes, Iohn Smythe & Iohn Ayleson afore named savinge that ther shalbe payde oute of the same ijs vnto the foresayd william Homes sonne to the deceased William Homes The rest of all my goodes moveable & vnmmoveable in whos hands soeuer thay bee I give & bequeathe them vnto my sonne in lawe Ananias Nason who I make my full Executor of this my last will & testament, and I desire my trusty friends & good neighbors William Wyatt Gilbard Charnocke & Hughe Piggin to be my supervisors of this my last will & Testament & they to have for theyre paynes therin to be taken xijd a peece of them Witnesses william wiet Gilbard Charnoke Hughe Piggin Richard Homes & william Gilbard alias Higgs minister wth others <mark> the signe of Richard Homes Testator

¹³⁴ WRO 008.7 1593/72.

William Homes¹³⁵

In the name of god Amen the Vijth day of may in the yeare of our lord god 1590 & in the xxxijth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eynghland Fraunce & Ierland defender of the Fayth &c. I Wyllyam homes of Stratford Vpon Avon in the county of Warwycke Wever beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng Fyrst I bequeth my soull to Almighty god (trustyng to be saved by the merits of christs passyon) & my body to be buried in the church yard of Stratford aforesayd Item I geve & bequeth vnto margery my Wif £vij of lawfull Eynghlish money to be payd vnto her as followeth that is to say at mychelmas next £iiij & at mychelmas come twelmonth, £iiij, And further I geve & bequeth vnto the same margery my Wyf all such howshold goodes that <she> I had With her at the day of our maryage Which goods are these one fetherbed one hillyng one boulster v pere of sheetes, thre towells, one brasse pot a chaffyngdish a skymmer ix peces of pewter ij lomes & a payle & one table napkin All the rest of my goodes moveable & vnmmoveable in Whose hands soever <they be my Wyll is that they shalbe equally devydid betwene my two sonnes Wyllyam & Rychard> /I geve them vnto my sonne Rychard homes to his best vse\ at the discretyon of my over seers my legaces fyrst discharged my detts payd & my funerall expences discharged And I desyre my good & trusty father Richard Homes to be my full executor of this my last Wyll & testament & I desire my trusty frynds & neighbors Wyllyam Rogers & hugh pyggen to be my supervisers of this my last Wyll & testament

further my Will is that my brother inlaw Wyllyam Fakner shall haue the bryngyng vp of my sayd sonne Wyllyam & he to haue for his bryngyng vp xls of lawfull money to be payd vnto hym at mychelmas next

signum William

<mark>

homes

Wyttnesses master nycoles barnshurst Iohn Tayler hugh pyggen Annanyas nason & Wyllyam Gilbard alias higgs mynister With others

detts due to me the sayd Wyllyam homes

Inprimis George badger of the sayd Stratford oweth me £V to be payd as followeth that is to saye xxs at mydsomer next xxs at mychelmas next xxs at Christmas next xxs at saynt mary day next & xxs at mydsommer come twelmonth

Item Robert Wod of Stratford Wever oweth me xxxs to be payd quarterly vs the quarter begynnyng at mychelmas next

Item Georg badger oweth more for amedlye carzee xls & for a peece of Corse Whit cloth xvs xd

Item my brother inlaw Ananyas nason owethe me vjd

¹³⁵ SBTRO BRU 15/6/63.

Item Thomas Tayler of preston vpon Stowre husbandman oweth me for the Wevyng of an hillyng xvjd¹³⁶

detts that I the sayd Wyllyam do owe

Item I owe vnto master Iohn Combes for malt £iij iiij

Item I owe vnto George pyrry £iij

Item I owe my brother Rychard homes xijd

Item I do owe vnto my father Rychard homes vs viiij

Memorandum that I ~~haue payd~~ /owe\ vnto Robert yonge <vs> for the coloryng of xv yards of Red cloth & vj yards of blacke coten of the Which I haue payd vnto the same Robert vs

¹³⁶ Preston on Stour is approximately 5 miles south of Stratford.

Sir Richard Hunt¹³⁷

In dei Nomine Amen In the yere of owre Lord god a m[?L] ccccc xlⁱⁱ. The fyrst Daye of September I Syr Rychard hunt beyng onne of the Gylde prystes of Stratford Vppon avyn sycke in bodye. And hole of mynd & Remembrans thanckys be gevyn to god. Make ordayne & declare this my last wyll or testament in maner & foorme folowyng. Fyrst and princypallye I bequeve my Sowle to allmyhgt[hy god] our hevynly father. Trustyng & belevyng thorowgh the merytes of owr Savyour Jhesus Crist to have everlastyng lyffe. Besekyng our blessed lady with all the gloryus Coompany of hevyn to praye for me And my body to be buried Within the paryssh Church of Stratford afooresayde. Item I bequeve to the mother church of Wurceter iiijd Item to the hyzgt haulter of Stratford aforesayd iijs iiijd Item I bequeve to Syr henry hunt priest my best Gowne my best tyyppet my best Portuus & a payer of Shetes. Item I bequeve to my brother Thomas hunt my Secownd Gowne my second tyyppet my dubblet of Blacke Woolstede & a turned Stole. Item to hys wyffe a syluer spone my Secownd Coueryng halffe my bees with heves & a Chayer. Item to Thomas Percyvall my thyrd Gowne my thyrd Tyyppet my secownd Portuus & all my other bookys excepte my myssall & Emanuell. Item I bequeve to the same Thomas Parcyvall my Iacket musterdevyllesse¹³⁸ cooler. Item to Robart hunt the Soon of wylliam hunt a mattres a Canvas a payer of blanckettes a payer of Shetes a bolster & a Coueryng. Item to Rychard Hunt the soon of wylliam hunt a lether dubblet. Item to Rychard hunt the Soon of Thomas hunt a lether dubblet & a syluer spone. Item to Thomas Gylbart of Shottraye A Coueryng a Payre of Shetes & vjs viij d [in] monay Item to eueryon of my god Chylderne goddes blessing & xijd in monay. Item to Wylliam bla[ckenysh] my fetherbedd the tester the Curtayns the best bolster the best pyllowe the best Coueryng my aw[?] ...] a Payre of Shetes my second dubblet a turned stoole a buffet stole a foorme standyng by my ta[ble] my best blanckettes & all my quoyssyns. Item to Iohana Blackenycke wyffe of Wylliam Blackenysh my forth Gowne my forth tyyppet my best Iacket And the other halfe of my hyves. Item I wyll that myn executoors shall Recayve of master Wylliam Clopton Esquier £iij xs of the whych I remytte And forgyve the sayd master wylliam Clopton xxxx Soo that he paye & truly content myn executoors without Any troble or vexacyon in the laws. xl^{is} to be payd too myn executoors by the sayd master wylliam Clop[toon] or hys assignes att suche tymes hereafter as myn executoors & the sayd master william Clopton shall agree & apoynt or elles to paye the sayd sume of £iij xs. Item I wyll that myn executoors Recayve of master Henry Clopton £viiij of the whych I Remytte & forgyve too the sayd master henry Clopton £iiij Soo tha[t] the sayd master henry Clopton well & truly content & paye to myn executoors without any troble or vexa-cyon in the lawe £iiij or elles to paye the hole sume of £viiij to myn executoors. Item I remytt & for-gyve to Wylliam Blackenysh £iiij wych he oweth me. The rest of my goodes & my dettes above namyd I wyll that Thomas hunt my b[ro]ther and wylliam Blacknyche whome I make & ordayne my tr[?]ue and lawf[ul]l [executors] doo [... ...] them as thay shall thyncke m[ost] necessary for the welth of my [?soul fo]r ther payns takyng in thys behalf I bequeve [... ..] myn executor my grett Coofer that standyth [... ..] & Richard lyhgftoote supervysers & for [... ..] & bequeve to eueryon of them vjs viij d [... ..] of this. Syr Roger [... ..] alijs

¹³⁷ WRO 008.7 1540/34. Much of the bottom half of this will has been destroyed.

¹³⁸ 'Musterdevillers' was kind of fabric, a 'mixed grey woollen cloth' which was high in value. See <http://www.worldwidewords.org/weirdwords/ww-mus1.htm> (accessed 30 January 2013).

Edward Hunte¹³⁹

Nono die Maij Anno Regni Regis Caroli etc decimo Anno domini – 1634

In the name of God Amen I Edward Hunte of Stratford vpon Avon in the Countye of warrwickshire yoman beinge weake in boadye but of perfecte memorye praise be vnto god doe make this my last will and Testament in manner and forme followinge / Inprimis I Comend my soule into the handes of god my maker hoeping assuredlie through the onlye merittes of Jesus Christ my Saviour to be made partaker of life everlasting / And I Comend my boadye to the Earthe wherof yt was made, And as touchinge my worldlye goodes which the lord hathe bestowed on me I dispose therof as followethe: Inprimis I giue and devise vnto my sonne John Hunte Fyve powndes to be payde vnto him within Six Monethes after my deceasse Item I giue and bequeathe vnto my sonne Edward Hunte Six powndes to be payde vnto him within Six Monethes next after my deceasse, Item I giue vnto Ezechias Godwyne Fortye Shillings to be payd vnto him within Six Monethes next after my deceasse or to be sett forthe by my executor vnto his best benefitt, and then the same with the Increase therof to be paid vnto him att suche time as he shall accomlishe the Aige of Eighteene yeeres :/ Item I giue and bequeathe vnto my daughter in Lawe Susanna Parker Fyve shillings as a Testimonye of my love / And my will is That everye one of the devisees which shall take anye benefitt by this my will shall demannde eache of the ~~<sa>~~ legacies intended vnto anye of them of my executors att his nowe dwellinge house in Stratford aforesaid and giue vnto him an acquittance in wrytinge vnder his hir or their hande and Seale for the dischargd of my executor att the receipte of his hir or their legacye or legacies And I doe herebye make constitute and ordayne Edward Godwynne my sonne in Lawe sole executor of this my last will and Testament, And I doe heerebye revoke all former wills heeretofore by me made, And I request my lovinge Freindes Richard Tyler the younger and Richard Mounteford to be ouerseers of this my will, And this my will performed ~~<a>~~ and funerall expences dischargd, I giue and bequeathe vnto my said executor Edward Godwynne all the rest of my goodes Chattelles Cattelles Rightes debtes Credittes and demaundes whatsoever Wittnes my hand and Seale heervnto sett the daie and yeere First aboue written

Reade published signed and sealed in the presence of Richard Tyler John smithe Michael¹⁴⁰ olney

Edward hunte¹⁴¹

¹³⁹ SBTRO BRT 3/1/42.

¹⁴⁰ Judging by the handwriting, it looks as if Tyler, Smithe and Olney signed their own names here.

¹⁴¹ Edward Hunte appears to have signed his own name. There is also a seal next to his name, which is round in shape, with a cross inside and another circle inside each division of the cross.

Wyllyam Jones¹⁴²

In [the na]me¹⁴³ of god Amen the xiiijth day of december in the xxxijth yeare [o]f¹⁴⁴ the Rayngne <the> of our Soverayngne Lady Elizabeth by the grace of god Queene of Eyngland Fraunce & Ierland defender of the Fayth &c. I Wyllyam Jones of Stratford vpon Avon in the county of Warwycke husban\d\man beyng sicke in body but of perfect memory I thanke my lord god ordayne & make this my last Wyll & testament in maner & forme followyng / first I bequeth my soull to Almightye god (trustyng to be saved by the meryts of Christes passyon) & my body to be buryed in the Church yard of Stratford aforesayd or in any other Christyan buryall whersoever I shall fortune to deceesse / Item I geve & bequeth to my vncl Thomas Wilyams ijs Item I geve & bequeth vnto Rychard Wyllyams sonne to the sayd Thomas all my Weryng apperrell & <a> /my\ coffer Which is at Loxley in the kepyng of John mase my master / And I desyre the sayd John mase that he Would do so much as to overse[e] the sayd Rychard Wyllyams & that he wyll sell such apperrell of myne or other thyngs that may be spared from reperrellyng of the same Rychard & to put hit in to some stocke for the benyfett & behoof of hym at the dyscretyon of my sayd master John mase Item I geve & bequeth vnto my brother hugh Jones iijs iiijd to be payd vnto hym within one quarter of an yeare after my deceesse / This bequest done detts payd & legaces lev[i]ed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in whose hands soever they be Vnto Anne Pyggen wyf of hugh pyggen /of Stratford aforesayd\ who I make my sole ex/e\katrix / & I desyre my trustyng Frynd Wyllyam Gilbard alias higgs mynister in Stratford to be my supervyser of this my last Wyll & testament & he to haue for his paynes therin to be taken ijs of lawfull money / Wytnes Gilbard Charnocke Wilylam homes & Wyllyam Gilbard alias higgs the wrytter

Item I haue owyng vnto me at Loxley for Crow kypyng viijs of the which ther is to be payd vnto <mr> Thomas mase sonne to John mase vs

Item I owe vnto John Hawkins the sayd John mases man viijd

Item I confesse <f> found a pursse & iijs vd in hit & if the sayd Thomas mase will take hit of his conscyence that it is his / my wyll is that he shall haue hit

Item <f> Richard ducker of Stratford oweth me ijs vd

Item Rychard Klynt of Loxley oweth me iiij quarters & an half of good barley xij stryckes to be brought in betwene this & Christmas next & thre quarter betwene this & candlemas next

The signature of Wyllyam

145 Jones testator

¹⁴² SBTRO BRT 3/1/47.

¹⁴³ The paper is damaged at this point, partially obscuring these first words.

¹⁴⁴ The paper is damaged here, and the 'o' cannot be seen.

¹⁴⁵ Here the testator has 'signed' his name. The writing is completely illegible, however.

Sir Richard Kyrston¹⁴⁶

[... ..] god [... ..] Last daye of [?Auguste] [... ..] m cccccxliij [...] kyrston
[... ..] College [...] Stratford vpon Avon ynthe Cowntye of w[arwick] [... ..]
beyngsycke of body [... ..] hole of mynd [... ..] doo ordeyne & make thys my laste
wyll & Testam[ent] in maner & [... ..] That ys to say Fyrste I geue & bequeth my sowle to
all[myghty]e god to our [...] Ladye saynte marye & to all the holye Cumpanye yn heuen &
my bodye [to be] buryed yn the pareshe Cherche beyng of the [?Glory...] [?Trinity] & yn
[...] [?aboue]Named Withyn the Chappell where as masse of [?..gngetum] ys Vsed to be
[...] sayd. Item at the daye of my buryall I wyll to be brought to the Cherche With [...]
quere & priestes of the Chappell <&theye hollye to synge> The quere that ys to [... ..]
brethren the priestes they to haue For theyre paynes viijd eueryeone The [...] vjd a pece&
the Querysters iijjd a pece & Coffen lykewyse to haue a [...] The priestes of the Chappell
vjd eueryon[e]. Lykewyse at my Fyrste moneths mynd [...] to be kepte With the hole quere
& priestes of the Chappell. & theye hollye to synge [...] [?..ege] yn the same Chappell
where my bodye ys buryede. The priestes both of the Cherche& also Chappell shall haue iijjd
a pece. The Clarkes (Coffyn beyng one) also ijd a pece& the Querysters pens [pence] to
eueryone. The Resydew of myndes I putt to the goodnesse of my supervisors as yt shall
please them of theyre owne goodnesse to se them keppte or nott. Item I geue & bequeth to
Charles kyrstone my brotheris son my gowne Which was tornede beyng lynede With
buckeram & Facede With wostede Item I geue to Agnes kyrstone hys syster my beste gowne
lynede with buckeram and Facede with wvstede Also my ij Chestes with the hangynges yn
my Chamber & ij payers of shettes also I geue vnto her Item I geue vnto Thomas dyxson
othe-rwyse Waterman my shorte gowne& my Table Item to Antony dyxson my godson I
geue ij elles of Wostede beyng a typpett to make hym a cote withhall. Item to Robert locke I
geue my Woosted dowblett. And to El[i]zabeth hys wyffe I geue my longe gowne lynede
with Cotton & Fasede with woostede. Item to eueryone of lockes Chyldren I geue xiijd. Item I
bequeth to Wylliam Colye my Freese Iackett. Item to eueryone of my god Chyldren withyn
the pareshe I geue iijjd. Item to Alyce Rycherdson my god daughter I geue my greate Cheyer
Item to El[i]zabeth [?Hamlettes] seruant with lock I geue xxd Item my beste petycote I geue
to the Chawntter. Mye seconde petycote I geue to the pareshe prieste Ande my beste Capp I
bequeth to Sir burrowese. Item my bokes I geue & bequeth to my brethren That ys to Sir
wylliam smethleye C[h]awntter to Sir Jhon ba-rtlett Curatte & to Sir Rycherd burowese
Theye to devyde them Equallye betwee[n] them. Item I geue to Rycherde smyth [?aywyse]¹⁴⁷
dyer my beste payer of hose Item to the brotherhode of the gelde xxd. Item my grene
Coveyrnge that lyeth vpon [...] bede I geue to Agnes mylner. Ande my other Couerynge I
geue to Agnes Colye wy[ffe] to Wylliam Colye. Item my Colles that be yn my Chawmber I
geue to Agnes Coly[e and] to Agnes mylner. Item be yt provyded bye this my laste wyll
That thos Leg[aces] Which I haue geuen & bequeathed vnto Charles kyrston my brothers son
& [to Ag-]nes kyrstone hys syster shall be sowlde as moche [?as] shall be thought Nec[essary]
by the dyscreatyons of my supervisors /and the moneye thereof I will to remayne in the
handes of my Supervisors Theye to Encrease a stocke there[by] [...] Chyldrens behooffe

¹⁴⁶WRO 008.7 1543/78. Much of this will is in a very poor condition throughout. It looks like it has sustained water damage, and the resulting microfilm image is not clear at all in places. Where it has been possible to gather the general meaning of a statement, this has been provided in square brackets.

¹⁴⁷ An abbreviation for 'otherwyse'?

Ageynste suche tyme they shall Receyue yt which sha[ll] [... ...] The maydens parte Ageynste the daye of her marreage and her broth[er] to Receyue hys parte at the daye of xxj^{ti} yeres yf one dye before the other I wyll the one shall be the other Eyre All the Resedew of my goodes vn-bequethed my dettes beyng payde & Legacese Fulfyllede I geue & bequethe [to] Thomas kyrstone my brother Whome I make & ordeyne to [be] my sol[e] Executur to performe this my laste wyll acordynge to the Tenor thereof A[nd] For the performynge thereof to se that yt [b]e done I ordeyne make & moste specyallye putt yn Truste Thomas dyxson otherwyse waterman Ande Roberte locke ande theye for theyre paynes so Taken to haue the Legacese which yn my wyll to them are dyrectede. In wyttnesse Whereof

Supervysors

Thomas dyxson glouer
scolemast[er]

&

Roberte locke glouer
oth[ers]

Sir Ihon bartle Curate [...]

Sir wylliam dallam

Sir wylliam smethlye Chaw[ntter]

Sir Richard burrowse With

John Lane¹⁴⁸

In the name of God Amen Whereas I Iohn Lane son of Nicholas Lane gentleman of Stratford vpon Avon in the County of Warwicke have bin sometyme resident abroad in my profession of a Merchant imployed And am nowe God permitting resolved to take my passadge for England vpon the Shipp Vnicorne Who hath lately bin here taken in goodes & now is departed for the Scale of Aleppo called Scandona alias Alexandretta & there to receive her full Lodging when shee retourneth thether & soe goeth to England. I say Being deterned to take my passed[ge] on the said Shipp for Christendome haveing perused my estate & brought the same vnto [?a] Head finde the same to bee of 8/8 Spanish money Aboute fower Thousand eight hundred whereof may be [?comming] vnto Master William Denis Resident in Aleppo One Thousand tow hundred And to Master Henry Hunter Merchantes Resident in London about Twenty fower poundes sterling money of England The which twoe Sommes being deducted may remayne to mee Three Thousand & five Hundred All which appearing to be Consigned vnto Master Henry Hunter aforesaid for my Accompt proper in goodes laden from this place on the good Shipp Eneas Master William Goddard & the aforesaid Shipp Vnicorne Master Edward Iohnson per billes ladinge & Invoyce Coppie or out of the 3 billes of Ladinge I herewith send vnto my vncler Master George Nashe of London Wollen Draper or his Executors or Assignes Whereby if it Should please God to take mee away in my Voyage homeward that they may knowe the better where to demand this my estate & dispose thereof Accordinge to this my desire in my last Will & Testament as followeth. Item I give & bequeath vnto my Cousen [?Alice] Staunton daug[h]ter vnto Thomas Staunton gentleman decease the somme of One Hundred poundes. Item I give & bequeath vnto my vncler George Nashe or Ditto & Edward Nashe for their paynes herein to buy them or either of them a Ring the somme of Fiftie poundes. The rest wholly & soly to my Mother Katheren Lane of Stratford vpon Avon for her life or during her Widdowhood After her Decease or at her Day of marriage the said estate whatsoever shee hath received to goe Wholly & soly to my Brother Richard Lane now Apprentice in London Or in case it should please God to call him away. Then after my Mother her decease the said Estate to goe vnto my Aunt Busshell & Aunt Greene their Children as next heires This is my reall and true intencion And that my said vncler George Nashe or Edward Nashe his sonne would see See [sic] & Oversee this my last will & Testament accordingly performed in the proceede of my estate All debtes being payd which may amount vnto [?sterling] mony God sending the same Safe into England vnto Eight hundred pound What in the handes of Master Hunter. Besides what shall bring along with mee And for better security I now give order vnto Master Hunter to make Ensurance vpon the Shipp Vnicorne for five hundred poundes which presume hee will performe if in Case the Shipp should miscarrie which God forbidd And thus having declared how & /in\ what manner my estate standeth in case of mortallitie I rest secure that yow my kinsmen George & Edward Nashe will endeavor to see this my Will performed however it shall please God to deale with mee Which hath not caused mee to be soe punctuall as may bee I ought to put this same into a better forme for avoiding Lawyers quirkes presuming of reall & true performance hereof & everie point thereof according to my true meaning I rest satisfied Confirming this my last Will & Testament vnder my hande & seale yeaven [sic] the day & yeere abouesaid & in the Thirteenth yeere of our Lord king Charles of England Scotland

¹⁴⁸ TNA PROB 11/178/670.

Fraunce & Ireland. Per me Iohn Lane Wittnessis that is the true Acte & deede of Iohn Lane
are vs David Hanmer William Cusse

Anne Lloyd, widow¹⁴⁹

In the name of god Amen the fourth day of march Anno domini 1616 I Anne Loyd of Stratford vpon Avon in the Countie of warwicke widowe doe make & ordein this my laste will & testamente beinge sicke in bodie but of perfecte mynde & memorie & first I bequeth my Soule into the handes of allmightie god my maker & redemer by the merites of whose death & bytter passion I ~~<hope>~~ hope to be saved, & ~~<to>~~ my bodie I bequeth vnto the earth from whence it came Item I doe geve & bequeth & my mynde intent & will is that my executors out of my estate shall deliuer & paie vnto the Churchwardens of Stratford vpon Avon the Summe of six poundes of lawfull English money & that the said six poundes shall for [euer] yearely be sett forth by the Churchwardens of Stratford for the tyme being & increase therof made accordinge to the Rate of tenne shillings by the yeare & out of thincrease therof that by them there shalbe yearely paid to a preacher in Stratford for a Sermon by him to be made yearely on the Saboth daie nexte comynge before the Feaste of Sainct Thomas Thapostell six shillings Item I doe geue & bequeth out of thincrease of the said six poundes towards the repaier of the Church of Stratford yearely foure shillings Item I geue & bequeth to the said Churchwardens & there Successors the Summe of five poundes more by them to be sett forth for increase accordinge to the Rate of Eighte shillings by the yeare & my will & intent is that the said Churchwardens for the tyme beinge shall out of thincrease therof yearly paie towards the repair of the myll Bridge two shillings & yearely out of the said increase therof two shillings ~~<[?....]>~~ towards the repaie of the Chappell in Stratford & four shillings resydue ~~<therof>~~ of thincrease therof yearely to the Poore of Stratford aforesaid & to be distributed as other money of Charitie given there is Item I doe release vnto master Iohn Rogers fortie shillings of the debte of five poundes which he oweth me Item I doe geve vnto master henry Smith nowe Bayliffe of Stratford two white handkerchefs Laced Item I doe geve vnto master Thomas Lucas the Ringe I doe vsually weare on my Thombe Item I doe geve vnto mistress Baylife my blacke & white stomacher newe wroughte & my white stomacher also Item I doe geve vnto mistress Alderman my blacke sipers¹⁵⁰ scarf Item I doe geue vnto my three godchildren william hoornbey Alyce onley & Susanna Pace two shillings six pence a pece Item I geve vnto goodwife Ioane Bromley my beste white Aperne savinge one & my bedd wherin I lye & all that belongeth vnto it [a]fter my mothers decease & duringe the life of my mother my will is that she shall haue the occupacion of it, Item I geve to william Bromley my Byble Item I geve to yonge Ioane Bromley my Holland Smocke Item I geve vnto margarett Smith & Anne Smith daughters of henry Smith all my Pewter & my Brasse Item all the reste of my debtes bandes goodes & Chattells I doe geue vnto Ioane [Lumnes] my mother Item I doe make & ordeine Thomas Lucas of Stratford vpon Avon gentleman my sole executor In witness wherof I have hearvnto putt my hand & Seale the day & yeare abouesaid

¹⁴⁹ WRO 008.7 1616/106.

¹⁵⁰ I.e. Cyprus, thin fabric of which women's veils were commonly made.

Urseley Loode, widow¹⁵¹

In the name of god: amene I vrseley: Loode of Stratford vppon Havene beinge weake in bodye but in parfet memorye prayed: be god do make make [sic] my Last wille and testamente beinge the: 30: of Desembare, Anno: 1619: as folloithe

Imprimis first I gieue and bequewe my sowll in to the Handes of Almightye god and my bodye to buried in the parrishe C[h]urche of Stratford vppone Havene

Iteme I geeue and bequewe vnto John Sammuell the sonne of John Sammuell on[e] fetharbed, on[e] bolstare and my Coverlet and on[e] peare of flaxsune sheetes and on[e] blankete

Iteme I geeue and bequewe vnto francis Ayng the sonne of Arthare dwelling with francis Ayng the bakere my best Cloke

Iteme, I geeue and bequewe vnto Jone Sammuell daughtare vnto John Sammuell my second hillinge and on[e] peare of flaxsune sheetes on[e] flaxsune bord clothe on[e] pillowe and pillowe beare and on[e] quishshine and on[e] Carpite.

Iteme I geeue and bequewe vnto my daughtare vrseleye on[e] newe smocke of my owne spinninge the which is ovare bodyed with dowles¹⁵² and my bestHhate and my silken gorJete

Iteme I geeue and bequewe vnto my daughtare, Jone wif vnto John Sammuell all the rest of my goodes and my reparrell and I do make here my full and whole exsecutare and to se me honestly brought whome

Item/ Sealed and deliured in the presence of [...] Braine sriptor and William Sturley [...]¹⁵³ I geeue vnto Judeth the sarvant vnto John Sammuell on[e] white f[l]oke bedd on aboard on[e] and on[e] par¹⁵⁴

the mark of veresley Lorde

Item I geeue vnto the wif vnto John Shaw a¹⁵⁵

¹⁵¹ SBTRO BRT 3/1/48.

¹⁵² 'Dowles' are feathers.

¹⁵³ The page is missing here, with large chunks missing at the bottom of the manuscript.

¹⁵⁴ The text ends here.

¹⁵⁵ The text stops here, and does not continue overleaf. The last section of this document is erratically written, with lots of ink smudges and text disappearing onto page that has since been torn away.

Clement Lucas¹⁵⁶

Whereas it hath [... ...] Almighty God, to cast me Cleme[nt] Lucas of Stratford v[pon Avon] vpon the bed of Sicknesse [...] of Right mynd & per[fect un]derstandinge I make this my las[t] will & Testament, First I commend my soule into the handes of god that gaue it in hope of a glorious reu[n]iting thereof to my bodie in the resurrecion, And my bodie to be interred in the parish Churchyard of Rowington, Item I giue & bequeath my house in Stratford vpon Avon to my wife Anne Lucas To haue & to hold for her proper vse & benefite dureing her widdowe estate, But if perchance she Marry the said house shalbe employed for the benefite of my two daughters, Anne & Marie Lucas, by settinge or sellinge accordinge to the discrecion of the overseers videlicet Clement & William Lucas¹⁵⁷ his sonne Prouided that when the youngest of the two said [si]sters shall come to the age of one & twentie yeares the house shalbee leaft to them to imploy keepe sett lett or sell as they my two daughters shall agree

But if one of the said two sisters dye before the age of one and twentie the house shalbee the longer liuers, And if both dye before the age of one & twentie, for want of heires it shall then returne to my brother William Lucas or his heires,

Item my goodes & Chatteles besides both moueable & vnmoueable I bequeath to Anne Lucas my wife whom I make my executrix of my last will & testament, To which I heere willingly sett my hand & seale this 19th day of February in the yeare of our Lord 1637

Sealed in the presence of vs

Clemen Lucas }
William Lucas } overseers

Symon dingley

Clement Lucas¹⁵⁸

¹⁵⁶ WRO 008.7 1637/90. Parts of the top of this will have been damaged/lost.

¹⁵⁷ It is quite clear that a gap had been left for these names: they have been filled in in a larger, and possibly different, hand.

¹⁵⁸ The testator's 'signature' appears to be in the same hand as the scribe's. This is probably a court copy.

Thomas Lucas¹⁵⁹

In the name of God Amen I Thomas Lucas of Stratford vpon Avon in the County of Warrwick gentleman being sicke in body but of perfect minde & memory doe make this my last will and Testament in manner & forme following First I give and bequeath my <selfe> soule into the hands of God my maker and redeemer by whose merritts I hope to bee saved And my body to the earth from whence itt came Item I doe give and bequeath vnto Richard Lucas my brother Williams howse with the lands that are in Thomas Normans holdinge from and after my decease dureing his naturall life Item I give and bequeath my other land that Fulford holdeth vnto my brother Iohn dureing his life and after his death vnto his Sonne Iohn and his heires forever Alsoe I give and bequeath vnto his said Sonne Iohn my lease of 2000 yeares which I haue of land in Horton and Lenchwicke as the same being to bee leased vnto the occupiers thereof att the rent of £13 for one yeare and after att the yearely rent of £14 per Annum dureing xj yeares which lease I desire to bee passed by my Executors. And that they will cause James Higgins vpon Covenants betweene him and mee to Convey the Fee Simple thereof to the said Iohn Alsoe I give vnto my Aunt Smith 20s to buy her a ring And the like to my Cozen Anne Collett to buy her a ring Item all the rest of my land att Hardwicke and other I give vnto my Cozen Iohn Lucas and his [hei]res¹⁶⁰ forever Alsoe I give and bequeath vnto my Cozen Iohn Lucas the moytie or one halfe of the howse & landes which Ioyce Hunt is estated in which I am to enjoy an estate of 2000 yeares in I Give vnto Nathaniell Olney a Child of my mans the somme of £100 to bee paied him when and as Soone as hee shall accomplish the /full\ age of xxj yeares And vntill that time I appoynt my Executors to pay him 50s yearely to pay for his Schooling & educacion Item all the rest of my lands goods debts chattells & [...]¹⁶¹ I doe give vnto my kinsman Iohn Lucas Excepting 40s a peice which I give to my Executors And of this my will I doe constitute and appoint Richard Gibbard of Bearly and Edward Collett of Tanworth to bee the Executors of this my last will and Testament. Item I give & bequeath vnto Master Daniell Baker & William Smith Hatter and their heires my howse I had of Iohn Smith in Churchstreete or in the end of Chappell Streete vpon Speciall trust & confidence that Satisfying themselves for their paynes they shall yearely pay vnto the A[l]mspeople of Stratford the profitt thereof yearely And that in short time they before either of them die will make a Feoffment to divers other Sufficent inhabitants to the same vses And vpon the same trust Item I doe give vnto the poore of Stratford to bee distributed after my funerall £5. Item my humble desire is vnto my Executors that dureing the minoritie of my kinsman Iohn Lucas they wilbee pleased and intreated the estate & Legacies to him given may bee saved and increased for him that that [sic] out of the profitts Land & moneys hee may bee made a Scholar and after that put to the Innes of Court and made a Lawyer to whom what [?over plush/plish] shall arise I will the same my Executors Save to themselves out of the same their charges & damages Shall accompt for vnto him Item my desire is that the money given to Nathaniell Olney may after his full age bee kept out of his fathers hands and that if the both bee desirous to lett his father haue itt that my Executors will sett out the same and pay him the vse thereof vntill his marriage att which time I apoynt the same to bee payd him Item I doe request my Loveing freinds Master Daniell Baker & William Smith to bee the overseers of this my will In leiw of their paynes I

¹⁵⁹ SBTRO DR535/20.

¹⁶⁰ The MS is damaged here, where it has been folded and creased.

¹⁶¹ A gap has been left here, possibly to fill in something else later.

doe give them 40s a peice Item I will that my Executors shall give £5 for some Wilmcott Stone soe that they neighbours [sic] with their teemes thereabout doe fetch itt to master Smithes Cawsey by him begun, Whereas my man Olney Doth owe mee £52 my desire is and I will & bequeath vnto the Children of him excepting the said Nathaniell but kept by my Executors from their father vntill they bee of yeares of discrecion And that in the interim my man Shall pay noe vse but detaine the same towards his mainteynance of his Children Item my will is that if anie of the Legatees before mencioned Doe happen to dye before his or their Legacies bee due vnto them then my will is that the Legacy or legacies to them by mee given shalbee & remaine to my said kinsman Iohn Lucas except the £52 formerly bequeathed to the Children of the said Michaell Olney In Witnes whereof I haue herevnto Sett my hand & seale the xxxth day of Aprill in the first yeare of the raigne of our Sovereigne Lord King Charles &c. Anno domini 1625

Witnes

Daniell Baker

(On the reverse of the will)

Copy of Thomas Lucas his Will

30. April 1625

The Executors refuse to prove the will

Administracion was graunted by the Archbishopp of Canterbury to Iohn Lucas brother to the deceased the [?xxth]¹⁶² of Iune 1625

Edmund Woodhall

Regestrius

¹⁶² A small erasure after the second 'x' means that there may have been another digit which has since been obliterated.

Thomas Lucas (TNA copy)¹⁶³

In the name of god Amen I Thomas Lucas of Stratford vppon Avon in the County of Warwike gentleman, beinge sicke in bodye but of perfecte mynde & memorye doe make this my laste will & Testament /in\ in [sic] manner & forme followeinge, Firste I give & bequeath my soule into the hands of god my maker & redeemer by whose merrittes I hope to be saved & my body to the earth from whence yt came, Item I doe give & bequeath vnto Richard Lucas my Brother Williams house with the Lands that are in Thomas Normans houldinge from & after my decease dueringe his naturall lyfe, Item I give and bequeath my other Lande that Fulforde houldeth vnto my brother Iohn dueringe his naturall lyfe & after his death vnto his sonne Iohn and <to> his Heyres forever Alsoe I give & bequeath vnto his /sayd\ sonne Iohn my lease of Two Thousand yeares which I have /of [?band]\ in Norton & Leachwicke or the same /beinge\ to be leased vnto the occupiours therof at the rente of Thirteene poundes for one yeare & after at the yearely rente of Fowrteene poundes per Annum duringe Eleaven yeares which lease I desyre to be passed by /my\ Executors & that they will Cause Iames Higgins vppon Covenantes betweene him & me to Convey the Feesimple therof to the sayde Iohn alsoe I give vnto my Aunte Smyth Twenty shillings <to> to buy hir a ringe & the like to my Cossen Anne Collett to buy hir a rynge Item all the reste of my landes at Hardwicke & other I give vnto my Cossen Iohn Lucas & his Heires forever, also I /doe\ give & bequeath vnto my Cossen Iohn Lucas the mo/y\ety or one half of the howse & landes which Ioyce Hunte is estated in, <In> which I am to enioye an estate of two Thousand yeares /in\ I give to Nathaniell Olney a Childe of my mans the some of one Hundred poundes to to be paide [sic] hym when & soe soone as he shall accomplish /[h]is\ full age of Twenty & one yeares & vntill that tyme I appointe my Executors to paie vnto him Fifty shillings yearely to paye for his Scholinge & educacion Item all the reste of my Lands goodes debts Chattells & vtensells I doe give vnto my Kinsman Iohn Lucas exceptinge Fourty shillinges a peece which I doe give to my Executors And of this my will I doe constitute & appointe Richard Gibbard of Beerly & Edwarde Collett of Tamworth to be the Executors of this my will & Testamente /[*To]\ whome for their travell payne or Coste they shall happen to be att /I bequeath damages\ Item I doe give & bequeath vnto Master Daniell Baker & William Smyth hatter & their Heires my howse I had of Iohn Smythe in Church street or In the end of Chappell streete vppon specyall truste & confydence That satisfyinge themselues /for\ the Charges they shall yearely paie vnto the Almespeople of Stratforde the profytt therof & that in shorte tym /theye\ before eyther of them dye will make a Feoffement to diverse other suffycient inhabytantes to the same vses & vppon the same trustes Item I doe give /to\ the poore of Stratford to be distributed after my Funerall Five pounds Item my Humble desyre is to my Executors That dureinge the mynorytie of my kinsman Iohn Lucas they wilbe pleased & entreate the estate & Legacies to him given maybe saved & increased for him /that\ that out of the profitts lands and monies he may be made a Sc/h\oller & after putt to the Inns of Courte and made a Lawyer, To whome what overplus shall aryse I will the same my Executors savinge to themselves out of the same theyr Charges & damages shall accompte for vnto him Item my desyre ys /that\ that the money given to Nathaniell Olney may after his full age be kepte out of his Fathers handes & that if the Boye be desireous to lett his Father have yt That my executors will sett out the same & paie him the vse therof vntill his Marriage, att which tyme I appointe the same to be payde him Item I doe requeste my Lovinge Frindes daniell Baker

¹⁶³ TNA PROB 11/146/93.

and William Smyth to be the overseers of this my will, In lieu of theyr paynes I doe give them Fowrty shillinges a peece Item I will that my Executors shall give Five pounce for some wilmcot stanes for that the neighbours with their teemes therabout doe fetch it to Master Smyth his Causway by him begunn, wheras my man Michaell olney doth owe me Fifty two pounds, my desire is & I will & bequeath it vnto the Children of him exceptinge the saide Nathaniell but [?kept by my] executors from their Father, vntill they be of yeares of discrecion & that in the interim my man shall paye noe vse but deteyne the same towards his maintenance of his Children Item my will is that if anie of the Legators before mencioned doe happen to dye before his or their legacies be due vnto them then my will is that the Legacy or Legacyes to them by me given shalbe & remayne to my saide kinsman Iohn Lucas excepte the ~~said~~ Fifty two pounds formerly bequeathed to the Children of the said Michall Olney In Witnes wherof I haue hearevnto sett my hande & Seale the Thirtith day of Aprill in the Firste yeare of the raigne of our Soueraigne Lorde Kinge Charles &c. Anno Domini One Thousand Sixe Hundred Twenty Five /By mee Thomas Lucas\ Sealed & delivered in the presence of daniell Baker William Smyth

Christopher Mace¹⁶⁴

In the name of god Amen I Christopher Mace of Stratford vpon Avon in the Countie of warwick Labourer sicke in bodie butt of perfecte Mynde and Memorie thanckes be given to god therefore doe Make and ordeyne My laste will & Testamente in manner and Forme Followeing First I Commende My soule into the hands of god My maker redeemer to be Made partaker of liefe eternall and for and Concerneinge those goodes whome yt hath pleased god to endowe Me with I giue demise and bequeth as followeth Inprimis I giue and bequeth vnto My deare and Loueing sonne Henrie Mace the Full and Iuste Sume of twentie Poundes of lawfull English money for the which he is to Keepe Me all my liefe tyme <for the which he is to <kee> keepe me all my liefe tyme> all the Reste of My goodes Chatteles billes bondes and specialties my debtes paid and funerall expenses discharged that shall aryse over and and [sic] aboute the said /some of\ twentie Pounds I giue demise and bequeth vnto Henrie Mace and Thom[a]s Perrie equallie to be deuided betwexte them And I doe Make Constitute and appoynt the said Henrie Mace my sole executor of this my laste will and Testament and I doe Intreate my loueing friendes Gaberrell Hollens and <Gabe> Abraham Fisher to se this My will performed In witnes whereof I haue herevnto putt my hand and seale the Nynth day of August in the Yeare of the Raigne of our soueraigne Lord Charles by the grace god of England Scotland Fraunce and Ireland Kinge defender of the Faith etc the Eleaventh 163[?5]¹⁶⁵

Read sealed and published in the presence of vs

Michael olney

Gaberrell Hollandes

Abraham Fisher¹⁶⁶

¹⁶⁴ WRO 008.7 1636/144.

¹⁶⁵ There is a crease in the page here. Part of the number can be seen, and it is probable that it's a '5', as the date on the front of the will (presumably the probate) reads 17/06/1636.

¹⁶⁶ This is probably a court copy of the original, as the signatures of the witnesses look to be in the same hand as the scribe, and there is no mark or seal of the testator present.

John Marshall¹⁶⁷

In the name of God amen The thirtie day of Januarij in the fourthe yeare of the raigne of our soueraigne Lorde James bie the grace of God of greate Britaine Fraunce & Ireland Kinge defender of the faith &c. in the yeare of our Lord God 1606 I Iohn Marshall of Bishupton in the <count> parishe of Streatforde upon Avon in the county of Warwike <clerke> minister sicke & weake in bodie but of perfecte memorj I praise mj Lord God do ordaine and make this mj laste will and Testamente in maner & forme folowinge. Firste I bequeathe mj soule vnto Allmightj God mj creator redemer & saviour and mj bodie to be buried in the parishe churchyarde of Streatford aforesaid in the vsuall place of Bishupton to burie in thear Ittem I geue and bequeath unto Ioane mj wife the lease of mj house whearein I nowe do dwell, with the house it selfe and all that belongthe theareto specified and set downe in the same lease. To haue holde & inioj the same vnto hir & hir assignes from the daj of mj decease, for and duringe mj whole terme thearein specified.

Ittem I geaue and bequeath unto mj three sonnns Iohn Marshall Simon Marshall & Edwarde Marshall Twentie poundes of currante monej: That is to saie to euerj one of them twentj nobles <apeece> to be set out & to be imploied to their benefit and beste advantage vntill thej accomlishe euerie one of them the age of Foureteene yeares : and mj will is and I do geue unto mj said three sonnnes all mj bookes which are not more speciallj bestowed, to be deuided amongste them about th'age of Foureteene yeares accordinge to euerie ons fitnes to vse the same.

Ittem I geaue and bequeathe vnto mj lovinge brother Richard Marshall the lease of his house at Warwike, withall mj righte titell and intereste thearein, which I redemed from Ambrose Lasell to be deliuered vnto him presentlj after mj decease.

Ittem I doe assigne and passe over vnto Iohn Marshall mj kinsman of Warwike Ironmonger the obligacion whearein Stephen Burman th'elder of Shotterj & Stephen Burman the younger are bounde to me: to be likewise deliuered unto him imeadiatlj after he hath deliuered unto mj executor heereafter named that bande of mine wherin I stand bounde vnto Iohn [?Corpson] in Fortie markes.

Ittem I geue unto Frances Ieecoche mj kinsman Babington vpon Genesis.

Ittem I geaue to Richard his sonne Martin Luther vpon the 182 epistell of Saint Peter.

Ittem I geue to Iohn Ieecoche mj godsonne mj booke called the Image of God.

Ittem I geue vnto mj sister Katherine Ieecoche five shillinges of currant monej to be paid wⁱthin x weeks after mj decease. And all the reste of mj goodes & cattells mouehable & vnmouehable mj debtes paied my bequestes & legacies performed, & mj funeralls discharged, I do geue vnto Ioane mj wife whom I make mj sole executor or executrix. And I intreate mj lovinge neighbours and good frendes Abraham St[u]relej Frances Ainge, William Ainge and mj Father in lawe Ralfe Lorde, to be mj overseers of this mj laste will and testamente, desiringe them to take care, to haue mj childrens portions vsed to their beste profit vntill thej accomlishe the yeares aboue set downe: and thej to haue for their paines xijd apeece. Ittem mj will is that the ten pounds which mj Father in lawe Ralfe Lorde doth owe unto me bj

¹⁶⁷ SBTRO BRU 15/7/146.

bande, the eleuen poundes which mj neighbour Cale doth owe me bj bande shalbe mj three childrens portions within set downe.

Witnesses to this presente will within set downe, and bie his owne hand signed Abraham Sturlej the writer Francis Ainge: William Ainge. Ralfe Lorde.

Isabell Mecok, widow¹⁶⁸

1621 the: 29 of march

I Isbell mecok beinge weke in body but in the Lord I trust strong in spritte vnto the Lord

Item I geeue my soll vnto Allmyty god and my body to be buried in the Churche yeard of Stratford

Item I geeue to mary slattar daughtare vnto william slattare the some of: £ 4: to be payed vnto here at on[e] and twenty yeares of Ayge

Item I geeue vnto Anne mecok darrothye mecoke and mary mecoke: tene shillinges a peese to be payed vnto them severally the same day twelmonth aftare the writing here of where of: £ 4: Lieth in Arthar Cawtherys Hand to be payed at saynt mychell next comming aftare this writing

Item there is remayning in John sheffells hand due vnto Isbell mecok the some of: £ 9: to be payed vnto her or her exsecutere admininestartors or asines at mickell mas nex[t] aftare the making heare of

Item I geeue vnto vrseley Smith on[e] gowne on[e] smoke on[e] wastcote on[e] partlet on[e] Carcher on[e] Hat

Item I do make my sune in Lawe William slattare whole exseketare to reseue al[l] thes dues when hitime of this busines shall come

In witnes whereof we that were by haue put to our hand Edward ward: 12 d: Robard Johnsones: 12 d: giles batha.: 12 d: thees three witnes vnto this will

the mark of Isbell mecoke

the mark of Edward ward

the mark of Robard Johnsunes

the marke of giles batha

¹⁶⁸ SBTRO BRT 3/1/51.

Marye Milles, widow¹⁶⁹

Anno domini 1624

In the name of god Amen The Thre and Twenteithe day of October I Marye Milles of Stratford vpone Avone in the Countye of Warrwick widdowe sicke in boadye but of perfecte mynde and memorye doe make this my last will and Testament in manner and forme followinge; First I giue and bequeathe my soule into the handes of my Lord god and Creator noethinge doubtinge but for his infinite mercyes sett forthe in the precious bloude of his dearelye beloved sonne Jesus Christe our onlye Saviour I shalbe made partaker of liffe everlastinge and my boadye to the earthe from whence yt cam and as touchinge my worldlye goodes wherewith yt hathe pleased god to endowe me with First whearas I haue assigned <to> vnto Master John Gibbes the Lease of the house Messuage Backeside and garden with thappurtenances wherin I dwell and all my estate and Tearme therin vpone speciall Truste and Confidence to the vse declared in my last will and Testament nowe Therbye I will devise and declare That he shall permitt and suffer Anne Tyler my daughter and hir husband Richard Tyler dueringe the Coverture betwixt them if the said Tearme and thestate therin soe lonnge Continue to take the proffittes therof and that if hir husband shall happen to dye livinge hir the said Anne dueringe the said Tearme That then he the said John and his executors shall permitt and suffer hir the said Anne Tyler to take the proffittes therof dueringe the said Tearme if she the said Anne shall soe lonnge live And if that she shall happen to dye after her said husband within the said Tearme Then I will and devise That Samuell Tyler hir sonne and his executors and assignes shall haue the proffittes therof dueringe the said Tearme, And alsoe I Further will and devise That if she the said Anne my daughter shall dye livinge Richard Tyler hir husband within the said Tearme That then ymediatelye the proffittes of the said Messuage and premises shalbe had and enjoyed by and ymployed to the vse of the said Sa[m]uell Tyler and Frannces daughter of the said Richard dueringe the said Tearme, Item I doe Further will and devise vnto the said John Gibbes his executors and assignes the Some of Thirtye powndes of lawfull Englishe moneye vpone speciall Truste and Confidence That he the said John Gibbes <sh> his executors or assignes shall therwith or parte therof procure or cause a newe lease in Reuerc[i]on or otherwaies of the said Messuage and premises for the Terme of One and Thirtye yeeres or some lonnger Terme vnto him his executors and assignes att some small or easye yeerelye Rente givinge a reasonable Fyne out of the said Thirtye powndes for the same vnto the Bailiffe and Burgisses of Stratforde aforesaid for the tyme beinge which lease alsoe I will shalbe to the vse of my said daughter and hir husbande dueringe their Coverture if yt shall soe lonnge contynewe vndetermined, And That /if\ yt fortune the said Richard my Sonne in Lawe shall dye lyvinge my said daughter, Then to the vse and behoofe of my said daughter and hir assignes dueringe the sa<id>/me\ Tearme if she soe lonnge lyve, And if yt fortune she shall dye and departe this liffe after the said Richard within the same Terme, then my Will is the same shalbe to the vse and behoofe of the said Samuell and Frannces Tyler and their executors and assignes dueringe the residue of the said Tearme And alsoe I will and devise That if my saide daughter shall fortune to dye lyvinge hir said husband within the said Tearme soe to be procured Then my will is That presentlye vpon the death of my said daughter the Messuage Lease and premises shalbe and continue to the vse and behoffe of the said Samuell and Frannces Tyler their executors and assignes

¹⁶⁹ SBTRO BRT 3/1/52.

dueringe the said Tearme, And Further my Will is That the said Thirtye poundes shalbe paid by my executors att the tyme That suche lease shalbe procured, And that if lesse then the said Thirtye poundes shalbe given for the same by the said John Gibbes his executors or assignes whom I trust That then he or they shall vpon request repaie the overplus to my executor, And Further my will desire and meaninge is That if noe suche lease shall or Can be procured by the said John Gibbes his executors or assignes whom I truste herin That then the said Thirtye poundes shalbe sett out to the vse of Anne my daughter dueringe ~~my~~ /hir\ liffe and after hir decease yt shalbe paied to the said Samuell and Frannces their executors and assignes and the Survivor of them, Item I giue and and [sic] bequeathe to the said Frannces Tyler daughter of the said Richard Tyler Twentye poundes to be paied vnto hir when she shall Accomplishe the Age of Eighteene yeeres Item I giue and bequeathe vnto Ezechias Tyler sonne of the said Richard Tyler my sonne in Lawe Tenne poundes to be paied vnto him att his full Age of One and Twentye yeeres Item I giue and bequeath vnto the said Samuell Tyler an other of his sonnes Tenne poundes to be payed vnto him when he shall accomplishe his Full Age of one and Twentye yeeres, Item I giue and bequeathe vnto the said Frannces my best bedsteede best Fether bed Two Boulsters Two pilloes one Flockbed One payre of Blanckittes Two payre of my best sheetes my best Coverlett with a sett of Curtaynes and Curtaine Roddes belonginge to the same bedd, Item I giue and bequeathe vnto my Sister Milles Fortye shillinges to be payd presentlye after my deathe, Item I giue to the Sonne of my Sister Milles Fyve poundes to be payde shortlye after his apprentishipp ended, Item I giue to my Sisters daughter Marye Tenne poundes to be paied her att the daie of hir Mariadge or Thirtye yeeres of Age whichsoever shall first happen, Item I alsoe giue to my Sisters yonngest daughter Fyve poundes to be paied her att the daie of hir Mariage or Thirtye yeeres of Age whichsoever of them shall first happen, and if yt happen eyther of them to dye before suche tyme of payment lymitted to hir soe dyeinge That then hir porc[i]on soe given shall goe to the other, And my will is that my Sister shall haue the vse of the said Moneye vntill the same shalbe paied respectiueleye to hir said daughters Item I giue vnto my said Sister Fortye shillinges more to be paied [pre]sently¹⁷⁰ after Childrens porcions payed Item I giue vnto the poore of Stratford Fortye shillinges And to my Servannte Anne Gibbes Tenne shillinges and vnto Joyce Barbor Fyve shillinges, All the rest of my goodes vnbequeathed I giue vnto Richard Tyler my sonne in Lawe whom I make executor of this my last will & Testament And I desire /my lovinge freindes\ Master Thomas Lucas and Master John Gibbes to be Overseers of this my last will and Testament /Thre shillinges fower pence a peece\ In wittnes wherof I haue hervnto putt my hande and Seale the daye and yeere abouesaid

Redd Sealed and published

in the presence of vs

Thomas Lucas

Michael Olneye [Onleye]

¹⁷⁰ Part of the page is missing here.

Anthony Nasse of Old Stratford¹⁷¹

In the name of God Amen the Twentieth daye of August Anno domini 1622 and in the yeares of the Raigne of our soueraigne Lord Iames by the grace of god of England Fraunce and Irelande Kinge defendor of the fayth &c. the twen-teth and of Scotland the sixe and Fyfteth I Anthony Nasse of Old Stretford in the Countye of Warrwick gentleman beinge sicke in bodye but in good and perfect memory thanckes be giuen to Almightye god doe make and declare this my last Will and Testament in manner and fourme following, That is to saye First and principally I commende my soule to Almightye god my maker and Creator trustinge and faithfullye beleeuinge to be saved and to haue full pardon remission and forgiueness of all my sines thorowe the death bitter passion and blood-sheddinge of my Lord and savior Iesus Christ, and by non other meanes or merrittes whatsoever my body to the earth from whence it came Imprimis I giue and bequeat[h] vnto the poore of the towne of Stretforde five poundes And to the Almes folkes Twentye shillinge and to the poore of the parishe thirteen shillinges & fower pence to be distributed amongst them at my funerall or very shortly after accordinge as my executor shall thinke fittinge and convenient Item I giue and bequeath vnto Mary Nasse my wiffe the some of sixe hvndred poundes of lawfull money of England to be paid vnto her by my Executor within one moneth after my decease, but yf he cannot get vp moneyes in that tyme to satisfie the same, then my will is that shee shalbe alowed by my Executor out of the interest moneyes that are to come in for my estate after the rate of tenne poundes in the hvndred for soe longe as shee shall forbear the same or any parte thereof ratably after the said moneth expired or otherwise soe longe as shee shall forebear the same or otherwise haue soe much of the debtes as shalbe due vnto me at my deceasse such as shee shall like of to be made over vnto her for her legacye or so much therof as shalbe vnpayd att thend of the sayd moneth Item I giue to my said wiffe my howsehold stufte and plate or so much therof as shall please hir duringe hir naturall life And the resydue thereof to remaine to my executor And after her decease the whole to remayne and be due vnto him Item I giue and bequeathe vnto my sonne Iohn Nasse the some of Fyve hvndred poundes of lawfull money of England to be paid vnto him by my executor in man-ner and forme followinge That is to saie the one halfe thereof within sixe monethes after my decease. And thother half within twelue monethes after my decease But yf yt shall happen that he dye and depart this liffe before his legacye be due vnto him, then my Will that the whole or soe much thereof, as shalbe vnpaid att the tyme of his death That then yt shall remayne and be due vnto my executor, exceptinge one hundred markes thereof which my said sonne Iohn shall haue to bestowe att his pleasure Also I giue and bequeath vnto him one of my Ringes Which of them his brother Thomas shall allot vnto him Also my girdle Item I giue and bequeathe to my daughter Coxe in token of a remembrance the some of Fortye poundes of lawfull money of England to be paid vnto her by my executor Within twelue monethes after my decease, but if it shall shappen [sic] that she dye and departe this liffe before her legacye be due vnto her then my Will ys that yt shall re-mayne and be due to my executor And that then and not otherwise I giue and bequeath to William Coxe my sonne in lawe the some of Twenty poundes of lawfull money of England in token of a remembrance to be paid vnto him by my Executor Within twelue monethes after my decease but yf it shall happen he dye and departe this life before his legacye be due vnto him, then my Will is that yt shall remaine and be due vnto my said Executor Item I giue and bequeath vnto my servant Thomas Ielf the some of

¹⁷¹ TNA PROB 11/140/510.

Tenne poundes of law-full money of England to be paid vnto him Within sixe monethes after my decease but yf yt shall happen that he dye and departe this world before his legacye be due vnto him then my Will ys that yt shall remayne and be due vnto my said Executor Finally I giue and bequeathe vnto my sonne Thomas Nasshe that Lyttle land I haue viz A messuage or Tenement lyeinge in newe Stretford comonly called the Beare and one other Messuage or tenement therevnto adioyninge nexte vnto a mesuage or Tenement beinge the land of one William Cawdry on the west parte thereof And alsoe/one\ Lyttle Close or pasture Comonly called the butt Close All the rest of my landes goodes Cattells and Chattells whatsoever my debtes and legacies beinge paid and my Funerall expences discharged I wholly giue and bequeath vnto my said sonne Thomas Nasshe whom I make and ordaine to be my whole and sole executor of this my last Will and Testament And doe hereby revoke and make voide all former wylls by me made In witnes whereof I haue herevnto put my hand and seale the daye and yeare aboue written Anthony Nasshe. Witnesses herevnto Iohn Nassh, Thomas <T I> Ielf mark, Richard [?Bracas] his marke

Elizabeth Pace of Shottery, widow¹⁷²

In the name of God Amen the xjth day of February in the yeare of our Lord God 1583 & in the xxvth yeare of the Rayngne of our soverayngne Lady Elizabeth by the grace of God Queene of Eynghland, Fraunce, & Ierland defender of the fayth &c. I Elizabeth Pace Wydow of Shottre in the parish of St[r]atford vpon Avon in the countie of Warwycke beyng sicke in body but of perfect memory I thanke my lord God ordayne & make this my last Will & testament in maner & forme followyng. Fyrst I bequeth [my] sowll to almyghtie God (trustyng to be saved by the merites of christes passion) & my body to be buried in the Church yard of Str[atford] aforesayd Item I geve & bequeth Vnto Vrsula Pace my sonne Thomas dawghter £Vj xiijs iiijd either in money or goodes [to be] payd vnto her at the age of twentie yeares or els at the day of her maryage & if it fortune the same Vrsula to decesse before she come to age to receave the same legaces, then my Will is that the same some of £vj xiijs iiijd to remayne to her [?mother] agnes Pace my dawghter in lawe. Item my Will is that if the sayd Agnes Pace or her assigns do at any tyme or tymes go [...] to molest, troble, or deny, my sonne Iohn of any parte or percell of my goodes, or cattells belongyng vnto hym at after my [decesse] that then the same Vrsula & Agnes shall not haue neither enioy any part or parcell of the sayd £Vj xiijs iiijd before beq[uethed] Item I geve & bequeth vnto Elizabeth Rogers dawghter vnto my sonne inlawe Thomas Rogers of Clardon my second brasse [...] Also I geve vnto every of the same Thomas Rogers fyve Children a sheepe a peace of them & if any of them decesse then my [will] is that then the same sheepe shall remayne amonge the rest & so to the longest lyver of them Item I geve ~~vnto~~ & bequeth vnto [the] three children of Iohn Richardsons a sheepe a peace of them Which sheepe shall remayne to them & to the longest lyver of [them] Item I geve & bequeth vnto Iohn Smart my dawghter Alice sonne a lyttle red heyffer Item I geve & bequeth vnto my [?sonne] Iohns two children a sheepe a peace of them to remayne to them & to the longest lyver of them Item I geve & bequeth [vnto] my dawghter inlawe Agnes Pace, the crophe of one yard land next after my decesse to be equally devidid by my ove[rseers] And also I geve vnto the same Agnes one crophe of three lands one of Wheat, one of Barley, & one of peise to be ap[?portioned] vnto her out of the other two yard land at the discretyon of Steven Burman, Richard Burman, & Thomas Burma[n] This bequest done detts payd & legaces levied & my body honestly buried then I geve & bequeth all the [rest] of my goodes moveable & Vnmoveable in Whose handes soever they be vnto Iohn my sonne Who I make my full [executor] of this my last Will & Testament, And I desyre my trusty fryndes master Raph Cawdry & Steven Burma[n] to be my supervisers of this my last Will & testament & they to haue for theyr paynes therin to be taken xijd a pe[ace] of them.

Witnesses William Gilbard alias higges curate of Stratford, Rychard Burman Thomas Burman a[n]d Thomas Rogers With others

¹⁷² WRO 008.7 1588/76. Parts of the right hand edge of this document have been damaged.

John Page¹⁷³

In the name of God amen I John Page of the burrowe of Stratforde Vpon /Avon\ in the countie of Warwike in the dioces of Worcester, beinge sicke in bodie, and of perfecte memorie, this Fiuetenthe daie of Aprill in the yeare of our Lorde one thowsande sixe hundred and eleaven do make this mj laste will and testamente in manner folowinge. Firste I bequeath mj soule vnto allmightie God, mie maker and mie bodie to be buried in the churcheyarde of Stratford aforesaied in or neare the place wheare mj brother Page and Sister weare buried. Firste I geaue and bequeathe vnto mj kinswoman Katherine the wife of John Campion of Hareburie¹⁷⁴ in the county of warwike aforesaied Fortie shillinges of lawfull englishe monej if she be <inge> livinge at the time of mie decease and if she be deade then mie will is and I do geaue the saied somme of Fortie shillinges amongste hir children if she haue anie to be equallj diuided betwene or amongste them. Item I bequeathe and geaue to mj Godsonne John Smythe the yonger all mj housholde goodes and implementes linnen and woolle, brasse pewter bedes and beddinges of what name kinde or qualitie soeuer excepte some smale thinges heareafter speciallj bequeathed: Item I geaue him more Twentie shillinges of like lawfull englishe monej. Item I bequeathe and geaue to Margarie the wife of John Smythe xx s: Item I bequeathe and geaue to William Smythe the eldeste sonne of the saied John Smythe xx s. Item I bequeathe and geaue to mj lovinge frende Thomas Hornebie of Stratford aforesaied blacke Smythe Fortie shillinges of like lawfull englishe monej: Item I geaue and bequeathe to Jone his wife xx s. Item I bequeathe and geaue to Francis Hornebie one of /the sonnes of\ the saied Thomas xx s Item I bequeathe to his twoe other sonnes x s a peece. Item I geaue and bequeath to Anne Hornebie, Alice Hornebie and to Vrsula Hornebie three dawghters of the saied Thomas, thirtene shillinges and foure pence a peece: and more to Alice twoe of mie wearing /shirte\ bandes and a corner <kers> kerchife: and to Vrsula one shirte bande. Item I geaue to Anne Parsons Five shillinges in in Lue of a wroughte handkirchife which once I mente to bestowe vpon hir. Item I bequeathe & geaue to John Clarkson of Rowingford mj beste coate. Item I bequeath and geaue to Edwarde davis mj Cloake: and to John davis <of> (Almesemen bothe) mie seconde Coate. Item I bequeathe and geaue and will that mj executor heareafter named shall distribute Twentie shillinges in breade and monej to the pore of this burrowe speciallj those dwe-llinge in this wodestreate warde and Henlej streate warde at his discretion vpon the daie of mj buriall. Item I bequeathe and geaue to John Page mj kinsman mj brothers sonne of Bristowe twelue pence if he be livinge and euer come to demande hit. Item I bequethe and geaue to the three dawghters of mj saied brother <f> whose names I knowe not, t[welve]¹⁷⁵ pence a peece, if theie be liuinge and come to demande hit. Item mj will is and hearebie constitute and make mj verie lovinge frende John Smythe of the sa[id] burrowe in the saied county of Warwike Mal[t]ster mj sole Executor of this m[y last] will and testamente and I do bequeath and geaue vnto him <this mj will p> (mj ... honestlie buried mj legacies bequestes and guiftes duellie performed and paied and mie laste will performed) all the reste of my goodes and chattells whatsoeuer. And I [des...] mie lovinge frendes James Elliottes, and Thomas Hornebie to be mj Overseers of this mj laste will to se[e] the same trewlie performed and geaue them for their paines xij d a peece In Witnes wheareof I haue heareto set to mj hande and seale the daie ... firste aboue in the thirde line written.

¹⁷³ SBTRO BRT 3/1/58.

¹⁷⁴ Today's Harbury.

¹⁷⁵ Here the page is torn away.

Redde sealed and subscribed in the presence of Abraham – Sturlej the writer

Thomas Hornbye

John smithe the elder

John Page his

John smy ...¹⁷⁶ the

marke

the yongers marke./

John Page (added schedule)

A Scedule to be annexed to the laste will & Testamente of of the abouenamed John Page, made of certaine goodes, apparells & monej, whiche he disposed, added, and gaue, a little before his decease in the presence of those vnderwritten.

Item I geaue to Thomas Hornebies Three dawghters mencioned in the saied laste will Videlicitt¹⁷⁷ [...] Hornebie, Alice Hornebie & to Vrsula Hornebie Twentie Shillinges more then I gaue them in the laste will, to be equallie diuided amongste them three. Item I geaue more to Thomas Hornebie [...] Fustian dublet, and mj Pinchers. Item I geaue to Michaell Pamen mj Leather dublet & [Bre...] Item I geaue to George Rose mj hammer & colde Cheasill. Item I geaue to the beforenam[ed] Hornebie mj drawinge breeches. Item I geaue to John Campion mj beste Breeches, Coate, Stocking Chooes. Item I geaue to the said John Smyths, servant maide, a wastecoate, a Shirte, a Hatte, If she [...] in service with the said John Smythe<s> till the daie of mj decease. Item I geaue to Henrie [?Joice] a Shirte, Item I [g...] to Richarde Henrie a shirte. Item I geaue to Richard Wilkins a Shirte. Item I geaue to Anne Horneb[y] more a pillowe. Item I geaue to master Parsons one Cheire. Item I geaue to Isabell Elliotes mj Fire shoue[l] Item I geaue to John Heminges one strike of Malte.

¹⁷⁶ The mark of John Smythe 'the younger' is written in the middle of his surname.

¹⁷⁷ The edge of the paper is torn/worn away here. The beginnings of another word are faintly visible but illegible.

Will of John Penberton¹⁷⁸

In the name of /god\ Amen the xxxj^{te} daye of Auguste yn the yere of owr lorde god a m [cccc]¹⁷⁹ & xliij^{te} I Ihon Penberton baker dwellynge yn the towne of Stratford Vpon Aven yn the Cownty of Warwycke & Dyocese of worsseter beyng sycke of bodye hole of mynde and perfecte in Remembrance thanckes be to Ihesu [?Domini] ordeyne & make thys mye laste wyll & Te-[s]tament in manner & Forme Followyng That ys to saye Fyrste I gyue & bequeth my s[oul t]o allmyghtye god to owr blessed Ladye Seynte marye & to all the holye cump[any of h]euen ande my bodye to be buryede yn the Cherche yarde of the Gloryowse Tri[nity church of] stratforde Vpon Aven a boue Namede Item I geue & bequeth to the hye Alter [for all of mye] Tythes & obl[ig]atyons Neclygentlye forgotton iijd Item to the mother Cherche [in Wor]sseter ijd. Item at the daye of mye buryall I wyll to be brought to the Cherche [by the] hole quere & also the priestes of the Chappell The[re] to synge dyrege & masse for my sowle [and] all Crysten. The quere For theyre paynes shall haue vs. The priestes of the Chappell ijs vjd. Item at the daye of mye buryall I wyll ijs to be dystributede to the pooer pe[o]-ple of the Allmese howse Item I geue & bequeth to An penberton my daughter iij hayffars withoute theyre Calves Which hayffers I wyll shall be yn the Costodye & vse of wyff [sic] to putt to halves or suche other lyke vse as her <wyll> /dyscreatyon\ or wyll shall serue her for to Encrease a stocke to the vse of my daughter Ageynste the tyme & daye of her marreage And att the daye of her marreage she to haue the Stocke the hayffars With the Encrease of them delyuerede vnto her And Vntyll the daye of her marreage I wyll the commodytye thereof to Remayne & be to margarett my wyffe Item I geue vnto her also a bedd beyng a matteresse Withall thynges therto pertaynyng That ys to [say] A bolster a Coveyryng a Canveyse a blanckett & ij payer of shettes Three platters iij pewter dysshes a brasse pott ij Candelstyckes one bell Candelstycke & an other a Ta-ble cloth A Towell ij Nappkyns & a kettell Item I geue & bequethe to Thomas penberton my brother my Furrede gowne & my Chamlett <Iackett> /dowblett\ Item to my brother Crysto-pher penberton I geue mye Cloke Item to my syster margarete penberton I geue xxd Item suche Legacese as was bequethede vnto my daughter An penberton of my syster Iohan smyth her Awnte I wyll that she shall haue. That ys a payer of shettes a Coffe a Masslyn basen With ij sawcers which are her owne Item theys legaces [?with] the Resydew which I mye selfe haue bequethed vnto her I wyll her mother shall h[a]ue yn Costodye & also the hayffars vnder suche condytyon & to that vse as ys aboue specyfyed So longe as she ys a wydow And after shee ys weddyd ageyne lykewyse So that her husbände which shall Fortewne to be wyll be bownde to my supervysors or to one of them at Leste which [sic] suche bonde as theyre dyscreatyons shall thynke suffycyente for the performance of this mye hole wyll to be performede Acordyng to the Tenor thereof which bonde shall be taken of hym before he be marryed vnto her And yf he wyll nott so be bownde Then I wyll my supervysors shall take the hayffars with all the legacese And with theyre dyscreatyons kepe & vse all thynges as is aboue <ded> determined Item my howse With the yarde and my Closse at Gryseholde with all the Indentures or wrytynges that doo specyfy or make mention of them I geue & bequeth to margarete penberton my wyffe so longe as she dothe Leue And yf she dye before the termes of yeres

¹⁷⁸ WRO 008.7 1543/76. This will is heavily water damaged, making it difficult to read in places on the microfilm image.

¹⁷⁹ Where the document is damaged and/or illegible, square brackets will be used to represent words which convey the intended meaning of the sentence, where possible.

thereyn specyfyede be ended & Fullye Expyrede Then I wyll the howse & wrytynges shall Retorne & be geuen to An my daughter The Resydew of my goodes Vnbequethed mye dettes beyng payde & Legacese Fulfyllede I geue & bequeth vnto margarett my wyffe whome I make & ordeyne to be my sole Executryx to geue and bestow ouer thys yn my wyll mentyonede [?sow]¹⁸⁰ for the welth of my sowle as yt shall please god to geue her grace to doe And for the ouersyght of this my wyll to se that hyt be Fullfyllede acordyng to the Tenor thereof I ordeyne & make my supervysors Wylliam Chawmbers Whelewryght Wylliam stevens Capper¹⁸¹ & Olyuer Iaxson glouer Ande for theyre paynes so Taken I geue & bequeth to eueryone of them xxd a pece. In Wyttnesse Whereof:

Sir Ihon bartlet Curat & wryter

George browne draper

Lawrance [?beyntton] mercer

Edwarde weste shewmaker

With other

Probatum apud Stratford coram magisterio Colyns Commissio [?domini] Iohanis predicta [?domini] Iohanis predicta xx^o die mensis Octobris Anno domini [?millem] ccccc xliij Iuramente executor &c.¹⁸²

¹⁸⁰ There is an ink blot on the page here.

¹⁸¹ 'Cooper'?

¹⁸² The probate actually appears at the bottom of the first side of the page on which the will is written, but I have chosen to place it at the end.

William Perrot¹⁸³

In the name of god Amen the fyrst day of August in the yere of our Lord god 1557 I William perrott of stretford vpon Avo[n] in the county of warwycke, being sycke in body but perfecte of memory I thanke my lord god ordaine & make this my last wyll & testament. First I bequethe my sowle to almighty god And my body to be buried in the churcheyerd of stretford Item I geue to the churche iijjd. Item I bequethe to Richard my sone £viiij Item I bequethe to Robert my sone £viiij Item I bequeth to Alice my daughter £viiij. Item I bequeth to Iohan my daughter £viiij. Item I bequethe to the childe that my wyffe goethe w^{ith} all now £viiij. Item I will that my wyffe shall enter into a bonde w^{ith} ssufficient [sic] shuerties to my supervisors before she marry for the true payment of [?my legacies]¹⁸⁴ paied to my supervysors when my children cum to the full adge of Twelue yeres. And then to se[e] [...] put to some good vse for the most proffett that they can for the proffette of my children. And I will that my superuysors shall paye my sones when they cum to the full adge of xxj^{ty} yeres. And my daugh-ters to be paied in the day of their mariadge And if it pless[e] god to caull for any of my children before they reseauue their legacies Then I will all suche partes, to Remaine emongest the other & so to the Loungest lyuer of them And if it please god to caull for all my children before they cum to reseauing of their legacies Then I will all my legacies to be deuided the on halffe to the next of my kinde And the other to the next of kynde of my wyffe ther as shalbe thought most necessariest Item I bequethe to my mother xls. Item I bequethe to phillippe wallamson my kynsman xls Item I bequethe to katheren Lewes my keneswoman xxs Thesse bequests done, debtes paied & legacies deuid[e]d then I geue all the resydue of my goodes not bequethed to Iohan my wyffe whom I leaue to be my sole executrix. And I will my Louing brother in lawe Robert Morrice & my Trusty & welbelouid brother Robert perrott to be my superuysors. Thesse being wytnesses William morrice Nicholas lane & Iohn padge w^{ith} others.

¹⁸³ WRO 008.7 1557/221.

¹⁸⁴ The microfilm is damaged here.

Anne Raynoldes, spinster¹⁸⁵

The nuncupa[tive] [...] of Ane [Rayno]ldes late of Stratford Parishe & diocese of worces[ter] deceased made & declared in m[ann]er & forme followinge the twentieth day of Fe[br]uary Ano domini 1635 and in the presence of marie Barnard and Isabell Charlett

In primis I giue & bequeath vnto my S[i]ster Elinor all my Clothes and Iewelles vnbequeathed in this will. Item I g[iv]e vnto my Vncle Barn[...] a handkerchife a[...] my Cosen william Barnes and /to\ his Sister Anne ech a purse Item I giue vnto Marie Barnet my best peticote Item I giue to Master Wagstaffe for his advice & paynes taken with me in my sicknes eight powndes Item I giue to margerie walker a gorgett & neckcloth and to my Cosen marie Ainge a handkercheife Item I giue vnto my Mothers three men viijs apeece to Anne Millard a greene peticote & to Isabell Charlett a peticote & wastcote Lastlie I giue vnto my dere mother the some of one hundred & twentie pownds & one Heifer whome I make my Executrix and desire her to performe this my will as aforesayd

This was made & published in the presence of

Marie Barnard

Isabell Charlett

¹⁸⁵ WRO 008.7 1636/181. Parts of this will are badly damaged and/or missing.

Hugh Raynoldes¹⁸⁶

In the name of god Amen In the yere of our Lorde god a Thousande fyve hundreth fiftie and Sixe. I Hugh Raynoldes of Stratford vpon Avon in the Countie of warrwick gentleman being sycke in bodie but perfytt in memorie (thankes be vnto god) do ordeyne and make this my last will & testament in maner and fourme following. First I bequethe my soull to Almighty god maker of Heaven and earthe Trusting and faithfully beleving to be saved by the merites of his passion my body to be buried in the Church of Stratford aforesaid. Item I giue and bequeathe to Ioyce my wief my Lease ferme & taking of all maner Corne and grayne of Shottery my lease ferme and takinge of an [?..yn] Close called Halls close and all my lease ferme and takyng in the olde towne of Stratford in the Countie of warrwick aforesaide called Colles To haue and to hold to the said Ioyce and her assignes for and during her Lief naturall to and for the true performance of all and euery Article clause condicion and legacie in this my last will and testament folowing Whiche vpon the parte of the said Ioyce are to be performed & done And vpon Condicion that the said Ioyce and suche sufficient surtyties with her as shall seme good to myn Executours or either of them Immediatlye after my decease vpon request to her made shalbe bounden by their Deade Obligatorie sufficient in the lawe or suche other assurance as shall seme good and convenient vnto the same Executours or either of them in the some of fyve hundreth pounds of good and Lawfull money of England for the performance of the same my last will and testament. Item I will that the saide Ioyce my wief during her lief shall paye yerelie after my decease oute of my saide Lease and ferme of Shottery vnto Hughe Raynoldes my eldest sonne and his assignes the some of thre poundes at two termes in the yere (that is to witt) at the feastes of saynte Michaell tharchaungell & thannunciacion of oure blessed Ladye the virgin by even porcions. Item I will that my sonne Hugh Raynoldes & theyres of his bodie Lawfully begotten shall haue certayn standardes in the house where I nowe dwell as Hereafter folowethe (that is to witt) A greate folding table formes and benches therunto belonging A greate redd Chest bownde with Iron three coffers and a Cupborde in the parler and abedsted with A truckell bedd and all the Hanginges in the same parler Item in the Hall to be standerd in lyke maner two folding tables with formes benches and Hanginges therunto belonging. Item in the [?syled] chamber a trussing bedsted with the fetherbed boulster pillowes shetes Couerlettes blankettes Hanginges and other ymplementes as yt is nowe. Item in the next Chamber two trussing bedstedes and A Cupborde. Item in the kytchen A greate spyt with the gretest payer of Racks with all dressers and benches in the same with one brewing Leade three worte Leades and a Cestearne of stone lyned with leade and a Maltemyll And if it fortune the said Hugh to dye without heire male of his bodye Lauffully begotten then I will that the saide standerdes shall remayn to my sonne Thomas Raynoldes and to theyres males of his bodie Lauffullie begotten And if the saide Thomas Raynoldes happen to dye withoute heire male of his body lauffullye begotten then I will the saide standerdes shall remayne to the right heires of me the said Hugh Raynoldes the father forever. Item I give and bequeath to Katheryne Raynoldes one of my daughters twentye poundes of Lauffull money of England Item I give and bequeathe to Anne Raynoldes my daughter Thirtie poundes of Lauffull Englishe money. Item I give and bequethe to my daughter Fraunces Raynolds Thirtie poundes of lauffull Englishe money. Item I give and bequeath to Isabell Raynoldes my daughter thirtie poundes of Lauffull Englishe money. Item I will that if it happen any of my saide foure daughters to

¹⁸⁶ TNA PROB 11/38/189.

dye before they be Married or be of thage of xxj yeres that then all the same Legacies to them or her soo bequethed shalbe eqallie deuyded emongest suche of my saide doughters as shalbe lyvinge And if all my said doughters Happen to dye before they be married, or accomlishe thage of xxj yeres then I will that all there legacies to them before given shalbe eqallie deuided betwene my saide two sonnes. Hugh and Thomas Raynoldes. Item I will that if any of my doughters be obstynate and refuse thadyse and Councell of their mother and of myne Executours in the tyme when they shall marrie then I will that my Executours shall bestowe all that her or their Legacie or legacies to suche and emonges^u suche of my doughters as wilbe ordered and Advised at the tyme of their Marriage by my said wief and Executours. Item I will that if Ioyce my Wief Happen to dye before the Mariage of my saide foure doughters then I will that the said Leases and fermes to be in thandes and occupacion of my said Executours vntill my legacies be performyd and paide Item I bequeathe to Ioyce my Wief a dosyn of siluer Spones And vnto Hugh Raynoldes^u my sonne A nutte of syluer doble gilte and acover doble gilte And vnto Thomas Raynoldes^u my sonne a guylded Cuppe with a Cover gilte. And vnto Anne my saide doughter a Salte of siluer and gilt withoute cover And vnto Fraunces my said doughter agoblet of siluer And vnto Isabell my doughter a salte of siluer with acover And if any of my said doughters before that Accomlishe thage of xxj yeres or before they be married to dye then I will that this saide Laste Legaci and bequest to her or them made to be eqallie deuided amonges^u suche as shalbe lyving as to my Wief and executours shall seme mete. Also I will that Ioyce my Wief shall haue the custodie and keping of all the said nuttes^u and plate during her lief naturall if she will Item I bequethe to Hugh my sonne my best gowne And vnto william mynkes^u Draper my gowne furred with fytchowe. Item I bequeth to Richarde Hawes of Pyllerdington¹⁸⁷ my best gelding And vnto Isabell wall my seruante a quarter of barley. Item I will that Ioyce my Wief or myne Executours shall paye vnto theires or next kynne of Iohn higgess Late of Draycote¹⁸⁸ the some of fyve poundes of Lauffull Englishe money. Item I will that if my said Wief with her sufficient surties refuse to be bounde or canne gett no sufficient suerties to be bownde to the performance of this my last will and Testament as is aforesaide then I will that myne Executours shalhaue [sic] all my said Leases and fermes to and for the performance of this my laste will and testament And after that done my said sonne Thomas Raynoldes to haue them to hym and theyres males of his bodie Lauffully begotten during all that tyme in the said Leases And yf he dye withoute heire male of his bodie Lauffully begotten Then I will that Hugh Raynoldes^u shalhaue the seid Leases and fermes to hym and to theyres males of his bodie Lauffully begotten during all suche terme of yeres as shalbe then to come in the saide fermes and if he the said hugh dye withoute heire male of his bodie Lauffully begotten Then I will that my saide doughters shall haue the said Leases and fermes eqallie to be deuyded emonges^u them. And yf Ioyce my Wief do parfome this my last will and testament and be bownde with sufficient suerties as is aforesaid Then I will that she shall haue all my said Leases and fermes for and during her lief naturall for the perfor-mance thereof, And after her decease to come and Remayn with the residue of the terme then to come vnto my saide sonne Thomas Raynoldes and theyres males of his bodye Lauffully begotten and for lacke of suche Issue to Hugh Raynoldes^u and to the heires males of his bodie Lauffully begotten And for lacke of suche issue to my said doughters eqallie to be deuyded. Item I give vnto the poore people

¹⁸⁷ Could this be today's 'Erdington'?

¹⁸⁸ Today's Draycott lies approximately 16 miles south of Stratford.

of Stratford aforesaid the some of foure markes of Laufull Englishe monye to be distributed by myne Executours the daye of my buriall. Item I give and bequeathe vnto my said wief Ioyce all my goodes and Chatteles before not bequeathed (my debtes paid) my legacies done and my funerall discharged for and towardes the performans of this my last will & testament And also I will that my Wief shalhaue the custodi and keping of all the said Legacies given to my saide doughters vntill they shalbe maried or of the Age of twentie and one yeres. Item I will that my Wief shall yerely from the daye of my deathe during the terme of Seven yeres vppon godd frydaye distribute and paye to the poore people in Stratford foresaid the some of four shillinges of Laufull Englishe money And for the true performance of this my last will and testament I ordeyne and make my Executours my trustie and welbeloued Avere^y Trussell of Bilylsley¹⁸⁹ Esquire and Henry Hygforde of Solyhull gentleman and I give to either of them for their paynes to be sustayned herein the some of xls. I do also make my trustie supervisor my welbeloved father in Lawe walter Blownte Esquier In witnes hereof I the said hugh Raynoldes haue subscribed my name. Datyd the xxij daie of August in the thirde and fourthe yeres of the Reignes of our soueraine lord and Ladye Phillip and Marie by the grace of god kinge and Quene of England Spayne France bothe [?.cilles] Ierusalem and Ireland defenders of the faithe. Archdukes of Austria Dukes of burgundy Millayn and brabant Counties of haspurge F[?la]nders and [?Taroll] Thes being witnes william Dalam clerk alias william monske Richard Symons Fraunces Harbege per me Rogerimus Dyos vicar

¹⁸⁹ Billesley lies around 4 miles west of Stratford.

William Reynoldes¹⁹⁰

In the name of God Amen I William Reynoldes of old Stratford vpon Auon in the Countie of Warrwick gentleman being sicke in bodie but of perfect memorie doe make this my last Will and Testament in manner and forme following First I bequeath my soule to Allmightie God hoping by the merits and passion of my Sauyour to inherite life eternall and my bodie to bee buried within the Church of Stratford abouesaid And for my landes goodes cattell and Chattells I dispose as followeth First I will and bequeath to Anne Raynoldes my eldest daughter and her heires for ever all my land att Shottery and my two Closses at Stratford called by the name of Salmon Iolle and Salmon tayle and Shee to enter vpon it after my Wifes decease Item I further giue and bequeath to my said daughter Anne dureing the life of Francis my Wife for her present mayntenance the Moity or one half of all the profitt that shall increase arise and grow due out of all my land at drayton one house of myne in the Swyne streete in the holding of George davis one barne with a backside one close I bought of George Bikar and a little [?sling] Close that I haue layd to it all lying in or about the Hell lane in Stratford abouesaid which said profitt my Wife shall receiue to her owne vse soe long tyme as shee shall finde my said daughter meate drinke and apparrell and they contynue together Item I giue more to my daughter Anne one hundred poundes in money which is in the handes of Sir Henrie Rainsford the benefitt wherof shee shall not receiue vntill one yeare and halfe bee fully expired after my decease Item the tenne poundes more in Sir Henry Raynsfordes handes with what Consideracion shall bee due for the same I likewise giue to my daughter Anne I giue more to her one heyfer I bought of Iohn Rogers Item I giue and bequeath to Ellenor Raynoldes my youngest daughter and her heires for euer All my land at drayton and my Hell lane barne with the little Closses belonging to it and one house of myne in the Swyne streete in the holding of George davis To enter on the Moitie or one halfe of all the same at the tyme of my decease and thother Moity immediately after the death of Francis my Wife at which tyme my eldest daughter Anne is to enter vpon the land first given her and to leaue the profittes of the Moity of the land giuen to my said daughter Ellenor And my Will is that the profittes arising of my daughter Ellenors Moity my said wife shall haue and receiue to her own vse soe long tyme as shee shall find my said daughter meate drinke and apparell and they contynue together Item I giue farther to my daughter Ellenor one hundred poundes of lawfull money of England to bee paid to her or putt out to her vse att the discrecion of my ouerseers hereafter named within one yeare and half after my decease I giue more to my said daughter Ellenor one yeare old heyfer fellow to the bull Item I giue to my sister Iane Fetherston fiue poundes I giue to my sister Margarett Fiue poundes I giue to my Godsonne william Fetherston Fortie shillings I giue to my Goddaughter Elizabeth Barnes a gold ring that was her Mothers I will that the Fyue poundes due from mee to my kinswoman Margarett Pace with the Consideracion bee made tenne poundes All which legacies to my brothers sisters and kinsfolkes I will shall bee paid within six moneths after my decease I further giue to the poore of the towne and parish of Stratford Fortie shillings to bee deliuered amongst them by the ouerseers I giue to my brother Barnes my birding peece My debtes paid and legacies discharged All the rest of my goodes and chattells I giue and bequeath to Francis my dearly beloued wife whom I make full and whole Executrix of this my last Will and Testament And I doe make Sir Henry Raynsford Knight William Barnes & Robert Hopper Gentlemen ouerseers To each of which ouerseers I giue tenne shillings to buy a ring. In

¹⁹⁰ TNA PROB 11/163/723.

wittnes wherof I haue hereunto putt my hand and seale this Nynth day of September Anno domini one thousand six hundred thirtie one: William Raynold Wittnes hereunto William Barnes Robert Hopper

Isabel Sadler, widow¹⁹¹

In the name of God Amen, the seauenteenth daye of Aprill Anno domini one thousand six hundred twenty and Seaven, I Isabell Sadler of Stratford vpon Avon in the Countie of warwick widdowe beinge weake of body but in good and perfect minde & memory (thancks bee vnto Almighty God) and knowinge the Incertaintie of lyfe doe make this my last will & testament in manner and Forme Folloinge, that is to saye First I Commend and Committ my soule in to the handes of Almightye God my maker hoapinge And Asuredly trustinge in & by the only passion and merrittes of Iesus Christe my Sauour to haue a shuer & Ioyfull Resurrection And my body to the Earth From whence it was taken to bee buried in the Church of stratford Afforesayde And For the worldly Substance which god of his mercie hath lent mee I dispose as Folloeth, First I geeue & bequeath vnto Iohn Sadler my Sonne and to Elisabeth his Eldest Daughter (which of them Longest shall liue my Siluer Nutt-Bowle and one payer of Flaxen sheetes Item I geeue & bequeath vnto Elisabeth Sadler my daughter in Lawe my Draggon-Glass¹⁹² & twentie shillings to buy hir a Ringe, Item I geeue & bequeath vnto Isabell Sadler my Grandchilde one Gould Ringe & one peece of plate waighinge twelue ounces or theraboutes Caled the Sugar dish, and one payer of Flaxen sheetes, Item I geeue & bequeath vnto my Sonn in Lawe Richard Quiney twenty shillings to make him A Ringe, Item I geeue & bequeath vnto Elioner Quiney my Daughter wife to the sayd Richard Quiney one stammell petticoat my Twoe guardes of veluett with all my pattern & parchments For boane lace & twenty shillings toe make hir a Ringe Item I geeue & bequeath vnto Elionor Quiney my Goddaughter & Grandchild twentie shillings to bee payd hir at hir daye of marredg, with Six peeces of pewter one Flaxen tablecloth and halfe a dosen of napkins, which lynnens are marked I S Item I geeue & bequeath vnto my Grandchildren Richard Quiney & Elisabeth Quiney vnto Either of them twentie shillings a peece toe bee payd at their dayes of marriage, Item I geeue & bequeath vnto Iohn Norbery my Sonne in Lawe and vnto my daughter margrett Norbury his wife, my best grogeram goune and alsoe twenty shillings a peece to Each of them to make Either of them a Ringe, Item I geeue & bequeath vnto my Sonn in Law Peeter Baker one Holland shurt one millian Fustian wastcoate my Furred Gowne with one night Cap wrought with silke & twenty shillings to make him A Ringe, & vnto Francis his wife my daughter my best kersey Gowne, Item I geeue & bequeath vnto margrett Baker my grandchilde one Ioynde bedsted that standeth within the Chamber wheare in I lye with the Fetherbed & all other Furniture therewith now vsed & belongeth to the same & alsoe one other bedsted & beddinge & all other Furniture beelonging & vsed to the same that standeth [?also] in the sayd Littell Chamber & I alsoe geeue hir one Ioynd Chest that standeth at the beds Feete in the sayd Littell Chamber butt prouided Alwaies that hir mother Francis baker shall haue the guiding of th[e] sayd things vntill the saide [ma]rgrett shall Accomplish the Age of Eighteene years Item I geeue & bequeath vnto Francis Ba[ker my] Daughter twenty sh[illings] to make hir A Ringe, Item my will Intent & true meaneinge is that all my wear[ing app]arel shall bee geeue[n] Awaye & disposed of att the discession of my saide sonne Iohn Sadler my saide daughter F[rancis] Baker And all the R[est] of my goodes Chattelles & Cattelles whatsoever vnbequeathed I geeue & bequeath vnto my saide s[on Iohn] Sadler And [I orda]ine nominate & apointe my sayde sonne Iohn Sadler & Elisabeth his wife to bee the Executors [... ...] my last will & testament to performe theis my severall bequestes & to

¹⁹¹ WRO 008.7 1627/138. There are two large holes towards the bottom of the document.

¹⁹² Perhaps a glass from Venice with a shaped dragon stem? Rose Palmer's inventory lists two Venice glasses.

discharge my debtes & Funerall Expenses, in w[itness w]herof I heare vnto haue putt my hand & seale the daye & yeare aboue written

Read sealed & published in the sight & presens of Iohn Beddome scriunor

John Sadler (1583)¹⁹³

[In the] name of God Amen the fyrst day of March in the yeaere of our Lord god 1582 & in the [...] [Eliza]beth by the grace of God Queene of Eynghland, Fraunce & Ierland defendresse of the Fayth &c. I I[ohn Sadler] [...] in the countye of Warwycke ye[o]man, beyng sycke in body but of perfectt memory I [...] this my last Will & Testament in maner & forme Followyng Fyrst I bequeth my sowll [...] almyghtye god my maker & his sonne Iesus Christ my redeemer, (by whose only merytes I trust to be saved [...] to be buryed in the Church of Stratford aforesayd Item I geve & bequeth to the poore people of Stratf[ord] [...] to be distributed either in the day of my buryall, or Wⁱthⁱn seven dais after my buryall, at the discretyon of my [...] overseers Item I geve & bequeth to the Churche of Stratford aforesayd vjs viij Item I geve & bequeth to [my dawghter] Frauncis £xx of lawfull Eynghlishe money to be payd vnto her at the age of xx^{ti} yeaeres Also I geve & beq[ue]th to my sayd dawghter Frauncis, one Flocke bed Wⁱth all the furnytur therto belongyng, & also vj pere of Shettes, vj [...] brasse pott, iij sawcers, & iij pottynghers, & one of my best brasse candlestycks to be delyvered her at the tyme aforesayd [...] I geve & bequeth to Ellyn my dawghter £xx of lawfull Eynghlish money to be payd vnto her at the age of xx^{ti} [...] Also I geve & bequeth to my sayd dawghter Ellyn one Flocke bed Wⁱth all the Furnytur therto belongyng & [...] sheetes vj platters iij sawcers one brasse pott iij pottynghers, & one candlestycke to be delivered to her at the age af[oresayd] Item I geve & bequeth to Catheryn my dawghter £xx of lawfull Eynghlishe money to be payd vnto her at the [age] of xx^{ti} yeaeres also I geve & bequeth to my sayd dawghter Catheryn one Flocke bed Wⁱth all the Furnytur therto belongyng & also vj pere of sheetes vj platters iij sawcers iij pottynghers one brasse pott & one candlestyck[e] [...] delivered to her at the age aforesayd And if any of my sayd dawghters happen to decesse before the daye or ty[me] in the Which they or any of them ought to receave theyr Legaces, then I Will the parte or porcyon of every one so [...] to remayne & come to the longer lyvers by even portyons, & so fynally to the longest lyver of them And if [...] sayd dawghters happen to dye before the day or tyme of the receate of theyr sayd legaces, then I Will all theyr [?portyons] & legaces, (above geven & bequethed) to remayne to my two sonns Iohn & Thomas & to be equally devydid betwene th[em] Item I geve & bequeth to my sonne Thomas Sadler & to the heares of his body lawfully begotten for ever all m[y] Tenyment Wⁱth the appurtenaunces commonly called the signe of the bere & the close commonly called Wynsore closs[e] otherwyse dovehowse crosse Wⁱth all & synguler the appurtenaunces vnto the sayd Thomas Sadler & to the h[ea]res of] his body lawfully begotten for ever Imedyatly after my decesse to be holden of the cheif lord or lords of [...] therof for the rents & servyces therof heartofore dew & of ryght accustomed And for default of Issue of [...] of the sayd Thomas Sadler lawfully begotten then I geve & bequeth the sayd Tenyment called the sygne [of the] beere Wⁱth the appurtenaunces & the crosse called Wynsore crosse otherwyse dovehowse crosse Wⁱth the appur[tenaunces] Vnto my sonne Iohn Sadler & to the heares of his <boy> body lawfully begotten for ever And for default [...] of the body of the sayd Iohn Sadler lawfully begotten then I geve & bequeth the sayd Tenyment [...] the appurtenaunces to my three dawghters Frauncis Ellyn & Catheryn to be equally devydid amo[ngst] [...] 3 <the> to theyr heares & assignes for ever Item I geve & bequeth to my sayd sonne Thomas one Flocke [bed]Wyth all the furnytur therto belongyng, & also two pere of Flaxen sheetes to be

¹⁹³ WRO 008.7 1584/21. The edges of this will are lost and/or water damaged in many places.

delyvered to hym at [... ...] of xxiiiij^{ti} yeares. Item I Will that the rent of the bere Whatsoever it be Imedyaty after my deceesse [... ...] yearly receaved & gatheryd vp by my exekatrix & overseers & then conuerted & applyed to the best commodyty [...] profect of my sayd sonne Thomas vntill he come to the age of xxiiiij^{ti} yeares, & then he to receive the rent Wit[h] [...] encrease therof Item I geve & bequeth to my sonne Iohn Sadler & to the heares of his body lawfully [...] for ever the Tenyment & howse With the appurtenaunces Wherin I now dwell in Stratford aforesayd With [... ...] Stables edyfyces buyldyngs dovehowses, orchards gardens, & other commodytyes Whatsoever therto belongyng [... ...] synguler theyr appurtenaunces To haue & to hold the sayd Tenyment With the appurtenaunces vnto [... ...] & to the heares of his body lawfully begotten for ever at /&\ after the deceesse of Ione my Wyf [... ...] that the same Ione my Wyf shall haue & enioy all the sayd Tenyment With all & synguler the [... ...] duryng her naturalle lyf Item I geve & bequeth to my sayd sonne Iohn Sadler & to the heares of his body lawfu[lly begotten] forever one Tenyment now beyng counted three Tenymments lying in Stratford aforesayd on the north syde of [... ...] Wherin I now dwell, Wyth all backsydes therto belongyng With the appurtenaunces To haue & to hold [... ...] Tenyment & backsydes Wyth the appurtenaunces Imedyaty after my deceasse to the sayd Iohn Sadler & to th[e] [heares] of his body lawfully begotten for ever to be holden of the cheif lord or lords of the fee therof by the rents an[d] services therof heretofore dewe & of right accustomed And for defalt of heares of the body of the sayd Iohn Sad[ler] lawfully begotten then I geve & bequeth the sayd Tenyment & howse Wherin I now dwell & the [...] Tenyment With all & synguler the appurtenaunces <Vto> vnto my sonne Thomas Sadler & to the heares of his bod[y] [...] begotten for ever And for defalt of heares lawfully begotten of the same Thomas Sadler, then I geve & [...] the same howse Wherin I now dwell & the other Tenyment With all & synguler the appurtenaunces vnto my [three] dawghters, Frauncis Ellyn, & Catheryn to be equally devidid amonge them all, & theyr heares or assign[es] Item I geve & bequeth to my sayd sonne Iohn Sadler, my best sylver Goblett my best sylver salt & my [...] of sylver spones one Ioyned bedsted With all the furniture therof, standyng in my parlor, one Cubbord [... ...] Parlor one Ioyned bord With aframe in the same Parlor three formes & all the Wenscote & paynted clothes about the same Parlor one great chest standyng in the chamber Within the parlor one Ioyned bord & a frame [... ...] hall to be delyvered to hym at /&\ after the deceesse of Ione my Wyf Item I geve & bequeth to the same I[ohn] [...] sonne one Gold Ryng commonly called assigns & all the Tymber that shall fortune to remayne in the forestr[?eet] [...] my howse Wherin I nowe dwell at after my deceesse, With all the Asshes & Wythes, Whatsoever are myn[e] [... ...] Alscoote To Haue & enioy the sayd Ri/n\ge Tymber & Asshes, & Wythes When he shall accomplyshe the full [...] of xxiiiij^{ti} yeares And if it fortune my sayd sonne Iohn Sadler to deceesse before the <d> receate of these his le[gages] & Wyth out heares of his body lawfully begotten then I geve & bequeth his sayd legaces to Thomas my son[ne] [... ...] receive the same at the age of xxiiiij^{ti} And if the sayd Thomas Sadler happen to deceesse bef[ore] [...] tyme of the receate therof & Without heares of his body lawfully begotten then I geve & bequeth all [... ...] legaces (so hapnyng to my sonne Thomas) Vnto my three dawghters , Frauncis Ellyn, & Catheryn to b[e] devidyd amonge them & to the longest lyver of them Item I geve & bequeth to Ione my Wyf & to Iohn my sonne the Indenture of lease of my Mills in Stratford commonly called the town Mills Ioynlytly togegether [sic] /Wyth all [?ha...] Flodyeates medows yares Fysshyngs & other commodytyes Whatsoever to the same\ Mills together Wyth the terme of yeares Which shall

happen to remayne vnexpired & nott endyd at after my decesse & the sayd Ione my Wif & Iohn my sonne to discharge loyntly together all such covenants & other dutyes as are comprised in the same lease Notwyt[hstanding] my Will is that Iohn my sonne shall not haue any part or commodity of the same lease of my mills vntill h[e] accomlishe the age of xxiiijth yeares (if Ione my Wyf so long lyve) but if it fortune Ione my Wyf t[o] [...] before he accomplish the age of xxiiijth yeares then my Will is that the same Iohn my sonne shall [...] the same lease Wholly Imedyatly after her decesse Providid always that if my sayd sonne Ioh[n] shall at any tyme or tymes (When he doth accomplish the age of xxiiijth yeares) gooe about to sell sett [...] to any that his tytle or interest in the Indenture of lease in the sayd Mylls Which I haue geven [...] With his mother then my Will is that Ione my Wyf shall geve, pay, & delyver, vnto my sayd sonne [...] hundred pounds of lawfull Eynghish money And so he to haue no tytle nor interest in the same [...] of lease of the sayd Mills as is aforesayd, but the same /Wholly\ to remayne vnto Ione my Wif duryng her n[atural] life] Item I geve & bequeth to every of my God children xijd a peace of them Item I geve & bequeth [...] [Iohn] my sonne all the loppe & shrewed of trees & Wythes belongyng to my Mills, to take & [...] Imedyatly after my decesse to his owen proper vse & behoof When & as often as any shalbe the[.] [?..pped] [...] [?..red] gatheryd or taken And also I geve vnto the same Iohn my sonne the rent of th[e] [?..alke] Mills With the Fysshyng of my Water beneth the Mylls Which Edward Ingram now occupyeth or the rent therof Whether he Will vntell such tyme that he enter Wyth his mother as is aforesayd Item I geve & bequeth to Ellyn my dawghter half a dosen of sylver Spoces, & my least sylver peece at the decesse of Ione my Wif Item my Will is that my cosen Iohn Bratt sonne to Iohn Bratt, shall haue forty shillings put in stocke by Ione my Wif at the feast of saynt Michaell the Archangell next after my decesse & [...] to be encreased from tyme to tyme for his commodity & proffect vntill he [...] age of xxii[?ij]th yeares & then he to receive the same With the encrease therof. All other my [?Cattle] & Cattells, leases detts and goods moveable & Vnmoveable Whatsoever not geven & bequethed my legaces payd & my funerall discharged, & my detts satisfied, I geve & bequeth them vnto Ione my Wyf Who I make & orda[in] Whole & sole Exekatrix of this my last Will, and Testament And I appoynt my lovyng Frynds Master Raphe Cawdry & William Walton my supervisors of this my last Will & Testament I geve vnto the same Master Cawdry for his paynes therine to be taken ten shillyngs of lawfull Eynghyshe moneye

Wyttnesses master Raphe Cawdry Master Robert Salisbury Master Thomas Barber & Willyam Gilbard alias higgs Curate of Stratford With others

John Sadler (1625)¹⁹⁴

In the name of god Amen the Tweluth day of May Anno domini 1625 I Iohn Sadler of Stratford vppon Avon in the Cownty of warwick gentleman being weake in bodj but in good & perfect memory thanks be to god therefore doe ordeine & make this my Last will & Testament in manner & forme Followeing First I bequeath my soule into the handes of Almighty god my maker hoping by the onlj merrites of Iesus Christ my Redeemer to have a sure & ioyfull Resurreccion & my body to thearth from whence yt <Came> /was\ Taken to be buried in the church of Stratford Abovesaide And for the worldly substance which god of his mercy hath Lent me I dispose <them> yt as followeth that ys to say First I gave & bequeath to my sone Iohn Sadler of London The bed & whole furniture thervnto belonging in the Parlour where I Lye Ittem I give to him one frame & ioyned Table three Ioyned Formes All the wainscot & painted Clothes rownd about & in the parlour Ittem I give vnto my said sone one Table & frame with the waynscot in the hall Ittem I give more To my saide sone on[e] great Lether Chest & half the pewter that is therin which is in my Chamber Ittem I give vnto Leonard Kempson my sone in Law one gowne faced with Foynes Provided alwayes & soe my will /& meaning\ is that Issabell my Loveing wife shall dureing her naturall life have the vse of the thinges above given to my said sone Iohn And alsoe the vse as aforesaid of other the thinges heerafter bequeathed Ittem I Furthermore give & bequeath vnto my said sone John Saddler Twelue Turky cussions in the parlour one Carpett & all the standerdes tables formes benches shelues & boardes in & about the howse together alsoe with two ioyned Chaires which are in the parloure And one Court Cupbord & livery table And alsoe one Litle Coffe wherein all the deedes & writeinges And alsoe on[e] Press wherein is two Cupbordes /And\ All the rest of my goodes cattelles & Chattelles my funerall Charges debtes & legacyes discharged I give & bequeath vnto my said Loveing wife Issabell Sadler whome I ordeine & make my sole Executrix And I nomynate apoynt & request my Loveing Frenedes Leonard Kempson my said sone in Law & william Smith of Stratford abouesaid Habberdasher to be the ouerseers of this my Last will & testament In wittesse wherof I heervnto have put my hand & seale the day & yeire above written

Read sealed & published in the presenc of

Iohn beddom

Ion Court

¹⁹⁴ SBTRO BRU 15/6/65.

Roger Sadler¹⁹⁵

In the name of God Amen the Fourteenth Daye of Novembre in the yeare of the Reigne of oure most dreade soueraigne Ladie Elizabeth by the grace of god of Englande, Fraunce and Irelande /Quene\ defendor of the faith &c. the Twentieth 1578 I Roger Sadler of Stretforde vppon Avon in the Countie of warwicke Baker beinge sicke in bodie but of perfecte memorye thanckes be to Almightye god for the same doe ordaine and make my last will and Testament in maner and forme followinge That is to saye Inprimis I doe giue and bequeath my Soule to Almightye god my only Savioure and Redemer by the merrittes of whose passion I doe stedfastlie and vndoubtedlie beleieve to be saved Item my bodie to be buried in the parishe Church of Stretford aforesaide nigh the seate where I did accustomedly vse to sitt and serve god in or ells where, at the discreation of my frendes Item I doe giue and bequeath to be distributed amongst the poore people at my buriall Fyve poundes of money Item I doe giue and bequeath vnto my brother Skidmore of London, and my sister his wief two Staire Royalls in golde Item I doe giue and bequeth vnto my Cosin Ridley and his wief two peces of goulde beinge three poundes tenne shillings a pece Item I doe giue and bequeath vnto my Cosin Alice Sadler that is with my Cosin Ridley Twentye poundes in money To be paide vnto her at what time she shall accomlishe come and be of the age of Eightene yeares yf she happen to die before she doe accomlishe and be of the <fully> age of xvij^{ten} yeres <yeares> aforesaide: Then I will that the saide Twentie poundes to be equally given and distributed amonge her /other\ bretheren and sisters then Lyvinge videlicet, Hamnett Iane and margarett Item I doe giue and bequeath vnto my brother Robert Sadler, A Coate and a paire of hoase, and Twentie shillings in moneye Item I doe giue vnto my brother Richard Sadlers Children to euerie of them six shillings eight pence a pece <Item> I do giue <and bequeathe> vnto my brother Thomas Sadlers Children to euerie of them tenne shilling a pece I doe giue and bequeath vnto my brother Iohn walkers Children to euerie of them tenne shillings a pece And to Elizabeth walker his daughter I doe giue and bequeath Twentie poundes of lawfull englishe money To be paide vnto her within one yeare after my decease, or ells at the daye of her marriage whether of those tymes doe first happen to come. Item I doe giue and bequeathe vnto Fraunces Ange of Bisshopton two kyne, and to euerie <of> /one\ of his Children beinge Fyue in numbere tenne shillings apece Item I doe giue and bequeathe vnto Iohn Cookes Children of Aldermarston to euerie of them six shillings eight pence a pece Item I doe giue and bequeathe vnto Elizabeth Iackson that dwelleth with me Foure poundes six shillings eight pence to be paide vnto her within one yeare next after my decease or at the daye of her marriage whether first doth happen to come Item I do giue and bequeath vnto my Cosin Iohn Smythes Children Twentie powndes of lawfull money That is to saye to Elizabeth Smithe six poundes thirtene shillings and foure pence To Elyner Smythe six poundes thirtene shillings and foure pence And to Rafe Smythe his sonne six poundes thirtene shillings and foure pence And that this money to be deliuered to Iohn Smythe their father to their vse within foure yeares next after my decease And if it fortune that anie of the saide Children to dye before they he or she soe dyeinge doe not accomlishe the age of eightene yeares Then the same porcion of money to him or her before by me bequeathed to remaine and be devided amongst the reasidue of the saide Children then lyvinge Item I doe giue and bequeth vnto Hamnett Saddeler three Tenementes with their appurtenances which I haue in the Church street in Stret-forde aforesaide to him and <to> his heires for euer Together with the Lease of

¹⁹⁵ TNA PROB 11/61/33.

my howse, wherein I doe nowe dwell after the decease of margarett my Lovinge wief Item I doe giue and bequeathe vnto margarett my Lovinge wief my howse with thappurtenances duringe her naturall lief to holde accordinge as the Lease thereof maketh mencion Item I doe giue vnto my Lovinge frende Robert Gibbs of Stretford aforesaide Twentie shillings Item I doe giue and bequeath vnto my Cosin Iohn Smythe the [?Racke] or Lease which I haue of one yarde Lande and a half in the oulde Towne feilde to houlde the same duringe my lease and as the saide Lease beareth mencion ymmediatlie to beginne after the Cropp for this yeare /is [?..] & taken of the same\ Also I doe will that my saide Cosin Iohn Smithe shall haue my Teme of horse beinge six in numbre and all my Cartes ploughes and harrowes and geares therevnto belonginge he payeing for the same vnto my Executors Tenne poundes of lawfull money Item I doe giue to my Cosin Alice Higginsons Children to be equally devided amongst them six shillings eight pence Item I doe giue to Richarde Nicholls my Carter six shillings and eight pence, to be paide for his place, when he shall come to be placed as one of the Almesfolkes of Stretforde aforesaide Item I doe giue vnto my Servauntes viz Edwarde Pestle, Edwarde Taylor, Isabell yeate, Isabell walderne, and Robert Stephens Twoo shillings a pece Item all the reasidue of /my\ goodes and Cattells, chattells vnbe-queathed and not before by me given and bequeathed I doe fully and wholie giue and bequeath vnto margarett my Lovinge wief and my Cosin Hamnett Sadler, whome I doe also make and ordeine to be my Executors of this my last wil and Testamente And also I doe earnestlie desire and require and appoint my Lovinge frendes Iohn walker of Syllehull¹⁹⁶ and Richarde Ange of Stretforde aforesaide Baker to be my ouerseers of this my laste will and Testament to see the same iustlie performed accordinge to the trewe meaninge thereof And I doe giue them for their paines therein to be had and taken six shillings eight pence a pece. Item all other wills heretofore by me made I vtterlie revoke and adnnihilate [sic] the same, and that this to stande and be my last will and Testament In witnes whereof I haue set to my hande vnto theis presentes, Theis beinge witnesses Signum Rogeri Saddeler Henry Heycrofte vicar per me Thomam Trussell scriptorum present Robert Gibbes, Iohn walker, Iohn Smythe and others Signum Margarete Sadler.

Debtes which I Roger Saddeler doe owe

Inprimis to Elizabeth Iackstone my mayde Fourtie six shillings eight pence

Debtes which are owinge vnto me Roger Saddeler

Inprimis of master Iohn Combes thelder for a horse three poundes

Item of the same Iohn Combes due to me by bond at Christmas next twentie poundes

Item of master Lewis williams which he oweth me three poundes

Item of Richard Hathewaye alias Gardyner of Shottory six poundes viijs iiijd

Item of willyam Coxe of Syllehull tenne poundes

Item of master Michaell Gotheridge which he oweth me twentie shillings

Item that George Merrell of Ailston which he doth owe me £vj xiijs iiijd

¹⁹⁶ Solihull.

Item of master Thomas Trussell which he oweth me xxiiij s

Item of Richarde Froste in money and Corne foure poundes

Item of Edmonde Lambacte¹⁹⁷ and Cornishe for the debte of master Iohn Shaksper £v

Item of master Walter Roche which I must paye ouer vnto my brother /Skydmore\ for a mare
£iiij

Memorandum that the Fiftenth daye of Novembre in the yeare of oure Lorde god 1578, beinge the next daye after the makinge of his last will and Testament, Roger Sadler of Stretforde vppon Avon in the Countie of warwick baker /beinge\ Then of very good and perfecte mynde and memory did will giue and bequeath theis Legacies hereafter specified to the seuerall persons hereafter mencioned which guiftes and legacies he willed shoulde be annexed to his saide last will and Testament by waye of Codicill and be accompted as parte and parcell thereof viz Inprimis he gaue willed and bequeathed /to\ the Children of Thomas Iones alias Giles That is to saye To Richarde Stephan and Ellen Iones alias Giles the somme of three poundes six shillinges eight pence equally to be devided amonge them, and eyther to be others heire Also he gaue and bequeathed to Nicholas Holder the sonne of Humfrey holder three poundes six shillinges eight pence Item more he willed vnto Thomas Eynsdall the somme of Fourtie shillinges towards his preferment with somme good master of occupacion

¹⁹⁷ This could be 'Lambarte', but the 'r' looks more like a 'c'.

Anne Salisbury, widow¹⁹⁸

In the name of god Amen the Sixth daye of Apr[il] [... ..] of the Raigne of our Soueraigne lord Iames by the g[race] [... ..] of the faith &c. and of Scotland the Seaven and Fortithe [... ..] Countie of Warwicke wydowe beinge weake in bodie but [... ..] god) doe Ordeyne and make this my Last will and Testam[ent] [... ..] saye First I bequeath my soule to Allmightie god my heauenly Fath[er] [... ..] through the merrittes death and passion of Christ Iesus my onely sauio[ur] [... ..] bodie <æ>/[?a.e]\ be buried in the church or church yard of¹⁹⁹ Stretforde afores[aid] [... ..] discretion and appoyntment of my executor of this my last Will and Tes[tament] [... ..] towardes the Repayre of the parishe Church of Stretforde aforesayd T[...] [... ..] vnto the poore of Stretforde aforesayd Three poundes to be distrib[uted] [... ..] of my funerall or wⁱthin one weeke next after my deceasse as in the[...] [... ..] seeme most meete. Item my Will is that there shalbe bestowed the daye of my [... ..] Charges Three poundes Item whereas at the time of the makinge of this my Las[t] [will and testament] I haue given and delyuered vnto william Morrell of Stretforde aforesayde Wⁱth whom [... ..] and dwell the somme of Fortie poundes of Lawfull money of England for euer vppon Condiçion [... ..] the sayd William duringe my Lyfe shall finde me sufficient meate drinke Lodginge Washeinge and Wringinge, And after my deceasse to Content and paye vnto my brother Iohn Knight the yearely Rent of Foure poundes quarterly yf I should soe expresse it by my Last will and Testament, my will and mynde therefore nowe is and hereby I doe expresse the same soe to bee, That the sayd William Morrell shall Yearely paye after my deceasse vnto the sayd Iohn Knight my brother duringe his naturall lyfe the yearely Rent of Foure poundes quarterly by even porçions yf it be lawfully demaunded, the first payement thereof to begin wⁱthin one halfe yeare next after my deceasse. Item I give and bequeath vnto Anne the Wyfe of Robert Cooke Fortie shillings to be payde to her Wⁱthin three monthes next after my deceasse. Item I give and bequeathe vnto Robert Knight sonne of my brother Nycholas Knight Five poundes of lawfull money of England to be payde to him Wⁱthin one yeare next after my deceasse. Item I give and bequeathe vnto Ioyce the wyfe of Iohn Brookes Fortie shillings to be payde to her wⁱthin Three monethes next after my deceasse. Item I give and bequeath vnto Frauncis daughter of Robert Iones Fortie shillings to be payde to her wⁱthin Two yeares after my deceasse. Item I give and bequeathe vnto William Mountforde sonne of Iohn Mountforde late deceased Fortie shillings to be payde Wⁱthin three yeares next after my deceasse: Item I give and bequeath vnto Thomas Mountforde another of the sonnes of the sayd Iohn Mountford Eyght poundes of lawfull money of England to be putt forth to su[m] good frend for his vse When he cometh to the age of Foureteene yeares vntill he comme to th[e] age of Twentie and one yeares and then to be payde vnto him Wⁱth the increase thereof Item I give and bequeath vnto Ioyce Mountforde one of the daughters of the sayd Iohn Mountforde Fortie shillings to be payde vnto her wⁱthin Two yeares next after my deceasse Item I give and bequeath vnto Collett Mountforde another of the daughters of the sayd Iohn Four poundes to be put forth to her vse at the age of Foureteene yeares, and then the same to be payde vnto her Wⁱth the increase thereof when shee shall accomplishe the age of Twentie and one yeares. Item my Will is that yf any of the sayd foure Children of the sayd Iohn Mountfo[rde] shall departe this

¹⁹⁸ WRO 008.7 1614/103. Much of the top and right hand side of this document is missing.

¹⁹⁹ Much of this line is obscured by a fold in the page which was not flattened out properly during the microfilming process.

lyfe before the time come for the Receauinge of their sayd seuerall legacies before bequeathed, That then the porcion or porcions of them that shall soe deceasse shall Remyne and be vnto the Rest of them that shall su[r]vive equally to be devided amongst them ~~<and to be payde vnto them>~~ Item I doe also bequeath and give vnto the sayd Foure Children [... ..] foure poundes of lawfull money of [Eng]land [... ..] payde vnto them or the Suruiour of them [... ..]. Item I give and bequeath vnto Elizabeth [... ..] Morrell Three poundes sixe shillings and Eyght [pence] [... ..] [Eng]land. Item I give vnto the sayd Elizabeth my best [... ..] Item I give and bequeathe vnto Anne the Wyfe of [... ..] a Saye and a Blanckett my best gounde my hatt and [... ..] the Rest of my goodes and Chatteles Whatsoever aswell moveable [... ..] debtes Legacies and funerall expenses payde and satisfied I [... ..] vnto my welbeloved Frend the aforesayd William Morrell [... ..] [m]y full sole and Whole executor of this my Last will and [testament] And I doe hereby Ordayne and make my welbeloved brother the [afores]ayd Iohn Knight and George Mountforde of Lapworth in the Countie of Warwicke to be the ouerseers of this my last Will and Testament vnto whom I doe give and bequeath for their paynes to be taken herein Seuen shillinges a peece. And I doe Further by these presentes Revoke disanull and make voyde all former Wills by me made and doe declare and pronounce this same to be my Last Will and Testament. In wittnes whereof I haue herevnto sett my hand and seale the daye and yeare aboue Written.

Sealed and subscribed and by the sayd Anne Salsburie published and declared to be her last Will and Testament in the presence of

I. Greene

John Rogers.²⁰⁰

²⁰⁰ Greene looks like he might have signed his name, while ‘John Rogers’ seems to be in the scribe’s hand.

Henry Samuel²⁰¹

In the name of god amen In the yere of oure lorde god a thousande fyue hundrethe fortie and fyue and in the yere of our Soueraygne Lorde kynge henry the eight xxxvij the seuen daye of February I henry Samuel draper of Stratford vpon Aven in the countie of warwyke hole of mynde and good remembraunce sycke in body thanks be vnto all-mygthie god do make and ordeyne and this declare ~~<this d>~~ my last will and testament in this manner and forme as folowith First and principally I bequethe my soule vnto Allmyghtie god Trustyng through the merites of Cristes Passion and deathe to be saued desiring the glourious virgin saint mary our Lady With all the holly companye of Heuen to praye for me Also my body to be buried within the parishe church of Stratford in the Aleye betwext the trinitye Aulter and Ihus Aulter or elles nygh Ioyninge vnto hit. Also I bequethe to the mother Church of worcester foure pence Also to the high alter in the parishe church of stratforde iiijd Also to euery other Aulter in the foaresaide Church twoo pence Also I bequethe to euery of my godchildren two pence Also I will that a prest for to synge and Celebrate masses for my soule and the soule of margarett my wyffe And the soules of Iohn and Amys my father and my mother and for all Christen soules the space of one yere The saide preste to haue for his stipende viij markes of money Also I will and bequethe to the Almes folke in the Almes house of the guylde of stratforde apou awen [sic] iiij s a yere out of my tenter close the whiche Iohn Taylor hathe in occupyng the space of tenne yeres And that to be vsed and kept at ij dayes that is to saye at all soules daye ijs And good fridaye ijs Also I will in the daye of my buriall to haue the hole quere with all the priestes of the Chappell to be at dirige and masse and to haue according to their dutie And euery monethe after to haue dirige and masse saide by the priste and the clerke and at the last monethe at the yeres ende to haue the hole quiere Withe all the prestes of the chappell Also I bequeth to my brother Iohn being in the kynges almeshouse at Abinton²⁰² fortie shillings in monney to be paide in ij yeres next folowinge Also I bequethe to the foresaide Iohn my brother my brode yardes and a halfe of [blank] to make to him a habett And to haue euery yere six shillings eight pence During his naturall lyffe oute of my landes Also I bequethe to Amys wattle my wyffes seconde gowne and also her best hatt Also I bequethe to Ione lyghtfoote hir daughter a basen and a lauer and six shillings eight pence And also to margarett lyghtfoote her other daughter as muche to be deliuered at the day of her marriage And if shall so fortune that one of the foresaid daughters to die or to depart that her part to remayne to her sister the lenger lyuer And if it shall fortune bothe to departe before the tyme of marriage Then the forsaid legacie to remayne in disposicion of myne executor to dispose for the Welthe of theirs [sic] soules Also I bequethe to Ione baiar my Wyffes worstedd Curtill and her second tachehookes [sic] of syluer and her seconde hatt Also I bequethe to Thomas baiar my godson six shillings eight pence And euery one of thomas baiars children twelue pence And to mary his doughter a harte of blacke Iett closed in syluer With a Image of saint Iames apou hit Also I bequethe to elizabethe powres otherwyse called Hethe a mattres a bolster ij paire of shetes a Hurden and a ca[n]vas paire and a couerlett and my Wyffes redd curtill and my Wyffes Worsted gowne Also a pott and a panne ij platters and a sawcer also a bason and a lauer Also I bequethe to Elizabeth Earle a peticote new made and my Wyffes second smoke and a kercheffe and a pynnar and a apurne and at her going awaye a newe paire of hosen and shewes Also I bequethe to Thomas glouer a fryse cote and a

²⁰¹ TNA PROB 11/31/6.

²⁰² This could be 'Abington' in Northamptonshire, or perhaps 'Binton', near Stratford.

old dublett of worstedd tawny lying at robart Hawkyns Also I bequeth to Iohn Wilmyns Laborar in Henly strete a sleueles violett cote and a olde paire of hose Also I bequethe to Emmot lorde my wyffes best gowne. Also I bequethe to the maynte[n]ance of the great bridgge of stratford six shillinges eight pence and to the mending of the brigge a this syde yngyng Dall iijjs iiijd Also I bequethe to the Bridge benethe the myll twentie pence Also I bequethe to mende the lane at my gardyn syde six shillinges eight pence Also I bequethe to Ione smythe a kercheffe Also to Amys palmer another kercheffe Also I bequethe to margarett lyghtfote my goddoughter a bason and a lauer and xijd Also I geue and bequethe all the rest of all my goodes movable and vnmovable not bequethed Also all my landes possessions and rentes to Thomas Samuell my sonne and my haire the whiche I make and ordeyne my true and lawfull executour of this my last Will and testament to pay my debtes to bring my body Honestlie to the earthe And to discharge all thes foresaid legacies Furthermore I make and I ordeyne the ouerseers of this my will and testament master [blank] Robins of snyghtfyld²⁰³ And master Richard lorde of stratforde And for there paynes takynge to master [blank] Robins a cloke clothe of the best clothe in my shoppe And to master lord my best colte Thes bering wittnes Sir William dalame clerke and scolemaster of stratford Thomas Dickson cunstable Iohn nevill proctor of the yeld²⁰⁴ and other men

²⁰³ This is probably today's Snitterfield, approximately 4 miles north of Stratford.

²⁰⁴ I.e. 'guild'.

Richard Samuell²⁰⁵

In the name of God Amen the tenth day of Iuly in the yeare of our Lord god 1568 I Richard Samuell of Stratford vpon Avon in the diocese of worcestre sick in body but of good and perfet memorie Laude & prayse to god therefore, make this my last Will & testament in maner and forme folowinge, First I bequeath my sowle to Almightye god and my body to be buried in the parishe church of stratford vpon Avon nere to the ~~<seputure>~~ sepultures or graves of my father and mother /Item I geave & bequeath to my father in lawe Richard hill my siluer salte which he hath in his keapinge\ I geave & bequeath to my sister Anne hill my best standinge cuppe which is in the keapinge of my father in Lawe Richard hill & also I geave & bequeth to the saide Anne hill my sister five poundes of currant money of englande, Item I geave & bequethe to ~~<Richard hill his wyfe my mother in>~~ katherin hyll my father in Lawe Richard hill his wyfe xxs Item I geave & bequeathe to Iohane Tayler daughter to the saide katherin hill xxs Item I geave and bequeath to humfrey holder servant to the aboue named Richard hill my father in Lawe fowre powndes of Lawfull English money, Item I geave & bequeth to Frances hathway mayde servant to the saide Richard hill fortie shillinges of Lyke money, Item I geave and bequeath to euery of my vncl salisburie his children vjs viijd apeace, Item I geave and bequeath to my Awnte badger xxs Item I geave & bequeath to euery of my vncl badger his children xs apeace, Item I geave & bequeath to Edmond badger xxs, Item I geave & bequeath to euery of my vncl samuell his children xs apeace, Item I geave & bequeath to Anne []²⁰⁶ servant to my father in Lawe Richard hill iijs iiijd Item I geave & bequeath to the poore people of stratford vpon Avon five poundes, Item I geave & bequeath to my cosyn Thomas Shawe of the Citie of Worcestre clothier eighte powndes of currant money of England Item I geave & bequeth to morice shawe of the saide citie of worcestre foure powndes of lyke money Item I geave & bequeth to William shawe xxs, Item I geave and bequeath to Anne Cotterell of the saide Citie xls Item I geave & bequeath to euery maideservante in my Cosin Thomas Shawe his howse iijs iiijd apeace, Item I geave & bequeath to my Awnte Elinor Wade of the saide Citie of worcestre vjs viijd Item I geave & bequeath to Alice Whrighte of the parish of saincte Michaell in worcestre Wydowe vjs viijd Item I geave & bequeath to david []²⁰⁷ my Cosin Thomas Shawe his man vjs viijd All the residue of my goodes moveable & vnmmoveable my debtes & legacies ~~<[?be]>~~ payde and my funerall expenses discharged I geave & bequeath to my sister Emme Samuell Whom I ordayne constitute & make my sole executrix of this my testament & laste will, Also I constitute & appoynte my welbe-Loued vncl Thomas badger Richard hill my father in Lawe william Iohnsons my vncl & my Cosin Thomas shawe supervisors of this my last will and testament to see hit fulfilled & keapte according to the true ~~<purporte>~~ /purporte\ and meaning thereof, /& I geave vnto euery of them a gowne & xls in money\ provided also & my laste will & testament is that yf Emme samuell my sister & executrix refuse to prove this my last will & testament according to my meaninge & entente, then I substitute vnto her the saide Emme samuell constitute ordayne & appoynte my Loving vncl Thomas badger Richard hill my father in Lawe william Iohnsons my vncl & my Cosin Thomas shawe my executors of this my laste will & testamente prayinge & desyringe them & euery of them to prove the same take vpon them the execution thereof according to my will & meaninge

²⁰⁵ WRO 008.7 1568/27.

²⁰⁶ A blank space has been left deliberately, presumably to fill in Anne's surname at a later time.

²⁰⁷ Another blank space left for completion later.

hearetofore expressed provided also that all suche summes of money <are> as are nowe remayninge in my father in Lawe Richard hill his hande shalbe deliuered to my executrix or to my executors substituted at the feaste of the natiuitee of Christe nexte ensuinge the date heareof, my executrix or executors that shall take vpon them the execution of this my laste will & testament, shall discharge contente & paye all these my legacies aboue mencioned before or on thisside the feaste of the annuntiation of our lady nexte ensuinge the feaste of the natiuite of Christe aboue mencioned These bearing witnesse [?master] Thomas Flit alias Walsegrove Thomas shawe William Iohnsons petur goughe Thomas Fydo withe others

Thomas walsgove alias Flett

Peter goff

Thomas Fydo²⁰⁸

²⁰⁸ It seems as if each of these witnesses has signed their own name.

William Shakespeare²⁰⁹

Vicesimo quinto die Martij Anno regni Domini [?nrj] Iacobi nunc Regis Angliae &c. Decimo quarto et Scotia quadragesimo none Annoqr Domini: 1616

In the name of God amen I William Shackspeare of Stratford vppon Avon in the Countie of Warwicke gentleman in perfect healthe and memorye (god be praised) do make and ordayne this my last will and testament in manner and forme folowing that is to saye. First I commend my soule into the handes of god my Creator hoping and assuredlie beleving thorough the only merittes of Iesus Christe my Savyoure to be made partaker of life euerlasting and my bodye to the earthe whereof yt is made. Item I giue and bequeathe vnto my daughter Iudith one hundred and fiftie poundes of lawfull englishe money to be payed vnto hir in manner and forme folowing that is to saye. One hundred poundes in dischargde of her marriage portion within one yere after my decease with consideration after the rate of twoe shillinges in the pounde for so long tyme as the same shalbe vnpayed vnto her after my decease And the fiftie poundes residue thereof vppon her surrendring of or giving of suche sufficient securitie as the Ouerseers of this my Will shall like of to surrender or graunte all her estate and righte that shall discend or come vnto her after my Decease or that she nowe hathe of in or to one Coppiehould tenement with thappurtenances lying and beyng in Stratford vppon Avon aforesayed in the sayed Countye of warwicke beyng parcell or houlden of the Mannor of Rowington vnto my daughter Susanna Hall and her heires for euer. Item I giue and bequeath vnto my saied daughter Iudith one hundred and fiftie poundes more yf she or any yssue of her bodye be living at the end of three yeres next ensewing the daye of the date of this my will during which tyme my executors are to paye her consideracion from my decease according to the Rate aforesayed: And yf she dye within the saied tearme without yssue of her bodye Then my will ys and I do giue and bequeathe one hundred poundes thereof to my Neece Elizabeth Hall and the fiftie poundes to be set fourthe by my executors during the life of my sister Iohane Harte: And the vse and profitt thereof comming shalbe paied to my saied Sister Iohane: And after her decease the saied Fiftie poundes shall remayne amongst the children of my sayed sister equallie to be devided amongst them. But yf my sayed daughter Iudith be living at the end of the saied three yeres or any yssue of her bodye Then my will is and so I devise and bequeathe the saied hundred and fiftie poundes to be set out by my executors and ouerseers for the best benefit of her and her yssue: and the stocke not to be paied vnto her so longe as she shalbe marryed and ~~vnder~~ Covert Baron But my will is that she shall have the consideration yerelie payed vnto her during her life: And after her decease the sayed Stocke and consideration to be payed to her children yf she have any and yf not to her executors or assignes, she keping the sayed tearme after my decease: Provided that yf suche husband as she shall at the end of the sayed three yeres be marryed vnto or attayne after doe sufficientlie assure vnto her and the yssue of her bodye Landes awnswerable to the portion by this my Will given vnto her to be adiudged soe by my executors and ouerseers. Then my Will ys that the sayed hundred and fiftie poundes shalbe payed to suche husband as shall make suche assuraunce to his owne vse. Item I giue and bequeathe vnto my saied Sister Iohane twentye poundes and all my wearing apparrell to be payed and deliuered within one yere after my decease. And I do will and devise vnto her the house with the appurtenances in Stratford

²⁰⁹ TNA PROB 11/127/771. Transcribed from the court copy, not the original, only for matters of clarity – the original appears quite faded in the PRO image. Original will reference: TNA PROB 1/4.

wherein she dwelleth for her naturall life vnder the yerelie rent of twelve pence. Item I giue and bequeathe vnto her three Sonnes William Harte [blank]²¹⁰ Harte and Michaell Harte fyve poundes a peece to be payed within one yere after my decease: Item I giue and bequeathe vnto the saied Elizabeth Hall all my plate (except my broade silver and guilte boll)²¹¹ that I nowe have at the date of this my will. Item I giue and bequeathe vnto the poore of Stratford aforesayed tenne poundes: To Master Thomas Combe my sworde To Thomas Russell esquire fyve poundes: And to Frauncys Collins of the Boroughe of warwicke in the County of warwicke gentleman thirteene poundes six shillinges and eight pence to be payed within one yere after my decease. Item I giue and bequeathe to Hamlet Sadler twentie six shillinges eight pence to buye hym a Ryng. To William Reynoldes gentleman twentie sixe shillinges eight pence to buye hym a Ryng. To my godsonne William Walker twenty shillinges in gould: To Anthony Nashe gentleman twentye sixe shillinges eight pence To Master Iohn Nashe twentie six shillinges eight pence And to my felowes Iohn Hemmynges Richard Burbage and Henry Cundell twentie six shillinges eighte pence a peece to buye them Rynges. Item I giue will bequeathe and devise vnto my daughter Susanna Hall for better enabling her to performe this my will and towards the performance thereof All that Capitall mesuage or tenement with the appurtenances in Stratforde aforesayed called the newe place wherein I nowe dwell and twoe mesuages or Tenementes with thappurtenances scitua^t lying and beyng in Henley streete within the Boroughe of Stratford aforesayed: And all my barnes stables orchards gardens landes tenementes and hereditamentes what-soeuer scitua^t lying and beyng or to be had receyved perceyved or taken within the townes Hamlettes villages feildes and groundes of Stratford vppon Avon Old stratford Bushopton and welcombe or in any of them in the sayed Countie of Warwicke: And also all that mesuage or tenement with thappurtenances wherin one Iohn Robinson dwelleth scitua^t lying and beyng in the blacke Fryers in London neere the Wardrobe and all other my Landes tenementes and hereditamentes whatsoever To haue and to houlde all and singular the sayed premisses with their appurtenances vnto the sayed Susanna Hall for and during the tearme of her naturall life: And after her decease to the first sonne of her bodye lawfullie yssuing and to the heires males of the bodye of the saied first sonne lawfullie yssuing: And for defaulte of suche yssue to the second sonne of her bodye lawfullie yssuing and to the heires males of the bodye of the saied second sonne lawfullie yssuing. And for defaulte of suche heires to the third sonne of the bodye of the saied Susanna lawfullie yssuing and of the heires males of the bodye of the sayed third sonne lawfullie yssuing. And for defaulte of suche yssue the same so to be and remayne to the fourthe ~~sonne~~²¹² fyveth sixt and seaventh sonnes of her bodye lawfullie yssuing one after an other and to the heires males of the bodyes of the saied fourthe fyveth sixt and seaventh sonnes lawfullie yssuing in suche manner as yt is before lymited to be and remayne to the first second and third sonnes of her bodye and to their heires males: And for defaulte of suche yssue the sayed premisses to be and remayne to my saied Neice Hall and the heires males of her bodye lawfullie yssuing. And for defaulte of suche yssue to my daughter Iudith and the heires males of her bodye lawfullie yssuing And for defaulte of suche yssue to the righte heires of me the saied William Shackspere for euer. /Item I giue vnto my Wife my second best Bed with the furniture.²¹³ Item I giue and bequeath to my saied daughter Iudith my

²¹⁰ This blank is present in the original.

²¹¹ This closing bracket occurs in the original but has been omitted in the court copy.

²¹² This alteration occurs in the original will, not the court copy.

²¹³ This appears as an interlineation in the original will, but is not written as such in the court copy.

broade silver guilt boll. All the Rest of my goodes Chattells Leases plate Iewells and housholdstuffe whatsoever after my debtes and Legaceys payed and my Funerall expences discharged I giue devise and bequeathe to my sonne in lawe Iohn Hall gentleman and my daughter Susanna his wife whome I ordayne and make executors of this my last will and Testament: And I do entreate and appoynte the saied Thomas Russell Esquire and Frauncys Collins gentleman to be Overseers hereof. And do revoke all former willes and publishe this to be my last will and Testament. In witnesse whereof I have hereunto put my ~~<Seale>~~²¹⁴ hand the daye and yere /first\ abouewritten. By me William Shackspere witnes to the publishing hereof Frauncys Collins Iulius Shawe Iohn Robinson Hamnet Sadler Robert Whatcott.²¹⁵

²¹⁴ This crossing out appears in the original will, but has been omitted in the court copy.

²¹⁵ In the original will, each of these men appears to have signed his own name.

Ann Shaw, widow²¹⁶

In the name of God amen the Fyftth day of January Anno domini 1629 And in the Fyftth yeire of the Raigne of our Soueraigne Lord king Charles that now is over England &c. I Ann Shawe of the Burrough of stratford vppon Avon in the Cownty of warrwick widdow being weake in body but of perfect memory prayed be god doe heereby make & ordeine this my Last will And testament in manner & forme Followeing That is to say Fyrst & before all other things I give my soule into the handes of Almighty god my maker And my body to the Earth from whence yt was taken in sure trust And confidence that in And by the merritts And passion of Iesus Christ my Savyour I shall obteine pardon And Remission For all my sins And Lyfe eternall And for the disposing of that Temporall estate wherewith god hath endowed me I give And dispose yt in manner And Forme Followeing Imprimis I give towardes the Repaire of the Parrish Church of Stratford aforesaid xs And to the poore of the said Burrough to be distributed by my Executors xiijs iiijd Item I give & bequeath vnto Iohn Bromly whom I kepe my Cupbord in the hall And the Two Tables there & eight Ioyned stooles therevnto belonging And the Andirons which are in the hall Chimnye All which my will is shalbe deliverd vnto him the said Iohn Bromlie by my Executors when as he the said Iohn Bromlie shall accomlishe the Full Age of xxj yeires yf he shall so Long Live but yf yt happen that he the said Iohn do dye & departe this Lyfe before he acomplish the said Age of xxj yeires then the same to be & Remyne to my Executors Item I give & bequeath to my Cosen Elizabeth Browne widow xxs And the one half of my weareing Aparrell viz^t gownes peticotes & linens Item I give vnto Peeter Mullenox /for\ his Children xs amongst them Item I give to my sone in law Iohn Boyce xs Item I give & bequeath to Iohn Boyce Butcher one fether bed now whereon I lye being in the parlour with a bow[l]ster & a litle hilling & one peire of hemp sheetes Item I give to Iuly Boyce five shillinges Item I give & bequeath vnto Ioyce [?Bumpas] my servant one fether bed which I had of my mother Aspinall with a bow[l]ster And the hilling which is on my bed And a brass pott And one kette & my Warming pann Item I give And bequeath to my servant Alice Byker one Litle new kette one paire of hemp sheetes And in mony five shillinges Item I give & bequeath to Samuell Chandler my godson a Silver spoone Item I give vnto Ann moore ijs vjd to Anne Colechester ijs vjd And to the Widow hinchew ijs vjd Item I give And bequeath to Henry pratt one Silver spoone And to Maudlin his wife one of my best pillow beeres And to henry there sone my greate Chest Item I give vnto the widow Tomlins my greate pewter Charger /& Two banelles\ Item I give to Henry Tomlins her sone a silver spoone Item I give & bequeath to my sister mistress Ann Smith my silver bowl & taffety Aperne Item I give And bequeath to my cosen mistress Ann Hix my gilt bowle And to her sone francis a silver spoone And for her self alsoe my Ringge Item I give And bequeath to my Cosen master Thomas dighton And to his wife my downe bed & bowlster to yt /And two paire of my sheetes of the best\ and one Table cloth And to there daughter Ann in mony Twenty shillinges Item I give And bequeath to Willi[a]m Smith of Stratford aforesaid Habberdasher my best Ioyned bedsteed in the Chamber over the hall & the truckle bed to yt And my greene Rugg & my malt mill & my Closse stoole For his wife Item I give & bequeath vnto Ann Shaw my goddaughter a silver spoone And to her sisters twelue pence Apeece Item I give vnto Henry Norman <a silver spoon And to> his wife for her daughters one great platter & one pewter Candlestick Item I give to Iuly shaw sone of my brother William Shawe in mony xs Item I will give And devise to Henry Norman

²¹⁶ SBTRO BRU 15/7/145.

Aforesaid in mony six powndes to be paide by my Executors Item I give to my Cosen master Thomas dighton <all my Right & interest of & unto> my Gould Ringe which was my Late husbandes beinge A gimmoie Rin[g]e Item I give & bequeath to Thomas Bragden sone of Arthur Bragden in mony Tenn shillinges Item I give to my Cosen master william Hix in monye to buy him a Ring <[?xij*s* iij*d*]> /Twenty shillinges\ And /more\ to his wife A table cloth Item I give my Cosen Catherin Mullenox in mony ijs vjd Item I give to master Robert Butler my waynscot Cheyre All the Rest of my Goodes & Chatteles vnbequeathed my debtes being paide & my Funerall Expences being discharged I give And bequeath to master Thomas dighton Aforesaid & William Smith haberdasher aforesaid whom I make & ordeine the Executors of this my Last will And Testament And I desire my Brother in Law master Henry Smith And master daniell Baker to be overseers of this my Will And I do give my said Brother in Law master Henry Smith twenty shillings And to master Baker xs For their paines therein to be taken In witness whereof I have heerevnto set my hand & seale the day & yeire above written

Reade published And sealed & delivered

in the sight And presence of

Edwardd hunte

the marke of

Francis [?H]eccox

Ann <mark> shaw²¹⁷

²¹⁷ The will has also been sealed.

Raph Shawe²¹⁸

In the name of god Amen the xviiijth day March in yeare of our lord god 1592 & in the xxxiiijth yeare of the Rayngne of our Soverayngne /lady\ Elizabeth by the grace of god Queene of Eyngland Fraunce & Ierland defender of the Fayth &c. I Raph Showe of Stratford Vpon Avon in the county of Warwycke Woll dryver beyng Weake in body but of perfect & good memory I thank my lord god ordayne ordayne [sic] & make this my last Wyll & Testament in maner & forme Followyng fyrst I bequeth my soull to allmightye god (trustyng to be saved by the meryts of Christes passyon) & my body to be buried in the Church or Church yard of Stratford aforesayd Item I geve & bequeath vnto Anne my wyf my howse or Tenyment Wherin I nowe dwell With all & synguler the apurtenaunces duryng her naturall lyf (yf she kepe her self Wydowe) but if the sayd anne my wif shall fortune to marry then I geve & bequethe the same howse & Tenyment With all & synguler the apurtenaunces vnto Wyllyam my sonne, & to the heres of his body lawfully begotten for ever. Item my Wyll is that yf my sayd Wyf Anne do remayne Wydow duryng her naturall lyf & so <ejoye> Enjoy my sayd howse & Tenyment accordyng to the true meanyng of this my last Wyll & testament vnto her lyves end then my Wyll is that the same howse & Tenyment With all & synguler the appurtenaunce to remayne vnto my sayd sonne Wyllyam as my free gefit & to the heares of his body lawfully begotten for ever to enter Vpon the same Imedyatly after the Maryage of the sayd Anne my Wyf or els Imedyatly after her decesse Which of them shall fyrst happen And for lacke of heares lawfully begotten of the sayd Wyllyam my sonne, then I geve & bequeth the sayd howse & Tenyment Wyth all & singuler the appurtenaunces vnto Iulye my sonne & to the heares of his body lawfully begotten for ever & for lacke of heares lawfully begotten of the sayd Iuly my sonne then I geve & bequethe the sayd howse & Tenyment With all & synguler the appurtenaunces vnto Anne my dawghter & to the heares of her body lawfully begotten for ever Item I geve & bequeth vnto my sayd sonne Iuly all that stocke of money Woll or other thyngs Which I haue alre dy comytted <vnto> to his hands to his best vse & proffet & further I geve & bequeth to my sayd sonne Iuly £xvij xs so that the Whole of this my bequest Vnto the same Iuly my sonne is £xl of lawfull monye of the Which £xxij xs is alre dy delyvered to hym Item I geve & bequeth Vnto my sayd sonne Wyllyam £xx /of lawfull money\ to be payd to hym at the age of xxj yeares Item I geve & bequeth Vnto my sayd dawghter Anne £xxx of lawfull <moyn> money to be payd to her at the age of xviiij yeares Item I geve & bequeth toward the repayre of the parrishe Church of Stratford vs of lawfull money This bequest done detts payd & legaces Levyed & my body honestly buried then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in Whose hands so ever they be vnto Anne my Wyf Who I ordayne & make my sole exekatrix of this my last Wyll & Testament & I desyre my trusty frynds Valentyne Tant & Wyllyam Smart my lovyng neighbors to be my supervysers of this my last Wyll & Testament & they to haue for their paynes therin to be taken ijs vjd apeece of them

Wyttnesses Wyllyam Gilbard alias higgs mynister in Stratford

Valentyne Tant

William Smarte²¹⁹

²¹⁸ SBTRO BRU 15/7/149.

The signe <mark> of Raph

Showe testator

²¹⁹ William seems to have signed his own name here.

Michael Smart of Luddington²²⁰

In the name of God Amen: I Michael Smart of Luddington in the County of Warwick yeoman, being in perfect health & memory (thankes be geuen to God) doe make & ordayne this my last Will & Testament in manner & form following. First I bequeath my soule into the hands of God my faith-full Creatour & mercifull Redeemer, & my body to the earth (from whence it was taken) in full hope of a ioyfull resurrection. Next, for that estate wherewith God of his grace hath blessed me, I thus dispose of it. First for my deare wife Fraunces Smart I geue & bequeath vnto her that lesser house of mine in Stratford next adioyning to that that is now in the possession of mine eldest sonne Simon, to haue & to hold the said lesser house during her life: And after her decease my will is that the sayd house be my sonne Simons during the lease, and longer if he think good to renew it. Item I geue & bequeath to my wife all my household goods to remayne with her for her proper vse during her life, with power to dispose of all of any of them to my children either while she lives or at her death as she pleaseth: onely my will is that each of my five children haue (when she thinks good) a fether-bed with all that belongs to it. As for my five children, whereas they had forty shillings a peece geuen them by my brother in law Thomas Cale which I receiued for theyr vse, in lieu of that ten pounds, and for a fur-ther testimony of my fatherly affection toward them I doe geue & bequeath vnto them theyr seuerall portions to be paid vnto them after my decease as followeth. First for my eldest sonne Simon Smart I doe hereby geue & bequeath vnto him that house at Stratford that he now enioyeth, together with all the ground & buildings that belong to it. Moreouer I geue vnto him the said Simon all that summe of mony that he hath of mine in his hand together with ~~fourty~~ /twenty\ pounds more to be paid him ~~<wit>~~ a twelue moneth after my decease. Moreouer I geue & bequeath vnto my second sonne William Smart the summe of two hundred ~~<and forty/sixty>~~ pounds to be paid vnto him (if he refuse the executourship) a full twelue-moneth after my decease. Moreouer I geue vnto myne eldest daughter Esther ~~<smart>~~ /Prestich\ the summe of forty pounds (as an addition to that sixty pounds that I gaue her at her marriage) to be payd vnto her ~~<within>~~ at the end of two yeares after my decease. Moreouer I geue & bequeath vnto my two yonger daughters Anne Smart & Grace Smart the summes of ~~<one hundred and>~~ sixty pounds a peece to be payd vnto them at the end of a full twelue-moneth after my decease. Also I geue to the poore of Luddington & Dodwell thirty five shillings to be paid presently vpon my decease viz to the widdow Cook of Dodwell ten shillings and to Thomas Okely, William Townsend, Iohn Archer, Geoffry Hood, & steuen Altrey five shillings a peece. Lastly I geue & bequeath to my louing freind Master Iohn Trappe (whom I desire to preach my funerall-sermon) twenty shillings. Item I doe by this my last will appoint & require my two sonnes Simon and William in consideration of the portions I haue aboue bequeathed vnto them, to pay each of them foure pounds per annum to theyr mother for her maintenance during her life, that is twenty shillings a peece quarterly, & for her security to ingage & geue sufficient bond to pay the said eight pounds a yeare from the time of my decease & so forwards till the time of her decease. Moreouer my will is that one hundredth pounds be payd out of mine estate to ~~<my>~~ Fraunces my wife to be disposed of in her life time, or at her death as she thinkes fit. Also it is my will that forty pounds a peece be payd (more then the sixty pound apeece aboue-mentioned) to my two yonger daughters Anne & Grace at theyr day of marriage, prouidid that in the choice of theyr husbands they crosse not the mind of theyr mother, with the advise of the Ouerseers of this

²²⁰ WRO 008.7 1649/147.

my last Will & Testament. Further it is my will that Edward Prestich my sonne in law before he riceiue the forty pounds added to my daughter Esthers portion, shall geue sufficient security that the sayd forty pounds shalbe wholly & alone at my daughter Esthers disposall, to geue it or doe with it what she pleaseth. Lastly I appoint my yonger sonne William to be sole Executour of this my last Will & Testament. And I doe earnestly request my louing freinds Master Trapp of Welford, Master Richard Smart of Stratford, Master Iohn Brooks of Stratford & my brother Simon Cale of Bishop-ton to be ouer-seers of this my last Will. In wittnesse of all which I haue hereunto set my mark this 17th of Aprill in the yeare of our Lord 1648.

The mark <mark> of

Michael Smart

In the presence of vs

Iohn Trapp.

Simon <mark> Cales marke

Peter Smart²²¹

In the name of God Amen. The xvjth daye of Iune, in the yere of our Lorde God 1588 I Peter Smart of the Towne of Stratford sicke of bodie but thanks be to God of good memorie and perfect vnderstandinge, doe ordayne and make in maner and forme folowinge, this my laste Will And Testamente. In primis I commende my soule into the handes of Almightye God, and my bodye to be buried in the Church of stratford Aforesayd at my seates ende, in full and certeyne hope of the Resurrection of the same to eternall lyfe in the laste daye. Item I gyve & bequeath to be distributed to the poore of this Towne fyve Markes. And to the Almsfolke ijs. Item I gyve to my Godchildren xijd a peece. Item I gyve to my brother Smart my beste Gowne, best dowblet, and beste hose, And to his fyve sonnes xijd a peece, to Anne Parsons, Ione starkye, Iulian starkie my kynswemen xijd a peece Item I gyve to Iohn Ange my brother in lawe a quarter of malte To Ieyse Wylliam Toms wyffe xs. To Thomas Smart my kynsman my blacke cote. To Thomas Hyccoxs children of Welcumme xijd A peece. Item I gyve And bequeath by this my last Will and Testamente, to my sonne Wylliam Smart all my lande, landes, pasture and pastures house and houses wth Thappurtenauncis what soe euer that I haue purchased, to enioye and haue the same for euer to hym the sayd Wylliam and his heires after hym, of his bodie lawfully begotten. but yf the sayde Wylliam dye wythout Issue That than [sic] the sayd lands, pastures, and houses wth Thappurtenauncis, as is aforesayd shall returne and remayne to my daughter Isbell Sadler, and after to Iohn her sonne or her chylde of her bodye lawfully begotten or for want of Issue, to the nexte of my kynne. In consideration of this my gyfte, the sayd Wylliam my sonne, or his heires shall yealde and paye yearely to my daughter Isbell Sadler xxs duringe her naturall lyfe. Item I gyve to the sayd Wylliam my sonne the lease of my Close duringe the yeares thereof. All the rest of my goodds moveable and Vnmoveable (my debtes payd bequestes dyscharged, and all other charges of my funerall by myne Executors equally borne) I gyve and bequeath to my sonne Wylliam Smart and my daughter Isbell Sadler equally to be devided betwene theym Whome I [?make]²²² Ioyntly together myne Executors of this my last Wyll And Testamente to doe therein Accordinge to the true meanynge thereof, as God shall gyve theym grace. I make also myne ouerseers, my Welbeloved fryndes Master Humfrey Plymbey and Master Wylliam Wylson And they to haue for their paynes Vs a peece.

Wyttnesses present at the makynge of this my laste Will and Testame[n]te, the sayd partyes myne ouerseers, and my brother Wylliam Smart wth others

Wyttnesses Also of the ensealinge of this my last will And Testament and of settinge to of my marke Wyth the subscribing of my name.

Arthor Newell, Thomas [?Ruyfyns],

By me Iohn Wheeler <mark>²²³

²²¹ WRO 008.7 1588/70.

²²² The page has been folded along this line.

²²³ John Wheeler has written his own name and appended a mark too, which takes the form of an 'IW' either side of a swirl/loop.

by me Wylliam Smart the wrightter

Signum Petri Smart

<mark>²²⁴

²²⁴ Peter has marked under his name, and a seal is also present.

Will of Richard Smart of Luddington²²⁵

In the name off god Amen In the yere off oure lorde god M ccccc lxx the xviiij day off September I Rychard Smart off loddynghon of the paRyche off Strettford mayk my last wyll and Testamnett [sic] In manor and Forme Followyng Fyrst I bequeth my soule vnto almyghthy god and to all the cumpany In heaven and my body to be buryed at my paRyche churche Accordyng to the order off buryall and I bequeth vnto El[i]zabeth my dowyghter £x off lawfull money and vnto margaret my dowyghter £x also I gyffe and bequeth vnto the chylde that my wyff doth go withall yff yt please god to send yt lyff and to lyff £x to be payd at xx^{ti} yeres off there age or be Fore as my executor shall [?s..tlye]²²⁶ cause and yff any the off these there [sic] do dye that then that part to remayne Frome one vnto Another off them also I wyll that my Wyffe shall haue my lease and occupy the yers duryng hyr wyddohod Estate vntyll my sone be xx yers olde and then Ihon my son to Enter and occupy haullff with hyr throw outt In all thynges consornyng the lease provydyd that yff my wyff do mary at Any tymes that then my son Ihon to haue my lease vnto hym and hys assyngnes and I gyff Ihon my son the thryd part off all my howshold gudes with yn my howse moveable and vnmmoveable and I wyll tha[t] my son Ihon to pay halffe the legace and I gyff vnto Thomas Smart A chylver shepe and to hys threr [sic] chyltren Euery one A chylver shepe and I gyff vnto Frances gybes one stryck off barley and I gyff vnto the churche ij stryck off barley to be payd the nextt yer and I mayke my wyff my Full Executryckes to thys my last Wyll and Testament to se yt perfformyd and Fullffylled and I ordyn and mayk E[d]mond [?loxisley] and Thomas Smartt my over sears to thys my Wyll and Testamentt Wyttnesses Sir Ihon Fryth my my [sic] gostely Father Thomas Symons E[d]mond [?loxisley] Thomas Smart Ihon dayvys wylliam gybes

Probatum &c. coram magisterio Iohannes langford legus doctorem [?Re^{di}] [?E...di] Nicholasi &c. wigorn [?Exi] &c. vicario generali &c. wigorn [?Exi] &c. wigorn primo die Decembris Anno domini 1571

Et exhibuit Inventarium ad summa £xxxv ijs

²²⁵ WRO 008.7 1571/28.

²²⁶ There is a fold in the page/microfilm image here.

William Smarte²²⁷

In the name of god amen the xxijth daye of marche in the yeare of oure lord god 1593 and in the xxxvth yeare of the raynge of our Soveraynge ladye Elizabeth bye the grace of god Queene of eyngland fraunce and Ireland defendore of the faythe &c. I william Smarte of stratford vppon avne in the covnty of warwycke backer beinge sicke in bodye but of perfet memorye I thanke my lord god ordayne and make this my last will and testamente in manner and forme followinge fyrste I beqvethe my soull to allmyghtye god trvstinge to be saved bye the merits of Christes passion and my bodye to be buried in the chvrche or chvrche yard of stretford aforesayd, Item I give and beqvethe towards the repayre of the parrishe chvrche of stretford aforesayd vjs viijd of lawfull moneye Item I giue and beqvethe to my davghter Susanna Smarte £xv of lawfull eynglishe moneye to be payd vnto her by myne exekatrix or her assygned at the daye of my sayd davghters maryage or else at her age of xviiij yeares whiche shall firste happen and if it be soe that fravncis my wif be w^{ith} child and the same be a davghter then I geue to the same my davghter £xv to be payd to her at the daye of her maryage or else at the age of xviiij yeares wh^{ic}he shall first happen but if my sayd wif be not w^{ith} child of a davghter then my will is that my sayd davghter susanna shall haue the some of £xx of lawfull moneye to be payd to her in manner aforsayd Item my will is that my brother in lawe Iohn Sadler and Issabell his wif Ioyntlye together enioye the one half of my lease ore Indentur[e] w^{ith} frauncis my wif wh^{ic}h I hovld frome mistris clapton payinge half the rente specyfyed in the same Indenture dvrnyge the tearme of the same Item I geue and beqvethe to the thre children of my sayd brother Iohn Sadlers to everye of them a quarter of barlye to be payd to them a quarter everye harveste dvrnyge thre yeares next after my desease Item I geue and beqvethe to my vnckell Iohn ayng half a quarter of mavlte Item I geue vnto my kynsman Thomas Smarte a strike of mavlt Item I geue and beqvethe to my father in lawe Iohn wells my best blacke dvblet Item I geue and beqveth to my mother in lawe wyf to the same Iohn ten shillinges of lawfull moneye Item I geue to my brother in lawe Iohn wells my sword and dagger Item I geue vnto Thomas wells mye brother in lawe mye second dvblet and my best hose Item I geue to everye of my servavntes xijd a peese of theme, this beinge done detts payd and legaces levyed and my bodye honestlye bvryed then I geue and beqvethe all the rest of my goods moveable and vnmouable cattells and chattells in whose handes soe ever they be vnto fravncis my wif who I ordayne and make my sole exekatrix of this my last will and testament and I desire my lovinge frindes and good neyghbovrs master william willson and my father in lawe Iohn wells to be my supervisors of this my last will and testamente and theye to haue for theyr paynes therein to be taken ijs vjd a pease of them witnesses master william willson Rychard gybbard and william Gylbard alias higges mynister w^{ith} others

²²⁷ WRO 008.7 1593/93.

Alice Smith, widow²²⁸

In the name of God Amen The Fifteenth day of Iuly in the yeare of our Lord God one thousand six hundred thirtie two I Alice Smith of Stratford vpon Avon in the County of Warwicke and in the diocesse of Worcester being aged and [?crasie] in my bodie but of sound and perfect remembraunce blessed bee the name of the Lord for it doe make & ordayne this my last Will and Testament in manner and forme following. first I bequeath my soule into the handes of Allmightie God who gaue it vnto the Father sonne and holy Ghost my Creator Redeemer and Sanctifier vnto the which one God and three persons I Commend my spirit with humble thankes to his heauenly Majestie for all his blessings bestowed vpon mee in Christ Iesus my Lord And my bodie to the Earth from whence it was taken and to bee buried in the parish Church of Stratford aforesaid as neere the bodie of Francis Smith my deere husband as may bee with sure and certayne hope of resurreccion to eternall life through our Lord Iesus Christ who is God blessed for ever and ever Amen And for my worldly estate wherewith God hath blessed mee of his mercy and goodnes First I giue vnto Mary Willis the whole furniture of the new Chamber as it now standeth and I giue her my wedding ring and the best silver bowle and a trunke with these lynnens in it, a paire of Flaxen sheetes a long Flaxen tablecloth and a square tablecloth a paire of holland pillowbeeres a dozen flaxen table Napkins and a Towell Item I giue vnto Samuell Willis my Grandchild one hundred poundes to bee employed by my Executor for his vse by purchase or otherwise when hee shall come to the age of foure yeares till hee shall come to the lawfull age of one and twenty yeares Item I giue vnto Ioane Gibbard my sister Twentie poundes Item I giue vnto daniell Gibbard her sonne Fortie poundes to bee paid within three moneths after my decease Item I giue vnto Hannah Gibbard her daughter twentie poundes to bee paid her at the age of one and Twentie yeares Item I giue to the said Hannah a paire of Flaxen sheetes a paire of pillowbeeres two short tableclothes a dozen of narrow short napkins a pott posnett a kettle weighing Five poundes and a halfe a paire of bellowes a fire shouell and the tonges in the Kitchen a little broach a paire of Cobirons and a dripping pan of iron and Fourteene poundes of pewter Item I giue vnto Sarah Gibbard her daughter twentie poundes to bee paid at her age of one and twentie yeares or daie of marriage which shall come first a paire of Flaxen sheetes a paire of pillowbeeres two short tableclothes a dozen of Table napkins a Featherbed a Flocke boulster and a pillow and a paire of blanckettes Item I giue vnto Elizabeth Gibbard her daughter twentie poundes to bee paid her att her age of one and twentie yeares or day of marriage which shall first come Item I giue her a paire of sheetes a paire of pillowbeeres a boardcloth of two Ells and a halfe long and a dozen of short table Napkins Item I giue vnto Mary Trappe her eldest daughter Fortie poundes to bee paid her within one yeare after my decease Item I giue her a long boardcloth stitched att the Endes twentie table napkins another tablecloth of two Ells and a halfe long a square tablecloth a Feather bed and Flockeboulster a Fustian pillow a Ioyned Chest six Ioyned stooles the second Kettle in the Kitchin weighing eight poundes and a halfe one of the biggest spittes the best plate dripping panne and Fourteene poundes of pewter Item I giue vnto the Children of Christobell Brookes my Sister First I giue to Anthony Brookes for the good of himself and his children Fortie poundes to bee paid att the last payment of his last hundred poundes which hee oweth mee Item I giue vnto Baldwin Brookes For the good of himselfe and his children Fiftie poundes wherof Twentie fyue poundes shalbee paid within one yeare after my decease and thother twentie Five poundes

²²⁸ TNA PROB 11/163/722.

one yeare after that Item I giue vnto Elizabeth deane for the good of her and her children threescore poundes to bee paid in this manner The Fortie poundes which her husband oweth mee shall bee for the first payment and twentie poundes shalbee paid her two yeares after my decease Item I giue vnto my sister Anne Hanckes her children First I giue vnto Marie Hances Fortie poundes to bee paid her at her age of one and Twentie yeares I giue her a paire of Flaxen sheetes and a paire of holland Pillowbeeres a tablecloth two Elles and a halfe long a dozen of Flaxen Napkins a Feather bed a Feather boulder in the stocking Chamber a paire of blankettes with blew lists a Coverlett of Greene and redd and Foureteene poundes of pewter Item I giue vnto Hannah Hanckes Fourescore poundes to bee paid her at the age of one and twenty yeares Item I giue her a paire of Flaxen sheetes a paire of Holland Pillowbeeres a long Flaxen tablecloth a dozen of Flaxen Table napkins a Cupboord cloth fringed at the endes a square table cloth and Featherbed and a boulder in my owne Chamber a Flocke bed and a boulder a paire of blankettes a paire of Fustian Pillowes a greene Rugg and the Curtaynes a broad greene chayre in the Hall six thrommed Cushions the biggest pott and the biggest kettle in the kitchin the Rackes and the biggest spitt a little spitt a plate dripping panne a new chest in the stocking chamber the best brasen chafing dish and Foureteene poundes of pewter Item I giue to Sara Hanckes Fortie poundes to bee paid her at the age of one and twentie yeares And I will that my Executor place her with some honest man and to lett her haue such allowance as hee shall thinke fitt towardes her bringing up till shee shall come to her age of one and twentie yeares And I giue her a paire of Flaxen sheetes a paire of Flaxen Pillowbeeres a Holland sheete with a lace in the middle a tablecloth of two Ells and a halfe longe a square tablecloth and a dozen of short Napkins Item I giue vnto Sarah Ferneley my brother Iohn Ferneley his daughter Fortie poundes to bee paid her at her age of one and twentie yeares or day of marriage which shall come first Item I giue her a paire of sheetes a paire of pillowbeeres a dozen of table Napkins a Flockebedd and a boulder a posnett and Foureteene poundes of pewter And my Will is that if any of these dye before their porcions grow due that then such porcions or legacies shall bee giuen to Samuell Willis my Grandchild Item I giue to Master Thomas Wilson our Vicar three poundes Item I giue to Master Robert Harris three poundes Item I giue to Master Iohn Iackson my Friend three poundes Item I giue to Master Iohn Trapp my kinseman three poundes Item I giue Master Symon Trapp our Curate fortie shillings Item I giue to the poore of Stratford six poundes to bee distributed amongst them att the discrecion of my Executor and two of the Churchwardens And I giue Fortie shillings towardes the repayer of the great bridge in Stratford Item I giue to the poore of Stowe in the Woold three poundes to bee paid to the Churchwardens there for that vse Item I giue to Mary Carter my old servant Fyue poundes Item I giue to Alice Williams Elizabeth Hanckes and Alice Cooles which were my seruantes three poundes that is Twentie shillings a peece Item I giue to Foure men that were my seruantes viz^t Richard Castle Baldwin Brookes Iohn Brookes and Richard Hunt twentie shillings apeece to carry my bodie to the buriall Item I will that my Executor bestow twentie poundes vpon a banquet for my Friendes that shall accompany my bodie to the buriall All the rest of my goodes and Chattells whatsoever vnbequeathed I giue to George Willis of Fenny Compton gent my loueing sonne in law whom I ordaine and appoynt the sole Executor of this my last Will and Testament In wittnes wherof I haue sett to my hand and seale the daie and yeare aboue written. Alice Smith. In the presence of Iohn Iackson.

Christopher Smith alias Court²²⁹

In the name of god Amen the second day of November in the yeare of our lord god 1586 & in the xxvijth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god queene of Eynghland Fraunce & Ierland defendresse of the Fayth &c. I Christopher Smyth alias Court of Stratford Vpon Avon in the county of Warwycke yeoman beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last Will & testament in maner & forme followyng Fyrst I bequeth my soull to Almighty god (trustyng to be saved by the meryts of Christes passyon) & my body to be buryed in the Church of Stratford aforesayd. Item I geve & bequeth vnto my eldest sonne Iohn Smyth alias Court my howse & tenyment Wherin I now dwell in Stratford aforesayd Wyth all & singuler the appurtenaunces to hym & to the heares of his body lawfully begotten for ever to enter vpon the same When he shall accomplysh the age of xxjⁱⁱ yeares if that margery my Wif do marry W^{ith}in the sayd terme but if it fortune that margery my Wif do contynue Widow & Vnmaryed then my Will is that she shall haue & enioy my sayd howse & tenyment duryng her Wydowhoode if she so remayne vnto the end of her naturall lif And if it fortune my sayd sonne Iohn to decesse before he accomplish the age of xxjⁱⁱ yeares & W^{ith}out heires of his body lawfully begotten then I geve & bequeth the sayd howse & tenyment W^{ith} all & singuler the appurtenaunces Vnto Willyam my sonne & to the heares of his body lawfully begotten for ever. And for lacke of heres lawfully begotten by my sayd sonne Willyam then I geve & bequeth the sayd howse & tenyment W^{ith} all & singuler the appurtenaunces vnto Rychard my sonne & to the heares of his body lawfully begotten for ever And for lacke of heres lawfully begotten of the same Rychard then the same howse & tenyment to remayne Vnto my two dawghter[s] Ione & Anne equally betwene them & to the heres of theyr bodies lawfully begotten for ever. Item I geve & bequeth vnto the fore named Iohn my sonne ten pounds of lawfull English money to be payd vnto hym at the age of xxjⁱⁱ yeares by my executrix ~~<so that my Will is that the same Iohn my sonne shalbe bound in suffycyent band & on other honest [?man] & suffycyent [?man] W^{ith} hym to repaye agayne the sayd some of ten pounds & every parcell therof vnto Anne my dawghter at such tyme as she shall accomplish the age of xxjⁱⁱ yeares or els at the day of her maryage which shall first happen>~~ Item I geve & bequeth vnto Willyam my sonne my howse & tenyment in bri[d]ge streat [?in] medle rowe in Stratford aforesayd in the Which Iohn Ward now dwelleth W^{ith} all & singuler<s> the appurtenaunces to hym & his heres ~~<for ever to enter>~~ lawfully begotten for ever when he shall accomplish the age of xxjⁱⁱ yeares And for lacke of heres lawfully begotten of my sayd sonne Willyam then I geve & bequeth the same howse & tenyment vnto Iohn my sonne & to the heres of his body lawfully begotten for ever & ~~<if it>~~ for lacke of heres lawfully begotten of the sayd Iohn my sonne then the same howse & tenyment to remayne vnto Richard my sonne & to the heres of his body lawfully begotten for ever. And for lacke of heres lawfully begotten of the same Rychard then the same howse & tenyment W^{ith} the appurtenaunces to remayne vnto my two dawghters Ione and Anne equally betwene them & to the heres of theyr bodies lawfully begotten for ever Item I geve & bequeth vnto the sayd Willyam my sonne lx xiijs iiijd of lawfull Eynghlish money to be payd vnto hym at the age of xxjⁱⁱ yeares Item I geve & bequeth vnto my sonne Rychard twenty pounds of lawfull Eynghlish money to be payd vnto hym at the age of xxjⁱⁱ yeares Item I geve & bequeth vnto Ione my dawghter twenty pounds of lawfull Eynghlish money to be payd vnto her at the age of xxjⁱⁱ yeares or at the day of her maryage which of

²²⁹ SBTRO BRU 15/7/150.

them shall fyrst happen Item I geve & bequeth to the same Ione a fetherbed & a woll bed
 With all the furnytire to them belongyng to be delyvered vnto her at the same age or day of
 maryage Item I geve & bequeth vnto Anne my dawghter twenty pounds of lawfull Eynglish
 money to be payd vnto her at the age of xxjⁱⁱ years or at the day of her maryage Which of
 them shall fyrst happen Item I geve vnto the same Anne my dawghter a fetherbed & a Woll
 bed w^{ith} all the furnytire to them belongyng to be delyvered vnto her at the same age or day
 of maryage Which shall fyrst happen And if happen any of my sayd children to deceesse
 before they receave theyr legaces then my Will is that the porcyon or porcyons of hym or her
 so decessed to remayne equally among the rest & so <th> to the longer lyver of them. Item
 my Will is that xxs shalbe bestowed among the poore of Stratford at the day of my buryall
 Item I geve & bequeth vnto my mother in law Agnes Acourt vs of lawfull money Item I geve
 & bequeth vnto Rychard Acourt my brother vjs viijd of lawfull money Item I geve & bequeth
 vnto Elizabeth Ferefox my sister vjs viijd of lawfull eynglish money Item I geve & bequeth
 vnto every of my brother Thomas Acourts children xijd a pece of them. And if it shall fortune
 margery my wif to marry before all my sayd gefts & legaces geven vnto my sayd children be
 fully payd & discharged then my Will is that he w^{ith} whom she myndeth to marry shalbe
 bound & too other suffycyent men Wyth hym in suffycyent bands for the p^{er}formance & true
 payment of the same legaces bequethed vnto my sayd children before the solemnyzatyon of
 theyr maryage at the discretyon of my overseers. this bequest done dettes payd & legaces
 levyed & my body honestly buried then I geve & bequeth all the rest of my goodes & lands
 moveable & vnmmoveable in W[ho]se hands soever they be vnto Margery my wif who I make
 & ordayne /my\ sole execu
 brother in law T[hom]as dyxson alias Waterman & my good neighbor Rychard Ange to be
 my supervise[rs of this my] last Will & testament & they to haue for theyr paynes therin to be
 [ta]ken iij*s* iiij*d* a peece of them

detts due to me the sayd Christopher

Item <F> henry Shaxspere of Snytterfild oweth me £v ix*s*

Item Iohn Catton of Loxley oweth me v quarters & ij stryckes of barley

Item Iohn Collens of longmarston oweth me iiij quarters of barley

Item Thomas day of Cheryngworth oweth me vj quarters of barley

Item henry potter of butlers marston oweth £vij

Item Thomas Tomlynson of Stratford oweth me £v vijs iiij*d*

Item master Sheldon of Warwycke oweth me xxs

Item humfre Grene of Welford oweth me xxs

Item Willyam hobday of Stratford oweth me liii*s*

Item Iohn Scarlett of Clardon oweth me vjs viij*d*

Item my brother Thomas of Vlbarrow oweth me xxxii*s* iiij*d*

Item master nycoles knowlls vycar of Alston oweth me xii*s* iiij*d*

Item Gilbard Charnocke of Stratford oweth me £x xijs iijd

Signum Christophorus

<mark>

Smith testator

Wytnesses master Thomas dixson Rychard Ange

& Willyam Gilbard alias higgs [?Cuare]²³⁰ of Stratford

With others

²³⁰ This should probably read 'Curate'.

Francis Smith²³¹

In the name of God Amen the Fiftenth daie of Aprill Anno Domini one thousand sixe hundred twenty Three I Frauncis Smith of Stratford in the County of Warrwick Mercer being sicke in body but of good and perfect memory (I thanke god) doe Constitute ordayne and make this my last will and Testament in manner and forme followinge First I committ and Commend my soule into the hands of Almighty god my Creator Trustinge to be saved by the onely & alone Merritts of Iesus Christ And my body to bee buried in fitt and Convenient manner accordinge to my estate in decent and Christian manner Item I give and bequeath to the poore of Stratford aforesaid the somme of sixe pounds to bee distributed amongst them w^{ith}in one weeke after my decease Item I give & bequeath vnto Alice my loveinge wife, that my house wherein I now dwell, togeather w^{ith} the shop and all other buildinges thereto belonginge And alsoe all that my house standing and beinge in that Streete in Stratford aforesaid, called and knowne by the name of Woodstreet togeather w^{ith} my Barne and Close standinge and beinge in Woodstreet aforesaid w^{ith} all other buildings and backesids w^{ith} the appurtenances thereto belonginge To have and to hold the said houses and other premisses w^{ith} the appurtenances whatsoever vnto the said Alice my wife for and duringe the Terme of yeres, yet to come and vnexpired vpon the yerely rent and Rents to bee paid, And vpon the covenants to bee performed for the same (if shee the said Alice soe long doe live) And if it happen the said Alice my wife doe departe this Transitory life at any Tyme, before the expiracion of the terme of yeres, yet to come and vnexpired Then my will is and I doe give and bequeath all the said premisses with the appurtenances, and the lease and leases and other w^{rittinges} whatsoever, whereby the said premisses are conveyed and held vnto Mary my daughter, To have and to hold the same, and all and every of them w^{ith} their appurtenances vnto the said Mary my daughter her executors and assignes and every of them for and duringe the Tearme of yeres then to come and vnexpired in manner as aforesaid, Further I give bequeath and devise and my will is, that the said Alice my wife shall have and enioye, All those fower yards of land lying and being in place and manner followinge That is to saie) three yard land lying and being in the Common Feild and fields of Stratford aforesaid, and whereof are nowe in the teanure and occupacion of Henry Norman of Stratford aforesaid, and the other thereof in the teanure and occupacion of one Richard Roberts And one other yard land lying and beinge in Shottry fields w^{ith} all and singuler the Lands, meanes, hades, bawkes, meadowes, Commons, profittes, and Comodities w^{ith} their appurtenances whatsoever, to the same belonginge or vsed to and w^{ith} the same To haue and to hold all and singuler the said demised fower yard land w^{ith} other the premisses w^{ith} their appurtenances vnto the said Alice my wife for and duringe her naturall life. Item I further give and bequeath vnto my said wife, that house wherein Iohn Coles now dwelleth in Stratford aforesaid, Together w^{ith} the Close adioyneinge to the same, w^{ith} the profitts and Comodities therevnto belonging To haue and to hold the said house and close devised vnto the said Alice my wife for and duringe her naturall life, and after the decease of the said Alice my wife, my will is that the said house and close, shalbe remayne and discend vnto the said Mary Bysbie my daughter and heire, and to her heires and assignes forever Item my will is, that those my two yard Lands the one lying in the Comon feild and fields of Marston in the County of Gloucester in the teanure and occupacion of Iohn Seddell alias Iohn Gilberd in Marston aforesaid, the other lying in the Common feild and fields of Pebworth in the said County of

²³¹ TNA PROB 11/145/744.

Gloucester, now in the Teanure and occupacion of Iohn Shakle of Pebworth aforesaid bee presently soe soone as maie bee sold by my said wife and daughter & heire for the discharge and help to discharge of those my legacies and bequeasts, which I haue given & bequeathed in this my last will and Testament And doe by theise presents give and graunt vnto the said Alice my wife, and Mary my daughter and heire full power and authority to bargaine, sell and alien all the said two yard lands with the appurtenances whatsoever for the discharge of such legacies, and bequeasts, as in this my last will and testament, I haue given and bequeathed Item /my\ will is, and I give and bequeath vnto Frauncis Smith sonne of my brother William Smith the somme of Twenty pounds a yere yerely to bee payd to the vse and bringing vp of the Frauncis at schoole or otherwise for his Maintenance vntill he accomplish the age of twenty and one yeres, at fower severall tymes or termes in the yere, that is to saie, at the feast daie of St Iohn the Baptist St Michaell tharchangell the Nativity of our Saviour Christ and Thannunciacion of St Mary the Virgin by equall and even porcions beginninge the said yerely payment at the first of the said feast dayes, which shall come next after my decease Item I doe further give and bequeath vnto the said Frauncis Smith my Nephew the somme of two hundred pounds of good and lawfull money to bee payd vnto the said Frauncis, when he shall accomplish the full age of twenty and one yeres Item I give and bequeath vnto Thomas Smith sonne of /my\ said brother william Smith the somme of twenty pounds And alsoe I give and bequeath to Mary Smith & Alice Smith daughters of the said William Smith my brother, to each of them the somme of Twenty pounds to bee payd the said Thomas Mary and Alice, when they shall accomplish their severall ages of Twenty and one yeres Item I give and bequeath to Frauncis Smith sonne of my Brother Roger Smith the somme of one hundred pounds of good and lawfull money of England to bee payd vnto the said Frauncis, within one yere next after my decease. Item I give and bequeath vnto Thomas smith sonne of my brother Roger Smith the somme of one hundred and Twenty pounds of good and lawfull money of England to bee payed vnto the said Thomas Within one yere and sixe moneths next after my decease, but sooner if my said wife & daughter doe sell the two yard land aforesaid, by this my will appoynted to be sold before that tyme. Item I give and bequeath vnto Mary and Ann Smith daughters of my said brother Roger Smith to each of them the somme of Forty pounds to bee payd vnto them when they shall accomplish the full age of Twenty and one yeres Item I give and bequeath vnto Margaret the daughter of my brother Henry Smith the somme of Forty pounds of good and lawfull money of England, to bee payd within one moneth after the decease of the said Alice my wife Item I give and bequeath vnto my sister Ioane Brunt the somme of forty shillings, to bee payd yerely duringe her life vnto the said Ioane, at two severall termes and tymes in the yere that is to saie at the feast daie of St Michaell tharchangell And the annuntiacion of St Mary the virgin by even porcions Item I give and bequeath vnto Margaret Smith my Sister the somme of Twenty shillings to bee payd yerely vnto the said Margaret duringe her naturall life at the said two vsuall tymes and feastes in the yeres by equall porcions, The first of these paymentes to begin at the feast daie which shall next come after my decease. Item I give and bequeath to William Chaundler /now in Oxford sonne of William Chandler\ and to Richard Castle sonne of Richard Castle to each of them the somme of ten pounds, Item my will is, and I give and bequeath the somme of Fifteene pounds of good and lawfull money of England, to buy Winicot stone, and Shottery Gravell to make a Cawswaie Provided allwaies, that the inhabitants of Stratford aforesaid doe pay for the Carriage of the same stone and gravell and doe bring it to the place of the said Cawswaie at their costs and Charges Item I doe further give and bequeath the somme of Twenty nobles

of good and lawfull money of England to buy winicot stone to make vp and perfect that Cawswaie in Bishopton which I haue begun, beginning at the vpper end, and soe to the hedge Provided allwaies that the inhabitants of Bishopton aforesaid at their Cost and Charges doe bring the said stone to the said Cawswaie, and make the same, and Therefore my will is, that if the said inhabitants of Stratford and Bishopton doe refuse to bringe the said stone and bee at charges as aforesaid, then noe money to bee paid for that vse Item my will is and I give and bequeath to Iohn Cole and his wife, the little house with the appertences now in the Teanure of the said Iohn, for and duringe the naturall lives and the longer liver of them yeelding and paying yerely vnto the Chamberlayne of Stratford aforesaid the somme and rent of two shillinges in and vpon the Frydaie before Easter daie vsually called good Fryday which money my will is it shalbe yerely vpon the same daye distributed and bestowed vpon the Almesfolke in Stratford aforesaid Item my will is that the said Alice my wife and mary my daughter shall yerely abate forty shillinges vnto William Deane of that rent which he is to paye for that mesuage and ground which he holdeth now in Bausall Street in the County of Warrwick duringe the tyme that he holdeth alsoe which said mesuage or Tenement, houses, buildinges, backsids, orchards, Gardens, Lands, meadowes, and other the appurtenances whatsoever my will is shalbe, and remayne vnto the said Alice my wife duringe her life & after her decease to the said mary my daughter, and to the said Allexander Bysbie her husband for and duringe ther lives and the longer liver of them without any impeachment of wast and after their decease, then my will is, that the devised premisses shalbe and remayne vnto Richard Smith sonne of my said Brother Roger Smith to whom as the right heire, the same accordinge to the Custome, and nature [~~Huse~~] of that Teanure it doth belonge & appertayne Item I give and bequeath the yerely somme of five pounds of good and lawfull money of England for and towards the settinge vp and maintayninge of a lecture that is of one Sermon to bee preached on some weeke daie weekly duringe the abode and continuance of Master Wilson now vicar and preacher of gods word in Stratford aforesaid to begin when the said Master Wilson Thinketh fitt and convenient And further my will is that the said five pounds shall continew yerely to bee payd after the departure of the said Master Wilson from Stratford soe longe as the Bayliffe and Burgesses thereof will further add for the supply and mayntenance of Sufficent honest and able minister for the performance of the same lecture and not otherwise Item I give and bequeath vnto /my\ said Daughter Mary the somme of one hundred pounds Item I give and bequeath vnto my servant mayd Margarett Rogers, the somme of three pounds And to my Servant mayd Margery Carlesse the somme of Forty shillinges Item I give and bequeath vnto Master Richard Ward Minister and preacher of gods word in Hatton forty shillinges Item I give and bequeath to the two Children of the said William Deane viz^t William and Mary to each of them, the somme of five pounds to bee payd within ten yeres after my decease Item I give to Hannah daughter of Thomas Hawkes of Stowe the somme of ten pounds to bee payd within five yeres after my decease, Item I give and bequeath vnto Master Frauncis Ange now Alderman in Stratford my best gowne Item I give and bequeath vnto my Brother Henry Smith my Ringe Item I give and bequeath vnto Frauncis Smith aforesaid sonne of my said Brother William Smith all my silver plate (the best peece onely excepted) to bee delivered to him at the decease of the said Alice my wife Item my will is, and I give and bequeath vnto Mary Carter of Hookenorton in the County of Oxford and to her two Children the somme of twenty and two pounds beinge the last payment which shee is to receave for my vse beinge parcell of that Rent which she vsually receaveth for mee Item I give and bequeath vnto the said Master Thomas Wilson our Vicar the somme

of Forty shillings for his paynes to bee taken to preach my funerall Sermon I doe desire my loving friends Master William Chaundler Richard Castell Iohn Eston and Baldwine Brookes to carry my Corps to the place of buryall and for their paynes I give and bequeath to each of them Twenty shillings Item I give to the said Baldwine Brookes the somme of Twenty pounds to bee payd within one fortnight after my decease Item I give to Iohn Brookes and Richard Hunt to each of them twenty shillings All the rest of my goods, Chattles and Cattles whatsoever moveable and vnmoveable yet vnbequeathed (my debts beinge payed & my funeralls discharged) I give and bequeath vnto my said wife and daughter equally to bee devided betweene them, whom I make ioynt Executors to performe this my last will and Testament accordinge to my true meaning therein expressed And I doe desire my welbeloved friends Master Danyell Baker my Brother Henry Smyth and Richard Castell to bee my Overseers to this my last will & Testament, and for their paynes to bee taken therein I give to each of them three shillings and fower pence And for a full and perfect confirmacion & ratificacion of this my last will and testament I haue sett my hand and seale to every Page and sheet thereof the daie and yere first aboue written Frauncis Smith Witnes to this will Thomas Wilson William Chaundler Henry Smith Richard Ward & others.²³²

²³² The scribe has used a different hand to write the signatures, perhaps indicating that all involved signed with their own hands.

John Smithe²³³

In the name of God: Amen. The Fifte daye of november in the Three and Fortithe yeare of the raigne of our soveraigne Ladye Elizabeth by the grace of God of England Fraunce and Ireland Queene &c. I Iohn Smithe of Stretford vppon Aven in the Countye of warwick vintner, being in bodye sick, but of perfecte memory (thanckes be to God) doo make my laste will and Testamente in maner and forme followinge. Firste I bequeathe my soule to Almighty God my maker and Redeemer, and my bodye to the earthe &c. Firste my will is that margarett Smithe my wife shall haue and enioye duringe her naturall lyfe to her proper vse the chamber over the Parlour called the newe chamber together with all the maltinge roomes w^{ith} free egress, and regresse for the beste vse of them. And all the reste of my house I geue to Raphe Smithe my sonne to his vse. Allwayes provided that he vse himself well and kindly to his mother, otherwise if he evill behaue himself towardes her, that at the descretion of my Overseers he shalbe dispossessed, and the whole to remayne to my wife. And after the decease of margarett my wife; I geue all the said dwellinge howse with the appurtenances vnto the said Raphe Smithe my sonne, and vnto the heires males of his bodye lawefully begotten, vppon this condic^{ion} that he shall geue vnto my daughter Helenor Herson w^{ithin} one yeare after his entrance vpon the same Tenne poundes, or doo assure vnto her and her heires for ever my garden grounde in Henburye streete w^{ith} the tymber thereon. And for want of heires males of his bodye lawefully begotten vnto Hamlette Smithe, and to the heires males of his bodye lawefully begotten, And for wante of suche heires of his bodye &c. vnto Iohn smithe, and to the heires males of his bodye lawefully begotten. Item I geue vnto Iohn Smithe my sonne the Lease of Hares house beinge of the chamber grounde w^{ith} all the appurtenances, and the lease of my grounde in the bridge towne, w^{ith} all my waynes, ploughes, harrowes, Yoakes, and towes &c. Foure Oxen and Two horses. Item I geue vnto Elizabeth Smithe my daughter the lease of my house in Sheepestreete of the chamber grounde, and some suche houshoude stuff as my wife maye spare, and beste fyttinge her wante to the value of Tenne poundes. Item I geue to my daughter Anne Smithe Tenne pounce w^{ithin} one yeare after my decease to be payde vnto her by my Executrix. I geue to my brother Hamlet Sadler my gowne, and my blacke doublette, and my hatt lyned w^{ith} veluette. Item my will is that at my buryall there be geven to the poore Twenty dozen of breade. Item I geue to the Two sonnes of my daughter Elizabeth to bynde them apprentices Fortye shillinges a peece to be payd to them when they are to be bound. The reste of my goodes moveable and vnmoveable (my funerall expenses discharged) I geue vnto margarett my wife whom I make my whole and sole Executrix of this my laste will. And I desire the righte worshipfull Sir Edward Greenill, my brother Francis Smithe, and my lovinge friend Peter Ruswell to be Overseers of this my laste will and Testament I geue to my brother Richard walker my medley Iirkyn, and my medley breeches. Item I geue to Barnaby Sadler Tenne shillinges. Item I geue to Hamlett Smithe my sonne Tenne poundes. Item I geue to my Three overseers to eache of them Ten shillinges Iohn Smithe /witnesses\ Richard Byfeild, Francis Smithe, Hamnett Sadler.

²³³ TNA PROB 11/101/512.

Margret Smith²³⁴

In the name of god Amen the xj of Apriell 1586 I margret Smith of Stratford u[pon]²³⁵ Avon in the county of Warwick Almeswoman beyng sycke in body but of perfect memory I thanke my lord god ordayne & make this my last will & testament in maner & forme followyng fyrst I bequeth my soull to almighty god & my body to be buryed in the church yard of Stratford aforesayd/ Item I geve to Rychard homes of Stratford aforesayd one coffer the newer & to Willyam his sonne <4> my other coffer & to Rychard homes my brasse pott & a little corne in the bagge/ Item I geve to Isabell barrymore a carchef/ Item I geve vnto margret Johnsons dawghter to John Johnsons a carchef/ this bequest done dets payd & legaces levyed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & Vnmoveable Vnto Agnes holmes who I make my sole executrix of this my Will & testame[n]t/Also I acknowledge that the sayd Rychard homes hath in his hand of myne v s Which I Will shall be bestowed at the day <of> of my buryall

Wytnesses Willyam Gilbard & henry Wytte with others

²³⁴ SBTRO BRT 3/1/63.

²³⁵ Part of the page is missing here.

Margaret Smith, widow²³⁶

In the name of god amen the Five and tiwenteth daye of Aprill in the Yeare of the raigne of oure soueraigne Lorde Charles by the grace of god of England Scotland France and Ireland kinge defendor of the fayth &c. the First I Margarett Smith of Stratford beinge sicke in bodye butt in perfect mynde & memory thanks be geven to god do make this my last will and testament in manner & forme followinge, that is to saye Inprimis I doe gyve and bequathe my soule to the handes of allmightie god my maker and redemer and my bodye to the Earth from whence it came, Item I doe give and bequathe to Ales Grene my best Fetherbed and bolster which is in my house which is in Consideracion of the money I owe vnto them Item I geve Sara mollinex the bed & bolster which is at Alice Greenes: And the Bedsteede which is at my owne howse, Item I give to Judeth Sadler my Cossin x s Item I doe give to Barnabie Sadler my Cossin Twentie shillinges, Item I doe give Judeth Mullenex my Coffe that standes at my beddes Feete A blanket a paire of sheetes which are one [sic] the Bedd a Petticote and a Candlesticke Item I doe give to Margarete Smyth Master Henrye Smythes daughter Six poundes beinge parte of the Thirtene poundes which Master Henrye Smyth oweth me Item the other seven poundes Remaynyng I give to Roger Smythes Children (that is to saye) Thomas Marye and Anne to be devided equallie betwene them when the money is Recouered of Master Smyth aforesaid, Item more I doe give to my Cosin Barnabie Saddler Thirtie shillinges beinge parte of Fourtie shillinges that is due to me from John wells of Auston the other x s, I give to his wiffe, Item I doe give to Mistress whyat a peece of white <Ch> Cloth of Three yardes in Remembrance; - Item more I doe give to Margarete Hudson my Tawnie gounde and a pettiecote Item I doe give Twentie shillinges to the poore to be bestowed in bread, the Reste of my goodes and Chattells with the lease of my howse my Funerall discharged I give to Richard dawckex whome I macke my sole Executor of this my last will and Testamente.

memorandum that this will was published to

Margarete

be the laste will & testamente of Margarete

Smyth

Smyth the twentieth Five of Aprill in the

yeare of the Kinges Majestyes Raigne aboue wrytten:

in the presence of vs William Wyatt

per me George Badger Lewes Rogers

Thomas Swanes marke

Edward Wells his marke

²³⁶ SBTRO BRT 3/1/67.

Roger Smith²³⁷

In the name of god Amen the Seauententh day of Ianuarie in the yeare of our lord one thousand six hundred twenty & fiue I Roger Smithe of Stratford vpon Avon in the county of Warwick Mercer being weake & sicke in body but in good & perfect mind and memorie thanckes be to god therefore doe ordeine & make this my last will & testament in manner & forme following, First I bequeath my soule into the hands of Almighty god my maker hoping by the only merittes of Iesus Christ my redeemer to haue a sure & ioifull resurrection and my bodie to the earth from whence it was taken to be buried in the Church of Stratford abouesaid neere to the place where Anne my late beloued wife was buried And for the worldly substance which god of his mercy hath lent mee I dispose as followeth (that is to say) First I giue & bequeath vnto the poore of Stratford aforesaid the summe of twenty shillinges of lawfull money of England to be dealt at the discretion of my Ouerseers heerafter menc[i]oned within one moneth next after my decease Item I giue & bequeath vnto Henry my sonne the summe of fourscore pounds of lawfull money of England to be paid vnto him (that is to say) Forty pounds when hee shall accomplish the age of twenty & one yeares, & the other Forty pounds when hee shall accomplish the full age of twenty and foure yeares, Item I giue & bequeath vnto my daughters Anne and Mary to either of them the full summe of twenty pounds to be paid vnto them as they seuerally shall accomplish the age of twenty & one yeares, Item I giue & bequeath vnto Richard my sonne the summe of tenn pounds of lawfull money of England to be paid vnto him also when hee shall come to the full age of twenty & one yeares, Provided always & soe my will & meaning is that if it shall happen any or either of my said children to decease before him her or any of them shall come & accomplish the age of twenty & one yeares then the part or porcion of them him or her soe deceasing to be & remaine to the other surviving equally to be diuided amongst them, Item I giue vnto Francis my sonne the summe of fiue pounds to be paid vnto him at such time as hee shall accomlishe & come forth of his Apprentiship, Item I giue moreouer vnto my said daughters Anne & Mary to be equally parted & diuided betwixt them at the discretion of my Ouerseers foure siluer spoones which are vsed about the house, & the other odd siluer spoone which is likewise about the house vsed vnto my said sonne <Henry> /Richard\ And also to my said daughter Anne two paire of sheetes & two other paire of my sheets to my said daughter mary Item I giue & bequeath vnto Richard Greene and Alice his wife the summe of twenty shillinges of lawfull money of England, And all the rest of my goods moouable & Vnmoouable Cattells & Chattells whatsoever my debtes legacies & funerall expences discharged I giue & bequeathe vnto Thomas my sonne whom I ordain[ne] and make my sole executor & to performe the sa[...] Will & to breed vp my other children in good education <[?....H]> And I doe request nominate & appoint my trusty & welbeloued friendes Daniel Baker /& Iohn Wolmer\ of Stratford aforesaid gentlemen & my welbeloued brother Henry Smithe gentleman to be the ouerseers of this my will & to take some care that this my will may duly be performed In witnes wherof I heervnto haue putt my hand & seale in the begining of this will written

And I giue to my sister Ione Brent twenty shillinges fiue shillinges a quarter.

Read & published

²³⁷ WRO 008.7, 1626/178.

in the sight and

by me Roger smyth²³⁸

presence of daniell Baker Henry smythe Iohn Beddome Scriptor.

²³⁸ As stated in the will, Roger has signed his own name here (not at the beginning). His seal is also affixed.

William Smith²³⁹

In the name of God Amen /. the Syxtee/ne\th day of Aprell in the yeare of our lord god one thousand and syx hundreth /. I William Smith of Stratford Vpon Avon in the Countye of WarWycke mercer, beyng sycke in body but of good & perfect remembraunce, lawd & prayse be vnto Almightye god, do make & ordayne this my Testament and last Wyll in maner and forme followyng /. That is to say fyrst I bequeth my soull Vnto allmightye God mye savyour & Redemer, And my bodye to be buryed in the Church or Church yard of Stratford Vpon Avon aforesayd /. Item I geve and bequeth to the reperatyon of the Church of Stratford aforesayd xijd / Item I geve to the poore of stratford aforesayd the some of three pounds of Currant Eynglysh money to be payd to the poorer sort Wythin one Wycke after my decesse, by the discretyon of my executors and overseers /. Item I geve and bequeth to henry Smyth and Willyam Nybbe my godsons xs a peese to each of them /. Item I geve and bequeth to Willyam Tomes sonne of Annes Tomes my dawghter the some of xs /. Item I geve to William Ange the butcher xs / Item I geve to John Smyth my eldest sonne, and Frauncis Smyth my sonne iijs iiijd apeece to each of them /. Item I geve to henry Smyth my sonne iijs iiijd /. Item I geve to Roger Smyth my sonne £x of currant Eynghlish money / Item I geve to Vrsula Walker my dawghter xxs /. Item I geve to Annes Tomes my dawghter the some of xls of Currant Eynghlish moneye /. Item I geve to Jone brent my dawghter xxs of lawfull Eynghlish money Item I geve to Margret Nybbe my dawghter xls of lawfull money of Eynghland /. The Which sayd legaces and gyftes by me geven and bequeathed (except the xijd to the reperatyon of the Church of Stratford aforesayd) my testament and last Will is that myne executors hereafter named, shall contentsatisfye and pay the same severall legaces and gyftes Wythin two yeares next after my decesse All the resydwe of my goodes, Cattells, Chattells & dettes Whatsoever moveable & Unmoveable my detts payd, legaces and funerall discharged, I Wholy geve and bequeth Vnto Agnes my Wyf and Wyllyam Smyth my sonne /. Whome I make and ordayne my sole and onlye executryx and Executor of this my Testament and last Wyll /. And I make my overseers hearof Master John Gibbes nowe head Alderman of the Borrowe of Stratford aforesayd And Frauncis Smyth my sonne /. And I geve to them for theyr paynes to be taken hearin iijs iiijd a peece to each of them /. In Witnes Wherof to this my Testament And last Wyll I haue sett to my hand and Seale /. These beryng Witnes /. Rychard Byfyld Clarke /. John Gibbes /. Thomas Watkyns / henry Wilson Wyth others /²⁴⁰

²³⁹ SBTRO BRT 3/1/65.

²⁴⁰ The handwriting indicates that the scribe has written all of the names of the witnesses.

William Smith²⁴¹

the thyrty day of march 1626

In the name of god Amen I william smyth of stratford vppone Auenne in the county of warwyck merser doe mak my Last will and Testament in manner and forme following fyrst I bequethe my soulle to Almyghty god my maker and Redemer by Whose deth and passyone I trust to be saued and my body to the erthe frome whence hit came Iteme I geue and bequethe to Thomas my eldest sonne my shope and the seller Lyeng in the midele Rowe & now in The teneur of willyam Ayng Bucher and alsoe my three Tenimentes in the henley streatt nowe in the teneuer of Thomas Alenne and Thomas woodwarde and that I Late did dwell in to hime and his eyeres for euer of his body Lawfully begotten and for want of shuch heyers Lawfully begotten to franncyes my sonne and to his heyeres Lawfully begotten and for want of shuch heyeres to my to daughters [sic] mary and Alesse to be equally deuydene be twyxe theme by the discreSSIONe of my ouer seeres If they then /be\ Liuyng If not Then the baylyf and chif Alderman for the time being of this borrowe of stratford vppone Auene & to see this treuly done according to my playne menyng Item I geue to mary my daughter twenty poundes to be payed to /my\ sayed daughter wyth in to yeres after my desesse by my sonne franncys smythe and in consyderatyon Therof I geue to my sone franncys the Lesse of The house wherin I nowe dwell wythe the tabell in the haulle and waynscott & benches If my sonne franncys Refuse to pay to my daughter mary twenty poundes Thene I geue to [...] I geue the Less of my sayed house to mary my daughter Iteme thene I geue and In Ioyne mary to pay to my sonne franncys £vj xiijs and iiijd wythe in fower yere after my desesse Iteme I geue to my daughter Alesse smyth all my sayed houshold stuffe wythe in my sayed house fetherbedes boulesters brasse and pewter Linen and wollene and other Impelmentes Item I geue to Thomas my sonne The bed /that he\ hathe at his majsteres and the rest therto belongine [?<.....of...>] alsoe I mak Alesse smyth my sayed daughter executor of this my Last will and Testament and to see all Thinges performed according to the playne menyng of this my wille alsoe I mak my brother henry smythe and Iohn wolmer ouerseres of this my Laste wille in the presentes of vs william Smythe²⁴²

Arthur Cawdry

Henry smythe

Robert Butler

Iohn Wolmer²⁴³

²⁴¹ WRO 008.7 1626/181.

²⁴² William appears to have signed his own name.

²⁴³ Arthur, Henry and Robert appear to have signed their own name; John Wolmer's looks to be in the same hand as the scribe – could he be the scribe?

Alice Smyth, widow²⁴⁴

In the name of god amen: I Alice Smyth widow and late wife to William Smith of Stratford vpon Avon Lynnen draper the eight and twentieth daye of Aprill in the yeare of our Lorde god a thowsand five hundred Fowerscore and fower, beinge (I thanke god) in good and perfect remembraunce, doe make and ordeyne my last will and testament in manner and fourme followinge. First I bequeathe my soule into the handes of allmightie god my maker and redemer, And my body to be buried in Christian buriall. Item whereas my late husband William Smith by his last will and testament gave vnto every one of his Children their severall legacies and porcions referring many thinges to my pleasure and discession. I doe alsoe as much as in mee lieth ratifie and confirme the sayde giftes and Legacies of my said husband vnto every one of his saide children. Item whereas my saide husband in his last will and testament hath given and bequeathed vnto me (as his sole executrix) all the Residue of his goodes moveable and vnmovaeble iewelles and plate whatsoever (his debtes beinge payde) my will is that yf my eldest sonne William Smith will performe and let a Lease of the newe howse in Stratford vnto his brother Iohn for the full terme of sixten or seaventene years, and vpon such a rent and so reasonable condicions as shalbe thought meete by mee and other of his freendes as I shall like of to deale therein betwene them, then he the saide William Smith my sonne shall haue all the glasse and wainscott belonginge to the sayde house and fastened vpon the walles, & thereof, or else the same glasse and wainscott to be indifferently prayzed and sould by my Executours and Overseers and bestowed betwene the Rest of my children. Item my debtes beinge fyrst payde by my executors I giue to my daughter Margett [sic] towards the advancement of her marriage and above the Legacie given her by her Father Tenne poundes which was bequeathed vnto mee by my brother the late Bishopp of Winchester Item I constitute and ordayne my sonnes in lawe William Say and Iuly Bradshaw my Executors of trust of this my last will and Testament, to whome I giue Tenne shillings a peece. And I request my brothers Master William Watson and Master Richard Venar, Master Thomas Harward to be Ouerseers and assistente vnto them Item all the Rest of my goodes chattelles and Leases that be in my possession or to bee recovered by lawe (after a due accompt and allowance to be made vnto my sayde executors) I will to be equally devided amongst all my Childrenn by the discession of my sayde Executors and Overseers.

A Codicill made to be annexed to the sayde will the first daye of Iulye 1584

In dei nomine Amen &c. I Alice Smith widowe doe further dispose order give and bequeath as followeth. Item I giue and bequeath to my sonne in lawe Master William Say that guilte bowle with the couer that was bequeathed to mee by my brother Iohn the late Bisshopp of Winchester and to his wief my best kyrtell. Item I giue to my sonne in lawe Iuly Bradshawe my ringe with a diamond therein. Item I giue to Alice Charnocke his servaunt sixe shillings eight pence. Item I giue to my daughter Alice Bradshawe the fetherbedd wherein I laye which was her Father Savage and my best gowne and my best peticote. Item I giue to the poore of Wurcester Evisham and Bengworth and Stratford Thirtene shillings fower pence a peece, to be devided by my executors at their discession.

²⁴⁴ TNA PROB 11/68/345.

George Smyth²⁴⁵

In the nam of god amen in the yer of our lord god athouwsand fyve hundred xxxvij^o the last day of november I george Smythe of Stratford Vppon avyn make orden & dysposse thys my present last wyll & testament in maner & forme folloyng fyrst I bequeth my Soull to god almyghety & my body to be buryed within the church yard of Stratford vppon Avin my body buryd & my dettes payd the resydwe of my goodes I gyve & bequeth vnto Iohanna my wyf whom I make mye executor farther I desyer henry bedyd & Robart loke ouerseares that thys my present wyll be performyd thes beryng wytnes Humfrey Sadlar Curat theyr Robart loke Richard Symond & thomas Hawkyns with other moo [more]

²⁴⁵ WRO 008.7 1537/246.

Julian Smyth alias Court, widow²⁴⁶

In the name of God Amen the seconde daye of Ianuary in the five and thirteenth yere of the raigne of our soveraigne Ladie Elizabeth by the grace of God of Englande Fraunce and Irelande Quene, defendor of the fayth &c. 1592. I Iulian Smyth alias Courte of Stratforde vpon Aven in the Countie of warwick wydow being dezeased in body but of whole and perfect mynde and memory Thankes be giuen to almightie God, in my sole and puer wydowehed, doe ordayne and make this my laste will and testament in manner and forme following That is to saye. First I giue and bequeath my sowle vnto almightie God myne onlye creator trusting assuredly by the merrites of his sonne Iesus Christe to be saved, and my bodie to be buried in the parrish church of Stratforde aforesayde. Item I giue and bequeath vnto Richard Smyth alias Courte my sonne threescore poundes of currant english money, over and besides the bequest of my /late\ husbnde his father deceased (So that he take good wayes, and be ruled by my Overseers or twoe of them (Wherof William Barnes esquier to be one) To be payed vnto hym at his full age of twentie and fower yeres, yf he shalbe then Lyvinge, and so that he take good Wayes, and shalbe ruled as before is sayed But if it shall fortune /that\ my sayde sonne dye before he shall comme to his sayde age, or that he shall take evell wayes or refuse to be ruled as afore-sayde Then I giue and bequeath vnto hym but only twentie Shillinges currant english moneye to be payed vnto hym at his sayde age. And that the residue of the sayde some of threscore poundes before bequeathed to remayne amongst the rest of my children whiche shalbe then Lyvinge equally to be devided amongst them. Item further my Will is that as well the sayde three-score poundes before bequeathed as also his Legacie giuen vnto hym by his sayde father shalbe put forth by myne executors and Overseers, or twoe of them Whereof the sayde William Barnes to be one, to and for the best benefit and behoof of my sayde sonne vntill his sayde age so that he be take good wayes and shalbe ruled as before is sayed. Item I giue and bequeath vnto Anne Smyth alias Courte my daughter twentie poundes of Lawfull english mony over and besides the bequest of my sayde Late husbnde her father deceased, to be payed vnto her within twelve monethes next after my decease. Item I further giue and bequeath vnto my sayde daughter one bed with all the furneture therto belonging, seven payre of sheetes twoe dozen of table napkyns fower tableclothes twoe payre of pillowbeers, one brasse pot viz. my greatest pott, one Cawdron /viz\ my seconde Cawdron one dozen of platters one charger, half a dozen of Sawcers, and half a dozen of pottingers to be delivered vnto her also within twelue monethes next after my decease, or at her daye of mariage which first shall happen. Item also I giue and bequeath vnto Anne my sayde daughter the Lease of my Howse wherein I nowe doe dwell with the table frame foormes ~~and~~ cupborde, and all other the standerdes belonging to the same Howse /being in noe wise defaced And also all Vting Fattes, garnars Leades & furneces being necessary standers to the same howse\ But yf it fortune that my sayde daughter doe dye before her sayde Legaces be payed, Then my will is that her sayde Legaces so devised as before ys sayde to remayne amongst the rest of my children then Lyving equally to be devided amongst them. Item I giue and bequeath vnto my daughter Margaret Aynger one ioyned bedsteed To be deliuered vnto her within one moneth next after my decease. Item where my sonne in lawe George Badger standeth duly indebted vnto me in in the perfect some of threescore poundes of currant englishe money as by his bonde there of plainly appereth I giue and bequeath thereof vnto Anne Badger one of the daughters of the saide

²⁴⁶ TNA PROB 11/82/98.

George thirtie poundes to be payed vnto her by the sayde George at her age of twentie and one yeres, or at her daye of mariage which first shall happen. Item I giue and bequeath vnto Elizabeth Badger one other of the daughters of the sayde George twentie poundes parcell of the saide /some of\ threescore poundes To be payed vnto her by the sayde George at her daye of mariage or age of xxj yeres which first shall happen. Item I giue and bequeath vnto all the rest of the daughters of the sayde George not before named tenne poundes residue of the sayde some of threescore poundes equally to be devided amongst them. To be payed in Lyke sorte to them by the saide George Badger at their seuerall ages of xxj yeres, or at their severall dayes of marriages which first shall happen. Item I giue and bequeath vnto william Badger one of the sonnes of the sayde George Badger the perfect some of tenne poundes of lawfull english money to be payed vnto hym at his full age of xxj yeres. Item I giue and bequeath vnto William Smyth alias Courte of Stratforde aforesayde my kinsman to and for the vse and behoof of his children five poundes and tenne shillings of lawfull english money due vnto me by William Parker of kington Yoman as by his bande deliuered vnto my saide kinsman with my owne handes playnely appereth Item more I giue vnto my sayde kinsman to and for the vse of his sayde children twentie shillings of Lyke Lawfull englishe money, Item Where my daughter Alice Badger doth owe vnto me the perfect some of twentie poundes I doe by this my present Laste Will giue and bequeath the same vnto her frankly and frely for ever. Item I giue and bequeath vnto the almeshouse of Stratforde aforesayde fortie shillings to and for the repaireinge of the nether roomes thereof and myne executors and Overseers, or twoe of them to see the same money bestowed in repaying the sayde nether roomes ymmediatly after my decease. Item I giue and bequeth vnto the poore people of Stratford aforesayd fower poundes to be payd vnto them by the discrec[i]on of myne executors and myne Overseers. Item all the rest of my goodes and chattalles moueable and vnmoueable vnbequeathed my debtes being payed, and my legaces performed I wholly giue vnto my sayde sonne George Badger and Anne Smyth alias Courte my sayde daughter whome I make my sole executors of this my laste Will and testament, and overseers of this my will I ordayne and make William Barnes of Clyfforde esquier Richarde Hawle of [vtlecote] gentleman & William Smyth alias Courte my sayde kinsman, desiering them as my speciall trust is in them to see this my Laste will and testament performed, and for their payne therin takeng I giue vnto the sayde william Barnes and Richarde Hawley twentie shillings a peece &c. Red signed and delivered as my laste Will in the presence of William Barnes Richard Hawle per me william Smyth alias Courte Michaell Yerle, Thomas Godwyn senior Signum Iuliane Smyth alias Courte

John Such of Luddington²⁴⁷

In the name of God Amen the third day of February in the yeare of our lord god 1602 & in the xliiith yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eyngland, Fraunce & Ierland defender of the Fayth &c. I Iohn Such of Luddyngton in the parish of Stratford Vpon Avon in the countye of Warwycke batchler²⁴⁸ beyng sycke in body but of perfect memorye (I thanke my lord god) ordayne & make this my last Wyll & testament in maner & forme followyng. Fyrst I bequeth my soull vnto allmyghtye god (trustyng to be saved by the merits of Christes passyon) & my body to be buried in the Church yard of Stratford aforesayd Item I geve & bequeth vnto my brother humfre Such xxs of lawfull Eynglyssh money Which xxs Lodwycke davis of Luddyngton oweth me for my Wages. Item I geve & bequeth Vnto my sister Anne Sutton Wyf to Rychard Sutton fowr sheepe ij yewes & ij hogs Item I geve & bequeth vnto Iohn Such my god sonne /sonne\ to my brother Stephen Such ten sheepe Item I geve Vnto mistris holdam a blacke sheepe that is at Ragley & to her dawghter margret an yewe sheepe. Item I geve & bequeth vnto my sister Ione Wyf to Wyllyam hemyns vjs viijd of lawfull Eynglish money parcell of a some of money that Stephen burman the elder of Shottre oweth me. Item I geve Vnto the sayd Wyllyam hemyns iijs that he oweth me. Item I geve & bequeth Vnto my sister [?Fryswyd] Wyf to Thomas Symons of Norton vjs viijd of lawfull Eynglish /money\ parcell of that some that is in the hands of the sayd Stephen burman Item I geve & bequeth vnto my sister Ioyce wyf to Rychard Tayler vjs viijd of lawfull Eynglish money parcell of the sayd some in the hands of the sayd Stephen burman. Item I geve & bequeth Vnto Isabell Steenton an yewe shepe [?Item I]²⁴⁹ geve & bequeth Vnto my brother in lawe Rychard Sutton my lynnyn dublet, my lether pere of [... ...]²⁵⁰ [?friese] Ierkyn. Provided allways & my Wyll is that my brother Stephen Such myne executor<s> shall not be [?charged] Wyth the payment of any of <any> the sayd legaces before geven & bequethed further then he can receive & haue quyetye those detts that are due Vnto me for the payment of the same legaces This bequest done detts payd & legaces lavyed & my body honestlye buried, then I geve & bequeth all the rest of my goods moveable & Vnmoveable in Whose hands soever they be vnto Stephen Such my brother Who I ordayne & make full & Whole executor of this my last Wyll & testament And I desyre my trustye frynds syr Wyllyam Gilbard alias higgs mynister in Stratford aforesayd & Frauncis Cawdrye alias Cooke to be my supervisors of this my last Wyll & testament & they to haue for theyre paynes therein to be take[n] [... ...] a peece of them

Wyttnesses Per me William Gilbard alias higgs sriptor

Frauncis Cawdry alias Cooke²⁵¹

signum <mark> Iohn Such testator

detts due to me

Inprimis Stephen burman the elder of Shottre oweth me xlvjs viijd

²⁴⁷ WRO 008.7 1602/164.

²⁴⁸ All of the records have John listed as a 'butcher', but Gilbard has clearly written 'batchler' here.

²⁴⁹ The microfilm image is not clear here – the paper has been folded.

²⁵⁰ Again, the page is folded here, obscuring some of the line.

²⁵¹ Gilbard has written Cawdry's name.

Item Lodowycke davis oweth me xxs

Item nycoles Bentley oweth me vjs

due to me the third day of may next

Item Wyllyam Trowt butcher in Stratford oweth me xxvs

Item Elizabeth burman_ dawghter Thomas burman_ of Shottre oweth me xxs

Item Iohn Gilbard alias pace of Shottre oweth me vs

Henry Sydnall²⁵²

the vijth of Aprill 1566

In the name of god amen, I Henrye Sydnall of the parishe of Stratforde in the Diocese of Worcester & Countye of warrwick husbandman beinge sicke in bodye, but of good & perfecte remembraunce thankes be to Almightye god doe make & ordeigne this my present Testament conteyninge herein my laste will in maner & forme folowynge Fyrst I bequethe my soule into thandes of Almightye god my Maker & redemer, & my bodye to be buried in the Church[y]earde of Stretforde aforsayde Item I geve to the reparacion, & amendynge of a place or Twoo /within the Chyrche\ which the Assistant <as> beinge at the makynge hereof shall thinke good & which to be delyuered vnto hym at the daye of my buryall xijd Item I bequethe to Marye Hearyng my daughters Childe £vj xiijs iiijd which to be delyuered vnto her before the Maryage of Iohan my wyfe, or when shee shall accomplyshe the full Age of xiiij yeres vnto Two Substancyall honest men at reasonable paynes to her vse as by myne overseers shalbe advysed which £vj xiijs iiijd to be delyuered vnto the sayde Marye when shee shall be maryed, or at thage of Eightyne yeres & yf she the sayde Marye fortune to dye before the sayde Aige of xviiij yeres then the sayde £vj xiijs iiijd to remayne vnto my sayde Daughters other children yf good [sic] sende them vnto her yf not then to the <vnse> vse of my sayde daughter Item I owe vnto Margaret Yeate the some of £x and for the same I bequethe vnto <her> the sayde Margaret £xij Item further I owe vnto katheryne yeate the some of £x & for the same I bequethe vnto the sa[y]de katheryne lykewyse £xij which Legacyes vnto the /sayd\ margaret & katheryne to be payde by my Executor within one yere prouyded that yf my Executor beinge my wyfe Marye before one yere be expyred or yf she mynde to have the occupacion of the sayd Legaces bequethed vnto the sayd Margaret & katheryne after one yere, or after her Maryage, then she myne Executor <by> before the sayde Tymes to put in suffycyent suretyes vnto myne overseers for the Annsweyng of the sayde ij Legacyes, or ells to be in the ordre of myne over seers prouyded further yf my wyfe mynde to kepe the saide katheryne & to hav[e the] vse of the sayde here legacyes before bequethed <or vn.....> then shee the sayd my wyfe before her maryage to put in suffyc[yent] the Annsweyng of the same vnto the sayde katheryne at the daye of [...] Maryage or when shee ys mysved by the husband of my[ne] wyfe to [... ..] overseers <before> /vnder\ named Item I geve vnto the sayde kathe[ryne ...] [..ore] one browne heafer which had a calfe the laste yere or ells an other [...] Item I geve vnto the sayd katheryne more the some of Fyve [...] which to be delyuered vnto her at the death of myne Executor beinge my sayd wyfe or ells when shee dothe not vse the sayd katheryne well Item my mynde ys that where Rycharde yeate of the parishe of wootton hathe the some of £xx in occupyng beinge the Fathers Legacyes, of Iohan yeate, & Agne[s] /yeate\ the sayd Rychards Brother deceased wherwith I am chardged That Immedyatlye after my decease the sayd /Rychard\ to put in ij suffycyent suertyes <or ells> vnto myne overseers for the Annsweyng of the same /£xx\ vnto the sayd Iohan & Agnes yeate accordyng to their fathers wyll & to put the sayd Children from hym to some good Maisters wher theye maye be well brought vp or ells he the sayd Rychard to have the occupying of the same £xx theyre legaces no longer And Further wher the sayd Rycharde hathe thenheartyaunces of the /ij\ <iii> daughters of Edward yeate hys brother in occupyng my mynd ys that he shall Answere the

²⁵² WRO 008.7 1567/39. The top right hand corner of the second page of this document is badly damaged.

same with the vantage therof commynge vnto them by suffycyent surtyes vnto myne overseers or ells to have yt no longer & /further\ that he to have the occupyng of the howses no longer And wher the sayd chyldren have grownde in worcestersshere beinge in my vse my Executor to Answere the profytes vnto them in maner & forme abov[e]-sayd, Item I bequethe vnto katheryne Sydnall the daughter of william Snydnall [sic] a yearlyng to make her a heafer Item I bequethe vnto my Cosen Henrye Oclyes children a Heafer of ij yere olde to be devyded among them Item I bequethe vnto wylliam Hearynge my sonne inlawe my Best cote, my Best dublet & my best Hoes, & also the pasture of hys koowe goinge vpon wethybed Lease & the pasture for his ij Horses so that they hurt not the corne, betwene this & Mychelmas /next\ Item I bequethe vnto my sayde daughter my great chest & my great panne to be delyuered vnto her after <her decesse> the decesse of my sayd wyfe & also I geve [? my sayd daughter] my best gowne to make her a garment & yf [... ...] not immedyatlye consent that the same my gowne [... ...] [?..ayltr] by her mother to make her a garnement to [...] [?co]memoracions of me then her mother to have yt to [... ...] [gar]nement Item I bequethe vnto Rycharde Marden my [... ...] [a]nd best cote & my seconde payre of Hoes and also [... ...] suche monye as he owethe me The reasydue of my goodes vnbequethed (my debtes payd my leagacyes fulfilled, and my Funerall & buryng done to the honoure of god accordynge to Charitye I geve vnto Iohan my wyfe whom I make my sole Executor of thys my laste wyll & Testament Item make & ordeyne to be the supervsors of this my present will, /Nicholas Lane\ <Master Audryan Quynye> & Robert Salesburye of Stretford and they to have for theyr paynes vjs viijd and theyr chardges in seing this my last wyll performed Item I bequethe to euery of my godchyldren iiijd to remember that theye dyschardge me before god for the promyse which I made for them in their baptysmes In wytnes wherof I have caused this /my\ present will to be reade in the presens of Nycholas Cheke Thomas Smart & Iames Hilman this writer

William Tomes²⁵³

The xxvjth day of october 1622/

In the name of god Amen I William Tomes of Stratf[o]rd vpon Avon in the Cownty of warrwick Tayler being sick in bodj but of perfect mem[o]ry blessed be god do by theis presents make & ordeine this my Last will & Testament In maner And forme followeing That is to say first & before Allthings I give And bequeth my sole into the handes of Almightye god my maker Trusting in And by the merrittes of Jeshus Christ my Redeemer To be saved And by no other meanes I give my body to the Erth from whenc it Came /to\ be burryed And for the disposeing of those goodes wherwith god hath Endowed me I give And bequeath them in maner And forme followeing In primis I give And bequeath vnto my sone John my Chest And my best dublet And Jerkin In primis I give And bequeath vnto Hugh Ayng my grandChilde One litle Tenement parcell of my dwelling <And> /howse\ with the Chamber over the same And the bredth of the sayde Tenement backwardes from the sayde Tenement vnto the second Apletree next beyond the box trees nowe groweing in my garden, the sayd Tenement & garden with the fruyt Trees theron groweing to be And Remayne vnto my sayde GrandChilde Hugh Ayng h[i]s Executors & Admr[s] from And after the deceasse of <Isabell> /Joyce\ my wife vntill the full End And Expirac[i]on of the Residue of the four score & Tenn yeires To me grannted by A deuise from Thomas [?Barlow/Barber] beareing date the xxvijth day of Julj in the xxxviith yeire of the Raigne of our Late soueraigne Lady Queene Elizabeth, &c. yf my saide sone John shall so Longe Live And my will is that my saide <sonne> Grandchilde Hugh Ayng h[i]s Executors & Administrators shall pay yeirelie for the same dureing the saide Terme, to him from me grannted & bequeathed, the <summe of> Yeirlie Rent of Two shillinges To /<after the decease of Joyce my wife>\ my saide sone John h[i]s Executors & Assignes In primis I give And bequeth vnto my daughter Issbell /her\ Two Children Each of them A pewter platter And each of them A /pewter\ potenger to be kept in the handes of my Ouerseers of this /my\ will vntile they And eyther of my saide daughters Children Come to the Age of xxj yeires. In primis I give to my saide daughter Issabell one payre of hurden sheetes All the Rest of my goodes Chattells And Cattell whatso[e]uer I give And bequeth vnto <my> Joyce my wyfe whome I make Sole Executrix of this my Last will & Testament She payy my debtes & dischargis the saide Legacies And I doe nomynate And apoynt William Smith Habberdasher And my Kinsmen [sic] William Smith to be ouerseers of this my Last will & Testament And I give eyther of them ij s vj d Apeec desyreing them to be Ayding to my sayde Executrix In witness wherof I have heervnto sett my hand & seale the day And yeire ferst above written

Sealed And deliuered in the presenc

the marke of

of vs

William Toms

Wm Smith

william Smith

the marke of Katherin Knight

the marke of Ann Roffe

²⁵³ SBTRO BRT 3/1/71.

John Tonge²⁵⁴

In the name of god amen the xxijth day of March in the <xxv> xxjxth yeare of the Rayngne of our Soverayngne lady Elizabeth &c. I John Tonge of Stratford Vpon Avon in the county of Warwycke Tayler beyng sycke in body but of perfect memory I thanke my lord god ordayen & make this my last Will & testament in maner & forme follo[w]yng fyrst I bequesth my soull to almighty god & my bodj to be buryed in the church yard of Stratford aforesayd/ Item I geve & bequeth vnto Raphe my sonne my shop bord with all other thyngs belongyng to my shop necessary for my occupatyon a flocke bed, ij bouldsters one of my best platters, & one of my best candlestycks /Item I geve & bequeth to Willyam my sonne one of my best platters & one of the best candlestycks\ Item I geve & bequeth vnto Isabell my dawghter one of the best candlestyckes, & a pewter platter of the myddle sort/ the rest of all my goods moveable & vnmmoveable in Whose hands soever they be I geve & bequeth them Vnto margery my wif Who I make my sole executryx of this my last Will & testament to se my detts payd & my legaces levyed & my body honestly buryed/ Wytnes Willyam Gilbard alias higgs Curate of St[r]atford Rychard boyce, Thomas Wotton with others

Inprimis I owe vnto Phillip Grene v s

Sign Johani

<mark>

Tong testator

²⁵⁴ SBTRO BRT 3/1/73.

John Wall²⁵⁵

In the name of God Amen The Eightenth day of February in the yeares of the Raigne of our soveraigne Lorde Iames by the grace of God of England Scotland Fraunce and Ireland kinge defendor of the faith &c. (that is to saye) of Eng-land Fraunce and Ireland the Twelveth and of Scotland the Eight and Fourtieth, I Iohn wall of Stratford vppon Avon in the Countie of warwicke baker being sicke in bodie butt of good and perfect memorie thanks be geven to Allmightie God, doe ordayne and make this my last will and Testament in manner and forme followinge First I give and bequeath my soule to the Allmightie God trustinge by the merittes of Iesus Christ that my soule shalbe saved And my bodie to be buried in the Church or Churchyarde of Stratford aforesaid, Item I give and bequeath vnto the Baylife and Burgeses of the borowe of Stratford aforesaid the somme of £v for and towards their stocke in the Chamber, Item I give and bequeath vnto the poore people in Stratford aforesaid the some of £v to bee devided at the discretion of my Executors, Item I give vnto my kinsman Iohn Smyth Baker one Ioynd Bedd in the greate Chamber and the furniture thereto belonging one newe Fetherbed one Boulster one blanchett one hillinge sixe payre of sheetes one brasse pott one brasse panne and six pewter platters, Item I give vnto my kinsman danyell Smyth the somme of xxs, Item I geve vnto my sister dorotheie Smyth widdowe the somme of xxs, Item I give vnto Grace Smyth the somme of xxs, Item I give vnto Gyles wardes daughters of Todnam all the lynnens in one great Chest vnbequeathed to be equally devided amongst them, Item I give vnto the said Iohn Smyth one Table borde in the greate Chamber, Item I give vnto katherine Ange my best gounde, Item I give vnto Grace Smyth my seconde gounde and the rownd Table in the Chamber and one Cooffer, Item I give vnto my said sister dorotheie Smyth the gounde that my mother did ware everie daye and her best pettycote and all the rest of her wearing Lynnyns, Item I give vnto the said daniell Smyth the Table in the hall and nyne Ioynd stooles, Item I give vnto Iohane Smyth wife of the said Iohn Smyth three smockes one Flaxen Aperne one partlett one payre of sheetes and A stamell Pettycote, Item I give vnto Ioane Ancox my servant my best hatt one smocke one pettycote one little Coffer and one Cheere, Item I give vnto the said Iohn Smyth one Cubbord in the hall, Item I give vnto Thomas Smythes daughter Anne one olde Pettycote Item my will is that yf my mother doe survive and over live mee that shee shall peaceably and quietly enioye all these my giftes and bequestes whatsoever duringe her naturall lyfe Notwithstandinge one former deede of guift which shee made vnto mee of all her goodes and Chattells whatsoever, Item my will is that all my debtes and legacies and Funerall exspences beinge discharged I wholie make and ordayne william walford gentleman and Iohn willmore Ironmonger executors of this my last will and Testament, And Overseers of this my will I doe make Iohn Gibbes gentleman and william wyatt gentleman and for there paynes therein to be taken I doe give vnto eche of them xijd A peece, debtes which I owe. Owinge vnto Hamnett Sadler £iiij xs Owinge vnto Frauncis Tarver of Luddington by one bill the somme of £21 19s 6d Owinge vnto Edward Geffees of wilmeston £x, Owinge vnto Master william Barnes of Clifford £iiij vjs. Owinge vnto widdowe Ang^o Baker £x. Owinge vnto Iohn willmore xxiiij s ix d, Owinge vnto Thomas wedge of Alveston 40s Owinge vnto Iohn Smyth Baker xxij s debtes owinge vnto me, Hamnett Sadler oweth me xiijs. Sir Rowland Cotten oweth me £x. Stephen Sitch oweth me £iiij william Hardinge Iunior oweth me xjs Cuttbere²⁵⁶ Taylor of Preston oweth me xx strikes

²⁵⁵ TNA PROB 11/126/384.

²⁵⁶ Cuthbert?

of Barlye. Roger Mullenax oweth me ijs iiijd. In wittnes whereof to this my last will and Testament I have herevnto sett my hand and seale in the presence of william Courte Iunior scriptor and signum Iohannis Gibbes Iohn Smithe Ihon wall. Item I give and bequeath vnto the w^{ith} [sic] written Iohn Smyth my best Cloake and my warminge panne, Item I give vnto Richard Ingram my prentice ijs iiijd.

Will of Thomas Waytely²⁵⁷

In the name of god amen In the Yere of our Lorde god a Thowsaunde fyve hundreth fourtie and eighte the seconde yere of the reigne of our most soueraigne Lorde king Edward the sixte by the grace of god king of Englande Fraunce and Irelande defendor of the faithe and in earthe the supreme hedd of this churche of this churche of [sic] Englande and Irelande and the xxvijth day of August I Thomas Waytley of Stratforde vppon Aven in the Countie of warrwick being sicke in body but parfitt of memory make this my last testament and will. Firste I bequeth my soule to almightie god: And my body to be buried in the churche of Stratforde Item I bequeth to the pore mens box xijd. Item I bequeth to Clement my sonne twentie poundes a beed and all that longith to hit and my yeres of two howses next to Master Smythes howse in the highestrete and Dayles close Item I bequeth to Richarde my sonne twenty poundes in mony or mony worth a bedd and all that longith to ytt. Also I will to my sonne Richarde shalhave my taking in the wold towyn with the howse barne orchard and landes in the felde therto belonging so that he doo neither sell yt neither pledge hit for if he so doo I will it shall remayn to William and Clement my two sonnes aforenamed. Item I bequeth to william my sonne twentie marces in mony and mony worthe and to either of his wiffes childerne xxvjs viijd apece Item I will that my sonne William shall have my takinges of this howse that I dwell yn with my Freelandes longing & being in the same with my Lease of a meddowe lying and being beneth the brige and I will that my sonne william shalbe feffer for me of a howse that was Master Taylors which Fraunces Furrer dwellith yn nowe Item I bequeth to william Fittken my sonne in lawe and to his childerne twentie marces in mony or mony worthe. Item I will haue tenne poundes distributed amonges pristres clerckes and pore people in the day of my funreall [sic] Item I bequeth to my brother Edmund Six poundes thretene shillinges and foure pence. and my seconde best gowne. Item I bequeth to Anne [?Moneley] Six poundes thretene shillinges and foure pence in mony or mony worthe Item I bequeth to Elizabeth [?Moneley] Six poundes thretene shillinges and foure pence in mony or mony worthe Item I bequeth to Ione Bedull six poundes thretene shillinges and foure pence. And if it please god to call for anny of theis three sisters before they marry. then that porcion or porcions to remayn to the lengist lyuer of theyme Item I will that myne executours shall pay tenne poundes to Anne [?moneley] and to Elizabeth her sister for Rent whiche I have received of [?reyt] for theyme ouer and besides the charges for reparacions whiche I haue bestowed yppon their tenementes Item I bequeth to Sir Edwarde Alcock thretene shillinges and foure pence Item I bequeth to Sir Roger Dyos my gostly Father thretene shillinges foure pence Item I bequeth to Iohn Burbege childerne Furtye shillinges. Item I bequeth to harry hills childerne twentie shillinges a pece Item I bequeth to Robert my sarvaunt Fourtie shillinges in mony or mony wourthe Item I bequeth to Richarde [?Sharpe] Fourty shillinges in mony or mony Wourth Item I bequeth to Iohn walker Furtie shillinges in mony or mony wourthe Item I bequeth to Mawde my sarvaunt Six shillinges eight pence. Item I bequeth to Alyce my sarvaunt Six shillinges eight pence. Item I bequeth to william my sarvaunt six shillinges eight pence. Item I bequeth to Katheryn Crake three shillinges foure pence Item to Agnes Baytmon xxd Item to margaret Aylsoppe xijd Item to margarett Fletcher xijd Item I bequeth to Richarde Bedill my Fox furred gowne Theis bequestes don debtes paide and legacies levied Then I geue and bequeth all the residue of my gooddes vnbequethed to william and Clement my sonne whoo I [?love] to be my full executours and Sir Iohn waytley

²⁵⁷ TNA PROB 11/32/241.

and william Fitkin to be my Supervisours and to haue fyve marces a pece for their paines.
Wittnesses Sir Roger Dyos sir Iohn waytley. Richarde Bedill Iohn walker william fytken and
George waytley with dyuers other

Probatum fuit suprascriptum testamentum coram domino Archepiscopi Cantuariensis apud
London xxx^o die mensis Octobris Anno domini Millesimo quingentesimo quadragesimo
octauo Iurament Robert Good [?pro.] executor in huiusmodi testamento nominatum quibus
commissa fuit administracio De bene et fideliter administrand eadem [?..] de pleno et fidei
Inuentario omnium et singulorum bonorum [?mrm] et creditorum huiusmodi [?conficiend] et
exhibend [?.....] [?plane] et vero [?....nde] reddend Ad sancta dei Euangelia in persona dicti
procuratoris Iurat²⁵⁸

²⁵⁸ The image of the latter part of this will is of poor quality; some of the words have been smudged, or transposed onto one another.

Katheryn Welch, widow²⁵⁹

In the name of God Amen/ the xxjth day of Januarye in the yeare of our lord 1605 & in the thyrd yeare of the Rayngne of our Soveraayngne Lord James by the grace of God, of greate Bryttayne Fraunce & Ierland kyng defender of the Fayth &c./ I Katheryn Welch of Stratford Vpon Avon in the Countye of Warwycke Wydowe/ beyng sycke in body but of perfect memory I thanke my lord God ordayne & make this my last Will & Testament in maner & forme followyng/. Fyrst I bequeth my soull vnto Allmighty God (trustyng to be saved by the merits of Christes passyon) & my body to [be] buried in the Church yeard of Stratford aforesaid Item I geve & bequeth vnto my brothern²⁶⁰ [~~humfre vshold~~] xij d /a peece of them\ Item I geve & bequeth vnto my twoe sisters xij d a peece of them/ Item I geve & bequeth vnto Rychard Nycolson other wyse called latch ij s/ Item I geve & bequeth vnto Elyzabeth West alias Cale Wyf Vnto John Cale all my old weryng clothes/. Item my wyll is that James knight the yonger sonne vnto James knight of Stratford aforesayd shall have the one half of all my goodes moveable & vnmovable vnbequethed to be put to some good vse for hym at the discretyon of his sayd father/ This bequest done detts payd & legaces levyed & my body honestly buried then I geve & bequeth all the rest of my goodes moveable & vnmovable in Whose hands soever they be, vnto James knight the elder aforesayd Who I ordayne & make my full executor of this my last Will & testament & I desyre my trustye frynd hugh pyggen of Stratford aforesayd to be my supervyser of this my last Will and testament & he to have for his paynes therin to be taken vj d

Wyttnesses as followeth

Per Me William Gilbard alias higgs scriptor

George Warren ./

| | | |
|--------|------|-----------------|
| Thomas | sign | Catherina |
| knight | | Welch testatrix |

²⁵⁹ SBTRO BRT 3/1/74.

²⁶⁰ The 'y' looks like it has been squeezed into the line between the 'r' of 'brother' and the 'h' of the crossed-out word. This possibly indicates that Katheryn was intending to name her brothers individually, but then decided just to give them a collective bequest.

Philip Wells of Shottery²⁶¹

In the name of god amen In the yeare of our lord god 156[?4] & the xiiij day of may I Phyllype Wells /of shottre\ in the parrysh of stratford Vpon hauen beyng sycke in body but of perfecte memory I thanke my lord god ordeyne & make this my last testament & Wyll in maner & forme folowyng fyrst I bequeth my soule to allmyghte god & my body to be buried in the chru~~ch~~ [sic] yeard of stratford aforesayd Inprimis I bequeth to the pore mens boxe of stratford ijd Item I bequeth to Wyllyam collyns my /second\ coote a Woulstyd dublet my best hose & an acre of Weat of the iiij landes of wyllowe Item I bequethe also to the <sonne> wyf of the same collyns a blacke kyrtell the Vpper bodyes of Woulsted Item I bequeth to Wyllyam tyner the other acre of Weat of the iiij in Wyllowe /&\ an acre of barlay next vnto Warwyckes Way in swyncotte /Item I bequeth to Ihon ro-gers an owe²⁶² & alamb a pot & a pewter dysshe Which is his owen²⁶³ Item I bequeth to thomas burman of shottre my best cote & the hythermost acre of Weat on portle & an acre of barlay on portle next <to> on the other syd of the Waye Item I bequeth to Anne burman iij styckes & an half of russet cloth & iij of the best blacke flyces of woll an acre of Weat on the fyrthersyd of blacon & an acre of barlay shottyng Vpon rycharde burmans hadlande /& <m> the best rayle & best berche of my Wyves\ Item I queth [sic] to Ione burman the fy[r]-thyst acre of Weat on portle & an acre of barlaye shottyng in to nycols hadland & my Wyves best red petycote & the second best rayle that was my wyves & her second best kercher & an horned theve²⁶⁴ Item I bequethe to every of my cosyn Wyllyams chyldren of alstur a shepe a pece This bequest done dettes payd & funerall <legaces> /spences\ dyschargyd then I geue & bequeth all the rest of my goodes not bequethed to mary wells my daughter whoe I leave to be my sole exeketryx Item my wyll is & I desyre my frynd & neyghboure roger burman to haue the over syght of my chylde With her goodes for the space of xij yeris han[?]²⁶⁵ /the lease of landes thereto belongyng²⁶⁶ <the> my howse & also the goodes for the space of xij yeares vpon an reasonable pryce yeldyng & payng to my daughter aforesayd at the xij yeares End in corne & cattell the Valwe [sic] of the goodes dylyveryd vnto hyr & yf it fortune my sayd dawghter to decesse before the sayd terme of xij yeares than I wyll that the goodes shalbe dytributed to my brothers chyldren & my scysters chyldren at the dyscretyon of my over seyr /my /[?same]\ lease of my howse with the landes belonging to the same to remayne to Thomas burman the sonne of the foresaide Roger burman\ so that the man that hath it in occupying may <be> haue honest gayning therbye & dettes to be payd /I desyer my kynsman Wyllyam Wells & rycharde hatheway to be my supervysers & they to haue for ther paynes\ Every of them iijs iiijd a pece <for ther payne>

Item I owe to robart smyth of Pyllertun £v xvjs viijd & xijij /strycke of peason to be payd after harvest next commyng\

Item to rycharde hobbens for a busshell of Weat iijs viijd

²⁶¹ WRO 008.7 1564/33.

²⁶² 'Ewe'.

²⁶³ This interlineation has been written in the left hand margin of the page.

²⁶⁴ A 'theve' was a type of bush or shrub in the late Middle Ages, according to 'Sir Thopas' on Twitter.

²⁶⁵ The edge of the document is folded over here, obscuring the end of the word.

²⁶⁶ The placing of this interlineation, and the lack of a marker for it, makes it difficult to determine precisely where it was intended to go.

Itemu to rychard hathway for half a quarter of barlay vs iiijd

Wyttnes rychard burmanu rychard hathwaye & Wyllyamu gybbard with mo

Richard Whiting²⁶⁷

In the name of God Amen the Fifthe daie of Ianuarie in the yeare of our lord one thousand sixe hundred twentie & eight, I Richard Whiting of Stratford vpon Avon in the Countie of Warwicke yeoman being weake & sicke in bodie but of good & perfect mind & memorie thanks be vnto Almighty God doe ordaine & make this my last will and testament in manner and forme following (that is to saie) First I give and Commend my soule into the hands of Almighty God my maker; hoping & assuredly trusting in and by the only merites & passion of Iesus Christ my redeemer to have a sure and ioyfull resurrecion, and my body to the earth from whence it was taken to be bur[ied] in the Churchyard of Stratford aforesaid neere to the place wh[ere] my Loving sonne Iohn Whiting was buried

And for the worldly substance which God of his great mercy hath lent mee I dispose as followeth, First I give & bequeath vnto the poore of Stratford aforesaid the Summe of twentie shillinges to be distributed and dealt in bread on the day of my buriall at the discretion of my Overseers heerafter named

Item I give devise will & bequeath vnto Marie my welbeloved wife and vnto her heires and assignes for ever, All that my Messuage and Burgage tenement with all & every the Appurtenances & hereditamentes scituate & being in Bridgstreet in Stratford aforesaid in the said Countie of Warwicke wherin I nowe dwell.

Item I give & bequeath vnto my brother Thomas Whiting of London the summe of fourtie shillings of lawfull money of England wherwith to buy him a Ringe to weare for my sake which money my will is shalbe paid him within one yeare next after my decease

Item I give & bequeath vnto Isabell Iacketes my sister fourty shillinges to be paid vnto her within three moneths next after my decease

Item I give & bequeath vnto my sister Ioane Litle the summe of three pounds of lawfull money of England to be paid vnto her within one yeare next after my decease

Item I give & bequeath vnto Elizabeth Whiting my sister the summe of three pounds of lawfull money of England to be likewise paid vnto her within three monethes next after my decease

Item I give & bequeath vnto my sister Iane Smithe the summe of fourty shillinges of lawfull money of England to be also paid her within one yeare next after my decease

Item I give & bequeath vnto Margerie Whiting my sister the summe of fourty shillinges of lawfull money of England to be paid vnto her within one yeare next after my decease

Item I give & bequeath vnto [blank] Whiting sonne of my brother William whitinge deceased the summe of Five pounds of lawfull money of England to be paid vnto him when hee shall accomlishe the full age of twentie & one yeares

And all the rest of my goodes moveable & vnmmoveable Cattells & Chattells whatsoever vnbequeath[ed] I give & bequeath vnto my welbeloved wife Marie Whiting whom I ordayne

²⁶⁷ WRO 008.7 1628/215.

& make my sole executrix, to see my body honestly & decently buried, And to dischargd & pay my debtes; & legacies aforesaid

And I doe request nominate & appoint my welbeloved friendes Richard Riland of Stratford aforesaid gentleman & Henry Norman of the same yeoman, to be the ouerseers of this my last will vnto whom for their paynes therin to be taken I give & bequeath the summe of tenne shillinges of lawfull money of England to be equallie parted betweene them, And I doe heerby revoke & annihilate[e] all wills & testamentes by mee formerly made In witness wherof I heervnto ha[ve] putt my hand & seale the daie & yeare first within written.

Read sealed & published in the sight & presence of

Iohannes Beddome

Scriptor

Signum <mark> Ioanna Hancorne

Thomas Whittington of Shottrey²⁶⁸

[In the na]me of god Amen the xxvth day of march Anno domini [?16001] & in the xliijth yeare of the Rayngne of o[ur] [...] Lady Elizabeth by the grace of god Queene of Eynghland, Fraunce, & Ierland defender of the [fayth &c.] I Thomas Whyttyngton of Shottre in the parishe of Stratford Vpon Avon in the County of [War]wycke husbandman [?being] Weke in body but of perfect memory I thanke my lord god ordayne & make [th]is my last Wyll & testament in maner & forme followyng. Fyrst I bequeth my soull Vnto Almig[hty] God (trustyng to be saved by the merits of Christes passyon) & my body to be buryed in the Churchy[ard] of Stratford aforesayd. Item I geve & bequeth Vnto the poore people of Stratford <& stratford parish> xls [th]at is in the hand of Anne Shaxspere Wyf Vnto master Wyllyam Shaxspere & is due dett unto me beyng payd to myne executor by the sayd Wyllyam Shaxspere or his assigns accordyng to the true meanyng of this my wyll. Item I geve Vnto the sayd poore of Stratford £iij to be distrybuted Unto them within one moneth after my decesse Item I geve & bequeth Vnto the poore of old Stratford vjs viijd to be distrybuted to them where most nede shall requyre at the oversight of my executor & overseers Item I geve & bequeth Vnto the poore of henley in Arden xxxs Item I geve Vnto Rychard Sutton of Shottre & his Wyf xvjd. Item I geve Vnto Thomas Selvester & his wyf xvjd Item I geve Vnto Ione hemmyngs the elder ijs Item I geve to margret hemyng iiijd Item I geve to Ione Vernye Wydowe vjd Item I geve to mother Cole iiijd Item I geve Vnto Thomas boyce sonne to Arthur boyce my godson vs iijs iiijd [sic] that I owe hym & xxd more Item I ge[ve] to Thomas sonne to Edward Cottrell my godson xijd Item I geve & bequeth toward the repayre of the Church of Stratford aforesayd iijs iiijd Item I geve & bequeth [v]nto Iohn Pace of Shottre the elder With Whome I soiorne xxs Item I geve Vnto & bequeth to the vij children of the sayd Iohn Pace xijd a peece of them Item I geve & bequeth Vnto William [Gil]bard alias higgs mynister in Stratford ijs. This bequest done detts payd & legaces levyed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & Vnmoveable in Whose hands soever they be Vnto Wyllyam Whittyngton my kinsman Who I ordayne & make my full & Whole execut<rix>or of this my last Wyll & Testament And I desyre my trusty frynds Iohn afore named & Iohn barber of the same Shottre to be my overseers of this my last Wyll and testament & they to haue for theyr paynes therin to be taken iijs iiijd a peece of them

Item I geve to Thomas hathway sonne to the late decessed margret hathway late of old Stratford xijd

detts due to me the sayd testator

Inprimis Iohn hathway & Wyllyam hathway executors Vnto the late decessed Ione hathway theyr mother do owe me that is due to me by her last Wyll iiij marks iijs viijd

Item the sayd Iohn & Wyllyam hathway owe me more lvs vijd

Item Iohn barber of Shottre oweth me £vj xiijs iiijd

Item Thomas Fletcher of lighthorne²⁶⁹ oweth me £iij xijs iiijd but if the sayd Thomas do w[...] [re]pay the sayd some then my Wyll is that he shall haue backe agayne xxs iijs iiijd [sic]

²⁶⁸ WRO 008.7 1601/16. Both edges of this document have been damaged in several places.

Item Rychard pynke of Stratford oweth me <xl> lvs

Item the foresayd Iohn hathway oweth me more iijs iiijd

Item the sayd Wyllyam hathway oweth me ijs

Item Wyllyam Pyrry of Stratford oweth me xijs

Item one leonard of bydford oweth me ixss

Item I owe the sayd Iohn & Wyllyam hathway for a quarter of an yeares bord

Wyttnesses Wyllyam Gilbard alias higgs scriptor

Iohn barber

Richard Pace²⁷⁰

Thomas Whittingtons

<mark>

his marke testator.

(On the reverse of the will)

There remayneth in the hands of Wyllyam Grene of Stratford [...] xj quarters of malt

²⁶⁹ Approximately 11 miles east of Stratford.

²⁷⁰ Richard Pace seems to have signed his own name.

Elizabeth Williams of Luddington, spinster²⁷¹

In the name of god amen the tweluth daie of Aprill anno domini 1630 I Elizabeth Williams of Luddington in the County of Warrwick spinster being weake in body but of good & perfect memory thankes bee to almighty god doe ordaine & make this my last will & testament in manner & forme followeing (that is to say) First I commend my soule into the hands of almighty God my maker hoping by the only merits of my saviour Iesus Christ to haue a sure & Ioyfull resurrection & my body to the earth from whence it was taken to be buried in the Churchyard of Stratford And for the worldly substance which God hath of his mercy lent I dispose of as followeth that is to say First I giue & bequeath vnto my Father Iob Williams tenne pounds of lawfull money of England, Item I giue & bequeath vnto my five bretheren viz^t Iob Williams Ioseph Williams Iosias Williams Iohn Williams & [?Clement] Williams the summe of fourty pounds of lawfull money of England to be equally distributed amongst them & to bee seuerally paid vnto them as they are & accomlishe the age of twenty & one yeares & in the meane time the porcion & porcions of him & them within the age of twenty & one yeares to remaine & be at the setting forth of my vncler Robert [?Bickerton] of Radford to their best behoofe & advantage Item my will is that if any one of them decease in the meane time before they accomplish to the <se> age of one & twenty yeares that then the porcion & increase thereof of him or them soe deceasing to be & remaine among the other surviving equally devided amongst them Item I giue & bequeath vnto my sisters Anne Williams & Marie Williams vnto either of them the summe of twenty pounds of like lawfull money of England Item I giue & bequeath vnto Iane Bickerton my Aunt all my apparrell of all sorts whatsoever as also two kine one of them having nowe a calfe & one nowe att hire Item I giue moreouer to my said Aunt one paire of flaxen sheetes & sixe flaxen napkins And one Coffe with a quantity of flax And all the rest of my goods moueable & unmoueable Cattells & Chattells yet vnbequeathed my fuenerall expences discharged I giue vnto my vncler Robert & Nicholas Bickerton whom I make my executors in this behalfe And I doe request my louing frinds Iohn Beddome of Stratford Scrivener & Thomas [?Cocke] of Luddington the elder to be the ouerseers of this my last will And to see the same duly performed in witnes whereof I heerunto haue put my hand & seale the day & yeare abouesaid

Read sealed & published in the presence of²⁷²

²⁷¹ WRO 008.7 1630/184.

²⁷² It is likely that this will is a copy of the original, as the testator's hand and seal do not appear, neither are the witnesses listed.

Humphrey Wood²⁷³

[... ..] by the [... ..] devise will [?Essure] & bequeathe all th[e] [... ..] thappurtenances all & singuler lieinge & beinge [... ..] [S]tratford aforesaid vnto Humphry Whood my [... ..] this entente & purpose that Mary Whood my welbee[loved] [... ..] her widdowe estate) quietly & peaceably haue hold occu[py] [... ..] the said whole howse & tenemente, garden & backside w^{ith} th[...] [... ..] for & towardes yhe bringinge vp of my children, But yf it sha[ll] [... ..] [?.y] my wife againe to marry then my will & entente heerin [... ..] before said but the one moiety or half of the said howse & [... ..] & backside w^{ith} thappurtenances, or the benefitt thereof [... ..] her naturall life. And further more in consideracio[n] [... ..] sonne Humphry Whood as aforesaid, my further will heer[.] [... ..] [so]nne shall yearly for the terme of foure Yeares, next ensuinge [... ..] Mary Whood my wife as aforesaid at the end & terme of ea[...] [... ..] [..]nte & pay vnto Ann Whood & Mary Whood my daughter[s] [... ..] good & curraunte money of England

[It]em mo[re]over I giue & bequeathe vnto Ann Whood my elde[st] [... ..] of eighte poundes of curraunt money of England to bee paid [... ..] [ac]complishe the full age of twenty yeares.

[It]em I giue & bequeathe vnto Mary Whood my youngest daught[er] [... ..] £v of lawfull money of England to bee paid when shee shall accompli[sh] [... ..] of Fifteene yeares.

[It]em I doe moreover giue & bequeathe vnto Humphry Whood my so[nne] [... ..] [io]ind bedsted, one table board & frame, one forme & two ioned stooles [... ..] [?.]ardes to my said house & there lefte, yf the said Mary my wife [... ..] marry, otherwise the said Mary my wife to haue the vse of them while shee [... ..]

And all the rest of my goodes moouable & vnmoouable, my debtes funerall [...] [expen]ces dischardged, I giue & bequeathe vnto Mary Whood my said wife whom I [ord]aine & make my executrix in this behalf & in the way of Charity I doe entre[ate] my welbeeloved Freindes, Michaell Smarte, Michaell Hopkins & Thomas Hopkin[s] to bee my Ouerseers & to bee assistants to my said wife in this my last will & test[ament] allowinge to each of them for their paines to be taken heerin xijd a pee[ce] [... ..] heerby Revoke & annihilate all wills & testaments by mee formerly made I[n] [...] wherof I haue heervnto putt my hand & seale the day & yeare first aboue written.

Sealed & deliuered in the presence of

Signum <mark> Georgij Cotton

Iohn Beddome the Writer

With others.

²⁷³ WRO 008.7 1620/20. Much of the top half and sides of this document have been lost.

Will of Alice Woodward, widow²⁷⁴

In the name of God Amen I Alice Woodward of the Burrough of Strat-ford vpon Avon in the County of Warwick widowe being weake in Bodie, but of perfect memory prai-sed bee Almighty God doe make and ordayne this my last Will and Testament in manner and forme folowing That is to saie First I commend my Soule into the Hands of Almighty God my Creator assuredly trusting by the onelie Merits and Passion of Iesus Christ my Saviour and Redeemer my Soule shall bee made partaker of Ioye in the Kingdome of heaven And my Bodie I committ to the Earth from whence it was taken, to bee buried in the Church of Stratford aforesaid as neare the place where my Husband Iohn Wood Gentleman was buried as convenientlie maie bee And for my worldlie Estate which God of his great mercie hath been pleased to bestowe vpon mee I dispose of it as followeth Inprimis I give and bequeath vnto the poore people of Woodstreet Ward in Stratford aforesaid the somme of Fortie shillings of lawfull money of England to bee bestowed amongst them on the daie of my buriall according to the discretion of my executrix and Overseers hereafter mentioned Item I give and bequeath vnto my Sonn Iohn Washington Twenty Pounds of lawfull money of England to bee paid within Six Monthes next after my decease Item I give and bequeath vnto my Grandchildren George Washington Elizabeth Washington Ann Washington Thomas Washington Katherine Washington children of my aforesaid sonn Iohn Washington Twenty Marks a peice to bee paid to them as they severallie shall accomplish the age of One and Twen-ty yeares, or daie of Mariage which of them shall first happen. And my further Will and meaning is, and so I devize That if anie of my said Grandchildren vizt George Elizabeth Ann, Thomas and Katherine, shall happen to decease before such time as hee shee or they shall bee married or shall have severallie accomplit his her or their said age of One and Twen-tie yeares That then the Legacie or Portion of him her or them so deceasing shall be and re-maine to all the other surviving equallie to bee divided amongst them to bee paid att such time as their said other portions are hereby lymited to bee paid Item I give and bequeath vnto Thomas Stanton my grandchild One silver Canne Item I give and bequeath vnto Walter Stanton my Grandchild the Somme of One Hundred Pounds of lawfull money of England to bee paid within six Monthes /next\ after my decease into the Hands of my ever loving and much respected freind George Pudsey of Langley in the said County of Warwick Esquire Thomas Newsame of Chadsunt in the said County of Warwick Esquire and Richard Tyler of Shottery Court in the said County of Warwick Gentleman, whome I earnestlie desire to take the said One Hundred Pounds into their Hands and imploye it to the best benefit and advantage for the bene-fit of the said Walter Stanton, and the said Hundred Pounds with the encrease thereof my further Will and desire is shalbe paid vnto him the said Walter Stanton att his age of Fower and twenty yeares or part or all thereof sooner which maie doe him most good accor-ding to the good discretion of the aforesaid George Pudsey Thomas Newsame and Richard Tyler, and the survivors and survivor of them And furthermore in Case it shall happen That the said Walter Stanton shall depart this life before hee shall attayne the age of One and Twentie yeares Then my true intent and meaning is and so I devize and bequeath That Fowerscore Pounds of the aforesaid One Hundred Pounds with the encrease thereof shalbe paid vnto Alice Stanton my Grandchild vnto whome I give and bequeath the same. And other Twenty Pounds residue of the said One Hundred /Pounds\ with the increase thereof my desire is and so I devize shall still remayne in the hands of the said George Pud-sey

²⁷⁴ TNA PROB 11/200/475

Thomas Newsame and Richard Tyler whome againe I earnestlie request to imploye and sett forth, and the yearlie proffit and encrease thereof to paie over into the handes of Katherine Hawley my Grandchild towards her succour and maintaynance during her naturall life. And att her decease the said Twenty Pounds and the whole encrease thereof if anie shall bee in areare to bee paid over to the vse of such Child or Children of hers or of such other person or persons to whome shee shall give the same vnder her hand or otherwise before one or two Credible witnesses Item I give and bequeath moreover into the hands of the said George Pudsey Thomas Newsam and Richard Tyler the somme of Twenty Pounds more of law-full money of England whome I heartily request to take it into their Hands and sett out to the best benefit and advantage. And the yearlie benefit and encrease thereof my Will and meaning is and so I devize shalbe paid vnto my said Grandchild Katherine Hawley towards her Succour releife and mayntaynance during the time of naturall life And att her decease the said last mentioned Twenty Pounds and the encrease thereof if anie shall be in areare to bee paid over vnto the vse of such Child or Children of hers, or to such other person or persons to whome shee shall give and dispose the same either in writing vnder her Hand or otherwise before one or Two Credible witnesses. And all the rest of my goods mooveable and vnmooveable Plate Household stuffe Cattels and Chattels whatsoever vnbequeathed my funeral expences discharged and debts and Legacies paid I give and bequeath vnto my said loving Grandchild Alice Stanton whome also I ordayne and make my sole executrix of this my last Will and Testament And I doe hereby nominate request and appoint my verie Loving Freind Thomas Nash of Stratford vppon Avon aforesaid Esquire and my verie Loving freinds aforesaid George Pudsey Thomas Newsame and Richard Tyler to bee the Overseere of this my Last Will and Testament performed I give and bequeath Twenty shillings a peice to buy them Rings And I doe hereby revoke and annihilate all other Wills by mee formerly made In Wittnes whereof I have hereunto sett my Hand and Seale The Twen-tith Daie of August in the Eighteenth yeare of the Raigne of our Soveraigne Lord Charles by the Grace of God of England Scotland Fraunce and Ireland King Defendour of the Daith &c. Annoquorum Domini One Thousand six Hundred Forty and Two Alice Woodward Read sealed and published in the sight and presence of Mathew Holbech Iohn yardley Robert Clerke Francis Ainge Iohannis Moore.

Richard Woodward²⁷⁵

In the name of god Amen The sixe and twentithe daie of Februarie in the three and fourtith yeere of the Reigne of our soveraigne Ladie Elizabeth by the grace of god Queene of England Fraunce and Ireland defendor of the faith &c. Anno Domini One Thowsand sixe hundred I Richard Woodward of Stratford vpon Avon in the Countie of Warwicke gentleman beinge in good and perfect memorie & in bodilye helthe (thanckes be given to god) But consideringe the frailetie of humane nature and vncerteintie of lief in this worlde And for the setlinge and perfectinge of my estate and disposinge of these goodes Chattells landes Tenementes and hereditamentes which it hath pleased god to lende me in this worlde doe ordeine and make this my laste will and Testament in manner and fourme followeing viz^t Firste I commende my soule into the handes of Almightye god nothings doubtinge of my salvacion only by the merrittes deathe and passion of Ihesus Christe my Saviour and Redeemer and my bodye to the earthe from whence yt came to be buryed where yt shall please god to appointe And with suche Funeralls as shalbe thoughte fytt by my Executors and Overseers hereafter named And as touchinge the disposicion of my Worldlye goodes Cattells landes and tenementes my fulle intent & meaninge ys And I will that they shalbe ymployed and bestowed to suche vses intents and purposes as hereafter are mencioned lymytted and appointed and by suche person and persons as are hereafter named And to none other vse intent or purpose Firste I give and bequeath vnto Elizabeth my daughter One hundred Poundes of lawfull englishe monie to be payde to hir at hir Maryadge Provided alwaies that yf shee doe marrye with the advice consent and good lykynge of Richard Varney Iohn Temple and William Coombe Esquiors and of my Executors and overseers or the greatest number of them then livinge Of which number I will that the said Richard Varney Iohn Temple or William Combe shalbe twoe Yf they or twoe of them be then lyvynge Then shee shall have three hundred poundes to be payde in manner and fourme followinge Whereof the firste hundred pounds I meane to be parcell And yf shee marrie not before shee shall accomplishe the age of Twentie and one yeres Then I will that my Executors doe yeerelie give hir Twentye poundes for and towardes hir Relief and mayntenans vntill hir marriadge And that within sixe monethes next after hir Marriadge the said Somme of one or three hundred poundes respectivelie to be paid to hir But yf shee die and marrye not Then I leave the said three hundred poundes to the order direction and discretion of the persons aforenamed and of my Executors and Overseers or the greatest number of them then lyvinge to dispose and determine of the same as they shall thincke fytt to and amongst the residue of my daughters and their Children And my will ys that howsoever they or the greatest number of them shall dispose thereof the same shall stande and be good absolute and finall to hir or anie other that shall or maie clayme anie thinge in hir righte and their disposicion therein to be as my will Item I give vnto Frauncys my daughter One hundred poundes of lawfull englishe monie to be sett foorth for hir proffytte and Commoditie when shee shall accomplishe the age of Fifteene yeeres And to be payde to hir with the proffitt and increase thereof within sixe monethes next after shee shalbe married (yf shee marrye with the advice consent and good likinge of the persons aforenamed or the greatest number of them Or otherwise my Will ys that the persons afore-named or the greatest number of them shall dispose of the same in suche manner as is before lymytted and

²⁷⁵ TNA PROB 11/99/449.

appointed for the disposicion of the porcion of the said Elizabeth my daughter Item I gyue vnto Richard Tyler the sonne of my daughter Suzanna Fyve poundes a yeere to keepe him at schoole to be payde by my Executors yearelie duringe soe longe tyme as shalbe thoughte fytt by the said Richarde Varney Iohn Temple William Combe and my Executors & Overseers or the greatest number of them Item I give to Frauncys Abraham & Richard Abraham [sic] Children of my daughter Iudithe Twentie poundes a peece To be payde them at their severall ages of twentie yeeres Whereas I haue demysed graunted sett and to Ferme lett vnto the said Richard Varney Iohn Temple and William Combe All that Close or Pasture w^{ith} the Meddowe thereunto adioyninge w^{ith} all and singuler their Appurtenances lyenge and beinge in Meon w^{ithin} the Paryshe of Quaynton in the Countie of Gloucester²⁷⁶ late in my owne occupacion And all that Capitall Messuage or Tenement lyenge and beinge in Butlers Marston in the said Countie of Warrwick called the Personage /house\ And alsoe all other my Messuages Cottages Gleabelandes Tythes Oblacions Obvencions Meadowes Leasowes Closes Pastures Feedinges Landes Tenementes Woodes vnderwoodes Wayes Waters Fyshynges Proffittes Commodities Emolumentes Rentes Services and Hereditamentes w^{ith} all their appurtenances lienge and beinge w^{ithin} the Churchend of Butlers Marston aforesaid To haue and to holde all and singuler the saide premysses w^{ith} their Appurtenances vnto the said Richard Varney Iohn Temple and William Combe their Executors Administrators and Assignes ymmediatelic from and after my deceasse for and duringe the terme of one Thowsand yeeres from thence next followinge and fullie to be compleate and endid To suche vses purposes and intents as I shoulde lymytte appointe & declare by my laste will and testament as by an Indenture vnder my hande and seale bearinge date the twentithe daie of October last past maie appeare Nowe my will intent and meaninge ys And I will that the said Rentes yssues and proffyttes of all and singuler the said premysses before dimised and graunted in and by the said Indenture shalbe employed and bestowed to and for the discharge and payment of my debtes and legacies and performaunce of this my Will Whiche beinge trulie done and fullie performed And that made knowne and plaine vnto the said Richard Varney Iohn Temple and William Combe and to my Overseers or the moste of them then lyvinge by my Executors as my will and meaninge is they shall doe Then I will and my meaninge ys that yf my sonne Iohn shall in the opinion conceite and iudgement of the said Richard Varney Iohn Temple William Combe and of my Executors and Overseers or the more parte of them then lyvyngre reforme his manners and course of lief and proove towardlie and thriftye & be by them thoughte worthie to succeede me in the premysses And vpon this condicion that the said Iohn my sonne shall paie to my Executors or give sufficient Assuraunces vnto them for the payment of one thowsand poundes of lawfull englishe money and soe muche more as the persons aforenamed or the greater number of them shall thincke convenient and in suche reasonable tyme as they or the greatest number of them shall thincke fytt Then my will intent and meaninge ys that the said Richard Varney Iohn Temple and William Combe or the Survivor and Survivors of them their Executors or Assignes shall assure and conveighe the said premysses or suche parte thereof as they or the moste of them shall thincke fytt at their discrecions and the discrecion of my Executors and Overseers and the Survivors of them or the moste of them vnto my Sonne Iohn and to the heires males of his Bodye lawfullie begotten and to be begotten And yf my Sonne Iohn shall not prove reformed

²⁷⁶ In today's Gloucester there is a place called Quenington; Quainton today is recorded as being in Buckinghamshire.

in the opinion and iudgement aforesaid and dye havinge yssue male of his Bodye lawfullie begotten Then my will ys that duringe the lieffe of the said Iohn my Sonne and duringe the Nonage of suche heires males of my sonne Iohn his body begotten my Executors shall take the yssues and proffittes of the premyssees and ymploye and bestowe them on and amongst my daughters & their Children at the appointment and accordinge to the will and pleasure & att the discretion of the said Richard Varney Iohn Temple William Combe and of my executors and overseers or the moste of them then lyvyng and noe otherwise And theyre will iudgement and determinacion therein is and shalbe myne and as my laste will and testament And by this presentes I doe declare yt myne yf that suche heire male of the Bodye of the said Iohn come to be of fulle age Then my Will intent and meaninge ys that the saide Richarde Varney Iohn Temple and William Combe and the Survivor of them and the executors administrators and assignes of the Survivor of them shall conveighe and dispose of the said premyssees to that heyre male and to the heires males of suche heyres males forever And yf the said Iohn shall happen to departe this lief with onle heyre male and shall not paie the said Somme of one Thowsand poundes and soe muche more as the said Richard Varney Iohn Temple William Combe my Executors and Overseers or the greatest number of them then lyvyng shall assesse and appoynte and that my sonne Richard be then livinge And alsoe yf my said sonne Richard shall alter and change his course of lyfe and reforme his Manners and shalbe deemed a reformed man and shalbe thoughte worthie by the said Richard Varney Iohn Temple William Combe my Executors and Overseers or the greater number of them then livinge to succede me in the premyssees And vpon this condicion that the said Richard my sonne shall paye to my Executors or give sufficient assuranns to them for the payment of one thowsand poundes of lawfull englishe monye and soe muche more as the persons aforesaid or the greater number of them shall thincke fytt and in suche tyme and reasonable space as they or the greatest number of them shall thincke convenient And vpon this further Condicion that the said Richard my sonne shall paie to my Executors or give to them or the Survivor of them sufficient assuranns for the payment of Five hundred poundes more of like lawfull money over and aboue the said Thousand poundes to be payde at suche reasonable tyme as the said Richarde Varney Iohn Temple William Combe and my Overseers or the greater number of them then livinge shalbe thoughte convenient Whiche fyve hundred poundes I will shalbe for reasonable porcions for the yssue female of the bodye of my said sonne Iohn lawfullie begotten and to be begotten yf he haue any yssue female and aboue the number of twoe daughters at the leaste. But yf my sonne Iohn haue yssue female and not aboue the number of twoe then only three hundred poundes parcell of the said somme of fyve hundred poundes to be distributed to and amongst them and thother twoe hundred poundes residue to be distributed to and amongst my Children and their children to be divided by the said Richard Varney Iohn Temple William Combes or any twoe of them and by my Executors and Overseers or the greatest number of them then livinge in suche sorte as they shall thincke convenient Then or otherwise not I will and my intent and meaninge is that the said Richard Varney Iohn Temple and William Combe or the Survivor and Survivors of ~~of~~ them their Executors or assignes shall assure and conveighe the said premyssees or suche parte thereof as they or the moste of them shall thincke fytt at their discretions and the discretion of my Executors and Overseers and the Survivor of them or the moste of them vnto my said sonne Richard and the heyres males of his bodie lawfullie begotten and to be begotten And yf my Sonne Richard shall not prove reformed in the opinion & iudgement aforesaid and dye havinge yssue male of his bodye lawfullie begotten Then my Will ys that duringe the lyfe of

my Sonne Richard and duringe the Nonage of suche heires males my Executors shall take the proffittes and yssues of the premysses and ymploye and bestowe them on and amongst my daughters and their children at the appointement & accordinge to the will and pleasure and att the discretion of the said Richard Varney Iohn Temple William Combe and of my Executors and Overseers or the moste of them then lyvyng and noe otherwise And their will iudgement and determinacion therein is and shalbe myne And as my last will and testament And by theis presentes I doe declare yt myne But yf suche heire male come to be of fulle age Then my Will intent and meaninge ys that the said Richard Varney Iohn Temple and William Combe and the survivor of them & the Executors Administrators and assignes of the Survivor of them shall conveighe and dispose of the said premysses to that heire male and to the heires males of suche heires males forever And yf my said sonne[s] Iohn and Richard die vnreformed as aforesaid and that the said sommes before mencioned be not payde & assured as aforesaid and that the premysses be not conveighed to the yssues males aforesaid accordinge to my intent and meaninge before declared Then my Will intent and meaninge ys and I will that all and singuler the said premisses with their Appurtenances for and duringe the said terme of one thowsand yeares shalbe solde or otherwise ymployed at the discrecion of the said Richard Varney Iohn Temple William Combe my Executors and Overseers or the greater number of them then livinge and the monye and other consideracion that shall or maie be gotten or had for the same or Yearelie Rentes yssues Commodities and proffittes thereof shalbe distributed or devided to and amongst all my Children and the Children of their Bodies lafully begotten in suche sorte manner and fourme as to the said Richard Varney Iohn Temple William Combe or any twoe of them and to my Executors and Overseers or the greater number of them then livinge shalbe thoughte fytt or convenient And whatsoever the said Richard Varney Iohn Temple William Combe my Executors and Overseers or the greater number of them then lyvyng and survivinge shall doe or cause to be done in or abowte the premysses my Will intent and meaninge ys that the same shalbe withoute excepcions absolute and finall for or againste whomsoever yt shall or maye any waye concerne For by these presentes I doe ordeine and declare their Will iudgement and determinacion in the premysses to be as my laste will and absolute iudgement not to be altered or controlled by anie whosoever Item I give and bequeathe vnto Frauncys my lovinge wief the moytye or one half of all my howsholde stuffe and plate to hir owne vse and the other moytye thereof vnto my Executors towardes the payment of my debtes and performaunce of this my will Item I give vnto Hester my daughter Twoe hundred poundes more over and aboue that which hir husband hathe had of me To be payde within twoe yeeres next after my decease Item I give vnto the said Richard Varney Iohn Temple and William Combe Esquiors Thirtie of my best and fattest weathers equallie to be devided amongst them To be paid and delivered vnto them Within one half yeare next after my deceasse Item I give vnto my Brother Thomas Woodward Three poundes sixe shillings eighte pence Item to my Sonne in lawe Richard Abraham Three poundes sixe shillings eighte pence Item to my Cosin Richard Hunte Three poundes sixe shillings eighte pence and to my Cosyn Edwarde Hunte Three poundes sixe shillings eighte pence to be payde to them Within one half yeere next after my deceasse Item I give vnto the Poore of Butlers Marston Three poundes To the Poore of Stratford vpon Aven Three poundes To the Pore of Shottery and olde Stretford twenty Shillings And to the Poore of Quaynton Three poundes Provided alwaies and it is my true intent and meaninge and I will that my Executors shall once in everie yeere at the leaste give and yeelde vp a trewe & perfect accompt of their

Receiptes and disbursements in all thinges conteyned in this my will vnto the said Richard Varney Iohn Temple and William Combe or to twoe of them and to my Overseers And my will ys that they shall allowe my Executors for their charges and travaile at their discrecions and as they shall thincke fytt And my further will intent and meaninge ys that my Brother Thomas Woodward my Cosyn Edward Hunte and my Cosyn Thomas Hunte shalbe ayders and assistauntes aswell to the said Richard Varney Iohn Temple and William Combe and for their ease and with their consent and by their direction shall dispose as Bayllyffes and for them all the said premysses with their appurtenances as alsoe to my Executors in all thinges that shall or maie concerne my estate And that the said Thomas Woodward Edward and Thomas Hunte shall once everye yeare give and yealde vpp a trewe and perfect Accompte of all their proceedings in the said premysses to the said Richard Varney Iohn Temple and William Combe or to twoe of them And my Will ys that they shall allowe them the said Thomas Woodward Edward and Thomas Hunte for their charges and travaile at their discrecions and as they shall thincke fytt Provided alsoe that yf any doubtte ambiguitie or question doe happen to arryse growe or be for or by reason of any matter cause or thinge whatsoever conteyned in this my Will Then my Will intent and meaninge ys that the same shalbe decided ordered adijudged and decreed by the said Richard Varney Iohn Temple William Combe or any twoe of them and by my Executors and Overseers or the greater number of them Withoute lawe or further trouble And my Will alsoe ys that their order and iudgement therein shalbe finall and absolute to and for the same And I further will and devise that my Executors shall paie all charges and expences whatsoever touchinge or concerninge any matter cause or thinge conteyned in this my Will aswell at any of the sayd meetings abowte anie matter conteyned in this my Will as otherwise And my further Will intent and meaninge ys And I will that my Executors with the same and with other my goodes Cattells and Chattells and that the saide Richard Varney Iohn Temple William Combe and my Overseers ioyninge with them and addinge thereunto the said Leasse or the Rentes yssues and proffittes of the said premysses therein conteyned shall and will paye and discharge all my debtes and legacies and that with what expedicion they reasonably maye or can and in suche sorte manner and fourme as to them or the greater number of them shalbe thought fytt or convenient And the Surplusage or Overplus (yf anie be to be equallie devided to and amongst all my Children and the Children of their Bodies lawfullie begotten in suche manner and fourme as to the said Richard Varney Iohn Temple and William Combe or any twoe of them /& my executors or the greater number of them\ shalbe thoughte fytt or convenient and as the same is before in this my will lymyted appoynted and declared Provided alsoe further and my Will is that the said Richard Varney Iohn Temple William Combe or any twoe of them and the Survivor of them and my Executors and Overseers or the greatest number of them then surviving shall haue fulle power and awthoritie by force and vertue of this Somme and sommes of money before mencioned to and amongst all my children and the Children of their Bodies lawfullie begotten equallie or to some more and some lesse as they shall thincke fytt and requisite or see cause All the rest and residue of my goodes Cattells debtes howshold stuffe plate and chattells whatsoever I give and bequeathe vnto my Sonne in lawe Richard Abraham and to my Cosyn Richard Hunte only in truste for the performaunce of this my Will and not otherwise whome I doe ordeine and make sole executors of this my last will and testament And I doe ordeine and make the said Thomas Woodward Edward Hunte and Thomas Hunte my Overseers of this my last will And I doe earnestlie intreate them to see this my Will iustlie and trewlie performed in all thinges

accordinge to my trewe intent and meaninge in this my will expressed And my especiall truste and confidence in them reposed And my Will intent and meaninge is that neither the said Richard Varney Iohn Temple William Combe Thomas Woodward Richard Abraham Richard Hunte Edwarde Hunte or Thomas Hunte nor any of them shall take any Benefytte commoditie or advauntage by this my Will But only I intreate them in truste to doe and performe yt In Wittnes whereof I haue hereunto sett my hande and seale dated the daie and yeere abovewritten Richard Woodward Theis beinge wittness[e]s This was sealed and published by the abovenamed Richarde Woodward the sixe and twentithe of Maie one thowsande sixe hundred and twoe in the presence of vs Combe [sic] Thomas Hunte wilBoswell Clement Bayley²⁷⁷ This was likewise published by the abovenamed Richarde Woodward as his laste will and testament the twoe and twentithe daie of Maye Anno domini One thowsand sixe hundred and twoe Annorum R Regine Elizabethhe &c. Quadragesimo quarto in [?presencia] iurum Richardi Bifield Richard [?Worden] Horton Frauncis Collins

²⁷⁷ This last letter is a yogh.

Thomas Wotton²⁷⁸

In the name of God amen the second day of december in the yeare of our lord god 1590 & in the xxxiiijth yeare of the Rayngne of our Soverayngne lady Elizabeth by the grace of god Queene of Eynghland Fraunce & Ierland defender of the Fayth &c. I Thoma[s] Wotton of Stratford vpon Avon in the countye of Warwycke Wever, beyng sycke in body but of perfect memory I thanke my Almightye god (trustyng to be saued by the merits of Christes passyon) and my body to be buryed in the church yard of stratford aforesayd Item I geve & bequeth to Thomas Godwyne sonne to my sonne inlaw Thomas Godwyne thre pounds of lawfull money Item I geve vnto Symon Godwyne sonne to the same Thomas Godwyne fortye shillings of lawfull money Item I geve & bequeth vnto Isabell dawghter vnto the same Thomas Godwyne xxs of lawfull money /the same legaces\ to be payd to the vse of the sayd Thomas Symon & Isabell Within one quarter of an yeare next after my decesse and to be put to the best Vse for the behoof of the sayd children vntill such tyme as they shall be of the yeares of discretyon & shall accomplish the age of xxj yeares And if it fortune any of the sayd children to decesse before they come to age for the receat of theyr sayd legaces as is aforesayd then my Wyll is that the porcyon or porcyons of the decessed shall remayne equally to the other & so to the longest lyver of them Item I geve & bequeth vnto my sister Ione kyrdall Wyf to Thomas kyrdall xxs of lawfull money to be payd to her wythin one quarter of a yeare after my decesse Item I geve & bequeth vnto Ione kyrdall dawghter vnto the sayd Thomas xxs Item I geve & bequeth vnto prissilla dawghter to the sayd Thomas kyrdall xxs To be payd to the Vse of the sayd children Within one quarter of a yea[re] next after my decesse, & to be <pa> put to the best Vse for the behoof of the sayd children vntill they come to the ag[e] of xxj yeares And if it fortune eyther of them to decesse before theyr age for the receat of theyr sayd legaces that then the porcyon of the decessed to remayne to the longest lyver of them Item I geve to the vse & mayntenaunce of the box [sic] belongyng to my occupatyon xxs in consyderatyon that they shall be guyds vnto my Wif duryng her wydowehood to be payd to them wythin one yeare after my decesse at such tyme or tymes as my wyf may best spare the same And if it fortune my sayd wif to marry then I geve & bequeth the lease and Indenture of yeares of my barne Which I hold of Isaacke Itchcox vnto Thomas Godwyne the yonger aforesayd. Item my wyll is that my ij Ioyned bedsteds & all the waynscote about my hall shall remayne as standerds in my howse Item I geve & bequeth Vnto wyllyam Gilbard alias /higs\ mynister in Stratford vs of lawfull money Item I geve vnto Roger mollynes my covenaut servaunt Vs of lawfull money & my wyll is that he shall haue duple apperrell at the end of his yeares Which is a[t] mychellmas next Item my Wyll is that xx dosen of bred shalbe distributed <a> amonge the poore at the day of my buryall This bequest done detts payd & legaces levyed & my body honestly buryed then I geve & bequeth all the rest of my goodes moveable & vnmmoveable in Whose hands soever they be vnto Isabell my Wyf Who I ordayne & make my sole exekatrix of this my last Wyll & testament And I desyre my trusty frynds Wyllyam Rawson [?Antheryn] Cale & my sonne inlaw Thomas Godwyne to be my supervysers of this my last Wyll & testament And they to haue for theyr paynes theyrin to be taken iijs iiijd a pece of them Wyttnesses Wyllyam Rawson & Wyllyam Gilbard alias [higgs] mynister in Stratford aforesayd Wyth others

the signe of Thomas <mark> Wotton Testator

²⁷⁸ WRO 008.7 1591/89.

John Wylkynson alias Sadler²⁷⁹

Ihe

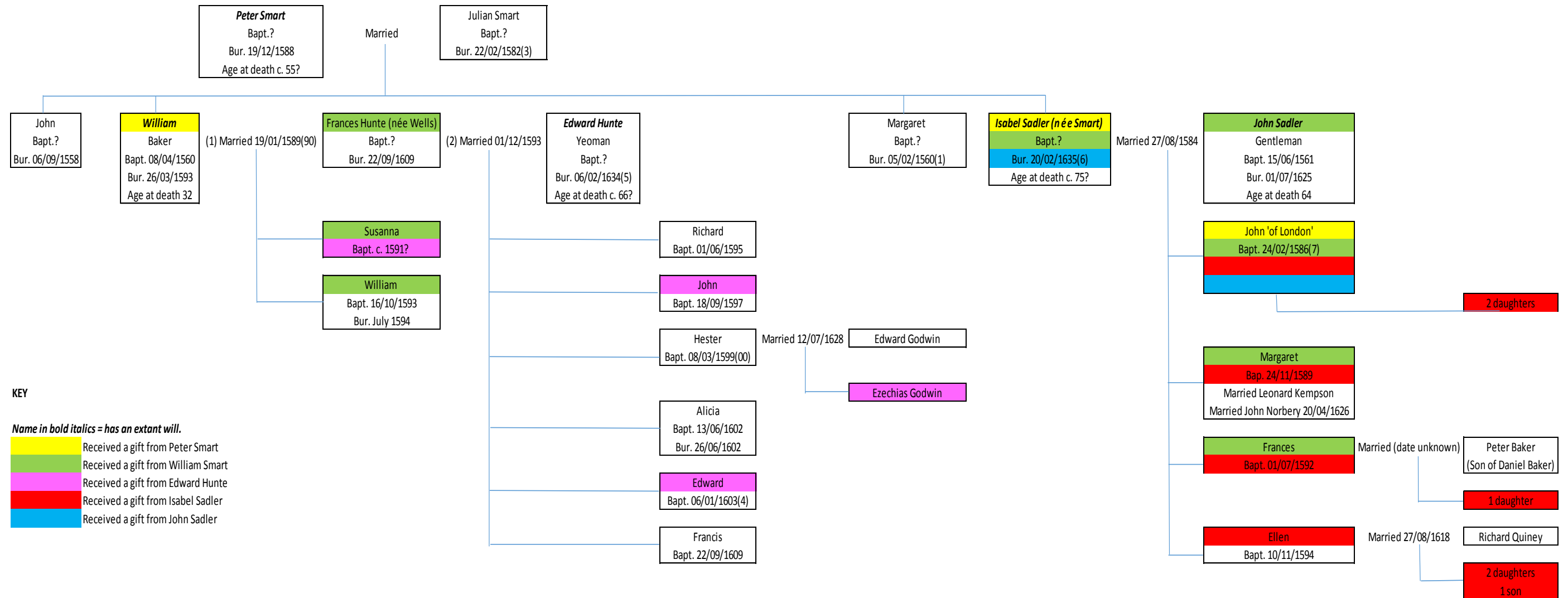
In dei nomine Amen In the yere of our lorde god 1542 the first day of Iune I Iohn wylkynson alias Sadler of stratforde apon avon in the counte [sic] of warwick in good mynd & remembrance but sike in body make and ordeyn this my last wyll & testament in forme and maner foloyng first I bequeth my sowle to almyghti god to our blessed ladi & to all the hooli company of heven my body to be buryed within the parishe church of the blessed Trinite of Stratforde aforsayd befor Saynt George Also I bequeth to the moder church of worceter iiijd. Item to the highe Avtar [altar] in the parishe churche of Stratforde iiijd Item to euery Avtar in the same church ijd. Item to euery oone of my godchilderne iiijd. Item to my sister margere vjs viiijd Item to the childer of my sister Iohan Cristofer & Iohan eyther of them iijs iiijd. Item to the doygther of my sister margere iijs iiijd The Residew of my goodes not bequethid I gyffe & bequeth to [?Glen] my Wyffe whome I ordeyn & make my soole executrix to dispoosse my goodes as she thinkyth best to the honor of god. Also I orden & mak my welbelouyd frend Oliuer lyzthfott²⁸⁰ super-visor of this my last wyll & testament to see hit performyd & done and he to have for his labor & paynes takyng vjs viiijd In witnes sir thomas Daygle priest Oliuer Baker With other

²⁷⁹ WRO 008.7 1542/123.

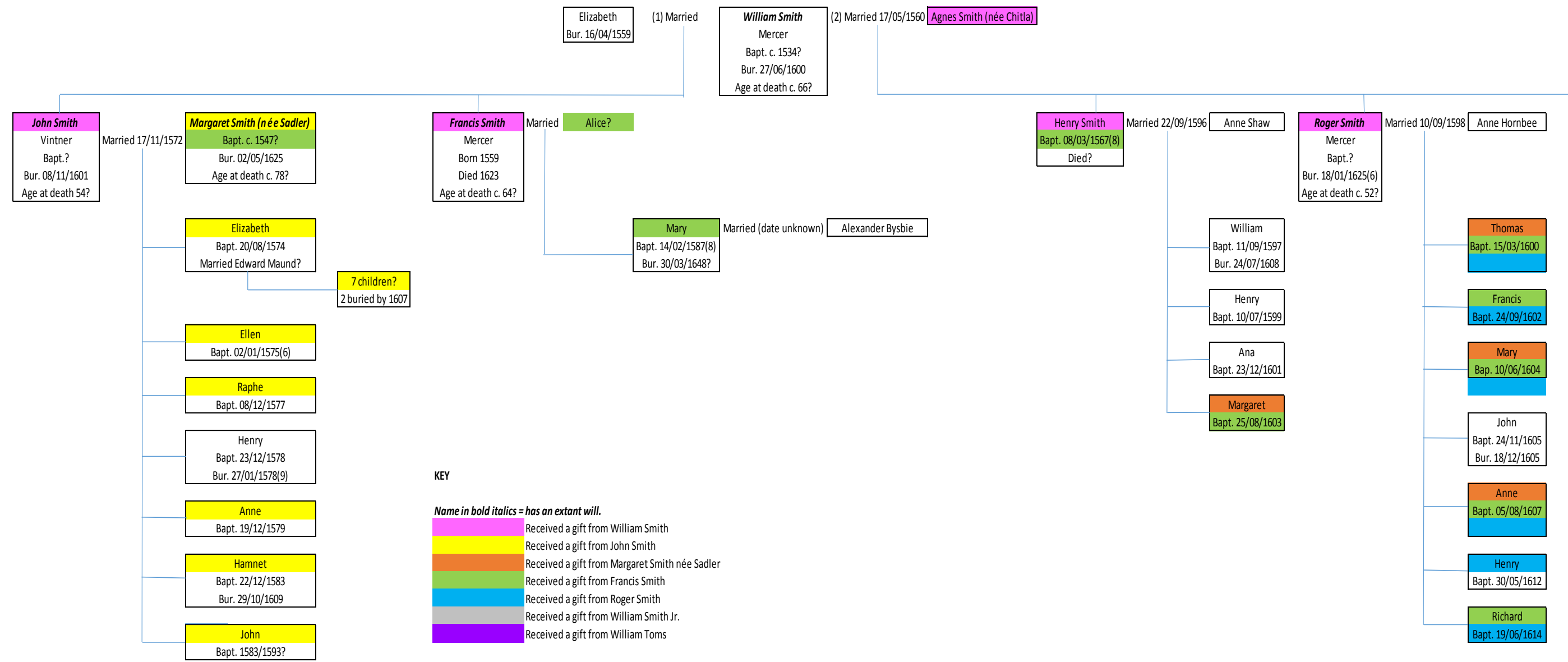
²⁸⁰ 'Lightfoot'.

**APPENDIX TWO
CASE STUDY FAMILY TREES**

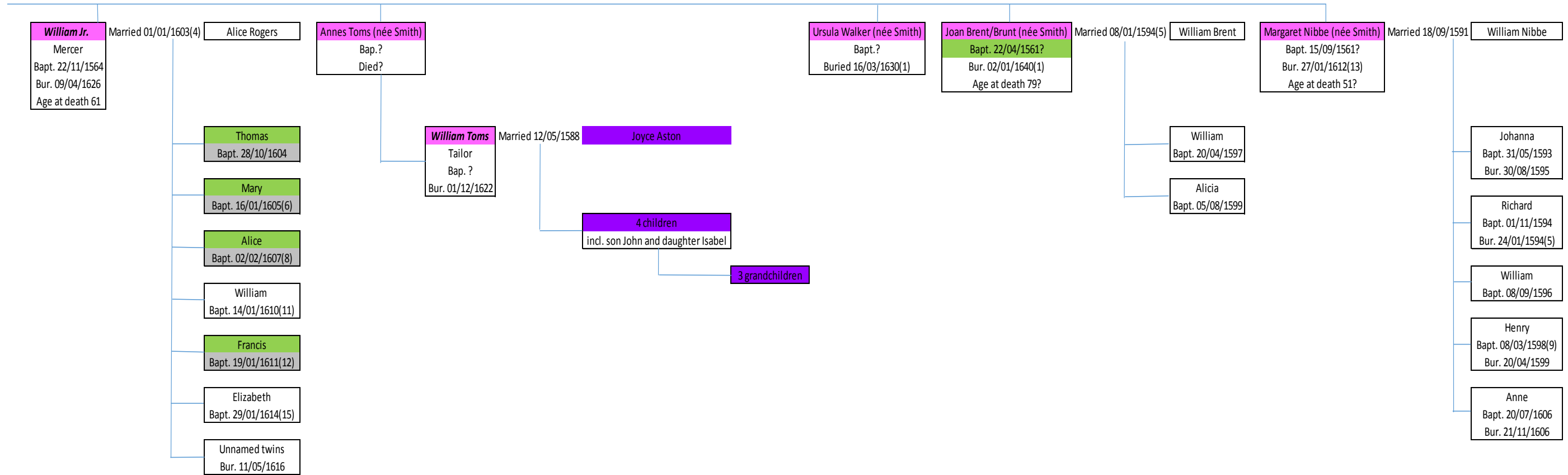
Case Study One – the Smart Family



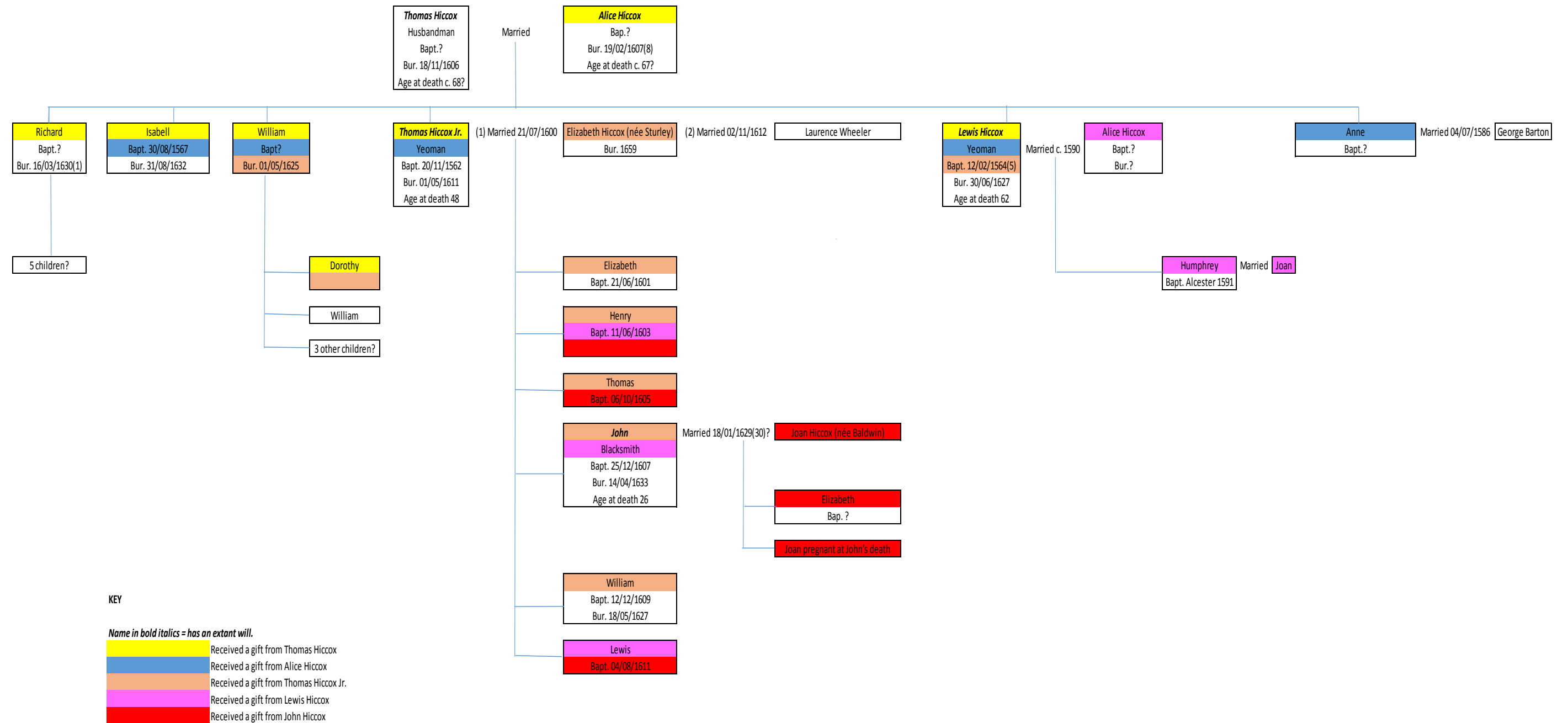
Case Study Two – the Smith family (continued over)



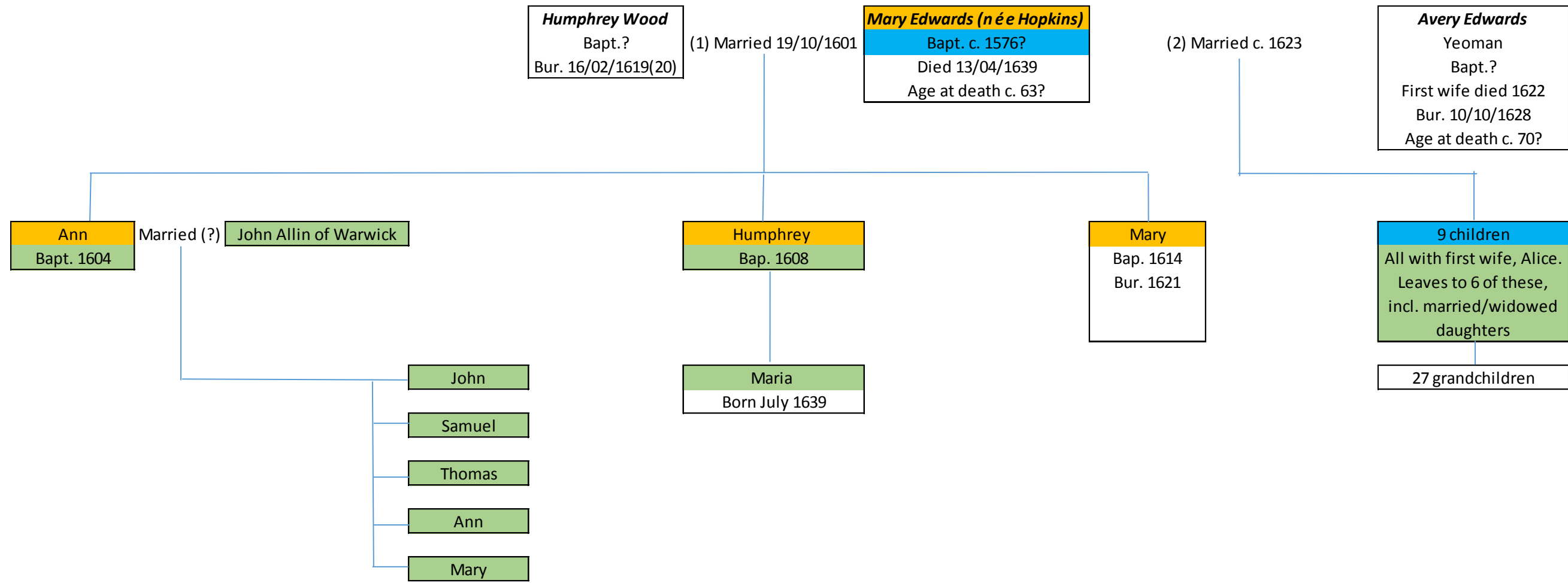
Case Study Two – the Smith family (continued from previous page)



Case Study Three – the Hiccox family of Welcombe



Case Study Four – Mary Edwards and her husbands

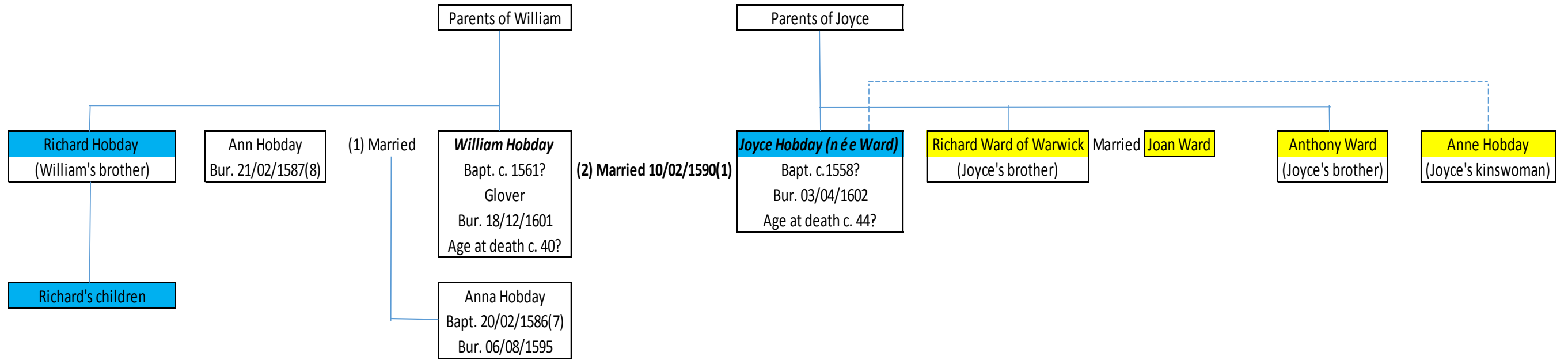


KEY

Name in bold italics = has an extant will.

- Received a gift from Humphrey Wood
- Received a gift from Mary Edwards
- Received a gift from Avery Edwards

Case Study Five – William and Joyce Hobday



KEY

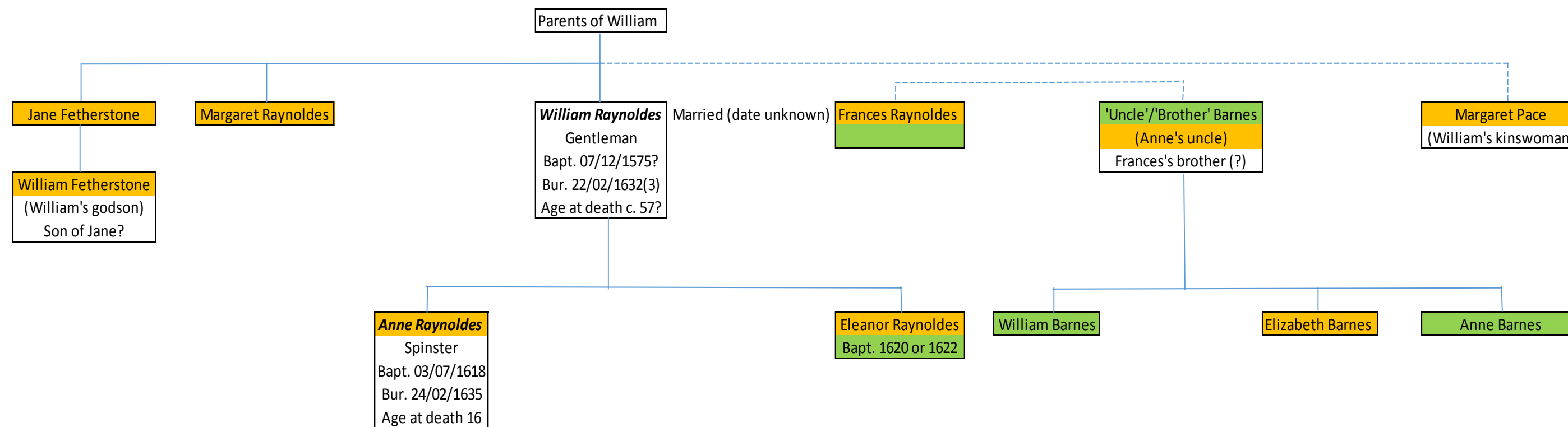
Name in bold italics = has an extant will.

Received a gift from William Hobday

Received a gift from Joyce Hobday

----- Relationship uncertain

Case Study Six – William and Anne Raynoldes



KEY

Name in bold italics = has an extant will.

Received a gift from William Raynoldes

Received a gift from Anne Raynoldes

----- Relationship uncertain

APPENDIX 3

NVIVO CODING CATEGORIES

When classifying objects or items in wills, there is potential for much overlap between certain categories of goods. In order to maintain consistency and precision in the coding of objects found in the Stratford wills, it was decided to divide the goods into groups, and to apply that coding throughout. Sometimes a decision had to be made about to which category an object should belong: for example, should a table cloth be considered 'Dining Ware', 'Household General', or 'Linen'? It could probably be deemed any one of these three, however in this instance it was placed under 'Dining Ware'. No doubt another scholar may have coded this and some other items differently, nevertheless the system employed here allowed for consistency throughout the coding process.

Bedding

Included in this category were all items which related to the furnishing of a bed, including the bed and bedsteads, sheets of all kinds, blankets, hillings, and coverlets. Anything listed as a 'pillow' or 'bolster' was also included (whereas any 'cushions' were placed under the 'Household General' category).

Dining Ware

Included in this category were all items related to dining, for example: platters, spoons, napkins, chafing dishes, pint and quart pots, linens relating to the table (i.e. table cloths and table napkins), board cloths, posnets, and potingers.

Kitchen Ware

Included in this category was anything particularly for use in the kitchen, for example: cauldrons, pans, dabnets, gridirons, spits, barrels, mustard or malt mills, beer barrels, chafferns, brewing equipment (leads, vats, etc.), racks, dressers (if explicitly listed as being in the kitchen, i.e. for dressing meat), skimmers, and any pots whose use was unspecified.

Household General

Included in this category were any items which did not have a more specific use or role anywhere else around the house, for example: coffers, chairs, forms, tables, candlesticks, unspecified pewter, brass or plate (i.e. 'fourteen pounds of pewter'), rugs, curtains (when not explicitly associated with a bed), chamber pots, painted cloths and other hangings, buckets, pails, garners, basins, shelves, and boards.

Clothing

Both men and women's clothing was coded under one category, as the Nvivo database allowed for the separate consideration of men's and women's clothing bequests when running queries. As well as the usual items of clothing, also included in this category were handkerchiefs, purses, and any raw material left explicitly to make an item of clothing.

Jewellery

Aside from the obvious items which would fall into this category, also included were: seals, rosary beads, casting bottles (for holding fragrance), and any money or gold of a certain value left in order to make a ring or another item of jewellery.

Books

Also included in this category were any other documents, such as patterns for clothing.

Linen

Included in this category were all those linen items which were not to be considered bedding, clothing, or dining ware, for example: towels, pieces of cloth, cupboard cloths, christening sheets, and any raw materials (i.e. a fleece of wool).

Fixtures and Fittings

Included in this category were all items which were either part of a property, or to remain there 'as standards', for example: windows and wainscoting.

Work Tools

Included in this category were all items which were explicitly listed as such, including any shop wares.

Farm or Land Implements

Included in this category were carts, horse-riding equipment, and anything else needed to work the land.

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